

(First published in THE NEWTON KANSAN on July 11, 2020 and subsequently therein on July 18, 2020 and July 25, 2020)

IN THE DISTRICT COURT OF HARVEY COUNTY, KANSAS

THE BOARD OF COUNTY COMMISSIONERS OF
HARVEY COUNTY, KANSAS

Plaintiff

vs.

No. 20-CV-12

THE ELEANOR M. GRISWOLD REVOCABLE
TRUST, DATED JANUARY 1, 1993, et al.

Defendants

- CAUSE 1** - THE ELEANOR M. GRISWOLD REVOCABLE TRUST,
DATED JANUARY 1, 1993
- CAUSE 13** - THE UNKNOWN HEIRS AND DEVISEES OF ALBERT L. FOSTER,
DECEASED and THE UNKNOWN HEIRS AND DEVISEES OF ADOLPH M.
FOSTER, DECEASED and JOHN HERBERT FOSTER
- CAUSE 15** - CAROLYN HARROALD
- CAUSE 25** - MELINDA O'NEAL a/k/a MELINDA YOTTER a/k/a MELINDA GAIL YOTTER
- CAUSE 26** - STEVEN OWENS and SANDRA D. OWENS
- CAUSE 29** - FRANCISCO R. RODRIGUEZ
- CAUSE 30** - ERIK JON SAENZ, SR.
- CAUSE 36** - RUSSELL B. WALTER and PENNI A. WALTER
- CAUSE 37** - KEVIN B. WILLIAMSON
- CAUSE 38** - SHAWN M. WILSON and KATHERINE S. WILSON
- CAUSE 40** - WHEATRIDGE SECOND, LLC, a Kansas limited liability company
- CAUSE 41** - WHEATRIDGE SECOND, LLC, a Kansas limited liability company
- CAUSE 42** - WHEATRIDGE SECOND, LLC, a Kansas limited liability company
- CAUSE 43** - WHEATRIDGE SECOND, LLC, a Kansas limited liability company
- CAUSE 44** - WHEATRIDGE SECOND, LLC, a Kansas limited liability company
- CAUSE 45** - WHEATRIDGE SECOND, LLC, a Kansas limited liability company
- CAUSE 46** - WHEATRIDGE SECOND, LLC, a Kansas limited liability company
- CAUSE 47** - WHEATRIDGE SECOND, LLC, a Kansas limited liability company
- CAUSE 48** - HALSTEAD AIRFIELD LLC, a Kansas limited liability company

SHERIFF'S NOTICE OF SALE

PUBLIC NOTICE is hereby given that under and by virtue of an Order of Sale issued by the Clerk of the District Court of Harvey County, Kansas, I will on the 20th day of August, 2020, at 10:00 A.M., in the Community Room in the lower level of the Harvey County Courthouse, in the City of Newton, Harvey County, Kansas, offer at public sale and sell to the highest bidder for

cash in hand, all of the below described real estate situated in Harvey County, Kansas, subject only to valid covenants running with the land and valid easements of record. The tax liens set forth in the causes below are subject to additional interest from November 1, 2019, until paid.

The tracts of land being sold for nonpayment of tax liens are set forth below:

CAUSE 1 (Parcel # 07319)

The South Half (S/2) of Lots Fourteen (14) and Sixteen (16) and the West 2 feet of the South Half (S/2) of Lot Eighteen (18), in Block Thirty-one (31), City of Newton, Harvey County, Kansas. (Commonly known as 214 East 6th Street, Newton, Kansas)

Owner of Record: THE ELEANOR M. GRISWOLD REVOCABLE TRUST,
DATED JANUARY 1, 1993
INTRUST BANK f/k/a FIRST BANK OF NEWTON (mortgagee)
(disclaimed interest)

Taxes for the year 2019 and prior years with interest to July 1, 2020 - \$18,619.46

CAUSE 13 (Parcel # 12713)

