

SIMPSON CIRCUIT COURT  
DIVISION I

CIVIL ACTION NO. 17-CI-00370

PENNYMAC LOAN SERVICES, LLC

PLAINTIFF

vs.

NOTICE OF SALE

KELLY SPACHT and  
DENNIS SPACHT

DEFENDANTS

Pursuant to a Judgment and Order of Sale entered in Simpson Circuit Court on March 21, 2018, as supplemented by Order entered on July 17, 2018, in Civil Action No. 17-CI-00370, PennyMac Loan Services, LLC, plaintiff, versus, Kelly Spacht and Dennis Spacht; defendants, 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 339 West Cedar Street, Franklin, Simpson County, Kentucky 42134, to-wit:

PARCEL 1:

Beginning at a stake, corner to Sadie Cox on the south edge of the sidewalk that parallels West Cedar Street; thence along the south edge of the sidewalk S 87 deg. 00' E 90.0 feet to a stake, a corner to Alma Baird, said point located 11 feet east of the west edge of the driveway and 16 feet west of the east edge of the driveway; thence with the line of Baird S 07 deg. 00' W 162.1 feet to an iron pin, a corner to Baird, Owens, and Byrum; thence with the line of Byrum S 87 deg, 45' W 80.0 feet to a post in said line, a corner to Cox; thence with the line Cox along the east edge of a retaining wall N 03 deg. 19' E 169.0 feet to the point of beginning, containing 0.322 acres, more or less, according to 3-10-86 survey by Robert G. May, Kentucky Registered Land Surveyor No. 2142.

THIS PROPERTY IS CONVEYED SUBJECT TO an easement over the easternmost 11 feet of the subject property, as conveyed to Alma Louise Baird et al by instrument dated March 27, 1986, of record in Deed Book 153, Page 608, Simpson County Clerk's office.

THERE IS INCLUDED HEREIN an easement, 16 feet in width, for purposes of ingress and egress, over the property adjoining the above-described property, on the east side thereof, as set forth in Driveway Agreement dated March 27, 1986, of record in Deed Book 153, Page 608, in the Office aforesaid.

Being the same property conveyed to Kelly Spacht and Dennis Spacht, wife and husband, by Timothy R. Perry and Ruth L. Perry, husband and wife, by deed dated March 24, 2003 and recorded March 28, 2003, of record in Deed Book 242, Page 125

of the records of the Simpson County Clerk's office.

The property valuation administrator's map number for the subject property is as follows:  
013-00-11-003.00.

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 in personam judgment in favor of the plaintiff, in the amount of \$168,952.09, with interest from and after January 14, 2018, at the daily rate of \$17.86, plus attorney fees of \$2,025.00 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 4.1250% 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 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:

Lori R. Leach, Esq.  
c/o Lerner, Sampson & Rothfuss  
P. O. Box 5480  
Cincinnati, OH 45201-5480

Dennis Spacht  
P. O. Box 173  
Beechmont, KY 42323

Kelly Spacht  
339 West Cedar Street  
Franklin, KY 42134

This 19 day of July, 2018.

  
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ROBERT YOUNG LINK  
Master Commissioner  
Simpson Circuit Court