

**IN THE CIRCUIT COURT FOR LOUDON COUNTY, TENNESSEE**

DARRELL D. KIRBY and

WANDA S. KIRBY

Plaintiffs

v.

Docket No. 2017-CV- 51

MARK A. SHUBERT, individually,

MICHAEL G. SHUBERT, individually, and

MARK A. SHUBERT, Registered Agent for

SHUBERT MOTOR SALES, INC.

FILED  
TIME 9:23 AM/PM

APR 04 2017

LISA NILES  
CIRCUIT COURT CLERK  
Kristina Ramsey D.C.

**NOTICE OF LIEN LIS PENDENS**

This is to certify the following is an abstract of a complaint filed April 4, 2014 in the Circuit Court of Loudon County, Tennessee in the case of Darrell D. Kirby and Wanda S. Kirby v. Mark A. Shubert, individually, Michael G. Shubert, individually and Mark A. Shubert, Registered Agent for Shubert Motor Sales, Inc.

Notice is given that a restraining order preventing the sale of and judgment is being sought on certain property described below, located in Lenoir City, Loudon County, Tennessee and owned by Michael G. Shubert and Mark A. Shubert.

Notice is further given that plaintiff claims a lien lis pendens upon said real property, the description of which follows:

TRACT ONE: SITUATED in the Second Civil District of Loudon County, Tennessee, identified on Tax Map 20D, Group A as Parcel 22.00 in the Office of the Property Assessor for said County, within the corporate limits of the City of Lenoir City, and more particularly described as follows:

BEGINNING at an iron pin in the western right-of-way of State Route 95, corner to Powell; thence along the line of Powell, South 85 deg. 42 min. West 150 feet to a point; thence on a severance line North 5 deg. 52 min. West 258.5 feet to a point in the line of Vann; thence South 88 deg. 21 min. East 125 feet to a concrete marker (Station 52 plus 97) in the Western right-of-way line of State Route 95; thence along said right-of-way line South 11 deg. 54 min. East 247.6 to the point of BEGINNING, and containing 0.79 acres, more or less.

BEING the same property conveyed to Benny L. Shubert and wife, Fannie Rhea Shubert by Warranty Deed dated September 27, 1973 from E.B. White (single) of record in Deed Book 115, Page 460 in the Register's Office of Loudon County, Tennessee, having subsequently been conveyed by Quit Claim deed dated June 21, 2007 to Michael G. Shubert and Mark A. Shubert from Benny L. Shubert and wife Fannie Rhea Shubert, recorded June 22, 2007 in Deed Book 319, Page 687-688, Instrument Number 07007284 in the Register's Office of Loudon County, Tennessee.

TRACT TWO: SITUATED in the Second Civil District of Loudon County, Tennessee, identified on Tax Map 20D Group A as Parcel 30.00 in the Office of the Property Assessor for said County, and within the corporate limits of the City of Lenoir City, and being more particularly described as follows:

