



and convey unto the said Peoples Bank of East Tennessee the land sold and attachments as aforesaid property described as follows:

TRACT TWO:

IN THE THIRD CIVIL DISTRICT OF MONROE COUNTY, TENNESSEE:

IN THE LAUREL LAKE SUBDIVISION, being Lot # 309, according to plat of record in Plat Cabinet C, Slide 182, in the Register's Office for Monroe County, Tennessee, and being more particularly described as follows:

BEGINNING at the Northernmost point of the tract herein conveyed at a common corner with Laurel Mountain Drive and Lot # 308; thence with Laurel Mountain Drive South 74 deg. 16 min. East 50.6 feet to a point; thence South 79 deg. 53 min. East 72.8 feet to an iron pin with Lot #235; thence with Lot # 235, South 01 deg. 48 min. East 318.9 feet to a point with Neal Moran; thence North 77 deg. 04 min. West 219.4 feet to an iron pin at a corner with Lot # 308; thence with Lot # 308 North 15 deg. 44 min. East 307.7 feet to the BEGINNING corner; containing 1.21 acre, more or less.

There is also CONVEYED all of the interest of the grantors that they own in the voting right in the Laurel Mountain Lakes Association, a non-profit organization, as this vote is reflected to Lot #309, in Unit 12 of the Laurel Lakes Subdivision. This voting right is a participating right of one (1) vote for Lot # 309, in Unit 12 in the Association and all of the rights and privileges of membership in the Laurel Mountain Lakes Association is hereby transferred from the grantors to the grantees, their heirs and assigns.

For prior title see Deed recorded in Deed Book 252, Page 415, in the Register's Office of Monroe County, Tennessee.

There is further conveyed a 30 foot non-exclusive right-of-way extending from the Western edge of the property in a Northwesterly direction to Laurel Mountain Drive, extending 15 feet on each side of the centerline of the present existing roadway. This right shall run with the land and is conditioned upon the grantees payment of the proportionate share of the cost of the maintenance of the roadway.

There is reserved for use by other parties a 30 foot right-of-way, 15 feet on each side of the existing road.

Commonly known as: LAUREL MOUNTAIN DRIVE, MADISONVILLE, TN 37354, but such is not included in the legal description herein.

Restrictions as set out in instrument recorded in Misc. Book 37, Page 503, in the Register's Office of Monroe County, Tennessee, but omitting any covenant or restriction based on race, color, religion, sex, handicap, familial status or national origin unless and only to the extent that said covenant (a) is exempt under Chapter 42, Section 3607, of the

United States Code or (b) relates to handicap but does not discriminate against handicapped persons.

All notes, stipulations, restrictions, easements, conditions, and regulations as set out on recorded plat.

Any governmental zoning and subdivision ordinances in effect thereon.

Any covenants, conditions, restrictions, reservations or easements of record.

Subject to term/ rights for the Laurel Mountain Lakes Association.

The provisions of Tennessee Code Annotated, Sections 35-5-101 et seq. and 35-5-117 et seq., have been complied with, or they are not applicable.

\* Please note, this substitute trustee's deed only conveys Tract Two from the original Deed of Trust from Barry K. Maxwell and Donna T. Maxwell to PBET on or about 11-3-2004 recorded in Book H-20, Page 475 (see also Book X-24, Page 650, Book L-26, Page 448 and Book P-28, Page 766) in the Register's Office of Monroe County, Tennessee. At this time, Tract One has not been foreclosed upon by PBET.

Substitute Trustee conveys said property only as Substitute Trustee without warranties of title and subject to any unpaid taxes.

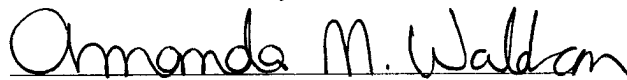
In Testimony Whereof, the said Douglas N. Blackwell II, Substitute Trustee, has hereunto set his signature on the day and year first above written.

  
DOUGLAS N. BLACKWELL II  
SUBSTITUTE TRUSTEE

**STATE OF TENNESSEE  
COUNTY OF BRADLEY**

On this 28th day of February, 2014, before me personally appeared DOUGLAS N. BLACKWELL II, SUBSTITUTE TRUSTEE, to me known to be the person described herein and who executed the foregoing instrument for the purposes therein state and that he executed the same as his free act and deed.

