

SIMPSON CIRCUIT COURT  
DIVISION I

CIVIL ACTION NO. 21-CI-00006

APEX FUND SERVICES C/F CERES  
TAX RECEIVABLES, LLC

PLAINTIFF

vs.

NOTICE OF SALE  
**Electronically Filed**

RICHARD L. NEWLAND, JR.,  
Unknown Spouse of RICHARD L. NEWLAND, JR.,  
NICHOLAS NEWLAND,  
Unknown Spouse of NICHOLAS NEWLAND,  
Unknown Heirs of RICHARD L. NEWLAND, SR.,  
Unknown Spouse of Unknown Heirs of RICHARD L.  
NEWLAND, SR.,  
US BANK AS C/F MGD-KY, LLC, MTAG as  
C/F MGD-KY, LLC,  
KLAS PROPERTIES, LLC,  
COMMONWEALTH OF KENTUCKY,  
CITY OF FRANKLIN,  
COMMONWEALTH of KENTUCKY/DIVISION  
of COLLECTIONS,  
COMMONWEALTH OF KENTUCKY/DIVISION OF  
UNEMPLOYMENT INSURANCE,  
CONVERGENCE RECEIVABLES, L.C,  
FRANKLIN-SIMPSON CO. AMBULANCE SERVICE,  
INPATIENT MEDICINE ASSOCIATES,  
THE MEDICAL CENTER AT FRANKLIN, INC.,  
MED CENTER HEALTH ANESTHESIA,  
THE MEDICAL CENTER AT BOWLING GREEN, and  
COMMONWEALTH OF KENTUCKY-SIMPSON COUNTY

DEFENDANTS

Pursuant to a Judgment and Order of Sale in Simpson Circuit Court entered on September 26, 2024, in Civil Action No. 21-CI-00006, Apex Fund Services C/F Ceres Tax Receivables, LLC, plaintiff, versus, Richard L. Newland, Jr., Unknown Spouse of Richard L. Newland, Jr., Nicholas Newland, Unknown Spouse of Nicholas Newland, Unknown Heirs of Richard L. Newland, Sr., Unknown Spouse of Unknown Heirs of Richard L. Newland, Sr., US Bank as C/F MGD-KY, LLC, MTAG as C/F MGD-KY, LLC, KLAS Properties, LLC, Commonwealth of Kentucky, City of Franklin, Commonwealth of Kentucky/Division of Collections, Commonwealth of Kentucky/Division of Unemployment Insurance, Convergence Receivables, L.C, Franklin-Simpson Co. Ambulance Service, Inpatient Medicine Associates, The Medical Center at Franklin, Inc., Med Center Health Anesthesia, The Medical Center at Bowling Green, Commonwealth of

Kentucky-Simpson County, defendants, I shall sell to the highest bidder at public auction on Friday, October 25, 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 303 Duncan Street, Franklin, Kentucky 42134, to-wit:

The real property is located at 303 Duncan Street, Kentucky 42134 and is more particularly described as follows:

Being Lot #40 of Paradise Estates Subdivision of record in Plat Book 1, page 118-130 and Plat Book 2, page 59 A-B, Office of the Clerk of the County Court, of Simpson County, Kentucky, to which reference is made for a more detailed description 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 Richard L. Newland and Clara L. Newland, husband and wife, as joint tenants with right of survivorship, by deed dated September 29, 1971, of record in Deed Book 106, Page 177, Simpson County Clerk's Office. The said Clara L. Newland died on February 5, 2006, and left the said Richard L. Newland surviving her. The said Richard L. Newland died in 2011.

The property valuation administrator's map number for the subject property is 008-00-09-039.00.

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 the plaintiff, in the amount of \$4,098.27, plus attorney fees 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 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 October 3, 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.  
9400 Williamsburg Plaza, Suite 220  
Louisville, KY 40222  
*Attorney for Apex Fund Services*

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

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

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

Maria "Tess" Russell, Esq.  
500 Mero Street, 3rd Floor  
Frankfort, KY 40601  
*Attorney for Commonwealth of Kentucky/Division of Unemployment Insurance Kentucky Labor Cabinet OUI/CDO Legal Division*

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

W. Scott Crabtree, Esq.  
212 South College Street  
P.O. Box 615  
Franklin, KY 42135  
*Attorney for City of Franklin*

Hoy P. Hodges, Esq.  
319 E. 10th Avenue  
P.O. Box 1865  
Bowling Green, KY 42102  
*Attorney for The Medical Center at Bowling Green, Franklin-Simpson Co. Ambulance Service,  
Inpatient Medicine Associates, The Medical Center at Franklin, Inc., Med Center Health Anesthesia*

Commonwealth of Kentucky/Division of Collections  
P.O. Box 491  
Frankfort, KY 40602

Convergence Receivables, L.C.  
222 3rd Street SE #324  
Cedar Rapids, IA 52401

Richard L. Newland, Jr.  
316 Chambers Avenue  
Georgetown, KY 40324

Nicholas Newland  
303 Duncan Street  
Franklin, KY 42134

This October 3, 2024.

**BY: /s/ ROBERT YOUNG LINK**

Master Commissioner  
Simpson Circuit Court