

## Legal notice

### NOTICE OF DEFAULT AND FORECLOSURE SALE

WHEREAS, on December 8, 2008, a certain First Fixed Rate Home Equity Conversion Mortgage was executed by Sam J. Smith and Linda C. Smith, husband and wife, as joint tenants with right of survivorship and not as tenants in common, as to Parcel I and Sam J. Smith and Linda C. Smith, husband and wife, as joint tenants with right of survivorship and not as tenants in common, as to Parcel II, as mortgagor in favor of One Reverse Mortgage, LLC, as Mortgagee in the amount of \$172,500.00 and was recorded on January 14, 2009, in Mortgage Book 181, Page 686, in the Office of the Clerk of Crittenden County, Kentucky; and

WHEREAS, the Mortgage was insured by the United States Secretary of Housing and Urban Development (the Secretary) pursuant to the National Housing Act for the purpose of providing single family housing; on December 8, 2008, a certain Second Mortgage was executed by Sam J. Smith and Linda C. Smith, husband and wife, as joint tenants with right of survivorship and not as tenants in common, as to Parcel I and Sam J. Smith and Linda C. Smith, husband and wife, as joint tenants with right of survivorship and not as tenants in common, as to Parcel II, as mortgagor in favor of the Secretary as Mortgagee in the amount of \$172,500.00 and was recorded on January 14, 2009, in Mortgage Book 181, Page 699, in the Office of the Clerk of Crittenden County, Kentucky; and

WHEREAS, the First Mortgage is now owned by the Secretary, pursuant to the most recent assignment dated March 17, 2021, and recorded on March 19, 2021, in MTG Book 241, Page 614, in the Office of the Clerk of Crittenden County, Kentucky; and

WHEREAS, mortgagor, Sam J. Smith, died on March 14, 2024.

WHEREAS, a default has been made in the covenants and conditions of the First Mortgage in that the payment due on October 30, 2025, was not made and remains wholly unpaid as of the date of this notice, and no payment has been made sufficient to restore the loan to currency; and WHEREAS, the entire amount delinquent as of January 28, 2026 is \$152,847.53; and WHEREAS, by virtue of this default, the Secretary has declared the entire amount of the indebtedness secured by the First Mortgage to be immediately due and payable;

NOW THEREFORE, pursuant to powers vested in me by the Single Family Mortgage Foreclosure Act of 1994, 12 U.S.C. 3751 et seq., by 24 CFR part 27, subpart B, and by the Secretary's designation of me as Foreclosure Commissioner, recorded on February 27, 2026 in ENC Book 24, Pages 18-22, E 254619, notice is hereby given that a public auction, scheduled for May 27, 2026 at 1:00 pm local time, at which all real and personal property at or used in connection with the following described premises ("Property") will be sold at public auction to the highest bidder.

Commonly known as: 409 N. Walker St., Marion, KY 42064

The Land referred to herein below is situated in the County of Crittenden, State of Kentucky and is described as follows:

Parcel 1:

A certain lot or parcel of land lying and being in the City of Marion, Kentucky on North Walker Street and bounded as follows:

Lot No. 8 and 30 feet off the south edge of Lot No. 9 in Block 3 of the Mound

Park Addition to the City of Marion, Kentucky, for Plat of same see Deed Book 29, Page 430 (erroneously referred to as Page 431 in prior Deed), in the Office of the Clerk of Crittenden County, Kentucky.

Being the same property acquired by Sam J. Smith and Linda C. Smith, husband and wife, by that certain Quitclaim Deed, dated December 8, 2008, of record in Deed Book 212, Page 774, in the Office of the Clerk of Crittenden County, Kentucky. Sam J. Smith died March 14, 2024. Parcel 2:

A certain tract or parcel of land in Crittenden County, Kentucky, and being more particularly described as follows:

BEGINNING at an "X" chiseled in the center of a concrete drive between Sylvian Clark's residence and the store building, being 20 ft. east of the center of North College Street and 269.60 ft. south of the center of 3rd Street; thence with the east

side of North College St. N. 04 deg. 09 min. E. 69.60 ft. to an iron pin, corner to Runyan; thence with his line S. 86 deg. 29 min. E., passing his corner at an alley at about 147.5 ft., and passing the alley and Smith's corner at about 159.5 ft., and continuing with Smith's line, in all 307.10 ft. to their southeast corner and being 20 ft. west of the center of North Walker Street; thence with the west side of Walker St. S. 06 deg. 32 min. W. 27.10 ft. to a railroad spike in the center of the driveway and being 251 ft. north of the center of 2nd Street, and corner to Clark; thence with Clark's lines S. 84 deg. 15 min. W. 141.10 ft. to a railroad spike, S. 68 deg. 13 min. W. 50.00 ft. to a railroad spike, and N. 85 deg. 46 min. W. 122.00 ft. to the beginning, containing 0.382 acre, more or less, by survey. See Plat attached to Deed of record in Deed Book 171, Page 712, in the Office aforesaid.

