

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 **March 8, 2021**, 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 Housing Corporation vs. Rebecca A. Martin - Action No. 20-CI-03359, to raise the principal amount of \$61,392.13 plus interest at the rate of 5.5%.

512 EL PASEO PLACE

Being all of Lot No. 32, Block "S", Unit 5-C of the East Hills Subdivision to the City of Lexington, Fayette County, Kentucky, as shown by plat of record in Plat Cabinet D, Slide 419, in the Fayette County Clerk's office; the improvements thereon being known as 512 El Paseo Place.

Subject to any and all easements, restrictions, conditions, and legal highways of record and/or in existence.

Being the same property conveyed to Rebecca A. Martin, unmarried, by Deed dated August 15, 2005, and recorded in Deed Book 2578, Page 152, in the Office of the Clerk of Fayette County, Kentucky.

PLAINTIFF'S ATTORNEY: Ben L. Rettig

SALE NO. 2

U.S. Bank National Association vs. Agnes R. Brown Estate - Action No. 19-CI-01668, to raise the principal amount of \$81,129.77 plus interest at the rate of 10.989%.

1142 BRIARWOOD DRIVE

THE FOLLOWING DESCRIBED REAL PROPERTY LOCATED IN LEXINGTON, FAYETTE COUNTY, KENTUCKY, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ALL THAT TRACT OR PARCEL OF LAND LOCATED IN THE CITY OF LEXINGTON, FAYETTE COUNTY, KENTUCKY, AND BEING MORE FULLY DESCRIBED AS FOLLOWS, TO WIT:

ALL OF LOT NO. 15 BLOCK "C", UNIT 2-A, OR OAKWOOD ESTATES SUBDIVISION TO THE CITY OF LEXINGTON AS SHOWN BY MAP AND PLAT THEREOF OF RECORD IN PLAT BOOK 18, PAGE 29, FAYETTE COUNTY COURT CLERK'S OFFICE, AND TO WHICH SAID MAP AND PLAT REFERENCE IS HEREBY MADE FOR A MORE PARTICULAR DESCRIPTION OF SAID PROPERTY; AND THE IMPROVEMENTS THEREON BEING KNOWN AS 1142 BRIARWOOD DRIVE.

BEING THE SAME PROPERTY CONVEYED TO AGNES R. BROWN, AKA AGNES R. GREENE BY DEED DATED 18TH DAY OF OCTOBER IN THE YEAR 1996, IN BOOK 1877 PAGE 546, IN FAYETTE COUNTY COURT CLERKS OFFICE.

AGNES R. BROWN AKA AGNES R. GREENE DIED ON JANUARY 21, 2020. SUGGESTION OF DEATH FILED ON NOVEMBER 2, 2020.

PLAINTIFF'S ATTORNEY: Christopher M. Hill

SALE NO. 3

Wilmington Savings Fund Society vs. Anna R. Mullins - Action No. 19-CI-01183, to raise the principal amount of \$105,889.65 plus interest at the rate of 7%.

613 ELK LAKE DRIVE

The following described property situated in the County of Fayette, State of Kentucky, To Wit:

Being all of Lot No. 4, Block "N", Unit 8-A, East Hills Subdivision, a plat of which is of record in Plat Cabinet D, Slide 128, in the Fayette County Court Clerk's Office and to which Plat reference is hereby made.

Being the property conveyed in Deed from Samuel R. Pierce, Jr., Secretary of Housing and Urban Development of Washington, D.C. to Carl D. Mullins and Anna r. Mullins, His Wife, dated 05/14/1984, recorded 05/18/1984, in Deed Book 1342, Page 317, in the County Clerk's Office for Fayette County, Kentucky

By virtue of the survivorship provision of the aforesaid deed, Anna R. Mullins, became vested with fee simple title upon the death of Carl D. Mullins on November 13, 2002.

PLAINTIFF'S ATTORNEY: Christopher M. Hill

SALE NO. 4

Guardian Savings Bank vs. Bryon Sturgill - Action No. 19-CI-02706, to raise the principal amount of \$276,882.77 plus interest at the rate of 5.75%.

913 STAR GAZE DRIVE

Being all of Lot 4, Block F, as shown on the Final Record Plat of Hamburg Place Community, Phase 2 West Wind Subdivision, Unit 3, of record in Plat Cabinet L. Slide 338 in Fayette County Clerk's Office, to which plat reference is hereby made for a more particular description of said property; the improvements thereon being known and designated as 913 Star Gaze Drive, Lexington, Kentucky; and

Being the same property conveyed to Bryon Sturgill, not married, from Christina Sturgill, not married, by Deed dated April 19, 2010, and recorded April 27, 2010, in Deed Book 2941, Page 194, records of the Fayette County Court Clerk.

PLAINTIFF'S ATTORNEY: Stephanie A. Maguire

SALE NO. 5

Fifth Third Bank vs. Penny J. Yoder Estate - Action No. 19-CI-02636, to raise the principal amount of \$63,876.54 plus interest at the rate of 5%.

