

COMMISSIONER'S SALE

In order to comply with the orders of the Fayette Circuit Court, the Commissioner will sell the property described in the following action on **September 28, 2020**, upon the terms and conditions set forth in RFCC 26(B)(4), electronically via an online auction at the auction website **KentuckyMCSales.com**.

Said property shall be sold to raise the amounts hereinafter set forth, together with interest and the costs of the action, and upon the (unless otherwise indicated) following terms and conditions.

(A) At the time of sale the successful bidder shall either pay cash or make a deposit of 10% of the purchase price with the balance on credit for thirty (30) days. **In the event the successful bidder does not pay cash, the bidder will be required to post bond and furnish an acceptable surety thereon.** Said bond shall be for the unpaid purchase price and bear interest at the rate the judgment bears from the date of sale until paid, and shall have the force and effect of a judgment.

(B) The purchaser shall be required to assume and pay all taxes or assessments upon the property for the current fiscal tax year (i.e. the amount that will be due thru June 30, 2021) and all subsequent years. All other delinquent taxes or assessments upon the property for prior years shall be paid from the sale proceeds **if** properly claimed in writing and **filed of record** by the purchaser within ten (10) days from the date of sale.

(C) The property shall otherwise be sold free and clear of any right, title and interest of all parties to the action and of their liens and encumbrances thereon, excepting easements and restrictions of record in the Fayette County Court Clerk's Office and such right of redemption as may exist in favor of the United States of America or the defendant(s).

FURTHER INFORMATION REGARDING THESE SALES AND OTHER UPCOMING SALES, AS WELL AS PAST SALES CAN BE FOUND AT **WWW.FAYCOM.INFO**. PROSPECTIVE BIDDERS ARE ADVISED AND ENCOURAGED TO REFER TO THAT WEB SITE FOR ANSWERS TO THEIR QUESTIONS.

SALE NO. 1

Kentucky Tax Lien Fund vs. Benjamin Hernandez - Action No. 17-CI-03711, to raise the principal amount of \$9,972.11 plus interest at the rate of 6%.

126 WILTON AVENUE

All of the following property located at 126 Wilton Avenue, Lexington, Fayette County, Kentucky, more particularly described as follows, to-wit:

All that lot or parcel of land located in the County of Fayette and State of Kentucky, being Lot No. 18, Block "B" of the Melrose Addition to the City of Lexington, Fayette County, Kentucky (of Gentry & Thompson Company), as shown on

the map and plat of said addition made by J. White Guyn, Civil Engineer, and recorded in the Office of the Clerk of the Fayette County Court in Plat Cabinet E, at Slide 356, but there is excepted from the above description and not hereby conveyed so much thereof was conveyed to W.S. Parker by Deed dated October 22, 1955, and of record in the Office of the Clerk of the Fayette County Court in Deed Book 588, Page 285, said excepted portion being described as follows, to-wit: Beginning at a point in the East property line of Wilton Avenue, said point being 500 feet south of the Leestown Pike and said point being 3.3 feet north of the front common corner of Lots 18 and 19, Block B of the Melrose Addition as recorded in Plat Cabinet E, at Slide 356, Fayette County Court Clerk's Office; thence with the East property line of Wilton Avenue in a southerly direction 3.3 feet to the front common corner of the aforesaid Lots 18 and 19; thence with the common line of the aforesaid Lots 18 and 19 in a southeasterly direction 149.56 feet to the rear common corner of the aforesaid Lots 18 and 19; thence in a northerly direction along the common line of Lots 18 and 23, Block B of the aforesaid subdivision 3.3 feet thence in a northwesterly direction 149.4 feet, more or less, to the beginning and being the southerly 3.3 feet of Lot 18, Block B of the Melrose Addition.

Being the same property conveyed to Benjamin Hernandez, by deed dated February 25, 2002, of record in Deed Book 2262, page 235, in the Fayette County Clerk's Office.