EXCEPTING THEREFROM so much as conveyed to Crittenden County War Veterans Association, LLC, a Kentucky limited liability company, by that certain Deed, dated December 27, 2005, of record in Deed Book 204, Page 96, in the Office aforesaid. Being a portion of the same property acquired by Sam J. Smith and Linda C. Smith, husband and wife, by that certain Deed, dated June 20, 1995, of record in Deed Book 171, Page 712, in the Office of the Clerk of Crittenden County, Kentucky. Sam J. Smith died March 14, 2024.

The sale will be held in the Lobby at the County Complex, 200 Industrial Drive, Marion, KY 42064.

The Secretary of Housing and Urban Development will bid \$152,847.53, plus additional interest and costs incurred through the date of the sale.

There will be no proration of taxes, rents or other income or liabilities, except that the purchaser will pay, at or before closing, his prorata share of any real estate taxes that have been paid by the Secretary to the date of the foreclosure sale.

When making their bids, all bidders except the Secretary must submit a deposit totaling \$15,284.75 in the form of a certified check or cashier's check made out to the Secretary of HUD. A deposit need not accompany each oral bid. If the successful bid is oral, a deposit of \$15,284.75 must be presented before the bidding is closed. The deposit if nonrefundable. The remainder of the purchase price must be delivered within 30 days of the sale or at such other time as the Secretary may determine for good cause shown, time being of the essence. This amount, like the bid deposits, must be delivered in the form of a certified or cashier's check. If the Secretary is the high-

est bidder, he need not pay the bid amount in cash. The successful bidder will pay all conveying fees, all real estate and other taxes that are due on or after the delivery date of the remainder of the payment and all other costs associated with the transfer of title. At the conclusion of the sale, the deposits of the unsuccessful bidders will be returned to them.

The Secretary may grant an extension of time within which to deliver the remainder of the payment. All extensions will be for 15-day increments for a fee of \$500.00, paid in advance. The extension fee shall be in the form of a certified or of HUD. If the high bidder closes the sale prior to the expiration of any extension period, the unused portion of the extension fee shall be applied toward the amount due.

If the high bidder is unable to close the sale within the required period, or within any extensions of time granted by the Secretary, the high bidder may be required to forfeit the cash deposit or, at the election of the foreclosure commissioner after consultation with the HUD representative, will be liable to HUD for any costs incurred as a result of such failure. The Commissioner may, at the direction of the HUD representative, offer the property to the second highest bidder for an amount equal to the highest price offered by that bidder.

There is no right of redemption, or right of possession based upon a right of redemption, in the mortgagor or others subsequent to a foreclosure completed pursuant to the Act. Therefore, the Foreclosure Commissioner will issue a Deed to the purchaser(s) upon receipt of the entire purchase price in accordance with the terms of the sale as provided herein. HUD does not guarantee that the property will be vacant. The scheduled foreclosure sale shall be cancelled or adjourned if it is established, by documented written application of the mortgagor to the Foreclo-

sure Commissioner not less than 3 days before the date of sale, or otherwise, that the default or defaults upon which the foreclosure is based did not exist at the time of service of this notice of default and foreclosure sale, or all amounts due under the mortgage agreement are tendered to the Foreclosure Commissioner, in the s check payable to the Secretary of HUD, before public auction of the property is completed.

The amount that must be paid if the mortgage is to be reinstated prior to the scheduled sale is \$152,284.75 as of January 28, 2026, plus all other amounts that would be due under the mortgage agreement if payments under the mortgage had not been accelerated, advertising costs and postage expenses incurred in giving notice, mileage by the most rea-

sonable road distance for posting notices and for the Foreclosure Commissioner's attendance at the sale, reasonable and customary costs incurred for title and lien record searches, the necessary out-of-pocket costs incurred by the Foreclosure Commissioner for recording documents, a commission for the Foreclosure Commissioner, and all other costs incurred in connection with the foreclosure prior to reinstatement.

Tender of payment by certified or cashier's check or application for cancellation of the foreclosure sale shall be submitted to the address of the Foreclosure Commissioner provided below.

