Karen Johnson Davidson County
Batch # 1118245 DEEDTRS
04/03/2024 11:18:01 AM 7 pgs
Fees: $38.00 Taxes: $854.70
20240403-0023423

SUCCESSOR TRUSTEE'S DEED	STATE OF TENNESSEE} COUNTY OF DAVIDSON} The actual consideration or value, whichever is greater for this transfer is $231,000.00 Affiant Subscribed and sworn to before me This 28 day of March 2024. Notary Public My Commission Expires: 11/15/2026 TRENT NOTESTINE STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY

Address New Owners as:	Tax Bill To:	Map/Parcel
1 Public Homes, LLC 5133 Harding Pike Suite B10 Nashville, TN 37205	New Owner	165-14-0 · 05400

This instrument prepared by: Notestine Law Firm, Attorneys at Law, 109 Kenner Avenue, Suite 201, Nashville, Tennessee 37205.

This indenture made the 28th day of March, 2024, by and between Robert J. Notestine III, Successor Trustee (party of the first part) and 1 Public Homes, LLC, a limited liability company, party(ies) of the second part.

W I T N E S S E T H:

WHEREAS, on the 16th day of April, 2014, Charles Johnson McGlother Jr. did duly execute and convey to the Trustee named therein, a certain Deed of Trust which were duly registered in the Register's Office for Davidson County, Tennessee in Instrument Number 20140417-0032172, whereby were conveyed a certain parcel of property which are described in the Deeds of Trust as follows:

BEING Lot No. 47, Section Three on the Plan of Peppertree Forest, Planned Unit Development as of record in plat Book 7900, Page 249, Register's Office for

Davidson County, Tennessee, to which plan reference is hereby made for a more complete and accurate description thereof.

Being the same property conveyed to Charles Johnson McGlother, Jr. by Warranty Deed of record in Instrument No. 20140417-0032171, Register's Office for Davidson County, Tennessee

This is improved real property commonly known as 1120 Bluewillow Ct., Tennessee, 37013.

AND WHEREAS, the said Deed of Trust was for the purpose of securing a certain indebtedness in the original principal amount of $116,097.11 as evidenced by a Note dated April 16, 2014 in the original principal amount of $116,097.11.

AND WHEREAS the party of the first part hereto did advertise said property as provided for in said Deed of Trust in the weekly newspaper published in Davidson County, Tennessee, to-wit: The Ledger giving the time and place and terms of sale.

AND WHEREAS, Robert J. Notestine III was appointed as Successor Trustee by the Appointment of Successor Trustee of record in instrument 20240213-0010043, Register's Office for Davidson County, Tennessee; and

AND WHEREAS, on the 28th day of March, 2024, at 10:00 o'clock a.m. at the front entrance of the Davidson County Courthouse in Nashville, Davidson County, Tennessee, at the time and place fixed the said property was offered for sale at public auction for cash in hand and in bar of the right and equity of redemption as provided in said Deed of Trust and all amendments, assumptions and modifications thereto and being primed for a reasonable time was finally struck off to the party(ies) of the second part hereto at the bid of $ 231,000.00 the party of the second part being the highest and best bid which sum was in hand paid and identified as defined by said Deed of Trust.

NOW, THEREFORE, in consideration of the premises, and the sum so aforesaid bid and paid, the party of the first part hereto, Robert J. Notestine III, Successor Trustee, does hereby bargain, sell, transfer and convey unto said party(ies) of the second part, 1 Public Homes, LLC , the parcel or lot of land herein before described to have and to hold the same, together with all the hereditaments, improvements, buildings, easements and appurtenances thereon, and thereunto belonging and appertaining, as an inheritance and fee, and free from all right and equity of redemption and the maker of said Note and all persons claiming to and under them. The party of the first part affirms that, as Successor Trustee, he is lawfully seized of said property. The conveyance is subject to the interest of the Davidson County Trustee and the Metropolitan Government of Nashville and Davidson County, Tennessee, Department of Codes and Building Safety. This sale has been conducted in compliance with the Order entered in the case of *United States of America v. Charels McGlother*, et al, Case No. 3:22-CR-00367. A true and exact copy of said orders is attached hereto as Exhibit A.

