

SIMPSON CIRCUIT COURT
DIVISION I

CIVIL ACTION NO. 23-CI-00280

CITY OF FRANKLIN, KENTUCKY

PLAINTIFF

vs.

NOTICE OF SALE
Electronically Filed

DANIEL PAUL KEARNS,

The unknown spouse of DANIEL PAUL KEARNS, if any,

DEUTSCHE BANK NATIONAL TRUST COMPANY,
AS TRUSTEE FOR THE HOLDERS OF MORGAN
STANLEY ABS CAPITAL I TRUST 2006-HE8,
MORTGAGE PASS-THROUGH CERTIFICATES
SERIES 2006-HE8,

CITIBANK N.A., AS TRUSTEE FOR THE CERTIFICATE
HOLDERS OF THE MLMI TRUST, SERIES 2007-SL1,

DOT CAPITAL INVESTMENTS, LLC,

MGD-KY, LLC,

RAM TAX LIEN FUND, LP, AKA RTLK-KY, LLC,

KLAS PROPERTIES, LLC,
and

SIMPSON COUNTY, KENTUCKY

DEFENDANTS

Pursuant to a Judgment and Order of Sale in Simpson Circuit Court dated June 6, 2024, in Civil Action No. 23-CI-00280, City of Franklin, Kentucky, plaintiff, versus, Daniel Paul Kearns, The unknown spouse of Daniel Paul Kearns, if any, Deutsche Bank National Trust Company, as Trustee for the holders of Morgan Stanley ABS Capital I Trust 2006-HE8, Mortgage Pass-Through Certificates Series 2006-HE8, Citibank N.A., as Trustee for the certificate holders of the MLMI Trust, Series 2007-SL1, DOT Capital Investments, LLC, MGD-KY, LLC, Ram Tax Lien Fund, LP, aka RTLK-KY, LLC, KLAS Properties, LLC, and Simpson County, Kentucky, 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 304 Cemetery Street, Franklin, Kentucky 42134, to-wit:

Certain real property situated in Franklin, Simpson County, Kentucky, on the south side of Cemetery Street, consisting of a lot and buildings thereon and described thus:

Beginning at a stake or stone on the south side of Cemetery Street, a new corner to Potts; running thence southwardly with a new line of Potts 95 feet to a stake or stone, another new corner to Potts; running thence eastwardly with another new line of Potts, 50 feet to a stake or stone in the line of Lee Smith; running thence northwardly with the Smith line 95 feet to a stake or stone on the south side of Cemetery Street; running thence westwardly with Cemetery Street 50 feet to the point of beginning.

Being the same property conveyed to Dan Kearns, the same person as Daniel Paul Kearns, unmarried, by Danny James and wife, Melinda James, by deed dated July 21, 2006, of record in Deed Book 266, Page 157, in the Simpson County Clerk's office.

The property valuation administrator's map number for the subject property is 010-00-06-003.00.

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 debts: (1) An in rem judgment in favor of the plaintiff, in the amount \$25,770.04 for delinquent property taxes, through May 31, 2024, with interest at the rate of 6% per annum from the date of entry of this judgment; (2) city attorney fees in the amount of \$3,250.00; and (3) reimbursement of costs in the amount of \$2,114.45.

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:

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

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

Karen M. Kane-Roby, Esq.
1101 College Street
P.O. Box 770
Bowling Green, KY 42102
Attorney for KLAS Properties, LLC

Justin H. Ramey, Esq.
Ramey Law, PLLC
705-C South 4th Street
P. O. Box 749
Murray, KY 42071
Attorney for DOT Capital Investments, LLC

Jamie D. Reiter
6001 Christmas Drive
Nolensville, Tennessee 37135
*Attorney for MTAG as C/F MGD-KY, LLC;
U.S. Bank as C/F MGD-KY, LLC; and
RAM Tax Lien Fund, LP aka RTLF-KY, LLC*

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

Daniel Paul Kearns
1509 Benson Avenue
Bowling Green, Kentucky 42104

Unknown Spouse of Daniel Paul Kearns
1509 Benson Avenue
Bowling Green, Kentucky 42104

Deutsche Bank National Trust Co.
Corporation Trust Center
1209 Orange Street
Wilmington, Delaware 19801

Deutsche Bank National Trust Co.
1761 East Street, Andrew Plaza
Santa Ana, California 92705

Citibank, N.A., Trustee
c/o Any Officer or Managing Agent
5800 South Corporate Place
Sioux Falls, South Dakota 57108

This June 7, 2024.

BY: /s/ ROBERT YOUNG LINK

Master Commissioner
Simpson Circuit Court