WITNESS my hand and Seal the day and year above written.

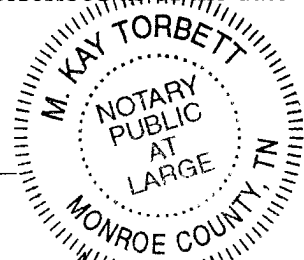
  
NOTARY PUBLIC  
My Commission Expires: 8-7-2017



**AFFIDAVIT OF VALUE**

The undersigned hereby makes oath that \$ 45,000<sup>00</sup> is the greater of the actual consideration or value of the property hereinabove described as of the date of this instrument.

Jim McDonald  
AFFIANT, Jim McDonald  
VP Peoples Bank of East Tennessee



SWORN TO AND SUBSCRIBED before me this the 28<sup>th</sup> day of February, 2014.

M Kay Torbett  
NOTARY PUBLIC

My Commission Expires: 1/23/16

**BLACKWELL LAW OFFICES, PLLC**

623 Broad Street, N.W., PO Box 1455  
Cleveland, TN 37364-1455  
Telephone 423-472-3000  
Facsimile 423-472-4533

F  
- PB  
- Maxwell

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JESSICA SHERMER@AOL.COM

January 10, 2014

**Via Certified and Regular US Mail**

Internal Tax Revenue Service  
Technical Services  
801 Broadway MDP-53  
Nashville, TN, 37203

**Via Certified and Regular US Mail**

Tennessee Department of Revenue  
Andrew Jackson Building  
Foreclosure Noitice Dept.  
500 Deaderick St.  
Nashville, TN 37242

INTERNAL TAX REVENUE SERVICE  
TECHNICAL SERVICES  
NASHVILLE, TN

2014 JAN 27 PM 2: 24

RECEIVED

RE: Foreclose by PBET  
Property location: 861 Laurel Lake Circle, Madisonville, TN and  
Lot 309, Laurel lake Circle, Madisonville, TN  
Identification No.: Loan No. PBET 6033867  
Debtor(s): Barry and Donna Maxwell

Dear Sirs and Madams:

Our firm represents Peoples Bank of East Tennessee who are the owners and holders of notes secured by properly executed, notarized, and recorded deeds of trust encumbering properties of record in Book P-28, Page 766, Book L-26, Page 448, Book X-24, Page 650, Book H-20, Page 475 et seq. in the Register of Deeds Office of Monroe County, Tennessee. The notes secured by said deeds of trust are in default and Peoples Bank of East Tennessee has instructed me to proceed with foreclosure as trustee under the terms of the deeds of trust. This letter is to provide you with at least 30 days prior notice of the foreclosure.

The property address of the subject property is believed to be:

861 Laurel Lake Circle, Madisonville, TN and  
Lot 309, Laurel Lake Circle, Madisonville, TN

The subject property is more particularly described as set forth in the descriptions in Book P-28, Page 766, Book L-26, Page 446, Book X-24, Page 650, Book H-20, Page 475 in the Register of Deeds Office of Monroe County, Tennessee

The outstanding principle balance, plus accrued interest through August 3, 2013 is approximately \$158864.73 with a daily per diem of \$24.37. In addition to this amount, certain expenses will be incurred as part of the foreclosure. These expenses are for the following and are estimated charges:

Attorney's and Trustee's Fees:	\$1000.00
Advertising Expense	\$750.00
State Transfer & Recording Fees	\$22.00 for recording plus transfer taxes based upon sales price at foreclosure
Delinquent taxes for years:	
2010 County Taxes	\$561.58
2012 County Taxes	\$453.00
2013 County Taxes	\$unknown

The address for the party initiating the foreclosure proceeding is:

Peoples Bank of East Tennessee c/o  
Douglas N. Blackwell II  
Blackwell Law Offices, PLLC  
PO Box 1455  
Cleveland, TN 37364  
(423) 472-3000

Our search of the property reflects the following Federal Tax Lien(s):

IRS Lien recorded in Book FTL2, Page 249, in the Register's Office of Monroe County, Tennessee; executed by the IRS against Barry K. Maxwell, dated 3/20/2008 and recorded 3/27/2008, in the original amount of \$20,896.21. The tax payers name is Barry Maxwell and his residence is 106 College Street, Madisonville, TN 37354. The lien serial number is 431675408. A copy of the notice of federal tax lien is attached hereto for your information.