WITNESSETH the hand of the first party, the date and year first above written.

ROBERT J. NOTESTINE III
Successor Trustee

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Personally appeared before me, Robert J. Notestine III, Successor Trustee, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that he executed the within instrument for the purposes therein contained.

WITNESS my hand and official seal at Nashville, Tennessee, this 29 day of March, 2024.

Notary Public

My Commission Expires: 11/03/2025

TRENT NOTESTINE
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY

Exhibit A

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

UNITED STATES OF AMERICA	)	
	)	
v.	)	
	)	Case No. 3:22-CR-00367
[1] CHARLES MCGLOTHER	)	JUDGE RICHARDSON
[2] KAREN BAILEY	)	
[3] CHARLES SUMNER	)	

ORDER

The United States of America, pursuant to Fed. R. Crim. P. 32.2(b)(7), moved this Court for an Order permitting the foreclosure sale of real property sought for forfeiture in this matter. In consideration of the Motion and the Record in this case, including Defendant's lack of opposition to the Motion, the Court finds as follows:

The Forfeiture Allegation of the Indictment provided notice that, upon conviction of the offenses charged in this matter, the United States intends to seek forfeiture of any property, real or personal, pursuant to relevant forfeiture statutes. (ECF No. 5: Indictment, PageID# 17-19.) On December 16, 2022, the United States filed a Bill of Particulars identifying the real property located at 1120 Blue Willow Court, Antioch, Tennessee, 37013, ("Subject Real Property") as subject to forfeiture. (ECF No. 19: Bill of Particulars, PageID# 54-55.) This property is more particularly described as:

> Real property commonly known as 1120 Blue Willow Court, Antioch, TN 37013
>
> BEING Lot No. 47, Section Three on the Plan of Peppertree Forest, Planned Unit Development as of record in Plat Book 7900, Page 249, Register's Office for Davidson County, Tennessee, to which plan reference is hereby made for a more complete and accurate description thereof.
>
> Being all or part of the same property conveyed to Charles Johnson McGlother, Jr., unmarried, by virtue of that certain Warranty Deed dated

April 16, 2014, at Instrument No. 20140417-0032171 in the Register's Office of Davidson County, Tennessee.

The United States has recorded notice of its lien *lis pendens* against the Subject Real Property in the Davidson County Register of Deeds, which was assigned Instrument No. 20221216-0130503, which provides public notice of the United States' intent to forfeit the Subject Real Property.

Defendant Charles McGlother is the record owner of the Subject Real Property, having purchased it in 2014 from Mr. Walter H. Carter ("Mr. Carter"). The Defendant financed the purchase with a promissory note in favor of Mr. Carter, and in turn, Mr. Carter recorded a Deed of Trust memorializing the debt and his lien against the Subject Real Property.

It appears to the Court that the promissory note encumbering the Subject Real Property is in default, and the Defendant has not made scheduled payments since December 2022. Mr. Carter holds a first lien position. But for this proceeding, Mr. Carter would have the right to proceed with a foreclosure sale of the Subject Real Property.

This matter is set for trial on February 20, 2024. (ECF No. 60: Order Setting Trial.) Mr. Carter, through counsel, has expressed a preference to institute foreclosure proceedings prior to trial. A foreclosure sale at this time would permit Mr. Carter to dispose of the property lawfully and avoid further financial loss by delaying foreclosure until such future date, in the event of a conviction, the property can be dealt with in post-trial forfeiture proceedings.

It is, therefore, ordered that:

1. Mr. Walter H. Carter through any duly appointed attorney or successor trustee, shall promptly proceed with lawful foreclosure proceedings concerning the Subject Real Property. The foreclosure sale shall observe and abide by applicable state law. Nothing herein shall alter the

obligations of any lienholder or any appointed attorney or successor trustee with respect to the foreclosure sale.

2. After satisfaction of the Mr. Carter's lien, any excess proceeds from the foreclosure sale of the Subject Real Property shall be deposited with the Clerk of the Court.

3. The United States will provide notice of the excess proceeds to any known, third parties who may claim an interest therein, and such claims will be handled through the ancillary process set forth in Fed. R. Crim. P. 32.2(c).

Eli Richardson

ELI RICHARDSON
United States District Court Judge