

SIMPSON CIRCUIT COURT
DIVISION I

CIVIL ACTION NO. 24-CI-00119

CITY OF FRANKLIN, KENTUCKY

PLAINTIFF

vs.

NOTICE OF SALE
Electronically Filed

Unknown Heirs of ELIZABETH BURRUS GRIFFIN,
SONDRA G. BAKER,
HENRY E. BAKER, JR.,
WILLIE B. GRIFFIN, JR.,
Unknown Spouse of WILLIE B. GRIFFIN, JR.,
JACQUELINE G. BYRD,
MORRIS BYRD,
KENNETH O. GRIFFIN,
Unknown Spouse of KENNETH O. GRIFFIN,
DARRYL MCREA WESTON,
Unknown Spouse of DARRYL MCREA WESTON,
DENISE WESTON THORNTON,
Unknown Spouse of DENISE WESTON THORNTON,
BENJAMIN O. BURRUS, III,
Unknown Spouse of BENJAMIN O. BURRUS, III,
MARK W. BURRUS,
Unknown Spouse of MARK W. BURRUS,
KEVIN C. BURRUS,
Unknown Spouse of KEVIN C. BURRUS,
GAIL BURRUS MARTIN,
Unknown Heirs of MARVA BAILEY-HERRERA,
INDRIA S. GAITHER,
SIDNEY S. GAITHER,
and SIMPSON COUNTY, KENTUCKY

DEFENDANTS

Pursuant to a Judgment and Order of Sale in Simpson Circuit Court dated August 14, 2024, in Civil Action No. 24-CI-00119, City of Franklin, Kentucky, plaintiff, versus, Unknown Heirs of Elizabeth Burrus Griffin, Sondra G. Baker, Henry E. Baker, Jr., Willie B. Griffin, Jr., Unknown Spouse of Willie B. Griffin, Jr., Jacqueline G. Byrd, Morris Byrd, Kenneth O. Griffin, Unknown Spouse of Kenneth O. Griffin, Darryl Mcrea Weston, Unknown Spouse of Darryl Mcrea Weston, Denise Weston Thornton, Unknown Spouse of Denise Weston Thornton, Benjamin O. Burrus, III, Unknown Spouse of Benjamin O. Burrus, III, Mark W. Burrus, Unknown Spouse of Mark W. Burrus, Kevin C. Burrus, Unknown Spouse of Kevin C. Burrus, Gail Burrus Martin, Unknown Heirs of Marva Bailey-Herrera, Indria S. Gaither and Sidney S. Gaither, and Simpson County, Kentucky, defendants, I shall sell to the highest bidder at public auction on Friday, September 6, 2024, at the hour of 2:00 p.m., at the Simpson County Justice Center, 101 Court Street,

Franklin, Kentucky, the following-described property consisting of a vacant lot, having as its mailing address 408 West Washington Street, Franklin, Kentucky 42134, to-wit:

Beginning at a post, the southwest corner of the yard, being the intersection of Washington and Hale Streets; thence with north edge of Washington Street, S 87 $\frac{3}{4}$ E 13 poles and 5 links to a stake, corner to J. L. Stanford's line, N 2 $\frac{1}{2}$ E 17 poles and 10 links to another stake, corner to Stanford on the south side of Jefferson Street; thence with south side of Jefferson Street, N 7 $\frac{3}{4}$ W 13 poles and 5 links to a post, northwest corner of lot at intersection of Hale and Jefferson Streets; thence with east line of Hale Street, S 2 $\frac{1}{2}$ W 17 poles and 10 links to the beginning.

Being the same property conveyed to Mary E. Burrus by Joe P. Clark, Master Commissioner, by deed of record in Commissioner's Deed Book 7, Page 345, Simpson County Court Clerk's Office.

The said Mary E. Burrus died intestate, on March 14, 1957, and left as her only heirs at law, a son, Earl W. Burrus, a son, Leondrous Burrus and Benjamin Burrus and Jacquetta Weston, children and only heirs at law of a deceased son, O'Neal Burrus. See Affidavit of Descent of record in Deed Book 77, Page 249, Simpson County Clerk's Office.

The said Benjamin Burrus and wife, Charleen Burrus and Jacquetta Weston and husband, Cornelious Weston, conveyed their undivided one-third interest unto Earl W. Burrus and wife, Virgie Burrus and to the survivor, by deed dated October 13, 1958, of record in Deed Book 77, Page 249, Simpson County Court Clerk's Office.