3611 NIAGARA DRIVE

All that certain tract of land located In Fayette County, Kentucky, to-wit:

Being all of Lot No. 23, Block "A", Unit 3-A, of River Park Subdivision, Lexington, Fayette County, Kentucky, as shown on the plat thereof of record in Plat Cabinet A, Slide 480, Fayette County Clerk's Office, to which plat reference is hereby made for A more particular description of said property.

Being the same property conveyed to Richard W. Yoder and Penny J. Yoder, his wife who acquired title, with rights of survivorship, by virtue of a deed from Lincoln Real Estate, Inc., dated July 29, 1993, recorded July 30, 1993, at Deed Book 1685, Page 476, Fayette County, Kentucky records

INFORMATIONAL NOTE: Richard W. Yoder died May 3, 2014, and pursuant to the survivorship language in the above-mentioned deed, all his interest passed to Penny J. Yoder.

Barbara Angela Yoder, no marital status shown, Richard William Yoder, II, no marital status shown, and Jeffrey Albert Yoder, no marital status shown, acquired title by virtue of being the heirs of Penny J. Yoder (deceased January 23, 2019), per Probate Case 19-P-00299, filed February 28, 2019, in the District Court of Fayette County, Kentucky.

PLAINTIFF'S ATTORNEY: John R. Cummins

SALE NO. 6

Wells Fargo Bank vs. Dyanna M. Vanatta - Action No. 17-CI-01405, to raise the principal amount of \$95,449.75 plus interest at the rate of 5.375%.

3424 COLONNADE DRIVE

The following described property located in Fayette County, Kentucky, and more fully described as follows, to-wit:

Being all of Lot No. 56, Block "C", Unit 1-B, Section 2, of Farmington Subdivision, to the City of Lexington, Fayette County, Kentucky, as shown by plat thereof of record in Plat Cabinet H, Slide 312, in the Fayette County Clerk's Office.

Being the same property conveyed to Michael R. Vanatta and Dyanna M. Vanatta, husband and wife who acquired title by virtue of a deed from Deborah M. Kirkland, a single person, dated February 5, 2010, recorded February 11, 2010, at Deed Book 2927, Page 603, Fayette County, Kentucky records.

PLAINTIFF'S ATTORNEY: John R. Cummins

SALE NO. 7

U.S. Bank Trust National Association vs. Joe Frye Estate - Action No. 15-CI-00920, to raise the principal amount of \$56,255.41 plus interest at the rate of 6.75%.

364 ROOSEVELT BOULEVARD

Being all of Tract 4, all that tract or parcel of land, together with improvements thereon, lying and being near the City of Lexington, in the County of Fayette and State of Kentucky, and being all of Lot No. 75 of the Washington Terrace Subdivision to the City of Lexington, Kentucky as shown by Plat of said addition now of record in the Fayette County Clerk's Office in Plat Book 2, Page 154 also known as Plat Cabinet E, Slide 330 and;

Being the same property conveyed to Joe Frye and Wanda Frye, from E & E Realty, Co, a Kentucky Corporation, by Deed dated November 24, 1997, recorded December 4, 1997, Deed Book 1950, page 258, of Fayette County, Kentucky.

Being the same property conveyed to Joe Frye and Wanda Frye, from E & E Realty, Co, a Kentucky Corporation, by Deed dated November 24, 1997, recorded December 4, 1997, Deed Book 1950, page 258, of Fayette County, Kentucky. Wanda Frye died on February 17, 2003, and she is therefore an unnecessary party to these proceedings. Joe Frye died on January 3, 2015.

PLAINTIFF'S ATTORNEY: Michael R. Brinkman

SALE NO. 8

Wells Fargo Bank vs. Stephanie Happy - Action No. 20-CI-03044, to raise the principal amount of \$64,384.20 plus interest at the rate of 4.36306%.

747-749 FLORENCE AVENUE

BEING ALL OF LOTS 28 AND 29, BLOCK B, GALBRAITH SUBDIVISION, TO THE CITY OF LEXINGTON, FAYETTE COUNTY, KENTUCKY, AS SHOWN BY PLAT THEREOF RECORD IN PLAT CABINET E, SLIDES 258 AND 259, IN THE FAYETTE COUNTY CLERK'S OFFICE, TO WHICH PLAT REFERENCE IS HEREBY MADE FOR A MORE

PARTICULAR DESCRIPTION; THE IMPROVEMENTS
THEREON BEING KNOWN AND DESIGNATED AS 747-749
FLORENCE AVENUE.

BEING THE SAME PROPERTY CONVEYED TO
STEPHANIE HAPPY, A SINGLE PERSON, BY DEED
DATED AUGUST 30, 1994 OF RECORD IN DEED BOOK
1747, PAGE 451, IN THE OFFICE OF THE COUNTY CLERK
OF FAYETTE COUNTY, KENTUCKY.

PLAINTIFF'S ATTORNEY: Victoria M. Kadreva Holmes

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