

SIMPSON CIRCUIT COURT  
DIVISION I

CIVIL ACTION NO. 16-CI-00006

WELLS FARGO BANK, N.A.

PLAINTIFF

vs.

NOTICE OF SALE

CATHY SMITH aka CATHY M. SMITH  
aka CATHY M. EWING;  
JAMES SMITH, JR.;  
and CITY OF FRANKLIN, KENTUCKY

DEFENDANTS

Pursuant to a Judgment and Order of Sale entered in Simpson Circuit Court on June 30, 2016, in Civil Action No. 16-CI-00006, Wells Fargo Bank, N.A., plaintiff, versus, Cathy Smith aka Cathy M. Smith aka Cathy M. Ewing; James Smith, Jr.; and City of Franklin, Kentucky, defendants, I shall sell to the highest bidder at public auction on Friday, July 22, 2016, 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 711 Sherwood Drive, Franklin, Simpson County, Kentucky 42134, to-wit:

PARCEL I: Being Lot No. 17 in Section B of Green Acres Subdivision according to plat of record in Plat Book 1, Page 49, Simpson County Clerk's Office.

Subject to all easements, setback lines, and restrictive covenants shown and set forth on said plat, the same as if set forth herein in full.

PARCEL II: A certain parcel of land located and being a portion of Lot #16, Part "B" of the Green Acres Subdivision, Plat Book 1, Page 49, Simpson County Clerk's Office, and more particularly described from a survey made September 22, 1994, by C. E. White, Kentucky Land Surveyor No. 906 as follows:

Beginning at an iron pipe a corner to Lot #17 in the east right-of-way line of Sherwood Drive; thence with the east right-of-way line of Sherwood Drive N 38° 39' W 15.00 feet to an iron pipe, a new corner to a portion of Lot #16; thence with a new line to a portion of Lot #16 N 44° 48' E 288.29 feet to an iron pipe a new corner to a portion of Lot #16 in the line of Lot #8; thence with the line of Lot #8 S 45° 10' E 15.00 feet to an iron pipe a corner to Lots #8, #7, and #17; thence with the line of Lot #17 S 44° 48' W 290.00 feet to the point of beginning, containing 0.10 acres, less any easements or right-of-way of record.

Subject to all easements, setback lines, and restrictive covenants shown and set forth on said plat, the same as if set forth herein, in full.

Being the same property conveyed to Cathy Smith and James Smith Jr. wife and husband, from Anthony B. Trimboli and Shannon R. Trimboli, husband and wife, by deed dated May 21, 2013, and recorded May 22, 2013, in Deed Book 303, Page 499, Simpson County Clerk's Office.

The property valuation administrator's map number for the subject property is as follows:  
011-00-03-026.00.

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 2016 City and State and County property taxes, not yet due and payable.

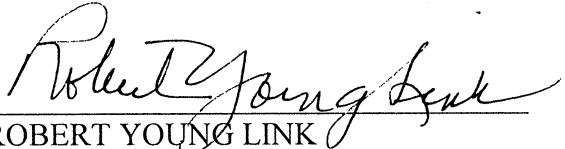
Said property shall be sold for the purpose of collecting an in rem judgment in favor of the plaintiff, in the amount of \$79,615.28, with interest from and after April 18, 2016, at the daily rate of \$7.13 (3.5% per annum), plus attorney fees in the amount of \$1,530.00, and Court costs.

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 twelve percent (12%) 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 2016 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 1<sup>st</sup> day of July, 2016.

  
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:

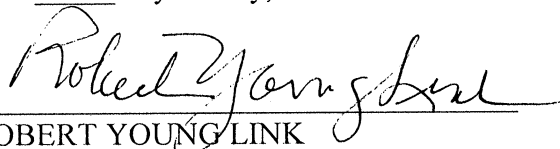
Ashley E. Rothfuss, Esq.  
c/o Lerner, Sampson & Rothfuss  
P.O. Box 5480  
Cincinnati, OH 45201-5480

W. Scott Crabtree, Esq.  
P. O. Box 615  
Franklin, KY 42135

Cathy Smith  
12178 Saint Andrews Place Apartment 208  
Miramar, FL 33025

James Smith, Jr.  
755 Saint Andrew Drive Apt 21-311  
Murfreesboro, TN 37128

This 1<sup>st</sup> day of July, 2016.

  
ROBERT YOUNG LINK  
Master Commissioner  
Simpson Circuit Court