A part of the Southwest Quarter (SW/4) of the Southwest Quarter (SW/4) of Section Ten (10), Township Twenty-Four (24) South, Range Two (2) East of the 6th P.M., Harvey County, Kansas, described as follows: Beginning at a point where the West line of Lineaweaiver Street (nka Anelly Rd) of Annelly crosses the South line of the right-of-way of the Ellsworth, McPherson, Newton and Southeastern Railway; thence South along the West line of said Street, 10 Rods and 5 Links; thence West at Right angles, 16 Rods; thence North parallel to said Lineaweaiver Street (nka Anelly Rd), 14 Rods and 16 Links; thence Southeast along the South line of right-of-way of the aforesaid Railroad to the place of beginning. (Commonly known as a vacant lot on Rickardson Avenue, Whitewater, Kansas)

Owner of Record: THE UNKNOWN HEIRS AND DEVISEES OF
ALBERT L. FOSTER, DECEASED
THE UNKNOWN HEIRS AND DEVISEES OF
ADOLPH M. FOSTER, DECEASED
JOHN HERBERT FOSTER

Taxes for the year 2019 and prior years with interest to July 1, 2020 - \$86.53

CAUSE 15 (Parcel # 02953)

Lots Four (4) and Five (5) in Block Twenty-Seven (27) in the City of Burrton, Harvey County, Kansas. (Commonly known as 308 North Reno, Burrton, Kansas)

Owner of Record: CAROLYN HARROALD

Taxes for the year 2019 and prior years with interest to July 1, 2020 - \$2,519.41

CAUSE 25 (Parcel # 06300)

Beginning 188 feet West of the Northeast corner of Block Seventy-three (73), City of Newton, Harvey County, Kansas; thence South 185 feet; thence East 62 feet; thence North 185 feet; thence West 62 feet to the point of beginning. (Commonly known as 423 East 10th Street, Newton, Kansas)

Owner of Record: MELINDA O'NEAL a/k/a MELINDA YOTTER a/k/a MELINDA GAIL YOTTER

INTRUST BANK f/k/a FIRST BANK OF NEWTON (mortgagee)

Taxes for the year 2019 and prior years with interest to July 1, 2020 - \$7,971.99

CAUSE 26 (Parcel # 02959)

Lot One (1), Block Eighteen (18), in the City of Burrton, Harvey County, Kansas. (Commonly known as 222 North Reno Avenue, Burrton, Kansas)

Owner of Record: STEVEN OWENS

SANDRA D. OWENS

GMAC MORTGAGE CORPORATION d/b/a DITECH.COM.,

appearing of record as MORTGAGE ELECTRONIC

REGISTRATION SYSTEMS, INC. (mortgagee); and thereafter

assigned to WELLS FARGO BANK, NA as Indenture Trustee for

GMACM HOME EQUITY LOAN TRUST 203-HEZ; This

mortgage is subject to a Harvey County District Court action to

foreclose, 19-CV-207, *Wells Fargo Bank, NA, as indenture trustee*

for GMACM Home Equity Loan Trust 2003-HE2 vs. Steven

Owens and Sandra D. Owens a/k/a Sandra Owners; et al (case is pending).

CITIFINANCIAL, INC., last assigned to WILMINGTON

SAVINGS FUND SOCIETY, FSB, d/b/a CHRISTIANA TRUST,

not in its individual capacity but solely in its capacity as Owner
Trustee for WF 19 GRANTOR TRUST.

