

SIMPSON CIRCUIT COURT
DIVISION I

CIVIL ACTION NO. 19-CI-00323

SHAWN BELL, individually and on behalf of all heirs
of MAE WEST BARBEE

PETITIONER

vs.

NOTICE OF SALE

GLORYA A. BELL,
FREDERICK T. BELL, and wife, RHONDA BELL,
DONAVAN A. BELL,
PATRICK L. WEST,
ANASTASIA E. WEST,
MELISSA THOMAS,
DENISE DOWNEY,
SIMPSON COUNTY, KENTUCKY,
CITY OF FRANKLIN, KENTUCKY,
THE MEDICAL CENTER OF FRANKLIN, INC.,
BLUEGRASS CELLULAR, INC.,
SAGE AUTO INSURANCE COMPANY,
COMMONWEALTH OF KENTUCKY, DEPARTMENT
OF REVENUE DIVISION OF COLLECTIONS
and CITIFINANCIAL SERVICING, LLC
(formerly CITIFINANCIAL SERVICES, INC.)

RESPONDENTS

Pursuant to a Judgment and Order of Sale in Simpson Circuit Court entered on August 3, 2021, in Civil Action No. 19-CI-00323, Shawn Bell, individually and on behalf of all heirs of Mae West Barbee, Petitioner, versus, Glorya A. Bell, Frederick T. Bell, and wife, Rhonda Bell, Donavan A. Bell, Patrick L. West, Anastasia E. West, Melissa Thomas, Denise Downey, Simpson County, Kentucky, City of Franklin, Kentucky, The Medical Center of Franklin, Inc, Bluegrass Cellular, Inc, Sage Auto Insurance Company, Commonwealth of Kentucky, Department of Revenue Division of Collections And CitiFinancial Servicing, LLC (formerly CitiFinancial Services, Inc.), Respondents, I shall sell to the highest bidder at public auction on Friday, August 27, 2021, at the hour of 2:00 p.m., at the Simpson County Justice Center, 101 Court Street, Franklin, Kentucky, the following-described properties located in Franklin, Simpson County, Kentucky 42134, to-wit:

EACH PROPERTY WILL BE SOLD AS A SEPARATE SALE, AND THESE PROPERTIES WILL NOT BE COMBINED.

ALL PROPERTIES WILL BE SOLD ONE AFTER THE OTHER, AND CONTRACTS WILL BE EXECUTED AT THE CLOSE OF THE LAST SALE.

ALL PROSPECTIVE PURCHASERS SHOULD BE PRESENT AT THE OPENING OF THE SALE AT 2:00 P. M. IN ORDER TO HEAR ALL ANNOUNCEMENTS.

SALE NO. 1:

Vacant lot

536 West Washington Street, Franklin, Kentucky 42134 (Map No.: 009-00-24-041.00)

A certain lot of land lying in Franklin, Simpson County, Kentucky, on the north side of West Washington Street in Harristown Addition to the City of Franklin and more particularly described as follows:

Fronting on Washington Street 40 feet and 7 inches and extending northwardly between parallel lines 142 feet being bounded on the east by the property of Lindsey Taylor, bounded on the north by the property of Effie Martin estate and the property of William Torrence, bounded on the west by the property of Hattie Payne estate and bounded on the south by Washington Street.

Being the same property conveyed to Mae Barbee (being the same person as Mae West Barbee) by Grace L. Horne-Thompson and husband, Donald L. Thompson, by deed dated November 12, 2013, of record in Deed Book 308, Page 282, Simpson County Clerk's office.

SALE NO. 2:

House and lot

538 West Washington Street, Franklin, Kentucky 42134 (Map No.: 009-00-24-042.00)

A certain house and lot of land lying in Franklin, Simpson County, Kentucky, on Washington Street just west of the West boundary of the City of Franklin, Kentucky and being a part of the same plot of land conveyed to the first parties by F. Duke Booker (an unmarried man) by deed bearing date Aug. 25th, 1905, which is duly recorded in Deed Book 17, Page 596, Simpson County Court Clerk's office, and bounded as follows, viz: Beginning at a stake in Stringers line, thence Eastwardly 47 feet to a stake in Harris & Crowders line, thence Northwardly 142 feet to F. Duke Bookers line, thence Westwardly 47 feet to the said Stringer line, thence Southwardly 142 feet to the beginning.

