

SIMPSON CIRCUIT COURT
DIVISION I

CIVIL ACTION NO. 17-CI-00058

THE BANK OF NEW YORK MELLON F/K/A THE BANK
OF NEW YORK AS TRUSTEE FOR NATIONSTAR HOME
EQUITY LOAN TRUST 2007-C

PLAINTIFF

vs.

NOTICE OF SALE

BERRY LENWORTH HAYES, aka BERRY HAYES;
GAYLA LEE HAYES, aka GAYLA HAYES, aka
GAYLA L HAYES, aka GAYLE LOCKHART;
Unknown spouse of BERRY LENWORTH HAYES,
aka BERRY HAYES;
Unknown spouse of GAYLA LEE HAYES, aka GAYLA HAYES,
aka GAYLA L HAYES, aka GAYLE LOCKHART;
ASSET ACCEPTANCE LLC;
BOWLING GREEN-WARREN COUNTY COMMUNITY
HOSPITAL CORPORATION fka THE MEDICAL CENTER
AT BOWLING GREEN;
CAPITAL ONE BANK;
CONSUMER PORTFOLIO SERVICES AS ASSIGNEE OF
EAGLE FINANCE CORPORATION;
INTERVENTIONAL PAIN SPECIALISTS OF BOWLING
GREEN, PLC;
and COMMONWEALTH OF KENTUCKY DIVISION OF
COLLECTIONS DEPARTMENT OF REVENUE

DEFENDANTS

Pursuant to a Judgment and Order of Sale entered in Simpson Circuit Court on January 11, 2018, in Civil Action No. 17-CI-00058, The Bank of New York Mellon f/k/a the Bank of New York as Trustee for Nationstar Home Equity Loan Trust 2007-C, plaintiff, versus, Berry Lenworth Hayes, aka Berry Hayes; Gayla Lee Hayes, aka Gayla Hayes, aka Gayla L Hayes, aka Gayle Lockhart; unknown spouse of Berry Lenworth Hayes, aka Berry Hayes; unknown spouse of Gayla Lee Hayes, aka Gayla Hayes, aka Gayla L Hayes, aka Gayle Lockhart; Asset Acceptance LLC; Bowling Green-Warren County Community Hospital Corporation fka The Medical Center at Bowling Green; Capital One Bank; Consumer Portfolio Services as Assignee of Eagle Finance Corporation; Interventional Pain Specialists of Bowling Green, PLC; Commonwealth of Kentucky Division of Collections Department of Revenue; defendants, I shall sell to the highest bidder at public auction on Friday, February 2, 2018, at the hour of 2:00 p.m., at the Simpson County Justice Center, 101 Court Street, Franklin, Kentucky, the following-described property having as its mailing address 401 Peebles Avenue, Franklin, Simpson County, Kentucky 42134, to-wit:

Being Lot No. 42 of Grainger Village Subdivision, Supplemental Map or Plat of which is recorded in Plat Book 1, Page 42, office of the Simpson County Court Clerk.

Being the same property conveyed to Berry Lenworth Hayes and Gayla Lee Hayes from David B. Carver and Ronda L. Carver by deed dated January 30, 2007 and of record in Deed Book 269, Page 529 in the Office of the Simpson County Kentucky Court Clerk.

The property valuation administrator's map number for the subject property is as follows: 008-00-05-020.00.

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 2018 City and State and County property taxes, not yet due and payable.


Said property shall be sold for the purpose of collecting an personam judgment against the defendant Gayla Lee Hayes, and an in rem judgment against the defendant Berry Lenworth Hayes, in the amount of \$167,287.81, with interest from and after September 19, 2017, at the rate of 2% per annum, plus attorney fees and Court costs.

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 two percent (2%) 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 2018 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 11 day of January, 2018.


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:

Philip S. George, III, Esq.
Reimer Law Co.
639 Washington Ave
Newport, KY 41071

Charles W. Adams, Esq.
319 E. 10th Avenue
P.O. Box 1865
Bowling Green, KY 42102
*Attorney for Bowling Green-Warren Specialists
and Interventional Pain Specialists*

Berry Lenworth Hayes and
Unknown Spouse
401 Peebles Avenue
Franklin, KY 42134

Gayla Lee Hayes
and Unknown Spouse
401 Peebles Avenue
Franklin, KY 42134

Asset Acceptance LLC
421 West Main Street
Frankfort, KY 40601

Consumer Portfolio Services
as assignee of Eagle Finance Corporation
306 W. Main Street, Suite 512
Frankfort, KY 40601

Capital One Bank
4851 Cox Road
Glen Allen, VA 23060

This 11 day of January, 2018.



ROBERT YOUNG LINK
Master Commissioner
Simpson Circuit Court