Date:

John B. Flatt

Foreclosure Commissioner  
Nelson & Frankenger, LLC

11350 N. Meridian St.,

Suite 320  
Carmel. IN 46032  
THIS INSTRUMENT PREPARED BY:  
John B. Flatt  
NELSON & FRANKENBERGER, LLC  
11350 N. Meridian St.,  
Suite 320  
Carmel, Indiana 46032  
(317) 844-0106  
STATE OF INDIANA  
SS:

COUNTY OF HAMILTON  
Before me, a Notary Public in and for said County and State, personally appeared John B. Flatt, who acknowledged the execution of the foregoing Notice.

WITNESS my hand and Notarial Seal this \_\_\_\_\_ day of March 2026.

Notary Public  
My Commission Expires: 05/09/2031

Madalyn McMurray  
Printed Name  
Residing in: Hamilton County



### Employment Opportunity

## METER READER/LABORER I-II

The City of Marion has a **FULL-TIME PERMANENT POSITION AVAILABLE IN THE MAINTENANCE DEPARTMENT.**

**MINIMUM QUALIFICATIONS INCLUDE GRADUATION FROM HIGH SCHOOL OR EQUIVALENT; SOME EXPERIENCE WITH UTILITY EQUIPMENT AND SERVICES IS DESIRABLE, BUT NOT MANDATORY.**

**A COMBINATION OF EXPERIENCE AND EDUCATION WILL BE CONSIDERED FOR COMPLIANCE WITH THESE STANDARDS.**

**Primary activities will include, but are not limited to**

- Property lawncare and landscaping
- Repairing/replacing water and sewer infrastructure,
- Repairing street and alley infrastructure
- Reading water meters, turning water services on and off along with any other such duties common to the department's operations.

**The successful applicant will work under the general direction of the Maintenance Supervisor.**

**This job requires availability on weekends and holidays primarily under emergency or on-call conditions.**

**All resumes must be accompanied by a City of Marion job application.**

**A Job description for the position is available from the City Office by request.**

Upon completion of a probationary period, employee benefits include; 100% of the employee's health insurance premiums; 25% of additional family coverage; and vacation/holiday pay. Interested candidates will need to submit their application to the City Administrator by 4 pm on Friday, May 8, 2026.

*The City of Marion is an Equal Opportunity Employer and a Certified Drug-Free Workplace.*

### INSPECTION PERIOD FOR THE PROPERTY TAX ASSESSMENT ROLL

The Crittenden County real property tax roll will be opened for inspection from May 4 through May 18, 2026. Under the supervision of the property valuation administrator (PVA) or one of the deputies, any person may inspect the tax roll.

This is the January 1, 2026, assessment on which state, county, and school taxes for 2026 will be due about November 30, 2026.

The tax roll is in the office of the property valuation administrator in the county office complex and may be inspected between the hours of 8:00 a.m. and 4:00 p.m. Monday through Friday, and between the hours of 10:00 a.m. and 12:00 p.m. Saturday, May 9<sup>th</sup> and Saturday, May 16<sup>th</sup>.

Any taxpayer desiring to appeal an assessment on real property made by the PVA must first request a conference with the PVA or a designated deputy. The conference may be held prior to or during the inspection period. Written documentation supporting your opinion of value will continue to be required. However, you will be instructed on the best method to submit your documentation after contacting our office regarding your request to have a conference.

Any taxpayer still aggrieved by an assessment on real property, after the conference with the PVA or designated deputy, may appeal to the county board of assessment appeals.

The appeal must be filed with the county clerk's office no later than one work day following the conclusion of the inspection period. Please contact the county clerk's office to receive instructions on the method the office is using to accept appeals this year and to obtain a form that can be used to file your appeal.

Any taxpayer failing to appeal to the county board of assessment appeals, or failing to appear before the board, either in person or by designated representative, will not be eligible to appeal directly to the Kentucky Board of Tax Appeals.

Appeals of personal property assessments shall **not** be made to the county board of assessment appeals. Personal property taxpayers shall be served notice under the provisions of KRS 132.450(4) and shall have the protest and appeal rights granted under the provisions of KRS 131.110.

The following steps should be taken when a taxpayer does not agree with the assessed value of personal property as determined by the property valuation administrator.

- (1) Taxpayer must list under protest (for certification) what they believe to be the fair cash value of their property.
- (2) Taxpayer must file a written protest directly with the Department of Revenue, Office of Property Valuation within 30 days from the date of the notice of assessment.
- (3) This protest must be in accordance with KRS 131.110.
- (4) The final decision of the Department of Revenue may be appealed to the Kentucky Board of Tax Appeals.

Todd Perryman  
Property Valuation Administrator

Crittenden  
County