Being the same property conveyed to James Barbee, single, by Gracie L. Horne-Thompson and husband, Donald L. Thompson, by deed dated December 2, 2008, of record in Deed Book 280, Page 120, Simpson County Clerk's office. James Barbee died intestate a resident of Simpson County, Kentucky, on February 8, 2012. At the time of his death, James Barbee was married to Mae Barbee (being the same person as Mae West Barbee) and his interest in said property passed to Mae Barbee (being the same person as Mae West Barbee). See Affidavit of Descent of record in Deed Book 380, Page 281, in the Office aforesaid.

SALE NO. 3:

House and approximately 11.091 acres according to PVA records.

197 Hobdy Road, Franklin, Kentucky 42134 (Map No: 019-00-00-023.00)

PARCEL NO. 1:

Beginning at a stone corner to Walton running thence with his line N 22¾ W 72½ poles to a stone corner to Kie in Walton line; thence with his line S 72 W 37½ poles to a stone, corner to Lockhart in Kie's line; thence S 22¾ E 92½ poles, to another stone corner to same; thence N 81 W 40 poles, to a

stone on Highway; thence with a new division line N 24 W 32½ poles to a new stone corner in Walton's original line; thence with same S 62½ W 8 poles to the beginning, containing 27.9 acres.

PARCEL NO. 2:

Located in Simpson County, Kentucky, near Turnertown and bounded and thus described:

Beginning at a stone at the tree roots of a cedar tree in Walden line, thence N 24 W with said line 13.22 chains to a stone, corner to William Nichols' land; thence N 74 E 8 chains with Nichols line and Owen Lockhart line to a stone opposite a steel rod at edge of pond; thence E with the right-of-way of the Auburn and line; thence S 65 W with Brown line 15.31 chains to the beginning, containing 22.33 acres more or less.

Being the same property conveyed to Mae Barbee by James Downey by deed dated March 14, 2014, of record in Deed Book 308, Page 498, in the Office aforesaid.

LESS THE FOLLOWING DESCRIBED PROPERTY conveyed to Johnny Robbins by Agnes Downey, unmarried, by deed dated November 9, 2001, of record in Deed Book 233, Page 25, Office of the Simpson County Clerk, and more particularly described as follows:

A certain tract of land in Simpson County, Kentucky, located approximately 6 miles northwest of Franklin, situated on the north side of Ky. Hwy. 1170 and further described as follows:

Unless stated otherwise, any monument referred to herein as a pin and cap is a set ½ x 18" rebar with a yellow plastic cap stamped R G May 2142. All bearings stated herein are referred to the recorded bearing of the east line of Garland Robbins as shown in DB 97 pg 217.

Beginning at a pin and cap located 25' north of the existing center line of Ky. Hwy. 1170, the southeast corner to Garland Robbins (DB 97, pg 217), the southwest corner to this tract; thence with the lines of Robbins generally following the existing fence line, N 22° 45' 00" W 2047.34' and N 14° 14' 39" W 79.71' to point in the line of same, a new corner to Agnes Downey (WB 17 pg 744- Ref DB 76 pg 209), with a pin and cap (witness monument) set 4' southwest of said new corner; thence on a new line with Downey N 66° 38' 07" E 574.83' to a pin and cap, a new corner to same, in the line of Jerry & Norma Flippin (DB 180 pg 359) thence with the lines of Flippin 2 calls: S 22° 17' 09" E passing a pin and cap (witness monument) at 1035.92', a total distance of 1037.92' to an existing 6" wood post, N 72° 48' 03" E 591.58' to a pin and cap, a corner to same, in the west right-of-way line (30' right-of-way) of Hobdy Road (Order Book 11 pg 316); thence with aforesaid right-of-way line 2 calls: S 13° 32' 33" E 476.66', S 12° 47' 13" E 425.71' to a pin and cap in said line, a corner to Marsha Brown (DB 174 pg 140); thence with the lines of Brown 2 calls: S 71° 42' 17" W 185.92' to an existing 6' wood post, S 14° 18' 18" E passing a pin and cap (witness monument) at 2', a total distance of 293.94' to a pin and cap, a corner to same located 25' north of the existing center line of Ky. Hwy. 1170; thence running 25' north of and parallel to the existing center line of Ky. Hwy 1170 2 calls: S 77° 08' 33" W 433.88', on a curve to the

left with a radius of 5990.54', a chord of S 75° 48' 28" W 365.18', an arc length of 365.23' to the point of beginning, containing 41.184 acres, more or less, according to 10-21-01 survey by Robert G. May, Kentucky Registered Land Surveyor No. 2142.

