

SIMPSON CIRCUIT COURT  
DIVISION I

CIVIL ACTION NO. 23-CI-00184

FRANKLIN BANK & TRUST COMPANY

PLAINTIFF

vs.

NOTICE OF SALE  
**Electronically Filed**

HEATHER MATLOCK and  
JOSH MATLOCK, wife and husband,  
JULIE MONTGOMERY and  
RON MONTGOMERY, wife and husband,  
JASON CHAFFIN and  
JENNIFER CHAFFIN, husband and wife,  
MICHAEL GREEN and  
SUZANNE GREEN, husband and wife,  
All Unknown Heirs, Devisees, Legatees, Beneficiaries,  
Spouses of Beneficiaries, and Creditors of BEVERLY  
JANE VINCENT GREEN, Deceased, and any and all  
Unknown Creditors as to any Unknown Heirs or their  
Spouses, and including any and all individuals or entities  
claiming any lien, right, interest or claim in and to 4369  
Morgantown Road, Franklin, Kentucky  
(Map Code 027-00-00-039.00) and to undeveloped  
one-acre lot located on Morgantown Road, Franklin,  
Kentucky (Map Code 027-00-00- 039.01) including the  
Unknown Spouse, if any, of BEVERLY JANE VINCENT GREEN

DEFENDANTS

Pursuant to a Judgment and Order of Sale in Simpson Circuit Court entered on December 18, 2023, in Civil Action No. 23-CI-00184, Franklin Bank & Trust Company, plaintiff, versus, Heather Matlock and Josh Matlock, wife and husband, Julie Montgomery and Ron Montgomery, wife and husband, Jason Chaffin and Jennifer Chaffin, husband and wife, Michael Green and Suzanne Green, husband and wife, and All Unknown Heirs, Devisees, Legatees, Beneficiaries, Spouses of Beneficiaries, and Creditors of Beverly Jane Vincent Green, Deceased, and any and all Unknown Creditors as to any Unknown Heirs or their Spouses, and including any and all individuals or entities claiming any lien, right, interest or claim in and to 4369 Morgantown Road, Franklin, Kentucky (Map Code 027-00-00-039.00) and to undeveloped one-acre lot located on Morgantown Road, Franklin, Kentucky (Map Code 027-00-00- 039.01) including the Unknown Spouse, if any, of Beverly Jane Vincent Green, defendants, I shall sell to the highest bidder at public auction on Friday, January 12, 2024, 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 4369 Morgantown Road, Franklin, Kentucky 42134, to-wit:

TRACT I:

Beginning at an iron pin in the west right-of-way line of Kentucky Highway 73, a corner to Larry Fleming; thence with Fleming's line S 54° 06' W 287.56 feet to an existing iron pin in said line, a corner to Stephen Crowe; thence with Crowe's lines S 43° 57' E 327.96 feet to a post and N 49° 30' E 54.65 feet to an iron pin in said line, a new corner to Green; thence severing the lands of Green N 41° 04' W 204.49 feet to an iron pin and N 49° 30' E 216.75 feet to an iron pin in the right-of-way of Kentucky Highway 73, a new corner to Green; thence with said right-of-way N 41° 50' W 99.73 feet to the beginning, according to November 1, 1993, survey of Gary Sloan, Registered Land Surveyor No. 2081.

Subject to the following restrictions placed on the subject premises in that certain deed dated April 19, 1985, of record in Deed Book 149, Page 661, Simpson County Clerk's Office: (1) No house shall be built which contains less than 950 square feet, exclusive of basements, porches and garages. (2) No house or building shall be built within 100 feet of the Franklin-Morgantown Road (Ky. 73). (3) No basement or mobile home is to remain on property in excess of eighteen (18) months from date of this instrument.

Being the same property conveyed to Harold Green and Beverly Jane Green, husband and wife, as joint tenants with right of survivorship, by David Cummins, Trustee, by deed dated November 23, 1993, of record in Deed Book 188, Page 432, Simpson County Clerk's Office. The said Harold Green died on October 8, 2010, and left the said Beverly Jane Green surviving him. The said Beverly Jane Green, the same person as Beverly Jane Vincent Green, died on March 25, 2023.

