

**SPECIAL COMMISSIONER'S SALE**

**FRIDAY, OCTOBER 14, 2011 \* 8:45 AM**

SALE OF 427 Morehead Road and 20.57 acres on Fuqua Road, Bowling Green, Warren County, Kentucky

BY VIRTUE OF A DECREE AND ORDER OF SALE OF THE WARREN CIRCUIT COURT, DIVISION I, the Special Commissioner will sell at public auction the real property described in the following action on **Friday, October 14, 2011, at the hour of 8:45 a.m., in the 4<sup>th</sup> floor rotunda of the Justice Center, 1001 Center Street, Bowling Green, Kentucky.** Said property shall be sold to collect the amounts hereinafter set forth, together with interest and the costs of the action, and upon the following terms and conditions (unless otherwise stated).

- A. The purchaser will be required to pay ten percent (10%) of the purchase price down the day of sale and post bond on the remainder with the balance due in thirty (30) days. Said bond will bear interest at the rate of 12 percent per annum upon the unpaid balance from date of sale until paid in full.

The Special Commissioner will retain a lien on the property sold to secure the sale price. **If the purchaser elects to post bond, he/she will be required to provide sufficient surety thereon at the sale. Please contact the Special Master Commissioner's Office prior to sale with questions regarding approved surety at 783-8044.**

- B. The property is sold subject to the following:
- a. State, county, city and school taxes payable in the year 2011, and all taxes due thereafter.
  - b. Easements, restrictions and covenants of record.
  - c. Assessments for public improvements levied against the property.
  - d. Any facts which an inspection or accurate survey of the property may disclose.
- C. The property shall otherwise be sold free and clear of any and all right, title, and interest of all parties to this action and of their liens and encumbrances thereon and such right of redemption as may exist in favor of the United

States of America or the defendants.

- D. For a more particular description of this property, reference is made to the files on record at the Warren Circuit Clerk's office on the first floor of the Justice Center.

#### Sale

**FRED W. TABOR REVOCABLE TRUST, By and Through Fred W. Tabor, Trustee, and HELEN S. TABOR, by and through her attorney-in-fact, Fred W. Tabor v. TIMOTHY C. MANNING, PAMELA D. MANNING, GARRISON INVESTMENTS, LLC, KENTUCKY DEPARTMENT OF REVENUE, IRVING MATERIALS, INC., and BLUEGRASS RADIOLOGY SERVICES, Warren Circuit Court, Division I, Civil Action No. 11-CI-00302**, to collect on behalf of plaintiff, the sum of \$110,001.25, plus interest at the rate of 8% per annum which is a per diem rate of \$24.11, from February 17, 2011, until the date of judgment, and 12% per annum from the date of judgment until paid in full; to collect on behalf of the plaintiff, the sum of \$3,262.64 plus interest at the rate of 8% per annum which is a per diem rate of \$0.72, until entry of judgment and 12% per annum from the date of Judgment until paid; to collect on behalf of the plaintiff, the sum of \$40,129.81 plus interest at the rate of 7% per annum which is a per diem rate of \$7.70, until entry of judgment and 12% per annum from the date of Judgment until paid; together with advancements of real estate taxes in the amount of \$1,052.69 as of February 17, 2011, plus 12% interest per annum until paid in full, plus court costs in the amount of \$517.00 and reasonable attorney's fees in the amount of \$2,500.00; to collect delinquent real estate taxes on behalf of the defendant, Garrison Investments, LLC, the sum of \$1,310.53 as of April 8, 2009, plus 12% interest per annum and the sum of \$1,396.47 as of August 13, 2010, plus 12% interest per annum, and reasonable attorney's.

#### 427 Morehead Road

Being Lot 2 as shown on Major Plat Book 22, Page 170, (Slide #6-209), as recorded in the Office of the Warren County Clerk.

Being the same property conveyed to Timothy C. Manning and wife, Pamela D. Manning, from Helen S. Tabor, by a Deed with Vendor's Lien Retained dated February 22, 2002, and recorded on February 22, 2002, in Deed Book 837, Page 170, in the office of the Warren County Clerk.