The said Leondrous Burrus and wife, Carnie Burrus conveyed their undivided $\frac{1}{3}$ interest unto Earl Burrus and wife, Virgie Burrus, and to the survivor, by deed dated June 18, 1960, of record in Deed Book 81, Page 522, Simpson County Court Clerk's Office.

The said Earl W. Burrus died on November 12, 1979, thus vesting fee simple title in Virgie Burrus.

The said Virgie Burrus, the same person as Virgie Lee James Burrus, died December 16, 2001, and by Item II of her will of record in Will Book 19, Page 520, Simpson County Clerk's Office, granted her co-executors of her estate, John Robert James and Henry Thomas James, the power to sell real property.

The estate of Virgie Lee James Burrus acting by and through John Robert James and Henry Thomas James, Co-Executors, conveyed the subject property to Elizabeth Burrus Griffin, Jacquetta Burrus Weston and Benjamin Oneal Burrus, by deed dated October 24, 2002, of record in Deed Book 239, Page 246, Simpson County Clerk's Office.

The said Elizabeth Burrus Griffin died unmarried on or about October 1, 2012, a resident of Jefferson County, Kentucky, and left as her heirs-at-law her children, Sondra G. Baker, Willie B. Griffin, Jr., Jacqueline G. Byrd, and Kenneth O'Griffin.

The said Jaquetta Burrus Weston died on or about October 7, 2010, a resident of Detroit, Michigan, and left as her heirs-at-law her children, Darryl Mcree Weston and Denise H. Weston Thornton.

The said Benjamin O'Neal Burrus, Jr., died on June 9, 2006, and left surviving him six children, namely, Benjamin O'Neal Burrus, III, Mark W. Burrus, Kevin C. Burrus, Gail Burrus Martin, Marva Y. Bailey-Herrera, now deceased, and Indria Suzanne Gaither.

The property valuation administrator's map number for the subject property is 009-00-25-013.00.

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: (1) An in rem judgment in favor of the plaintiff, in the amount \$50,365.21 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 \$3,950.00; and (3) reimbursement of costs (including WOA fees) in the amount of \$7,266.40.

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 August 16, 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 42135-0615

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

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

Sidney S. Gaither
2628 Bluffwood Drive
Indianapolis, IN 46228

Indria Suzanne Gaither
2628 Bluffwood Drive
Indianapolis, IN 46228

Unknown Heirs of Marva Y. Bailey-Herrera
109 Hickory Glen Way
Powder Springs, GA 30127

Gail Burrus Martin
1729 Euclid Avenue
Bowling Green, KY 42103

Unknown Spouse of Kevin C. Burrus
3311 Vinez Drive
Indianapolis, IN 46228

Kevin C. Burrus
3311 Vinez Drive
Indianapolis, IN 46228

Unknown Spouse of Mark W. Burrus
6308 Harmonridge Court
Indianapolis, IN 46278

Mark W. Burrus
6308 Harmonridge Court
Indianapolis, IN 46278

Unknown Spouse of Benjamin Oneal Burrus III
5601 Olympia Drive #24
Indianapolis, IN 46228

Benjamin Oneal Burrus III
5601 Olympia Drive #24
Indianapolis, IN 46228

Unknown Spouse of Denise H. Weston Thornton
2350 State Hwy. 121, Apt. 3008
Eules, TX 76039

Denise H. Weston Thornton
2350 State Hwy. 121, Apt. 3008
Eules, TX 76039

Unknown Spouse of Darryl Mcrea Weston
17650 Warwick Street
Detroit, MI 48219

Darryl Mcrea Weston
17650 Warwick Street
Detroit, MI 48219

Unknown Spouse of Kenneth O. Griffin
1064 43rd Street
Louisville, KY 40211

Kenneth O. Griffin
1064 43rd Street
Louisville, KY 40211

Morris C. Byrd
1006 Cecil Avenue
Louisville, KY 40211

Jacqueline G. Byrd
1006 Cecil Avenue
Louisville, KY 40211

Unknown Spouse of Willie B. Griffin
1006.Cecil Avenue
Louisville, KY 40211

Willie B. Griffin, Jr.
1006 Cecil Avenue
Louisville, KY 40211

Henry E. Baker, Jr.
2313 Shandon Drive
Lexington, KY 40505

Sondra G. Baker
2313 Shandon Drive
Lexington, KY 40505

This August 16, 2024.

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