

## **SUBSTITUTE TRUSTEE'S NOTICE OF SALE**

Sale at public auction will be on June 16, 2025, at or about 11:00 AM, local time, at the west door of the Hamilton County Courthouse, 625 Georgia Avenue, Chattanooga, TN 37402, pursuant to the Deed of Trust executed by Charles E. Burnette and Kathy G. Burnette, husband and wife, to Affiliated Title, as Trustee for Mortgage Electronic Registration Systems, Inc., solely as nominee for IndyMac Bank, F.S.B., a federally chartered savings bank dated May 31, 2007, and recorded in Book GI 8363, Page 865, in the Register's Office for Hamilton County, Tennessee ("Deed of Trust"), conducted by Padgett Law Group, having been appointed Substitute Trustee, all of record in the Hamilton County Register's Office. Default in the performance of the covenants, terms, and conditions of said Deed of Trust has been made; and the entire indebtedness has been declared due and payable.

Party entitled to enforce the debt: MCLP Asset Company, Inc.

Other interested parties: Unifund CCR Partners; Estate/Unknown Heirs of Kathy G. Burnette

The hereinafter described real property located in Hamilton County will be sold to the highest call bidder subject to all unpaid taxes, prior liens and encumbrances of record:

Legal Description: IN THE CITY OF CHATTANOOGA, HAMILTON COUNTY TENNESSEE:

Lot Nine (9), Resubdivision of Cumberland Heights Subdivision, as shown by plat recorded in Plat Book 15, Page 17, of the Register's Office of Hamilton County, Tennessee. According to said plat said lot is described as: BEGINNING at the Southeast corner of said lot in the west line of Perry Street, 331.8 feet from its intersection with the north line of Nelson Street; thence North along the west line of Perry Street 66 feet to the southeast corner of Lot Ten (10); thence west along the line dividing Lots Ten (10) and Nine (9), a distance of 190 feet to the northwest corner of Lot Nine (9); thence south along the west line of Lot Nine (9), a distance of 66 feet to the northwest corner of Lot Eight (8); thence east along the line dividing Lots Eight (8) and Nine (9), a distance of 190 feet to the beginning.

Being the same property conveyed to Charles E. Burnette and wife, Kathy C. Burnette by Wayne T. Mixon and Charles D. Wilson d/b/a M & W Properties as recorded on 3/31/1975 in Book 2228, Page 344 in the Register's Office of Hamilton County, Tennessee.

SUBJECT to any applicable governmental zoning ordinances or subdivision regulators in effect thereon.

Street Address: The street address of the property is believed to be 1113 Perry Street, Chattanooga, TN 37421, but such address is not part of the legal description of the property. In the event of any discrepancy, the legal description herein shall control.

Map/Parcel Number: 158A G 004

Current owner(s) of Record: Charles E. Burnette and Kathy G. Burnette

This sale is subject to all matters shown on any applicable recorded Plat or Plan; any unpaid taxes and assessments; any restrictive covenants, easements or setback lines that may be applicable; rights of redemption, equity, statutory or otherwise, not otherwise waived in the Deed of Trust, including rights of redemption of any government agency, state or federal; and any and all prior deeds of trust, liens, dues, assessments, encumbrances, defects, adverse claims and other matters that may take priority over the Deed of Trust upon which this foreclosure sale is conducted or are not extinguished by this Foreclosure Sale.

THE PROPERTY IS SOLD WITHOUT ANY REPRESENTATIONS OR WARRANTIES, EXPRESSED OR IMPLIED, RELATING TO TITLE, MARKETABILITY OF TITLE, POSSESSION, QUIET ENJOYMENT OR THE LIKE AND FITNESS FOR A GENERAL OR PARTICULAR USE OR PURPOSE. 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 sale to another time certain or to another day, time, and place certain, without

further publication upon announcement on the day, time, and place of sale set forth above or any subsequent adjourned day, time, and place of sale.

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 check made payable to or endorsed to Padgett Law Group. 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.

Padgett Law Group, Substitute Trustee  
6267 Old Water Oak Road, Suite 203  
Tallahassee, FL 32312  
(850) 422-2520 (telephone)  
(850) 422-2567 (facsimile)  
[attorney@padgettlawgroup.com](mailto:attorney@padgettlawgroup.com)  
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