

Order Confirming Auctioneer

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF KENTUCKY
OWENSBORO DIVISION

ELECTRONICALLY FILED

LSC18, LLC

PLAINTIFF

v.

CIVIL ACTION NO. 4:17cv-00165-JHM

LOI M. HONG, a/k/a LOI MOC HONG;
COMMONWEALTH OF KENTUCKY,
COUNTY OF MCLEAN;
UNKNOWN SPOUSE, IF ANY, OF LOI M. HONG
UNKNOWN TENANT(S), IF ANY, OF
2320 COFFMAN SCHOOL HOUSE ROAD
SACRAMENTO, KENTUCKY 42372

DEFENDANTS

ORDER

Upon Motion of LSC18, LLC ; and the Court being otherwise sufficiently advised;

IT IS HEREBY ORDERED AND ADJUDGED as follows:

1. That the sale of the real property located at 2320 Coffman School House Rd., Sacramento, Kentucky ("Property") previously ordered in the In Rem Judgment and Order of Sale entered on December 4, 2018 [Docket No. 32 – the "Judgment"] shall be conducted by the United States Marshal for the Western District of Kentucky ("United States Marshal") with the assistance of, and in conjunction with, Kurtz Auction and Realty Company ("Kurtz"), 305 Frederica St., Owensboro, Kentucky 42301. In making the sale, the United States Marshal and Kurtz shall sell the Property by public auction in accordance with the terms and provisions of 28 U.S.C. §2001, 2002, in the manner previously ordered in the Judgment.

2. In addition to the advertising and notice of sale by the United States Marshal by publication in a newspaper regularly published in McLean County, Kentucky at least once a week for at least four weeks prior to the sale, Kurtz shall also regularly advertise the public auction in

several surrounding counties. All advertising fees of Kurtz for said multi-county advertising, not to exceed \$1,800, shall be advanced by LSC18, LLC and shall be reimbursed upon distribution of the sale proceeds.

3. The United States Marshal shall collect all commissions and fees for which it is entitled for the sale of the Property pursuant to 28 U.S.C. §1921. In addition, Kurtz shall receive a commission of 5% from the sale proceeds. All commissions and fees related to the sale of the Property shall be paid from the sale proceeds if the Property is purchased by a third party, or if Plaintiff is the successful purchaser, shall be paid by Plaintiff prior to the issuance of a Deed. The proceeds of sale of the Property, shall be therefore applied to the following items in this order of priority:

A. To the costs of this action, including the costs and fees of the United States Marshal and the fees and costs of Kurtz Auction and Realty Company;

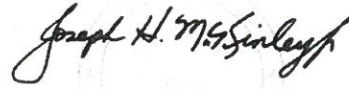
B. Then to the full satisfaction of all unpaid state, city, county, school or fire real property taxes due and owing on the Property including all delinquent tax certificates:

C. Then to the full satisfaction of the mortgage lien in the favor of LSC18, LLC, up to the amount of indebtedness as set forth in numerical paragraph one (1), *supra*;

D. Any other junior liens or interests shall attach to the proceeds of sale, if any, in the same priority in which they attach to the Property.

4. All other terms and conditions in the Judgment previously entered herein, not expressly modified by this Order shall remain. In all other respects the sale of the Property shall be conducted as previously ordered in the Judgment.

SO ORDERED



Joseph H. McKinley Jr., District Judge
United States District Court

Tendered By:

March 19, 2019

/s/ Anthony Raluy
Anthony G. Raluy
Rendigs Fry Kiely & Dennis, LLP
500 West Jefferson Street, Suite 1515
Louisville, Kentucky 40202