

SIMPSON CIRCUIT COURT  
DIVISION I

CIVIL ACTION NO. 18-CI-00328

SUNTRUST BANK successor by Merger with  
SUNTRUST MORTGAGE, INC.

PLAINTIFF

vs.

NOTICE OF SALE

JEREMY A. COLE,  
Unknown Spouse of JEREMY A. COLE

DEFENDANTS

Pursuant to a Judgment and Order of Sale entered in Simpson Circuit Court entered on September 12, 2019, in Civil Action No. 18-CI-00328, Suntrust Bank successor by Merger with Suntrust Mortgage, Inc.; plaintiff, versus, Jeremy A. Cole and Unknown Spouse of Jeremy A. Cole; defendants, I shall sell to the highest bidder at public auction on Friday, October 4, 2019, at the hour of 2:00 p.m., at the Simpson County Justice Center, 101 Court Street, Franklin, Kentucky, the following-described property located partially in Simpson County, Kentucky, and partially in Robertson County, Tennessee, having as its mailing address 6215 Lake Springs Road, Portland, Tennessee 37148, but , to-wit:

Prior Instruments: Deeds: Record Book 1491, Page 470 (Robertson County, Tennessee);  
Book D304, Page 137 (Simpson County, Kentucky)

A certain tract of land in Simpson County, Kentucky, and partially in Robertson County, Tennessee, located approximately six and a half miles south of Franklin, Kentucky situated on Lake Springs Road and on the west side of Interstate Highway No. 65, and further described as follows:

Beginning at a post in the west right of way line of I-65, on the south side of an old County Road, a corner of Dueling Grounds, and the southeast corner to this tract; thence with the line of Dueling Grounds, along the south side of the old road, North 85 degrees 25 minutes West 645.0 feet to a pin, a corner to same in the line of Jimmy Vaughn; thence with the line of Vaughn, along the west side of the old road, North 06 degrees 02 minutes East 335.0 feet to a pin in the line of same, a new corner to Anthony Baird; thence on a new line with Baird, South 84 degrees, 40 minutes East 672.0 feet to a pin, a new corner to the same in the west right of way line of I-65; thence with aforesaid right of way line, South 10 degrees 47 minutes West 328.0 feet to the beginning point, containing 5.0 acres, according to survey of Robert G. May, Kentucky, Registered Land Surveyor No 2142 dated February 8, 1992, this survey is subject to all legal highways and rights of way.

**SAVING AND EXCEPTING** that portion of the above-described property located in Simpson County, Kentucky conveyed from Jeremy A. Cole to the Commonwealth of Kentucky, dated 02/26/2014, filed 04/24/2014 and recorded in Book D309, Page 184, Simpson County, Kentucky records, as follows:

**Parcel 52 Tract A**

Being a tract of land lying in Simpson County along I-65 approximately 200 feet north of the state line with Tennessee, and more particularly described as follows:

Beginning at a point in the existing right of way line being 124.05 feet left of I-65 proposed centerline station 1884+72.11; thence with the southern property line N 81 degrees 50' 14" W 26.11 feet to a point being 150.00 feet left of I-65 proposed centerline station 1884+69.24; thence with the proposed right of way as follows: N 14 degrees 28' 04" E 60.76 feet to a point being 150.00 feet left of I-65 proposed centerline station 1885+30.00, thence N 11 degrees 46'02"E 266.69 feet to a point being 162.57 feet left of I-65 proposed centerline station 1887+96.39; thence along the northern property line S 81 degrees 01'22"E 38.60 feet to a point being 124.14 feet left of I-65 proposed centerline station 1888+00.09; thence along the existing right of way S 14 degrees 27'05"W 327.98 feet to the point of beginning.

The above described parcel contains 10,193 Square Feet.

It is understood between the parties hereto and made a covenant herein that the above described property is conveyed in fee simple.