TRACT II:

Beginning at a pin in the northwest corner in line with the west right-of-way of Kentucky 73, a corner with the northeast corner of the Larry Fleming tract; thence with the line of Larry Fleming S 49° 30' W 286.6 feet to a pin being a new corner to Clay Simpson; thence approximately S 43° 15' E 329 feet to a pin, a new corner to Clay Simpson; thence approximately N 49° 30' E 271.4 feet to a pin in the west right-of-way of Kentucky 73; thence with the west right-of-way of Kentucky 73 N 40° W 19.8 feet to a pin N 43° 15' W 284.5 feet to the point of beginning.

LESS THE FOLLOWING-DESCRIBED PROPERTY CONVEYED BY David Cummins, Trustee, to Harold Green and wife, Beverly Jane Green by deed dated November 23, 1993, of record in Deed Book 188, Page 432, Simpson County Clerk's Office, to-wit:

Beginning at an iron pin in the west right-of-way line of Kentucky Highway 73, a corner to Larry Fleming; thence with Fleming's line S 54° 06' W 287,56 feet to an existing iron pin in said line, a corner to Stephen Crowe; thence with Crowe's lines S 43° 57' E 327.96 feet to a post and N 49° 30' E 54.65 feet to an iron pin in said line, a new corner to Green; thence severing the lands of Green N 41° 04' W 204.49 feet to an iron pin and N 49° 30' E

216.75 feet to an iron pin in the right-of-way of Kentucky Highway 73, a new corner to Green; thence with said right-of-way N 41° 50' W 99.73 feet to the beginning, according to November 1, 1993, survey of Gary Sloan, Registered Land Surveyor No. 2081.

Subject to the following restrictions placed on the subject premises in that certain deed dated April 19, 1985, of record in Deed Book 149, Page 661, Simpson County Clerk's Office: (1) No house shall be built which contains less than 950 square feet, exclusive of basements, porches and garages. (2) No house or building shall be built within 100 feet of the Franklin-Morgantown Road (Ky. 73). (3) No basement or mobile home is to remain on property in excess of eighteen (18) months from date of this instrument.

Being the same property conveyed to Harold Green and Beverly Jane Green, husband and wife, as joint tenants with right of survivorship, by David Cummins, Trustee, by deed dated November 23, 1993, of record in Deed Book 188, Page 435, Simpson County Clerk's Office. The said Harold Green died on October 8, 2010, and left the said Beverly Jane Green surviving him. The said Beverly Jane Green, the same person as Beverly Jane Vincent Green, died on March 25, 2023.

The property valuation administrator's map numbers for the subject property is 027-00-00-039.00 and 027-00-00-039.01.

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 2024 State and County taxes, not yet due and payable.

Said property shall be sold for the purpose of collecting the following judgment debt: An in rem judgment in favor of the plaintiff, in the amount \$70,332.01, with interest from and after December 15, 2023, at the rate of 5.125% per annum, plus attorney fees in the amount of \$4,050.00, 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 5.125% 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 2024 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 December 20, 2023.

**BY: /s/ ROBERT YOUNG LINK**  
Master Commissioner  
Simpson Circuit Court

**CERTIFICATE OF SERVICE**

**A true copy of the foregoing was on this date delivered by electronic service to the following:**

Larry Hinton, Esq.  
c/o Reynolds Johnston Hinton, LLP  
P. O. Box 4000  
Bowling Green, KY 42102-4000

Sam Phillips, Esq.  
303 North College Street  
Franklin, KY 42134

Amanda L. East, Esq.  
P. O. Box 305  
Franklin, KY 42135

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

Heather Matlock  
4369 Morgantown Road  
Franklin, KY 42134

Josh Matlock  
1903 Kay Avenue  
Bowling Green, KY 42104

Julie Montgomery  
2866 Blue Level Road  
Rockfield, KY 42274

Ron Montgomery  
2866 Blue Level Road  
Rockfield, KY 42274

Jason Chaffin  
15933 Clayton Road  
St. Louis, MO 63011

Jennifer Chaffin  
15933 Clayton Road  
St. Louis, MO 63011

Michael Green  
5150 Nashville Road  
Bowling Green, KY 42101

Suzanne Green  
5150 Nashville Road  
Bowling Green, KY 42101

This December 20, 2023.

**BY: /s/ ROBERT YOUNG LINK**  
Master Commissioner  
Simpson Circuit Court