

SIMPSON CIRCUIT COURT
DIVISION I

CIVIL ACTION NO. 22-CI-00348

APEX FUND SERVICES FOR CERES
TAX RECEIVABLES, LLC

PLAINTIFF

vs.

NOTICE OF SALE
Electronically Filed

PHILLIP GARY SUITER aka GARY PHILLIP SUITER,
Unknown Spouse of PHILLIP GARY SUITER,
aka GARY PHILLIP SUITER,
WILLIAM DOUGLAS SUITER,
KLAS PROPERTIES, LLC,
M. E. WOOD,
MIDLAND FUNDING NCC-2,
MTAG as C/F MGD-KY, LLC,
RTLK-KY, LLC,
TAXMERCHANTS, LLC,
US BANK as C/F MGD-KY, LLC,
COMMONWEALTH OF KENTUCKY-SIMPSON COUNTY,
FRANKLIN-SIMPSON COUNTY AMBULANCE SERVICE,
J. KELLY PATTERSON, M.D.,
THE MEDICAL CENTER AT FRANKLIN, INC., and
JOHN V. ADAMS, M.D.,

DEFENDANTS

Pursuant to a Judgment and Order of Sale in Simpson Circuit Court dated August 14, 2024, in Civil Action No. 22-CI-00348, Apex Fund Services for CERES Tax Receivables, LLC, plaintiff, versus, Phillip Gary Suiter aka Gary Phillip Suiter, Unknown Spouse of Phillip Gary Suiter aka Gary Phillip Suiter, William Douglas Suiter, KLAS Properties, LLC, M. E. Wood, Midland Funding NCC-2, MTAG as C/F MGD-KY, LLC, RTLK-KY, LLC, TaxMerchants, LLC, US Bank as C/F MGD-KY, LLC, Commonwealth of Kentucky-Simpson County, Franklin-Simpson County Ambulance Service, J. Kelly Patterson, M.D., The Medical Center at Franklin, Inc., and John V. Adams, M.D. defendants, I shall sell to the highest bidder at public auction on Friday, October 4, 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 548 Vances Mill Road, Franklin, Kentucky 42134, to-wit:

Beginning at a post, a corner to Dan Escue in the north right-of-way line of the Vances Mill Road, being the southwest corner to described parcel; thence with the north right-of-way line of the Vances Mill Road N 79° 00' W 451.09 feet to an iron pipe, a new corner to Phyllis Baker in aforesaid right-of-way line; thence with a new line and corner to Phyllis Baker N 11° 40' E 135.00 feet, N 01° 35' E 663.23 feet to a re-bar, corner to Phyllis Baker in the line of David Shelly; thence with

line of David Shelly S 78° 52' E 454.15 feet to post, corner to Shelly in the line of Dan Escue; thence with line of Dan Escue S 03° 30' W 795.00 feet to the point of beginning, containing 8.00 acres less any easements or rights-of-way of record, according to August 31, 1994, survey of Charles E. White, Kentucky Registered Land Surveyor No. 906.

Being the same property conveyed to Martha Suiter by Bobby Zumbro, unmarried, by deed dated April 27, 1998, of record in Deed Book 213, Page 235, Simpson County Clerk's Office. The said Martha Suiter died intestate on September 1, 2012, and left surviving her as her only heirs-at-law, her husband, Phillip Gary Suiter, aka Gary Phillip Suiter, and her son, William Douglas Suiter. See Affidavit of Descent of record in Deed Book 381, page 10, Simpson County Clerk's office. The said William Douglas Suiter conveyed his undivided one-half interest in the subject property to Phillip Gary Suiter, aka Gary Phillip Suiter, by deed dated March 13, 2023, of record in Deed Book 371, page 204, in the Office aforesaid. The said Phillip Gary Suiter, aka Gary Phillip Suiter died intestate on August 29, 2023, and left as his only heir-at-law, his son, William Douglas Suiter. See also See Affidavit of Descent of record in Deed Book 381, page 10, Simpson County Clerk's office.

The property valuation administrator's map number for the subject property is 034-00-00-036.00.

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 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 \$10,099.39, with interest from and after July 3, 2024, at the rate of 12% per annum.

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 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 September 4, 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:

John M. Lally, Esq.
1387 S. 4th Street
Louisville, Kentucky 40208
Attorney for plaintiff

Jamie D. Reiter, Esq.
6001 Christmas Drive
Nolensville, TN 37135
*Attorney for plaintiff and
Attorney for MTAG as C/F MGD-KY, LLC, RTLK-KY, LLC & US Bank as C/F MGD-KY, LLC*

Charles W. Adams, Esq.
Hodges & Adams
319 E. 10th Avenue
P.O. Box 1865
Bowling Green, KY 42102
Attorney for Franklin-Simpson Co Ambulance Service, J. Kelly Patterson, M.D. & The Medical Center at Franklin, Inc.

Christy J. Adams, Esq.
200 South Buckman Street
Shepherdsville, KY 40165
Attorney for TaxMerchants, LLC

Samuel Phillips, Esq.
303 N. College Street
Franklin, KY 42134
Attorney for Commonwealth of Kentucky-Simpson County

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

Amanda L. East, Esq.
126 W. Kentucky Avenue
P.O. Box 305
Franklin, KY 42134
Attorney for William Douglas Suiter

Jack D. Wood, Esq.
10416 Dixie Highway
Louisville, KY 40212
Attorney for M. E. Wood

Midland Credit Management, Inc.
4801 Olympia Park Plaza, Suite 4200
Louisville, KY 40241
Registered agent for Midland Funding NCC-2

John V. Adams, MD
119 Memorial Way
Franklin, KY 42134

This September 4, 2024.

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