LESS THE FOLLOWING DESCRIBED PROPERTY conveyed to The County of Simpson, Kentucky, a body politic, by Agnes Downey, unmarried, by deed dated November 9, 2001, of record in Deed Book 234, Page 348, Office of the Simpson County Clerk, and more particularly described as follows:

A certain tract of land in Simpson County, Kentucky, located approximately 6 miles northwest of Franklin, situated on the northeast side of Hobdy Road and further described as follows:

Unless stated otherwise, any monument referred to herein as a pin and cap is a set ½" x 18" rebar with a yellow plastic cap stamped R G May 2142. All bearings stated herein are referred to the recorded bearing of the south line along the old gravel road as shown in DB 177 pg 300:

Beginning at a pin and cap where the north right-of-way line (30' right-of-way) of Hobdy Road (Order Bk 11 pg 316) intersects the south line of Joe David Hickman (DB 177 pg 300); thence with the line of Hickman, along the north side of the old gravel road, N 76° 30' 00" E 303.85' to a pin and cap, a corner to same in the west right-of-way line (30' right-of-way) of New Salem Road (Order Bk 11 pg 316); thence with the west right-of-way line of New Salem Road S 31° 09' 35" E 197.63' to a set concrete nail and washer in the pavement where said line intersects the northeast right-of-way line of Hobdy Road; thence with the northeast right-of-way line of Hobdy Road, on a curve to the left with a radius of 592.78', a chord of N 76° 07' 56" W 409.66' an arc length of 418.28' to the beginning point, containing 0.426 acres, more or less, according to survey made 12-3-01 by Robert G. May, Kentucky Registered Land Surveyor #2142.

ALSO LESS THE FOLLOWING PROPERTY conveyed to Nathaniel Downey by Agnes Downey, unmarried, by deed dated March 17, 2004, of record in Deed Book 249, Page 661, Office of the Simpson County Clerk and more particularly described as follows:

A certain tract of land in Simpson County, Kentucky, located approximately 5.5 miles northwest of Franklin, situated on the east side of Hobdy Road and further described from a survey made January 16, 2002, under the supervision of Robert G. May, LPLS # 2142, as follows:

Unless stated otherwise, any monument referred to herein as a pin and cap is a set ½-inch x 18-inch rebar with yellow plastic cap stamped R G May 2142. All bearings stated herein are referred to the recorded bearing of the east line of subject property as shown in Deed Book 152, Page 294.

Beginning at an existing 8-inch wood post with iron pin, (witness monument) set at base on west side, a corner to Calvin & Sarah Escue (DB 169 Pg 19) and located approximately 15 feet east of the existing center line of Hobdy Road (Order Book 11, Page 316); thence with the lines of Escue, (4) calls: (1) N 82 deg. 41 min. 05 sec. E- 395.00 feet to a pin and cap, (2) N 04 deg. 13 min. 48 sec. E- 31.30 feet to a pin and cap, (3) N 84 deg 09 min 30 sec. E- passing an existing iron tee post at 57.34 feet, a total distance of 583.90 feet to an existing 8-inch wood post with iron pin (witness monument) set at base on south side. (4) N 11 deg. 53 min. 17 sec. W- 652.97 feet to an existing iron tee post, a corner to Escue, in the line of James Hardin (DB 236 Pg 449); thence with the line of Hardin, N 62 deg. 58 min. 54 sec. E- 478.63 feet to an existing 2-inch iron pipe in the line of same, a corner to Robert and Ada Downey (DB 152 Pg 297); thence with the line of Robert and Ada Downey, S 05 deg. 16 min. 00 sec. W- 859.02 feet to a pin and cap in the line of same on the west side of a gravel drive, a corner to Irene Lockhart, and located N 05 deg. 16 min. 00 sec. E- 310.00 feet from a found 2-inch iron pipe which is a corner to Lockhart and Nathaniel Downey (DB 234 Pg 123); thence with the line of Lockhart, S 83 deg. 29 min. 09 sec. W -750.31 feet to an existing ½-inch iron pipe, a corner to same; thence with the line of Lockhart and Josephine Haley (DB 220 Pg 737), S 04 deg. 13 min. 38 sec. W - 380.30 feet to a pin and cap in the line of Haley, a corner to Carey Brown (DB 238, Pg 369); thence with the line of Brown, S 88 deg. 59 min. 37 sec. W -357.89 feet to a pin and cap, a corner to same, on the east side of Hobdy Road approximately 15 feet east of the existing center line and located N 06 deg. 49 min. 39 sec. E - 596.90 feet from the center line intersection of Hobdy Road and Kentucky Highway 1170; thence running along the east side of Hobdy Road, approximately 15 feet east of the existing center line, N 09 deg. 46 min. 32 sec. W - 333.59 feet to the beginning point. Containing 9.232 acres.

