

SPECIAL COMMISSIONER'S SALE

FRIDAY, FEBRUARY 7, 2025 * 10:30 AM

SALE OF 1814 Madeline Court, Bowling Green, Kentucky

BY VIRTUE OF A DECREE AND ORDER OF SALE OF THE WARREN CIRCUIT COURT, DIVISION II, the Special Commissioner will sell at public auction the real property described in the following action on **Friday, February 7, 2025, at the hour of 10:30 a.m., in the 4th floor rotunda of the Justice Center, 1001 Center Street, Bowling Green, Kentucky.** Pursuant to the Court's Order and Agreement of the parties for a final disposition of this property, said property shall be sold 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 Commissioner's Office prior to sale with questions regarding approved surety at 783-8044.**

- B. The property is sold subject to the following:
- a. Any state, county, city and school taxes payable in the year 2025, 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. **Also, the Special Commissioner does not obtain a title search or investigate for further liens on the properties listed below nor conduct**

or authorize a survey of the property. The purchaser is responsible for title searches and/or any additional liens not named in the Judgment and Order of Sale and for the results of any good and accurate survey for the property.

- 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.
- E. The Special Commissioner does not have access to the properties listed below and therefore makes no representation or warranty of any kind as to the conditions of these properties.

Sale

US Bank Trust National Association, not in its individual capacity, but solely as Trustee of LSF11 Master Participation Trust and Kyle Shirley v. Kevin Swincher, Dawn Swincher et al, Warren Circuit Court, Division II, Civil Action No. 22-CI-00316, to collect the judgement of the plaintiff in the amount of \$275,133.71, plus attorney fees in the amount of \$10,775.00, plus advancements in the amount of \$15,457.97, plus costs of \$11,247.89, plus any additional attorney fees, costs and interest until the day of the sale; and to collect the judgment of defendant Shirley in the amount of \$150,300.15, plus attorney fees in the amount of \$15,231.75 and costs of \$4,092.15, plus any additional attorney fees, costs and interest until the day of the sale; and any ad valorem taxes for 2018 through 2024, and to collect fees, commissions and expenses.

1814 Madeleine Court

DOUGLAS HAMAN, ATTORNEY FOR PLAINTIFF
MICHAEL K. BISHOP, SPECIAL COMMISSIONER