

SIMPSON CIRCUIT COURT  
DIVISION I

CIVIL ACTION NO. 15-CI-00343

WM CAPITAL PARTNERS, LLC

PLAINTIFF

vs.

NOTICE OF SALE

ANTHONY M. THORNTON;  
ELIZABETH THORNTON;  
FIRST SOUTHERN NATIONAL BANK;  
UNITED STATES OF AMERICA,  
DEPARTMENT OF REVENUE,  
INTERNAL REVENUE SERVICE;  
COMMONWEALTH OF KENTUCKY  
DEPARTMENT OF REVENUE  
ex rel. DIVISION OF COLLECTIONS;  
BOWLING GREEN FREIGHT, INC.;  
SIMPSON COUNTY, KENTUCKY;  
CITY OF FRANKLIN, KENTUCKY;  
UNKNOWN HEIRS OF E. HOWARD MATTHEWS;  
UNKNOWN HEIRS OF THELMA FUSSELL MATTHEWS;  
WARREN COUNTY, KENTUCKY;  
CITY OF BOWLING GREEN, KENTUCKY;  
LOGAN COUNTY, KENTUCKY;  
and CITY OF RUSSELLVILLE, KENTUCKY

DEFENDANTS

Pursuant to a Judgment and Order of Sale entered in Simpson Circuit Court on May 11, 2017, in Civil Action No. 15-CI-00343, WM Capital Partners, LLC, plaintiff, versus, Anthony M. Thornton; Elizabeth Thornton; First Southern National Bank; United States of America, Department of Revenue, Internal Revenue Service; Commonwealth of Kentucky Department of Revenue ex rel. Division of Collections; Bowling Green Freight, Inc.; Simpson County, Kentucky; City of Franklin, Kentucky; Unknown heirs of E. Howard Matthews; Unknown heirs of Thelma Fussell Matthews; Warren County, Kentucky; City of Bowling Green, Kentucky; Logan County, Kentucky; and City of Russellville, Kentucky, defendants, I shall sell to the highest bidder at public **AUCTION TO BE HELD ONSITE AT THE PREMISES** on Friday, June 2, 2017, at the hour of 4:00 p.m., the following-described property located in the 2500 block of Bowling Green Road, in Simpson County Kentucky, to-wit:

Beginning at a concrete monument located at the intersection of the East right-of-way of U.S. Route 31-W and the North right-of-way of Kentucky Route 1788 (Broadway); thence an the following all new corner to the Franklin Country Club, Inc., N 14 deg. 34' E 500.00 feet with the East right-of-way of U.S. Route 31-W, S 43 deg. 35' E 234.60 feet, S 10 deg. 05' E 234.60 feet, S 14 deg. 34' W 200.00 feet to an iron pipe

in the North right-of-way of Kentucky Route 1788 (Broadway); thence N 68 deg. 15' W 300.00 feet with the North right-of-way of Kentucky Route 1788 to the point of beginning, containing 2.73 acres, less any rights of way or easements of record, according to April 21, 1980, survey of C.E. White, Registered Land Surveyor No. 906.

Being the same property conveyed unto Anthony W. Thornton and wife, Elizabeth C. Thornton, from Kelly Knifley and wife, Jenny Knifley, by deed dated June 15, 1999, as found of record in Deed Book 219, Page 567, in the office of the Simpson County Court Clerk.

SUBJECT, HOWEVER, to that Reciprocal Ingress/Egress Easement and Mortgagee's Consent dated February 12, 2013 of record in Deed Book 301, Page 777 in the Simpson County Court Clerk; and that Partial Release dated February 12, 2013 of record in FF Book 9, Page 478.

The property valuation administrator's map number for the subject property is as follows:  
031-00-01-002.00.

**THE SUBJECT PROPERTY IS SOLD SUBJECT TO A 120 DAY RIGHT OF REDEMPTION PURSUANT TO 28 U.S.C. SEC 2410, IN FAVOR OF THE DEFENDANT UNITED STATES OF AMERICA, INTERNAL REVENUE SERVICE.**

NOTE: Sold free and clear of any and all judgment liens of the parties listed herein.

NOTE FURTHER: The property is sold subject to the following:

1. Easements, restrictions, and covenants of record;
2. Any state of facts that constitute an objection to title that might be disclosed by an accurate survey;
3. Lien of 2017 State and County property taxes, not yet due and payable.

Said property shall be sold for the purpose of collecting an in rem judgments in favor of First Southern National Bank as follows:

1. \$16,161.96 with interest from and after March 27, 2017 on the principal balance of \$7,814.74 at the rate of 11.5% per annum;
2. \$47,151.94 with no interest accruing;
3. \$674,283.38 with interest from and after March 27, 2017 on the principal balance of \$471,425.26 at the rate of 11.5% per annum;
4. \$46,083.92 with interest from and after March 27, 2017 on the principal balance of \$32,052.47 at the rate of 11.5% per annum;
5. \$23,071.26 with no interest accruing;
6. Attorney fees and Court costs to be awarded to First Southern National Bank.

**TERMS OF SALE:**

1. The purchaser will be required to pay ten percent (10%) down on date of sale, with the balance to

be secured by a bond with good surety, which bond will bear interest from the date of sale at the rate of twelve percent (12%) per annum. Any surety must be approved by the Master Commissioner. ALL PROSPECTIVE PURCHASERS SHOULD PLAN ON HAVING THE PERSON OR ENTITY WHO WILL ACT AS SURETY TO BE IN ATTENDANCE AT THE SALE. The balance of the sale price will be due within thirty (30) days from the date of sale.

2. Risk of loss shall pass to the purchaser at the close of the auction.
3. Possession of the subject property shall be given on delivery of the deed. The 2017 property taxes shall be paid by the purchaser.
4. This sale is subject to confirmation by the Simpson Circuit Court.
5. All announcements made on day of sale will take precedence over previous advertising.

This 17 day of May, 2017.



ROBERT YOUNG LINK  
Master Commissioner  
P. O. Box 474  
Franklin, KY 42135  
270-586-3283

#### CERTIFICATE OF SERVICE

A true copy of the foregoing was on this date mailed to the following:

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This 17 day of May, 2017.

  
ROBERT YOUNG LINK  
Master Commissioner  
Simpson Circuit Court