ALSO LESS THE FOLLOWING DESCRIBED PROPERTY conveyed to Vickie Jones by Mae Douglas Barbee, widow, by deed dated October 24, 2017, of record in Deed Book 330, Page 649, Office of the Simpson County Clerk, and more particularly described as follows:

A certain tract of land in Simpson County, Ky. located approximately 6 miles northwest of Franklin on the south side of Hobdy Road Franklin, and further described from a survey made September 3, 2017, under the supervision of Robert G. May, LPLS # 2142, as follows:

Unless stated otherwise, any monument or reference referred to herein as a pin and cap is a set ½" x 18" rebar with yellow plastic cap stamped R G May 2142. All bearings stated herein are referred to the recorded bearing along the north line of John Robbins as shown in DB 233 PG 25 in the Office of the Simpson County Court Clerk.

Lot #1 - Beginning at a found iron pin (cap #2142) located approximately 20 feet south of the existing centerline of Hobdy Road (Order Bk 11 PG 316) a corner to John Robbins Trustee (DB 312 PG 378) and being the northwest corner to this lot; thence running along the south side of Hobdy Road, N 75° 04' 18" E - 171.96 feet to a pin a new corner to Mae Barbee (DB 308 PG 498); thence on a new line with Barbee, S 25° 00' 24" E - 207.61 feet to a pin and cap (reference monument) located S 72° 20' 35" W - 56.99 feet from the northwest corner of the existing residents, and continuing on a new line with Barbee , S 25° 00' 25" E - 292.97

feet to a new corner to same; thence on a new line with Barbee, S 65° 42' 33" W - 37.54 feet to a found iron pin (#2142) a corner to Johnny Robbins trustee (DB 312 PG 378; thence with the lines of John Robbins trustee (DB 312 PG 378, (2) calls; (1) S 65° 42' 33" W - 121.78 feet to a found 6 inch wood post an iron pin (reference monument) at base on the north side, (2) N 25° 00' 25" W - 528.56 feet to the beginning point, containing 2.00 acres.

The property herein conveyed is further described by a new survey made September 3, 2017, under the supervision of Robert G. May, LPLS #2142, as follows:

Beginning at a pin and cap located approximately 20 feet south of the existing line of Hobdy Road (Order Book 11 page 316), a corner to Garland & Francis Robbins Trust and John Robbins (DB 265 PG 252); thence running along the south of and east of the existing centerline of Hobdy Road (4) calls: (1) N 75° 04' 18" E - 934.67 feet to a pin in cap, (2) on a curve to the right with a radius of 345.67 feet, a chord of N 86° 27' 48" E - 140.23 feet, an arc length of 141.21 feet, (3) on a curve to the right with a radius of 398.65 feet, a chord of S 53° 16' 04" E - 368.95 feet, an arc length of 383.58 feet, (4) S 23° 08' 29" E - 80.78 feet to a pin and cap set approximately 18 feet west of the existing centerline of Hobdy Road, a corner to Jerry & Norma Flippin (DB 180 PG 359); thence with the lines of Flippin, N 82° 51' 34" W - 647.18 feet to a found 10 inch wood post and reference monument (cap #2142), and continuing with the line of Flippin, S 22° 56' 32" E 477.44 feet to a found iron pin (cap #2142) in the line of same, a corner to Johnny Robbins (DB 233 PG 25); thence with the line of Johnny Robbins (DB 233 PG 25), S 66° 38' 07" W - 574.83 feet to a pin and cap a corner to same in the line of Garland & Francis Robin Trust (DB 265 PG 248); thence with the line of Robbins (DB 265 PG 248), (2) calls: (1) N 14° 24' 15" W - 210.40 feet to a pin and cap, (2) S 65° 42' 33" W - 121.78 feet to a found 6 inch wood post and reference monument (#2142) at base on north side, in the line of Robbins (DB 265 PG 248) and a corner to Garland & Francis Robbins Trust and John Robbins (DB 265 PG 252); thence with the line of Robbins (DB 265 PG 252), N 25° 00' 24" W - 528.56 feet to the beginning point, containing 13.091 acres.