IRS Lien recorded in Book FTL2, Page 291, in the Register's Office of Monroe County, Tennessee; executed by the IRS against Barry K. Maxwell, dated 12/19/2008 and recorded 12/31/2008, in the original amount of \$3624.64. The tax payers name is Barry Maxwell and his residence is 106 College Street, Madisonville, TN 37354. The lien serial number is 503190608. A copy of the notice of federal tax lien is attached hereto for your information.

IRS Lien recorded in Book FTL2, Page 300, in the Register's Office of Monroe County, Tennessee; executed by the IRS against Barry K. Maxwell, dated 3/4/2009 and recorded 3/16/2009, in the original amount of \$1,506.02. The tax payers name is Barry Maxwell and his residence is 106 College Street, Madisonville, TN 37354. The lien serial number is 522036709. A copy of the notice of federal tax lien is attached hereto for your information.

IRS Lien recorded in Book FTL2, Page 307, in the Register's Office of Monroe County, Tennessee; executed by the IRS against Barry K. Maxwell, dated 3/30/2009 and recorded 4/8/2009, in the original amount of \$1,581.02. The tax payers name is Barry Maxwell and his residence is 106 College Street, Madisonville, TN 37354. The lien serial number is 530343909. A copy of the notice of federal tax lien is attached hereto for your information.

IRS Lien recorded in Book FTL2, Page 340, in the Register's Office of Monroe County, Tennessee; executed by the IRS against Barry K. Maxwell, dated 8/17/2009 and recorded 8/24/2009, in the original amount of \$1,498.54. The tax payers name is Barry Maxwell and his residence is 106 College Street, Madisonville, TN 37354. The lien serial number is 573588209. A copy of the notice of federal tax lien is attached hereto for your information.

IRS Lien recorded in Book FTL2, Page 347, in the Register's Office of Monroe County, Tennessee; executed by the IRS against Barry K. Maxwell, dated 10/23/2009 and recorded 10/30/2009, in the original amount of \$1,528.88. The tax payers name is Barry Maxwell and his residence is 106 College Street, Madisonville, TN 37354. The lien serial number is 593169109. A copy of the notice of federal tax lien is attached hereto for your information.

IRS Lien recorded in Book FTL2, Page 359, in the Register's Office of Monroe County, Tennessee; executed by the IRS against Barry K. Maxwell, dated 12/31/2009 and recorded 1/9/2010, in the original amount of \$1,225.90. The tax payers name is Barry Maxwell and his residence is 106 College Street, Madisonville, TN 37354. The lien serial number is 612314109. A copy of the notice of federal tax lien is attached hereto for your information.

IRS Lien recorded in Book FTL2, Page 376, in the Register's Office of Monroe County, Tennessee; executed by the IRS against Barry K. Maxwell, dated 3/31/2010 and recorded 4/10/2010, in the original amount of \$1326.26. The tax payers name is Barry Maxwell and his residence is 106 College Street, Madisonville, TN 37354. The lien serial number is 639804410. A copy of the notice of federal tax lien is attached hereto for your information.

IRS Lien recorded in Book FTL2, Page 565, in the Register's Office of Monroe County, Tennessee; executed by the IRS against Barry K. Maxwell, dated 12/3/12 and recorded 12/12/2012, in the original amount of \$5889.55. The tax payers name is Barry Maxwell and his residence is 106 College Street, Madisonville, TN 37354. The lien serial number is 909472112. A copy of the notice of federal tax lien is attached hereto for your information.

IRS Lien recorded in Book FTL2, Page 582, in the Register's Office of Monroe County, Tennessee; executed by the IRS against Barry K. Maxwell, dated 7/8/2013 and recorded 7/15/2013, in the original amount of \$15110.15. The tax payers name is Barry Maxwell and his residence is 106 College Street, Madisonville, TN 37354. The lien serial number is 948515113. A copy of the notice of federal tax lien is attached hereto for your information.