Taxes for the year 2019 and prior years with interest to July 1, 2020 - \$5,772.59

CAUSE 29 (Parcel # 03839)

Lot Eight (8) and the South 45 feet of Lot Nine (9), in Block Fifty-two (52), City of Halstead, Harvey County, Kansas. (Commonly known as 528 College Street, Halstead, Kansas)

Owner of Record: FRANCISCO R. RODRIGUEZ
ELIZABETH FAYE BOYD (mortgagee)
INTRUST BANK f/k/a FIRST BANK OF NEWTON (mortgagee)
STATE OF KANSAS (tax lien holder, 14-ST-98)

Taxes for the year 2019 and prior years with interest to July 1, 2020 - \$14,114.51

CAUSE 30 (Parcel # 07134)

Beginning 146 feet West of the Southeast corner of Block Eighty-three (83), in the City of Newton, Harvey County, Kansas; thence North 175 feet; thence West 40 feet; thence South 175 feet; thence East 40 feet to the point of beginning. (Commonly known as 410 West 4th Street, Newton, Kansas)

Owner of Record: ERIK JON SAENZ, SR.
STATE OF KANSAS (tax lien holder, 14-ST-60 and 17-ST-12)

Taxes for the year 2019 and prior years with interest to July 1, 2020 - \$1,760.68

CAUSE 36 (Parcel # 03213)

Lot Two (2), Block Thirty-seven (37), in the City of Burrton, Harvey County, Kansas. (Commonly known as 305 South Reno Avenue, Burrton, Kansas)

Owner of Record: RUSSELL B. WALTER
PENNI A. WALTER

Taxes for the year 2019 and prior years with interest to July 1, 2020 - \$4,166.64

CAUSE 37 (Parcel # 03550)

Lots Three (3), Four (4), Five (5), Six (6) and Seven (7), together with the South Half (S/2) of the alley lying adjacent and to the North of said lots and reverting thereto by reason of vacation, all in

Block Six (6), Brown's First Addition to the City of Halstead, Harvey County, Kansas, as formerly platted and now vacated, being a part of the Northeast Quarter (NE/4) of Section Thirty-five (35), Township Twenty-three (23) South, Range Two (2) West of the 6th P.M., Harvey County, Kansas. (Commonly known as 110 Oak Avenue, Halstead, Kansas)

Owner of Record: KEVIN B. WILLIAMSON

Taxes for the year 2019 and prior years with interest to July 1, 2020 - \$775..45

CAUSE 38 (Parcel # 03686)

Lot Twelve (12), Block Twenty-four (24), in the City of Halstead, Harvey County, Kansas. (Commonly known as 216 Locust Street, Halstead, Kansas)

Owner of Record: SHAWN M. WILSON
KATHERINE S. WILSON

Taxes for the year 2019 and prior years with interest to July 1, 2020 - \$5,616.05

CAUSE 40 (Parcel # 17545)

Reserve A, Wheatridge Second Addition to the City of Newton, Harvey County, Kansas. (Commonly known as a vacant Wheatridge Reserve A ditch, Newton, Kansas)

Owner of Record: WHEATRIDGE SECOND, LLC, a Kansas limited liability company

Taxes for the year 2019 and prior years with interest to July 1, 2020 - \$1,645.80

CAUSE 41 (Parcel # 17519)

Lot Four (4), Block Three (3), Wheatridge Second Addition, City of Newton, Harvey County, Kansas. (Commonly known as a vacant lot on Matson, Newton, Kansas)

Owner of Record: WHEATRIDGE SECOND, LLC, a Kansas limited liability company

Taxes for the year 2019 and prior years with interest to July 1, 2020 - \$26,684.07

CAUSE 42 (Parcel # 17523)

Lot Eight (8), Block Three (3), Wheatridge Second Addition, City of Newton, Harvey County, Kansas. (Commonly known as a vacant lot on Matson, Newton, Kansas)

Owner of Record: WHEATRIDGE SECOND, LLC, a Kansas limited liability company

Taxes for the year 2019 and prior years with interest to July 1, 2020 - \$22,450.21

CAUSE 43 (Parcel # 17524)

Lot Nine (9), Block Three (3), Wheatridge Second Addition, City of Newton, Harvey County, Kansas. (Commonly known as a vacant lot on Matson, Newton, Kansas)

