

## NOTICE OF SHERIFF'S SALE OF REAL PROPERTY

By virtue of an execution and Levy issued by the Chancery Court of Davidson County, Tennessee, in *Joseph Barker, Plaintiff vs. Donnie Nichols, Defendant*, Davidson County Chancery Court Docket No. 09-1380-I, as well as that *Order Directing the Williamson County Sheriff's Department to Conduct an Execution Sale of Real Properties Located in Williamson County, Tennessee* entered on June 17, 2021 (the "Sale Order"), the Williamson County Sheriff's Department ("Sheriff") will offer for sale to the highest bidder, for cash, the interest of Donnie Nichols a/k/a J. Donald Nichols, in the following real properties: (a) Approximately 2.43 acres, South Carothers Road, Franklin, Tennessee, Map/Parcel No. 079-082.00 ("Tract I"); and (b) Approximately 4.29 acres, Royal Oaks Boulevard, Franklin, Tennessee Map/Parcel 079-023.00 ("Tract II"), which are described as follows:

**Tract I: Street Address:** The street address of the property is believed to be South Carothers Road, Franklin, Tennessee, 37064, Map/Parcel No. 079-082.00, 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.

**Legal Description:** The real property is described in the *Quitclaim Deed* dated September 30, 2010, of record at Book 5165, Page 555, Register's Office for Williamson County, Tennessee, as follows:

Land in the 9th Civil District of Williamson County, Tennessee, being Tract 22 as shown on an unrecorded plat by C.K. McLemore, dated April 1973, called "Division of the Felix Truett Farm", and more particularly described as follows:

Beginning at an iron post in the east margin of Carothers Road at Cannon's northwest comer, thence with said east margin, North 2 degrees 00 minutes East, 125.0 feet to an iron post, thence the following two new staked lines, South 88 degrees 00 minutes East, 445.0 feet to an iron post and South 2 degrees 00 minutes West, 321.0 feet to an iron post in Cannon's north fence line; thence with his north fence line, North 89 degrees 57 minutes West, 230.6 feet to an interior comer of Cannon; thence with his north fence line, South 83 degrees 58 minutes West, 168.6 feet to the point of beginning and containing 2.43 acres, more or less.

**Tract II: Street Address:** The street address of the property is believed to be Royal Oaks Boulevard, Franklin, 37064, Tennessee Map/Parcel 079-023.00, 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.

**Legal Description:** The real property is described in the *Quitclaim Deed* dated September 30, 2010, of record at Book 5165, Page 555, Register's Office for Williamson County, Tennessee, as follows:

Land located in the 9<sup>th</sup> Civil District of Williamson County, Tennessee, described as follows:

Beginning in the west right of way of Royal Oaks Blvd, 1,075 feet North of the north right of way of State Route 96, as it intersects with the west right of way of Royal Oaks Blvd., begin at a point; being a common corner between JDN Enterprises and Royal Oaks Apts. (Adams and Downey property), thence with the west right of way of Royal Oaks Blvd., South 10 degrees 33 minutes 42 seconds West, 163.47 feet to a point in the west right of way of Royal Oaks Blvd., being the north line of Phase II of Alexander Plaza; thence leaving said right of way with the following line common to said Phase II, North 88 degrees 51 minutes 52 seconds West, 267.87 feet to a point; thence North 1 degree 08 minutes 08 seconds East, 15 feet to a point; thence North 88 degrees 51 minutes 52 seconds West, 230.00 feet to a point; thence South 1 degree 08 minutes 08 seconds West, 15 feet to a point; thence North 88 degrees 51 minutes 52 seconds West, 230.00 feet to a point common to Phase I and Phase II Alexander Plaza; thence continuing with the lines common to Phase I, North 88 degrees 51 minutes 52 seconds West, 160.00 feet to a point; thence North 1 degree 08 minutes 08 seconds East, 40.00 feet to a point; thence North 88 degrees 51 minutes 52 seconds West, 248.50 feet to a point; thence North 1 degree 08 minutes 08 seconds East, 147.49 feet to a point, being the northeast corner of Phase I, also being the common line between JDN Enterprises property and Royal Oaks property (Adams and Downey property); thence with said common line, leaving Phase I, South 87 degrees 34 minutes 21 seconds East, 1,163.44 feet to the point of beginning, containing 4.29 acres, more or less.