**Parcel 52 Tract B**

Being a tract of land lying in Simpson County along I-65 approximately 200 feet north of the state line with Tennessee, and more particularly described as follows:

Beginning at a point in the proposed right of way being 150.00 feet left of I-65 proposed centerline station 1884+87.00; thence with the proposed construction easement as follows: N 80 degrees 06'22" W 25.08 feet to a point being 175.00 feet left of I-65 proposed centerline station 1884+85.00, thence N 14 degrees 28'04" E 15.00 feet to a point being 175 feet left of I-65 proposed centerline station 1885+00.00. thence N 75 degrees 31'56" W 42.00 feet to a point being 217.00 feet left of proposed centerline station 1885+00.00, thence N 10'43" E 40.11 feet to a point being 220.00 feet left of I-65 proposed centerline station 1885+40.00, thence S 79 degrees 39'34" E 69.47 feet to a point in the proposed right of way being 150.71 feet left of

proposed centerline station 1885+45.00; thence along the existing right of way as follows: S 11 degrees 46'02 W 15.02 feet to a point being 150.00 feet left of I-65 proposed centerline station 1885+30.00, thence S 14 degrees 28'04"W 43.00 feet to the point of beginning.

The above described parcel contains 3,261 Square Feet of Temporary Easement for building removal.

Being a part of the same property conveyed to Jeremy A. Cole, by Charles McHenry, unmarried, and Clare E McHenry, unmarried, by deed dated October 31, 2012, of record in Record Book 1491, Page 470, in the Register's Office of Robertson County, Tennessee, and of record in Deed Book D304, Page 137, in the Office of the Clerk of Simpson County, Kentucky.

Although the majority of this property (including the residence) is located in Simpson County, Kentucky, the property is only taxed by Robertson County, Tennessee. The Simpson County property valuation administrator has assigned map number 038-00-00-036.01 to the subject property, but no tax bill is payable to Simpson County for calendar year 2019. The Robertson County, Tennessee tax assessor identifies the property as "Map 13-Parcel 1", and all 2019 property taxes are payable to the Robertson County Tax Trustee.

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 2019 State and County property taxes (Tennessee), 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 \$120,376.26, with interest from and after date of judgment, at the rate of 3.25% per annum, plus attorney fees and Court costs.

TERMS OF SALE:

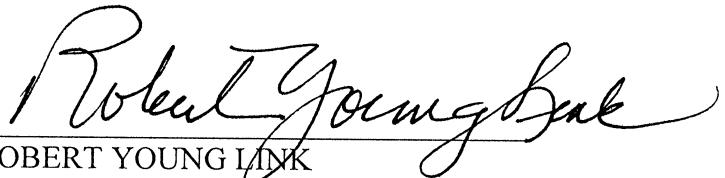
1. The purchaser will be required to pay ten percent (10%) down on date of sale, with the balance to be secured by a bond with good surety, which bond will bear interest from the date of sale at the rate of 3.25% per annum. Any surety must be approved by the Master Commissioner. **ALL PROSPECTIVE PURCHASERS 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 2019 property

taxes due to the Robertson County Tax Trustee 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 13<sup>th</sup> day of September, 2019.

  
ROBERT YOUNG LINK  
Master Commissioner  
P. O. Box 474  
Franklin, KY 42135  
270-586-3283

#### CERTIFICATE OF SERVICE

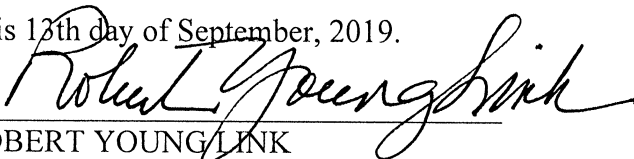
A true copy of the foregoing was on this date mailed to the following:

Steven V. Sorg, Esq.  
Brock & Scott, PLLC  
6725 Miami Ave., Ste. 100  
Cincinnati, OH 45243

Jeremy A. Cole  
6215 Lake Springs Rd.  
Portland, TN 37148

Unknown Spouse of Jeremy A. Cole  
6215 Lake Springs Rd.  
Portland, TN 37148

This 13<sup>th</sup> day of September, 2019.

  
ROBERT YOUNG LINK  
Master Commissioner  
Simpson Circuit Court