LESS THE FOLLOWING DESCRIBED PROPERTY conveyed to Vickie Jones by Mae Douglas Barbee, widow, by deed dated October 24, 2017, of record in Deed Book 330, Page 649, Office of the Simpson County Clerk, and more particularly described as follows:

A certain tract of land in Simpson County, Ky. located approximately 6 miles northwest of Franklin on the south side of Hobdy Road Franklin, and further described from a survey made September 3, 2017, under the supervision of Robert G. May, LPLS # 2142, as follows:

Unless stated otherwise, any monument or reference referred to herein as a pin and cap is a set ½" x 18" rebar with yellow plastic cap stamped R G May 2142. All bearings stated herein are referred to the recorded bearing along the north line of John Robbins as shown in DB 233 PG 25 in the Office of the Simpson County Court Clerk.

Lot #1 - Beginning at a found iron pin (cap #2142) located approximately 20 feet south of the existing centerline of Hobdy Road (Order Bk 11 PG 316) a corner to John Robbins Trustee (DB 312 PG 378) and being the northwest corner to this lot; thence running along the south side of Hobdy Road, N 75° 04' 18" E - 171.96 feet to a pin a new corner to Mae Barbee (DB

308 PG 498); thence on a new line with Barbee, S 25° 00' 24" E - 207.61 feet to a pin and cap (reference monument) located S 72° 20' 35" W - 56.99 feet from the northwest corner of the existing residents, and continuing on a new line with Barbee, S 25° 00' 25" E - 292.97 feet to a new corner to same; thence on a new line with Barbee, S 65° 42' 33" W - 37.54 feet to a found iron pin (#2142) a corner to Johnny Robbins trustee (DB 312 PG 378; thence with the lines of John Robbins trustee (DB 312 PG 378, (2) calls; (1) S 65° 42' 33" W - 121.78 feet to a found 6 inch wood post an iron pin (reference monument) at base on the north side, (2) N 25° 00' 25" W - 528.56 feet to the beginning point, containing 2.00 acres.

Being the same property conveyed to Mae Barbee (being the same person as Mae West Barbee) by James Downey by deed dated March 14, 2014, of record in Deed Book 308, Page 498, Office of the Simpson County Clerk. Mae West Barbee died single and intestate on July 31, 2018, a resident of Simpson County, Kentucky. Pursuant to KRS 391.010(1), Mae West Barbee's interest in the real estate passed in common to her six (6) living children, including Shawn Bell, Gloria A. Bell, Frederick T. Bell, Donovan A Bell, Patrick L. West, and Anastasia E. West. Mae West Barbee had no other heirs at law.

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 2021 State and County taxes, not yet due and payable.

THIS IS NOT A FORECLOSURE ACTION. This is an action for the sale of real property. According to the pleadings filed in this action, there is no mortgage debt on the subject property.

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 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 2021 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 4th day of August, 2021.


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:

Timothy J. Crocker, Esq.
P.O. Box 305
Franklin, Kentucky 42135-0305

Sam R. Phillips, Esq.
303 North College Street
Franklin, Kentucky 42134

W. Scott Crabtree, Esq.
212 South College Street
P.O. Box 615
Franklin, Kentucky 42135

The Medical Center at Franklin, Inc.
c/o John A. Chaney
Commonwealth Health Corporation
800 Park Street
Bowling Green, Kentucky 42101

Bluegrass Cellular, Inc.
c/o Sherry Powers
2902 Ring Road
Elizabethtown, Kentucky 42701

Safe Auto Insurance Company
c/o Corporation Service Company
421 West Main Street
Frankfort, Kentucky 40601

Kentucky Department of Revenue
c/o Attorney General Daniel Cameron
700 Capitol Avenue, Suite 118
Frankfort, Kentucky 40601

Citifinancial Servicing, LLC
c/o CT Corporate System
306 West Main Street, Suite 512
Frankfort, Kentucky 40601

Citifinancial Services, Inc.
2945 Scottsville Road, Suite B14
Bowling Green, Kentucky 42104

Citifinancial Services, Inc.
P.O. Box 17170
Baltimore, Maryland 21202

Citifinancial Servicing, LLC
300 St. Paul Place
Baltimore, Maryland 21202

Glorya A. Bell
525 West Washington Street
Franklin, Kentucky 42134

Frederick T. Bell
3963 Pleasant Ridge Church Road
Adolphus, Kentucky 42210

Rhonda Bell
3963 Pleasant Ridge Church Road
Adolphus, Kentucky 42210

Patrick L. West
538 West Washington Street
Franklin, Kentucky 42134

Anastasia West
303 Clark Street, Apt. A
Franklin, Kentucky 42134

Melissa Thomas
P. O. Box 995
Franklin, Kentucky 42134

Denise Downey
P. O. Box 995
Franklin, Kentucky 42134

This August 4, 2021.



ROBERT YOUNG LINK
Master Commissioner
Simpson Circuit Court