PLAINTIFF'S ATTORNEY: Zach Webster

SALE NO. 2

Bankunited vs. Brandon M. Cole - Action No. 19-CI-03094, to raise the principal amount of \$84,374.17 plus interest at the rate of 6.625%.

2774 BAYBROOK ROAD

The following described property lying and being in Fayette County, Kentucky, and being more particularly described as follows:

Being all of Lot 24, Block "F", Unit 1, Section 2 of the Lakeview - Mt. Tabor Heights Subdivision to the City of Lexington, Fayette County, Kentucky, as shown by Map or Plat thereof record in Plat Cabinet B, Slide 128 in the Office of the Fayette County Court Clerk; the improvements thereon being known and designated as 2774 Baybrook Road, Lexington, Kentucky.

Subject to and together with all easements, restrictions and legal highways, if any, of record.

Being the same property conveyed to Brandon M. Cole, a single man, and Ronald H. Schroader and Beverly Shroader, husband and wife by Deed, dated August 22, 2006 recorded on September 08, 2006 in Book 2672, Page 727 of the Clerk's Office of Fayette County Kentucky. Ronald H Schroader died on May 21, 2014, thereby vesting fee simple title in Beverly Shroader and Brandon M. Cole.

PLAINTIFF'S ATTORNEY: Michael R. Brinkman

SALE NO. 3

U.S. Bank vs. Tracy Works - Action No. 18-CI-03300, to raise the principal amount of \$117,795.02 plus interest at the rate of 6%.

172 LEATHERWOOD LANE (A/K/A 348 LONG BRANCH ROAD)

Being all of Lot 54 of the Marshall Property (McConnell's Trace Subdivision) as shown by plat of record in Plat Cabinet L, Slide 866, in the Fayette County Clerk's Office, the improvements thereon being known and designated as 172 Leatherwood Lane, (a/k/a 348 Long Branch Road).

Being the same property conveyed to Gary Works, Jr and Tracy Works, husband and wife, from Harmony Home Builders, a Kentucky Limited Liability Company, by Deed dated November 7, 2003, recorded November 14, 2003, Deed Book 2413, pages 183-186, of Fayette County, Kentucky.

Also further conveyed to Tracey Michelle Works, a single person, from Gary Wayne Works, Jr., a single person, by Quitclaim Deed dated June 7, 2010, recorded October 29, 2010, Deed Book 2975, pages 482-485, of Fayette County, Kentucky.

PLAINTIFF'S ATTORNEY: Michael R. Brinkman

SALE NO. 4

Towd Point Mortgage Trust vs. Ali Darkai Estate - Action No. 18-CI-00104, to raise the principal amount of \$94,767.92 plus interest at the rate of 5.25%.

3437 FEATHERIDGE DRIVE

Being all of Lot No. 13, Block F, Unit 3-D, Section 1, Summerhill Subdivision, to the City of Lexington, Fayette County, Kentucky, a plat of which is found of record in Plat Cabinet F, Slide 208, in Fayette County Clerk's Office; said

premises being known as designated as 3437 Featheridge Drive, Lexington, Kentucky.

Being the same property conveyed to Ali Darkai, from Walter Conn and Tammy Conn, by Deed dated September 28, 2004, recorded October 4, 2004, Deed Book 2497, page 129, of Fayette County, Kentucky.

Ali Darkai, died on July, 13, 2016, as referenced by probate case filed on November 14, 2016, as case # 16-P-01665. As Ali Darkai died intestate, Defendant Maryann R. Darkai was vested as his sister and sole beneficiary pursuant to intestacy and was also appointed as Administratrix of Mr. Darkai's estate. The Order approving settlement of the estate in 16-P-01665 was entered on January 18, 2019. Maryann R. Darkai would therefore be vested in the subject property.

PLAINTIFF'S ATTORNEY: Michael R. Brinkman

**JAMES H. FRAZIER III
MASTER COMMISSIONER
FAYETTE CIRCUIT COURT**