This sale is made pursuant to Tenn. R. Civ. P. 69.07(4) and Tenn. Code Ann. § 26-5-101, et. seq. and is in satisfaction (whole or in part depending on proceeds of sale) of the judgment in favor of Joe Barker in the *Order Granting Summary Judgment* entered on November 17, 2009, and renewed by that September 27, 2019 *Order Extending Judgment for Additional Ten Years*, both of which have been recorded as liens with the Williamson County Register of Deeds Office.

All property is sold “as is.” No warranties or guarantees are made, expressed or implied.

Other interested parties receiving notice: Donnie Nichols; Internal Revenue Service; Reliant Bank; Stillwater National Bank and Trust Company; Pinnacle National Bank.

*Notices of Federal Tax Lien* have been filed by the Department of the Treasury, Internal Revenue Service, against J. Donald Nichols, of record in Book 5260, page 273, Register’s Office for Williamson County, Tennessee, and of record in Book 5260, page 274, Register’s Office for Williamson County, Tennessee, and of record in Book 5318, page 358, Register’s Office for Williamson County, Tennessee. Notice has been given to the Internal Revenue Service by certified mail, as required by 26 U.S.C. §7425(b).

At 12:00 o'clock P.M., on the 31st day of August, 2021, at the front door of the Williamson County Judicial Center, 135 S. 4<sup>th</sup> Avenue, Franklin, Tennessee, 37064, the Sheriff will sell the above property for payment toward said Judgment together with all expenses and legal costs accruing.

**TERMS OF SALE:** Cash, Certified Check, or Receipt on Judgment from Plaintiff. Pursuant to Sale Order: On date of sale, Properties may be auctioned together or separately, to be determined in the Sheriff's and counsel for Plaintiff's discretion; high bidder will be required to execute a written sale agreement at conclusion of bidding, with customary terms (including a deposit of ten (10%) percent of bid price to be held in trust by Plaintiff's attorney); pursuant to Tenn. Code Ann. § 26-5-115, bidding will start at \$51,500.00 for Tract I and \$100,000 for Tract II; Plaintiff is allowed to credit bid; redemption rights and equity of redemption are waived, pursuant to Tenn. Code Ann. § 66-8-101(2); the sale shall be approved and confirmed by the Davidson County Chancery Court, the Court which issued the process directing this Sale; and the Sheriff shall provide the deed described at Tenn. Code Ann. § 26-5-111 after entry of the order of confirmation of the sale, at which time purchaser(s) will pay the remainder of the purchase price; and counsel for Plaintiff shall act as closing agent for the Sale(s).

As to all or any part of the Property, the right is reserved to (i) delay, continue or adjourn the sale to another time certain or to another day and time certain, without further publication and in accordance with law, upon announcement of said delay, continuance or adjournment on the day and time and place of sale set forth above or any subsequent delayed, continued or adjourned day and time and place of sale; (ii) sell at the time fixed by this Notice or the date and time of the last delay, continuance or adjournment or to give new notice of sale; (iii) and/or to sell to the next highest bidder in the event any high bidder does not comply with the terms of the sale.

Questions related to the sale or the underlying debt can be addressed to: David Anthony, attorney for judgment creditor, at: Anthony Legal PLLC; 818 18th Avenue South, Tenth Floor, Nashville, Tennessee 37203; 615-869-0634.

THIS 26th day of July, 2021.

Dusty Rhoades  
Williamson County Sheriff

For Publication in and on:

The Williamson Herald: July 26, 2021; August 5, 2021; August 12, 2021