

SIMPSON CIRCUIT COURT  
DIVISION I

CIVIL ACTION NO. 17-CI-00191

DITECH FINANCIAL LLC

PLAINTIFF

vs.

NOTICE OF SALE

JOE A. MATLOCK;  
Unknown Spouse (if any) of JOE A. MATLOCK;  
THE UNITED STATES OF AMERICA, SECRETARY  
OF HOUSING AND URBAN DEVELOPMENT;  
BANK OF AMERICA, NATIONAL ASSOCIATION, fka  
FIA CARD SERVICES, N.A.; and  
LVNV FUNDING LLC

DEFENDANTS

Pursuant to a Judgment and Order of Sale entered in Simpson Circuit Court on July 19, 2018, in Civil Action No. 17-CI-00191, Ditech Financial LLC, plaintiff, versus, Joe A. Matlock; Unknown Spouse (if any) of Joe A. Matlock; The United States of America, Secretary of Housing and Urban Development; Bank of America, National Association, fka FIA Card Services, N.A.; and LVNV Funding LLC, defendant, I shall sell to the highest bidder at public auction on Friday, August 10, 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 4390 Sulphur Spring Church Road, Simpson County, Franklin, Kentucky 42134, to-wit:

Beginning at a stake where the east right of way line of Halcomb Road intersects the north right of way line of Kentucky Highway No. 664; thence with the north right of way line of Kentucky Highway No. 664 S 64 deg. 45' E 158.8 feet to a stake in said line, a new corner to Harris; thence a new line with Harris N 26 deg. 32' E 237.5 feet to a stake, a new corner to Harris; thence with a new line of Harris running 25 feet northeast of and parallel to a barn N 56 deg. 04' W 135.0 feet to a stake, a new corner to Harris in the east right of way line of Halcomb Road; thence with the east right of way line of Halcomb Road S 33 deg. 45' W 164.2 feet and S 29 deg. 02' W 95.6 feet to the point of beginning, containing 0.850 acre, more or less, according to 2-20-89 survey by Robert G. May, Kentucky Registered Land Surveyor No. 2142.

Subject to all restrictions, conditions and covenants and to all legal highways and easements.

Being the same property conveyed to Joe A. Matlock, unmarried who acquired title by virtue of a deed from Travis Weaver and wife, Rhoda Weaver, dated July 21, 2008, recorded July 23, 2008, of record in Deed Book 277, Page 780, Simpson County Clerk's Office.

The property valuation administrator's map number for the subject property is as follows:  
013-00-00-009.00.

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; and,
3. Lien of 2018 State and County property taxes, not yet due and payable.

Said property shall be sold for the purpose of collecting an in rem judgment in favor of the plaintiff, in the amount of \$64,072.03, with interest from and after December 1, 2016, at the rate of 4.25% 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 4.25% 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 19 day of July, 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:

Nicholas M. Smith, Esq.,  
Manley Deas Kochalski LLC  
P.O. Box 165028  
Columbus OH 43216-5028

Bank of America, National Association  
fka FIA Card Services, N.A.  
with service upon any Officer or Managing Agent  
Legal Order Processing  
P.O. Box 15047  
Wilmington, DE 19850


LVNV Funding LLC  
with service upon any Officer or Managing Agent  
625 Pilot Road, Suite 3  
Las Vegas, NV 89119

Katherine A. Bell, Esq.  
Attorney for The United States of America,  
Secretary of Housing and Urban Development  
717 West Broadway  
Louisville, KY 40202

Joe A. Matlock  
4390 Sulphur Spring Church Road  
Franklin, KY 42134

Unknown Spouse (if any) of Joe A. Matlock  
4390 Sulphur Spring Church Road  
Franklin, KY 42134

This 19 day of July, 2018.

  
ROBERT YOUNG LINK  
Master Commissioner  
Simpson Circuit Court