

SIMPSON CIRCUIT COURT
DIVISION I

CIVIL ACTION NO. 18-CI-00170

J.P. MORGAN MORTGAGE ACQUISITION CORP.

PLAINTIFF

vs.

NOTICE OF SALE

MICHAEL BROWN and
NANCY BROWN

DEFENDANTS

Pursuant to a Judgment and Order of Sale entered in Simpson Circuit Court entered on September 20, 2018, in Civil Action No. 18-CI-00170, J.P. Morgan Mortgage Acquisition Corp., plaintiff, versus, Michael Brown and Nancy Brown; defendants, I shall sell to the highest bidder at public auction on Friday, October 12, 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 862 Sportsman Lake Road, Franklin, Simpson County, Kentucky 42134, to-wit:

Tract 1:

Situated in the County of Simpson and Commonwealth of Kentucky, the following real property:

Beginning at a stake in the east right of way line of Sportsman Lake Road a corner to Donald Owen; thence with the lines of Owen, S 81 degrees 27' E 122.4 feet to a post and N 05 degrees 00' E 417.00 feet to a post a corner to same; thence with the lines of Owen and Joseph Brigance, N 42 degrees 30' E 986.7 feet to a post in the line of Brigance a corner to Don Rowland; thence with the line of Don Rowland, S 44 degrees 30' E 991.4 feet to a stake in said line a new corner to Marlin; thence with new lines with Marlin (2) calls: (1) S 56 degrees 47' 09" W 1286.69 feet to a post, and (2) N 86 degrees 30' W 343.7 feet to a stake a new corner to same in the line of B.C. Rowland, thence with the line of B.C. Rowland, N 05 degrees 00' E 60.00 feet and N 56 degrees 24' W 95.00 feet to a stake a corner to same in the east right of way line of Sportsman Lake Road; thence with aforesaid right of way line, N 09 degrees 26' W 156.0 feet to the beginning point, containing 25 acres, according to survey dated August 6, 1987 by Robert G. May, Kentucky Registered Land Surveyor No. 2142.

THERE IS EXCEPTED FROM THE ABOVE DESCRIBED PROPERTY
THE FOLLOWING:

Beginning at an existing 14" cedar with 2 hacks on south side, located on the east side of an old roadbed and S 80 degrees 00' 50" E 133.27 feet from a found iron pin (cap unreadable) in the east right of way line (40 feet r/w) of Sportsman Lake Road (Order Book 10, Page 366) which iron pin is a corner to Donald R. Owens (Deed Book 108, Page 103); thence running along the east

side of the old roadbed with the line of Owens, N 06 degrees 39' 47" E 438.13 feet to a found 5" wood post located N 34 degrees 20' 21" W 13.49 feet from a pin and cap (witness monument) and continuing along the southeast side of the road with Owens and Samuel and Vanessa Starks (DB 169, PG 260), N 42 degrees 30' 00" E 956.75 feet +/- to an existing tee post, a corner to Stewart McCarty (DB 187, PG 27); thence with the line of McCarty, S 45 degrees 03' 04" E 45.00 +/- to an existing wood post and S 45 degrees 03' 04" E 939.77 feet to an existing 12" wood post with pin and cap (witness monument) set at base on west side, in the line of same, a corner to Eugene McBride (Deed Book 180, Page 677); thence with the line of McBride, S 55 degrees 00' 41" W 810.74 feet to a pin and cap in said line, a new corner to Howard and Carolyn Marlin (Deed Book 180, Page 681) ; thence on new lines with Marlin two (2) calls: (1) N 84 degrees 52' 06" W 590.40 feet passing 4 feet north of the northwest corner of a barn, to an existing 12" wood post with pin and cap (witness monument) set a base on west side, (2) S 77 degrees 00' 08" W 145.65 feet to the beginning point, containing 21.250 acres, according to May 31, 2007, survey of Robert G. May, Kentucky Registered Land Surveyor No. 2142, and being Tract No. 2 of said survey. Unless stated otherwise any monument referred to herein as a pin and a cap is a set 1/2" x 18" rebar with yellow plastic cap stamped RG May 2142. All bearing stated herein are referred to the recorded bearing along the northwest line of the parent tract as shown in Deed book 180, Page 681.

Being the same property conveyed to Paradise Farms Inc., from Howard Alton Marlin and Carolyn Marlin by Deed dated June 22, 2007 of record in Deed Book 272, Page 122, in the office of the Simpson County Clerk.

A certain tract of land in Simpson County, Kentucky located approximately 4.5 miles north of Franklin, situated just east side of Sportsman Lake Road and further described from a survey made July 2, 2008 under the supervision of Robert G. May, LPLS No. 2412 as follows: Unless stated otherwise, any monument referred to herein as a pin and a cap is a set 1/2" x 18" rebar with a yellow plastic cap stamped R G May 2142. All bearings stated herein are referred to the recorded bearing along the south line of Owens as shown in Deed Book 272, Page 122.

Beginning at a found iron cap (Cap No. 2142) in the line of Eugene McBride (Deed Book 180, Pg 677) and the southeast corner to Donald Owens (Deed Book 272, Page 122); thence with the line of McBride, S 55 degrees 00' 41" W 489.96 to found 7 feet wood post and iron pin (witness monument-cap no. 2142) at base on south side, a corner to McBride; thence on a new line with Howard and Carolyn Marlin (Deed Book 180, Page 681), N 06 degrees 55' 34" E 315.88 to a pin and a cap on the east side of an old lane, a new corner to same, in the line of Donald Owens (Deed Book 272, Page 122); thence with

the line of Owens, S 84 degrees 52' 06" E 364.77 feet to the beginning point, containing 1.322 acres, more or less.

Tract 2:

A certain parcel of land located approximately seven miles northeast of Franklin, Simpson County, Kentucky, beginning at a pin, corner to Marvin McBride in the line 20 feet 0" east of the centerline of Kentucky Route No. 1434; thence with line 20 feet 0" east of the centerline of Kentucky Route No. 1434, N 06 degrees 24' W 202.46 feet, N 03 degrees 59' W 115.38 feet to a pin, a come to Howard Marlin; thence with the line of Howard Marlin, S 50 degrees 55' E 106.78 feet to a pin; thence with the line of Howard Marlin and Marvin McBride, S 11 degrees 47' W 253.59 feet to the point of Beginning, containing 0.30 acre, according to June 3, 1993, survey of Charles W. White, Kentucky Land Surveyor No. 906.

Subject to and together with all easements, restrictions and legal highways, if any, of record.

Being the same property conveyed to Michael Brown and Nancy Brown, husband and wife, by Deed, dated June 30, 2010, recorded on July 6, 2010 in Book 288, Page 431 of the Clerk's Office of Simpson County, Kentucky.

The property valuation administrator's map number for the subject property is as follows: 040-00-00-009.00.

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;
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 \$136,986.00, with interest from and after July 27, 2018, at the rate of 4.75% per annum (\$15.72 per diem), 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 4.75% 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 20 day of September, 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:

Mark N. Dierks, Esq.
Gerner & Kearns Co., L.P.A.
7900 Tanners Gate Lane
Florence, KY 41042

Michael Brown
862 Sportsman Lake Road
Franklin, KY 42134

Nancy Brown
862 Sportsman Lake Road
Franklin, KY 42134

This 20 day of September, 2018.


ROBERT YOUNG LINK
Master Commissioner
Simpson Circuit Court