

SUBSTITUTE TRUSTEE'S NOTICE OF SALE

Sale at public auction will be on September 16, 2025, at or about 2:00 PM, local time, at the east door of the Fentress County Courthouse, 101 Main Street, Jamestown, TN 38556, pursuant to the Deed of Trust executed by Kenny L Berry, married man, to Gregory Graham, as Trustee for Mortgage Electronic Registration Systems, Inc., solely as nominee for NTFN, Inc. dated January 31, 2017, and recorded February 7, 2017, in Book 265, Page 875, Instrument No. 17000367, in the Register's Office for Fentress County, Tennessee ("Deed of Trust"), conducted by Padgett Law Group, having been appointed Substitute Trustee, all of record in the Fentress 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: NewRez LLC d/b/a Shellpoint Mortgage Servicing

Other interested parties: Estate/Heirs of Kenny L Berry

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

Legal Description: TRACT ONE:

Lying and being in the Fourth (4th) Civil District of Fentress County, Tennessee, and being located approximately 20 miles Southwardly from the Courthouse at Jamestown, via U.S. Highway 127; thence Westwardly on Tennessee Highway 62 and being located more particularly on Ashburn Road, just South of Tennessee Highway 62, and beginning more particularly at a stake located in the Northwestern line of that tract or parcel of land conveyed to Fira Ashburn, of record in Deed Book I-3, Page 396, of the Register's Office of Fentress County, Tennessee, which said stake is located North 44° 38' East 468.5' from the Northwesternmost corner of that tract or parcel of land conveyed to Fira Ashburn by that deed of record in Deed Book I-3, Page 396, of the Register's Office of Fentress County, Tennessee; thence North 44° 38' East 152.0' to a stake; thence South 15° 47' East 392.1' to a stake; thence South 54° 47' West 190.0' to a stake; thence north 08° 44' West 383.15' to the beginning corner, containing 1.34 acres, more or less, as surveyed by Robert E. Wells, Tennessee Registered Surveyor.

Tract 1 herein benefits from a right-of-way easement of record in Warranty Deed Book W-5, Page 242, Register's Office of Fentress County, Tennessee.

Tract 1 herein is subject to a 20 foot right-of-way easement of record in Warranty Deed Book W-5, Page 121, Register's Office of Fentress County, Tennessee.

Together with all water and water rights, if any, ditches, appropriations, franchises, privileges, permits, licenses and easements that are on, connected with, or usually had and enjoyed in connection with the above described real estate.

Subject to rights reserved in federal patents or state deeds, reservations, restrictions and use and zoning laws, plat dedications, and restrictive and protective covenants, easements and rights-of-way of record or in apparent use; and existing or future municipal, county, state or other governmental or quasi-governmental assessments, including LID assessments and utility tape or connection charges, if any.

Tract two:

Lying and being in the Fourth Civil District of Fentress County, Tennessee and located approximately 20 miles Southwardly from the Courthouse at Jamestown, via U.S. Highway 127; thence Westwardly on Tennessee Highway 62 and being located more particularly on Ashburn Road, just South of Tennessee Highway 62, and beginning more particularly at a stake located in the Northwestern line of that tract or parcel of land conveyed to Fira Ashburn, of record in Deed Book I-3, Page 396, of the Register's Office of Fentress County, Tennessee, which said stake is located North 44° 38' East 332.5 feet from the Northwesternmost corner of the tract conveyed to Fira Ashburn by that deed of record in Deed Book I-3, Page 396, of the Register's Office of Fentress County, Tennessee; thence North 44° 38' East 152.0 feet to a stake; thence South 08° 44' East 383.15 feet to a stake; thence South 54° 47' West 220.0 feet to a stake; thence north 02° 08' East 397.7 feet to the beginning corner, containing 1.33 acres, more or less, as surveyed by Robert E. Wells, Tennessee Registered Surveyor.

Tract 2 herein benefits from a right-of-way easement of record in Warranty Deed Book W-5, Page 242, Register's Office of Fentress County, Tennessee.

Tract 2 herein is subject to a 20 foot right-of-way easement of record in Warranty Deed Book V-5, Page 678, Register's Office of Fentress County, Tennessee.

Together with all water and water rights, if any, ditches, appropriations, franchises, privileges, permits, licenses and easements that are on, connected with, or usually had and enjoyed in connection with the above described real estate.

Subject to rights reserved in federal patents or state deeds, reservations, restrictions and use and zoning laws, plat dedications, and restrictive and protective covenants, easements and rights-of-way of record or in apparent use; and existing or future municipal, county, state or other governmental or quasi-governmental assessments, including LID assessments and utility tape or connection charges, if any.

The previous and last conveyance for Tracts 1 and 2 being a Special Warranty Deed from Union Bank of Jamestown to Kenny L. Berry, filed of record in Record Book 265, Page 873, Register's Office of Fentress County, Tennessee.

Street Address: The street address of the property is believed to be 1193 Ashburn Road, Monterey, TN 38574, 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: 155 001.02

Current owner(s) of Record: Estate/Unknown Heirs of Kenny L Berry

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 postpone or adjourn the sale to another specified time certain or to another date, time, and location certain, without further newspaper publication upon announcement by posting with the third-party internet posting company and announced on the date, time, and location of sale set forth above or any subsequent postponed or adjourned date, time, and location of sale; provided, however if the sale is postponed or adjourned for less than five (5) days after the original sale, announcement by internet posting is not required.

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.

This Notice of Sale has been posted by Capital City Posting and can be viewed online at CapitalCityPostings.com.

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