### Fuqua Road

BEING A 20.57 ACRE TRACT OF LAND LOCATED ON THE FUQUA ROAD IN WARREN COUNTY, KENTUCKY AND MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A FOUND IRON PIN, SAID PIN LOCATED IN THE NORTHEAST RIGHT-OF-WAY LINE OF FUQUA ROAD AND BEING APPROXIMATELY 1350 FEET FROM THE RIGHT-OF-WAY LINE OF BLUE LEVEL, ~ PROVIDENCE ROAD, CORNER COMMON TO BLUE LEVEL PROPERTIES, LLC (DEED BOOK 774 PAGE 162); THENCE LEAVING SAID RIGHT-OF-WAY AND WITH THE COMMON LINE OF SAID BLUE LEVEL PROPERTIES, LLC N 86 DEG 00 MIN 57 SEC E 3471.37 FEET TO A SET IRON PIN, SAID PIN LOCATED IN THE LINE OF HAROLD & BERNICE JENKINS (DEED BOOK 741 PAGE 243); THENCE LEAVING SAID BLUE LEVEL PROPERTIES, LLC AND WITH SAID JENKINS S 27 DEG 02 MIN 34 SEC 294.29 FEET TO A FOUND STONE, CORNER COMMON TO A.E. & HELEN BASKERVILLE (NO DEED FOUND) AND JOE BILLY & JO ANN TABOR (DEED BOOK 694 PAGE 848); THENCE LEAVING SAID JENKINS AND WITH SAID TABOR AND CONTINUING WITH FRED & ALGA YOUNG (DEED BOOK 565 PAGE 408) S 86 DEG 55 MIN 06 SEC W 1433.69 FEET TO A FENCE POST; THENCE S 86 DEG 01 MIN 02 SEC W 2196.96 FEET TO A SET IRON PIN, SAID PIN LOCATED IN THE NORTHEAST RIGHT-OF-WAY LINE OF FUQUA ROAD; THENCE LEAVING SAID YOUNG AND WITH SAID RIGHT-OF-WAY N 06 DEG 02 MIN 00 SEC E 252.00 FEET TO THE POINT OF BEGINNING CONTAINING 20.57 ACRES S PER A SURVEY BY JAMES R. ADAMS AND ASSOCIATES, INC. DATED JANUARY 31, 2003.

NOTE: ALL SET AND FOUND PINS ARE 5/8"X30' REBAR HAVING A LASTIC CAP IMPRINTED WITH "JAMES R. ADAMS 1891".

Being the same property conveyed to Timothy C. Manning and Pamela D. Manning, by Fred W. Tabor Revocable Trust, by and through Trustee Fred W. Tabor, by Deed dated August 20, 2003, and recorded on August 25, 2003, in Deed Book 867, Page 151, in the Warren County Clerk's Office.

LANNA MARTIN KILGORE, ATTORNEY FOR PLAINTIFF

MICHAEL K. BISHOP, SPECIAL COMMISSIONER

CLERK: Please send notice of filing to:

Lanna Martin Kilgore  
911 College Street, Suite 101  
P.O. Box 1617  
Bowling Green, 42102-1617

Timothy C. Mannin  
427 Morehead Road  
Bowling Green, KY 42101

Pamela D. Manning  
427 Morehead Road  
Bowling Green, KY 42101

Martin D. East  
400 South Main Street, Suite 113  
Nicholasville, KY 40356

Barbara Kinney  
Kentucky Department of Revenue  
P.O. Box 5222  
Frankfort, KY 40602

Richard Alphin  
P.O. Box 23200  
Louisville, KY 42334-0200

Charles W. Adams  
P.O. Box 1865  
Bowling Green, KY 42102-1865

David F. Broderick  
P.O. Box 3100  
Bowling Green, KY 42102-3100

Michael K. Bishop  
Special Commissioner  
P.O. Box 10088  
Bowling Green, KY 42102-4888

---

**MICHAEL K. BISHOP**  
**SPECIAL COMMISSIONER**