

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 Saturday, June 3, 2017, at the hour of 10:00 a.m., the following-described property located in the 700 block of Milliken Chapel Road, in Simpson County Kentucky, to-wit:

A portion of what is commonly known as the Shaker Town Property consisting of 100 acres and being tracts nos. 52 and 53 as shown by plat of said property appearing of record in Deed Book 44, Page 606 and 607, Simpson County Clerk's Office, except the pat therefore that is designated as being reserved by first parties;

Beginning at an iron pin in the South right-of-way line of Milliken Chapel Road, a corner to Dewey Strickler and the Northwest corner to this tract; thence with the line of Strickler, S 03 deg. 36' 00" W 250.60 feet to a set iron pin in said lien, a new corner to Matthews; thence on new lines with Matthews 2 calls: S 85 deg. 20' 56" E 350.27 feet to a set iron pin, N 03 deg. 36' 26" 245.25 feet to a set iron pin, a new corner to same, in the South right-of-way line of Milliken Chapel Road; thence with aforesaid right-of-way line N 85 deg. 56' 16" W 350.05 feet to the beginning point.

Being the same property conveyed unto Anthony W. Thornton and wife, Elizabeth C. Thornton, from E. Howard Matthews and wife, Thelma Fussell Matthews, by deed dated November 7, 1997, as found of record in Deed Book 211, Page 184, in the office of the Simpson County Court Clerk.

The property valuation administrator's map number for the subject property is as follows:
016-00-00-010.01.

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 cropland will be given as the currently growing corn crop is harvested in the fall of 2017. Possession of the balance of the real estate will be given on delivery of the deed. The purchaser will be entitled to receive one-fourth share of the production of the current 2017 corn crop.
4. The 2017 property taxes shall be paid by the purchaser.
5. This sale is subject to confirmation by the Simpson Circuit Court.
6. 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:

Bradley S. Salyer, Esq.
Taylor M. Hamilton, Esq.
2501 Crossings Blvd., Suite 209
Bowling Green, KY 42104

Stephanie L. McGehee-Shacklette, Esq.
996 Wilkinson Trace, Ste. B-1
Bowling Green, KY 42103-3409

David F. Broderick, Esq.
c/o Broderick & Davenport, PLLC
P. O. Box 3100
Bowling Green, KY 42102-3100

William F. Campbell, Esq.
Assistant U.S. Attorney
717 West Broadway
Louisville, KY 40202

R. Campbell Connell, Esq.
c/o Commonwealth of KY
Finance & Administration Cabinet
P. O. Box 5222
Frankfort, KY 40602

Kentucky Attorney General
700 Capitol Avenue, Suite 118
Frankfort, KY 40601

Bowling Green Freight, Inc.
c/o Anthony W. Thornton
581 Hardison Road
Woodburn, KY 42170

Sam R. Phillips, Esq.
303 N. College Street
Franklin, KY 42134

Scott Crabtree, Esq.
P. O. Box 615
Franklin, KY 42135-0615

Eugene Harmon, Esq.
Bowling Green City Attorney
P. O. Box 430
Bowling Green, KY 42102

Rebecca Gibson, Esq.
Assistant Warren County Atty
c/o Warren County Attorney's Office
1001 Center Street; Ste. 206
Bowling Green, KY 42101

Joseph E. Ross, Esq.
c/o Logan County Atty's Office
P. O. Box 905
Russellville, KY 42276-0905

Paul Neil Kerr, II, Esq.
P. O. Box 549
Russellville, KY 42276-0549

Mr. and Mrs. Anthony W. Thornton
2250 Milliken Chapel Road
Woodburn, KY 42170

Alicia C. Johnson, Esq.
P. O. Box 1654
Russellville, KY 42276-3654

Mark Flener, Esq.
P. O. Box 81
Bowling Green, KY 42102-0081

This 17 day of May, 2017.



ROBERT YOUNG LINK
Master Commissioner
Simpson Circuit Court