

SIMPSON CIRCUIT COURT
DIVISION I

CIVIL ACTION NO. 24-CI-00053

FRANKLIN BANK & TRUST COMPANY

PLAINTIFF

vs.

AMENDED
NOTICE OF SALE
Electronically Filed

DAVID HARP,
LESLIE HARP,
BANK OF AMERICA, N.A.,
ANESTHESIA AND PAIN SPECIALISTS
OF BOWLING GREEN, PLC,
J. KELLY PATTERSON, M.D.,
THE MEDICAL CENTER AT FRANKLIN, INC.,
SERVICE ONE CREDIT UNION, INC.,
DISCOVER BANK,
COMMONWEALTH OF KENTUCKY,
DEPARTMENT OF REVENUE,
DIVISION OF COLLECTIONS, and
COMMONWEALTH OF KENTUCKY
OFFICE OF UNEMPLOYMENT INSURANCE

DEFENDANTS

Pursuant to a Judgment and Order of Sale in Simpson Circuit Court dated June 6, 2024, in Civil Action No. 24-CI-00053, Franklin Bank & Trust Company, plaintiff, versus, David Harp, Leslie Harp, Bank of America, N.A., Anesthesia and Pain Specialists of Bowling Green, Plc, J. Kelly Patterson, M.D., The Medical Center At Franklin, Inc., Service One Credit Union, Inc., Discover Bank, Commonwealth Of Kentucky, Department Of Revenue, Division Of Collections, And Commonwealth Of Kentucky Office Of Unemployment Insurance, defendants, I shall sell to the highest bidder at public auction on Friday, June 28, 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 202 Eagle Drive, aka 202 Country Club Estates, Franklin, Kentucky 42134, to-wit:

Being Lot No. 36 of Section II of Country Club Estates according to plat thereof recorded in Plat Book 1, page 58, Simpson County Clerk's office.

Subject to all restrictions, easements, streets and protective covenants shown and set out in detail on said plat which are made a part of this instrument the same as if incorporated herein in full.

Being the same property conveyed to David Harp and wife, Leslie Harp, by Victor L. Portmann, unmarried, by deed dated April 16, 2014, of record in Deed Book 309, Page 110, Simpson County Clerk's Office.

The property valuation administrator's map number for the subject property is 035-02-03-010.00.

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 2024 City and 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 personam judgment in favor of Franklin Bank & Trust Company, in the amount \$95,911.72, with interest thereon at the rate of 6.875% from and after February 27, 2024, with late fees of \$34.31, plus costs and attorney fees in the amount of \$4,000.00.

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 6% 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 June 7, 2024.

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 F. Hinton, Esq.
REYNOLDS JOHNSTON HINTON, LLP
310 East 11th Avenue
P.O. Box 4000
Bowling Green, Kentucky 42102-4000
Attorney for Plaintiff

Larry F. Hinton, Esq.
REYNOLDS JOHNSTON HINTON, LLP
310 East 11th Avenue
P.O. Box 4000
Bowling Green, Kentucky 42102-4000
Attorney for Service One Credit Union, Inc.

Charles W. Adams, Esq.
Hodges & Adams
PO Box 1865
Bowling Green, KY 42102

R. Campbell Connell, Esq.
Commonwealth of Kentucky Finance and
Administration Cabinet
Department of Revenue
PO Box 5222
Frankfort, KY 40602

James T. Hart, Esq.
Weltman, Weinberg & Reis Co., LP.A.
312 Elm St. Suite 1200
Cincinnati, OH 45202
Attorney for Discover Bank

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

David Harp
202 Eagle Drive
Franklin, KY 42134

Leslie Harp
202 Eagle Drive
Franklin, KY 42134

Bank of America, N.A.
655 Paper Mill Road
Newark, DE 19711

Richard Alphin
Lloyd & McDaniel, PLC
PO Box 23200
Louisville, KY 40223

This June 7, 2024.

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