

SUBSTITUTE TRUSTEE'S SALE

Sale at public auction will be on May 20, 2014 at 10:00 AM local time, at the south door, Macon County Courthouse, 904 HWY. 52 Bypass East, Lafayette, Tennessee pursuant to Deed of Trust executed by Michael J. Kowicki, a married person and wife, Amy Kowicki, to Benchmark Title Company, Trustee, as trustee for Mortgage Electronic Registration Systems, Inc. ("MERS"), solely as nominee for NBANK, NA on May 6, 2004 at Book TD354, Page 420, Instrument No. 04001615; conducted by Shapiro & Kirsch, LLP having been appointed Substitute or Successor Trustee, all of record in the Macon County Register's Office. Default has occurred in the performance of the covenants, terms, and conditions of said Deed of Trust and the entire indebtedness has been declared due and payable.

Party Entitled to Enforce the Debt: Wells Fargo Bank, NA, its successors and assigns

The following real estate located in Macon County, Tennessee, will be sold to the highest call bidder:

Lying and being in the 9th Civil District of Macon County, Tennessee and being described by metes and bounds as follows:

Beginning at an iron pin new at the North margin of Rodgers Lane, being the Southwest corner of this tract and approximately 1874 feet Southeast of the Southwest corner of Bobby, Terry & Timmy Jones property; thence with a line severing the property of Jones North 20 degrees 45 minutes 13 seconds East 222.22 feet to a 13" cherry; thence North 29 degrees 01 minutes 14 seconds East 85.06 feet to a 15" maple; thence North 29 degrees 49 minutes 36 seconds East 68.59 feet to an iron pin new by a maple; thence North 34 degrees 06 minutes 58 seconds East 203.93 feet to an iron pin new at the bottom of the hill; thence along the Southwesterly edge of a bottom South 49 degrees 00 minutes East 470.53 feet to an iron pin new; thence South 63 degrees 03 minutes 05 seconds East 249.12 feet to an iron pin new at the North margin of Rodgers Lane, being 155.6 feet Southwest of the Southwest corner of a barn; thence with the North margin of Rodgers Lane South 43 degrees 35 minutes 08 seconds West 107.91 feet to a point; thence South 55 degrees 34 minutes 49 seconds West 60.96 feet to a point; thence South 78 degrees 05 minutes 43 seconds West 81.58 feet to a point; thence South 88 degrees 27 minutes 46 seconds West 148.46 feet to a point; thence South 84 degrees 38 minutes 50 seconds West 82.28 feet to a point; thence South 89 degrees 49 minutes 09 seconds West 189.94 feet to a point; thence North 83 degrees 54 minutes 34 seconds West 83.54 feet to a point; thence North 72 degrees 19 minutes 49 seconds West 144.68 feet to the point of beginning containing 6.04 acres more or less, according to survey dated June 25, 1997, by Holland Land Surveying, 606 Red Boiling Springs Road, Lafayette, Tennessee, 37083, Registered Land Surveyor Number 492.

Being the property conveyed to Michael J. Kowicki and wife, Amy Kowicki, from John E. Gregory and wife, Darline C. Gregory, by deed dated 5-6-04, recorded 5-10-04 in Deed Book 259, Page 398, Register's Office of Macon County, Tennessee.

Subject to water rights of record in Deed Book 96, Page 126, ROMCT.

Street Address: 335 Rodgers Lane, Lafayette, Tennessee 37083

Parcel Number: 009 029.03

Current Owner(s) of Property: Michael Kowicki aka Michael J. Kowicki and wife, Amy Kowicki
The street address of the above described property is believed to be 335 Rodgers Lane, Lafayette, Tennessee 37083, but such address is not part of the legal description of the property sold herein and in the event of any discrepancy, the legal description herein shall control.

SALE IS SUBJECT TO TENANT(S) RIGHTS IN POSSESSION.

This sale is subject to all matters shown on any applicable recorded plat any unpaid taxes; and any restrictive covenants, easements, or setback lines that may be applicable; any statutory right of redemption of any governmental agency, state or federal; any prior liens or encumbrances as well as any priority created by a fixture filing; and to any matter that an accurate survey of the premises might disclose.

All right of equity of redemption, statutory and otherwise, and homestead are expressly waived in said Deed of Trust, and the title is believed to be good, but the undersigned will sell and convey only as Substitute Trustee.

The right is reserved to adjourn the day of the sale to another day, time, and place certain without further publication, upon announcement at the time and place for the sale set forth above. If you purchase a property at the foreclosure sale, the entire purchase price is due and payable at the conclusion of the auction in the form of a certified/bank check made payable to or endorsed to Shapiro & Kirsch, LLP. No personal checks will be accepted. To this end, you must bring sufficient funds to outbid the lender and any other bidders. Insufficient funds will not be accepted. Amounts received in excess of the winning bid will be refunded to the successful purchaser at the time the foreclosure deed is delivered.

This property is being sold with the express reservation that the sale is subject to confirmation by the lender or trustee. This sale may be rescinded by the Substitute Trustee at any time.

This office may be a debt collector. This may be an attempt to collect a debt and any information obtained may be used for that purpose.

Shapiro & Kirsch, LLP Substitute Trustee

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