In addition to the above, our property search has revealed:

Our title search of the property identified a TN Department of Revenue Notice of Tax Lien attached hereto as an enclosure. The id number is 0562-034 0. It is recorded in Book M228, Page 66 in the Monroe County Register of Deeds Office. A copy is enclosed for your information. The lien number is 12-4058

A civil lien recorded in Misc. Book 203, Page 707, in the Register's Office of Monroe County, Tennessee; executed by Northstar Capital Acquisitions, LLC against Barry Maxwell, recorded 7/6/2009 in the original amount of \$2,047.64.

Notice of lien recorded in Misc. Book 231 Page 514 by Laurel Mountain Lakes Association, Inc. in the original amount of \$960.50 recorded on 1/31/2013.

A civil lien recorded in Misc. Book 232, Page 632, in the Register's Office of Monroe County, Tennessee; executed by Kathryn H. Humbert against Barry Maxwell, recorded 7/22/2013 in the original amount of \$1200.00.

A civil lien recorded in Misc. Book 234, Page 778, in the Register's Office of Monroe County, Tennessee; executed by East TN Oral Surgery against Donna T. Maxwell, recorded 5/29/2013 in the original amount of \$2120.24.

Deed of Trust recorded in Book F-11, Page 55, in the Register's Office of Monroe County, Tennessee; executed by Barry K. Maxwell and wife, Donna K. Maxwell to Guaranty Title Company, Trustee for First American National Bank, dated 5/17/1996, in the original amount of \$72,000.00 (AS TO LOT 4 ONLY).

Deed of Trust recorded in Book U-12, Page 247, in the Register's Office of Monroe County, Tennessee; executed by Barry K. Maxwell and wife, Donna T. Maxwell to John Ray McKeehan, Trustee for Citizens National Bank, dated 8/20/1998, in the original amount of \$65,045.00 and modified in Book P-15, Page 39, Book I-16, Page 406 and Book X-24, Page 650 in said Register's Office. (AS TO LOT 4 ONLY). Note: Appointment of Substitute Trustee to Bridget J. Wilhite recorded in Misc. Book 200, Page 313 in said Register's Office.

We will bring foreclosure proceedings with the first publication in the Monroe County Advocate and Democrat Newspaper on or about February 5, 2014 and with the subsequent publications on 12 and 19, 2014. The date of the foreclosure sale will be on or about February 28, 2014 at 11:30 am at the main door of the Monroe County Courthouse in Monroe County, Tennessee. The property will be sold to the highest and best bidder at the public outcry for cash. A copy of the foreclosure notice is enclosed.

Please accept this letter as the notice required by Section 7432 of the Internal Revenue Code of 1954, as amended, which notice must be given to the Secretary of State or his delegate.



...advise me immediately of any deficiency in this notice. I appreciate your help.

Sincerely yours,

**BLACKWELL LAW OFFICES, PLLC**

*DAB #*

Douglas N. Blackwell II  
For the Firm

Enclosures:

- Copy of tax lien(s)
- Copy of TN Dept. of Labor State Tax lien
- Copies of Deeds of Trust for Peoples Bank
- Copies of Deed of Trust for First American National Bank
- Copies of Deed of Trust for Citizens National Bank
- Copies of Civil lien for Northstar Capital
- Copies of Civil lien for Kathryn H. Humbert
- Copies of Civil lien for East TN Oral Surgery

**BK/PG: WD366/77-85**  
**14001110**

9 PGS:AL-SUBSTITUTE TRUSTEES DEED	
SARA BATCH: 47518	
<b>02/28/2014 - 12:31:12 PM</b>	
VALUE	45000.00
MORTGAGE TAX	0.00
TRANSFER TAX	166.50
RECORDING FEE	45.00
DP FEE	2.00
REGISTER'S FEE	1.00
TOTAL AMOUNT	214.50

STATE OF TENNESSEE, MONROE COUNTY  
**MILDRED ESTES**  
REGISTER OF DEEDS

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> <li>■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>■ Print your name and address on the reverse so that we can return the card to you.</li> <li>■ Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	<p>A. Signature <i>[Signature]</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <i>LISA MCFARLIN</i></p> <p>C. Date of Delivery <i>1-27-14</i></p>
<p>1. Article Addressed to: <i>Internal Tax Revenue Services, Technical Services 801 Broadway MDP-53 Nashville, TN 37203</i></p>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p> <p>3. Service Type  <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail  <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise  <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>
<p>2. Article Number (Transfer from service label)</p>	<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p> <p><i>7011 3500 0002 6082 0456</i></p>