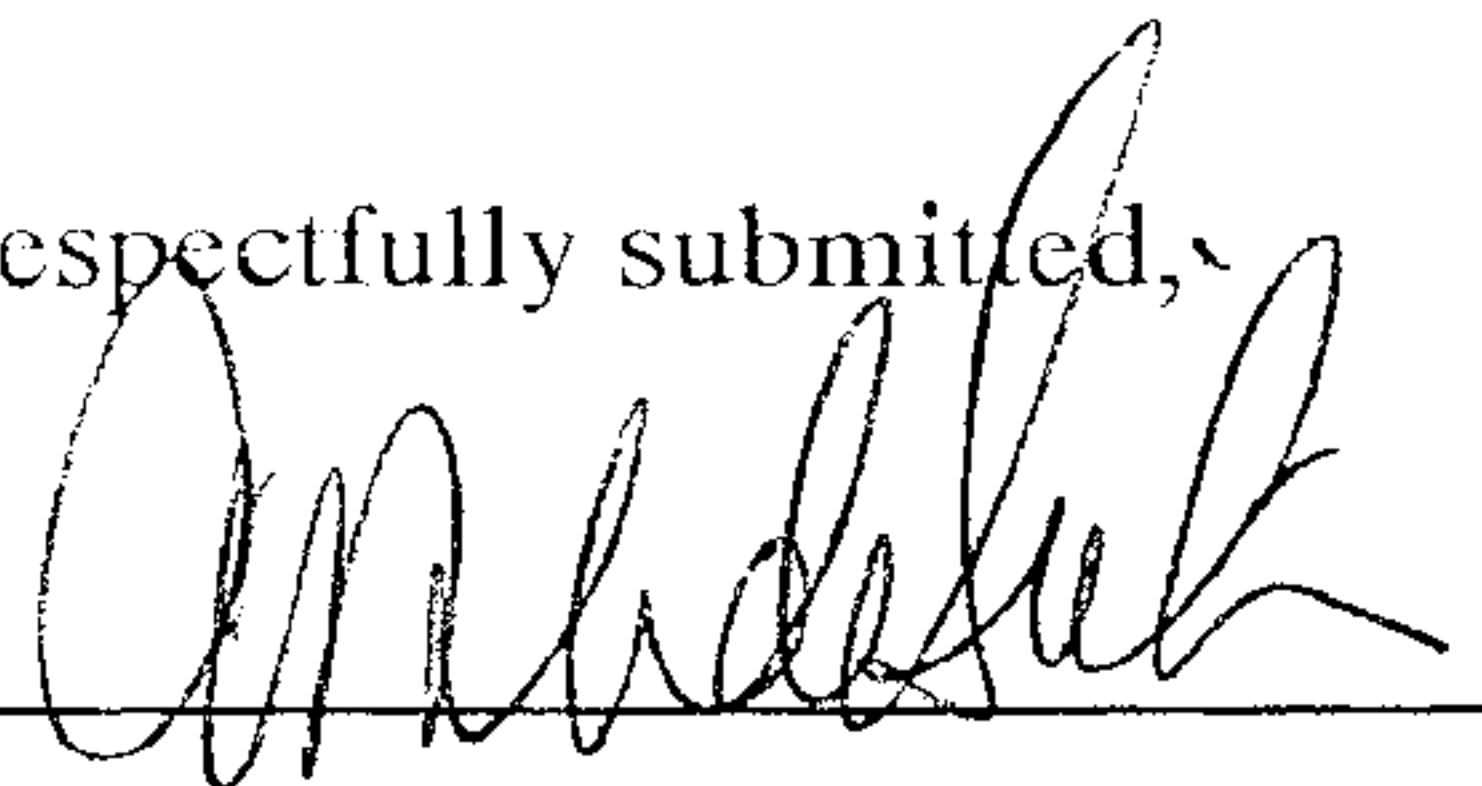
BEING at a set iron pin in the eastern right-of-way of Simpson Road, corner with the property of Third National Bank; thence leaving said right-of-way and with property of Third National South

86 deg. 27 min. 24 sec. E. 146.80 feet to an existing iron pin; thence with property of Shubert Auto Sales, South 5 deg. 25 min. 53 sec. E. 251.85 feet to a set iron pin; thence with property of Powell South 84 deg. 54 min. 16 sec. W. 160.23 feet to a set iron pin; then with the right-of-way of Simpson Road North 3 deg. 00 min. 00 sec. W 180.20 feet to a set pin; thence with the right-of-way line of Simpson Road North 00 deg. 48 min. 29 sec. W. 94.08 feet to the point of BEGINNING, containing .93 acres according to a survey dated February 17, 1992 by J. Paul Harvey, RLS No. 009, whose address is 1400 Ford Road, Lenoir City, Tennessee 37771, to which survey express reference is heremade,

BEING the same property conveyed to Benny L. Shubert and wife, Fannie Rhea Shubert by Warranty Deed dated March 10, 1992 from Billy A. Powell and wife, Shirley A. Powell of record in Deed Book 197, Page 338 in the Register's Office of Loudon County, Tennessee, having subsequently been conveyed by Quit Claim deed dated June 21, 2007 to Michael G. Shubert and Mark A. Shubert from Benny L. Shubert and wife Fannie Rhea Shubert, recorded June 22, 2007 in Deed Book 319, Page 687-688, Instrument Number 07007284 in the Register's Office of Loudon County, Tennessee.

The compliant referenced herein filed is seeking an injunction on the sale of the real property referenced herein and other relief for indebtedness owed by defendants.

Respectfully submitted,



Amanda Smith, Attorney for Plaintiffs

110 Kingston Street

Lenoir City, Tennessee 37771

865-986-9959