Owner of Record: WHEATRIDGE SECOND, LLC, a Kansas limited liability company

Taxes for the year 2019 and prior years with interest to July 1, 2020 - \$22,451.16

CAUSE 44 (Parcel # 17525)

Lot Ten (10), Block Three (3), Wheatridge Second Addition, City of Newton, Harvey County, Kansas. (Commonly known as a vacant lot on Matson, Newton, Kansas)

Owner of Record: WHEATRIDGE SECOND, LLC, a Kansas limited liability company

Taxes for the year 2019 and prior years with interest to July 1, 2020 - \$22,451.16

CAUSE 45 (Parcel # 17526)

Lot Eleven (11), Block Three (3), Wheatridge Second Addition to the City of Newton, Harvey County, Kansas. (Commonly known as a vacant lot on Matson, Newton, Kansas)

Owner of Record: WHEATRIDGE SECOND, LLC, a Kansas limited liability company

Taxes for the year 2019 and prior years with interest to July 1, 2020 - \$22,197.65

CAUSE 46 (Parcel # 17527)

Lot Twelve (12), Block Three (3), Wheatridge Second Addition to the City of Newton, Harvey County, Kansas. (Commonly known as a vacant lot on Matson, Newton, Kansas)

Owner of Record: WHEATRIDGE SECOND, LLC, a Kansas limited liability company

Taxes for the year 2019 and prior years with interest to July 1, 2020 - \$22,451.16

CAUSE 47 (Parcel # 17528)

Lot Thirteen (13), Block Three (3), Wheatridge Second Addition, City of Newton, Harvey County, Kansas. (Commonly known as a vacant lot on Matson, Newton, Kansas)

Owner of Record: WHEATRIDGE SECOND, LLC, a Kansas limited liability company

Taxes for the year 2019 and prior years with interest to July 1, 2020 - \$23,731.12

CAUSE 48 (Parcel # 03505)

Building on leased land:

A portion of the Southwest Quarter (SW/4) of Section Twenty-three (23), Township Twenty-three (23) South, Range Two (2) West of the 6th P.M., Harvey County, Kansas, described as follows: Commencing at the Southwest corner of the Southwest Quarter (SW/4) of Section Twenty-three (23), Township Twenty-three (23) South, Range Two (2) West of the 6th P.M., Harvey County, Kansas; thence on an Kansas State Plane Grid bearing of North 89°35'52" East along the South line of said Southwest Quarter (SW/4) 691.00 feet (record); thence North 00°31'38" West parallel with the West line of said Southwest Quarter (SW/4) 60.00 feet (record) to a point on the North Right of Way line of U.S. Highway 50, for the point of beginning; thence continuing North 00°31'38" West parallel with the West line of said Southwest Quarter (SW/4) 255.00 feet; thence North 89°35'52" East parallel with the South line of said Southwest Quarter (SW/4) 570.00 feet; thence South 00°31'38" East parallel with the West line of said Southwest Quarter (SW/4) 155.00 feet; thence North 89°35'52" East parallel with the South line of said Southwest Quarter (SW/4) 1394.07 feet to the East line of said Southwest Quarter (SW/4); thence South 00°48'33" East along the East line of said Southwest Quarter (SW/4) 100.00 feet to the North Right of Way line of U.S. Highway 50; thence South 89°35'52" West along the North Right

of Way line of U.S. Highway 50 and parallel with the South line of said Southwest Quarter (SW/4) 1964.56 feet to the point of beginning. (Commonly known as a building on leased land at 11818 West US Hwy 50, Halstead, Kansas)

Owner of Record: HALSTEAD AIRFIELD LLC, a Kansas limited liability company
Taxes for the year 2019 and prior years with interest to July 1, 2020 - \$5,446.13
Taxes for the year 2018 and prior years with interest to October 31, 2019 - \$9,858.57
The above described real estate is taken as property of the respective defendants,

designated as owners set forth in the Journal Entry of Judgment or having some interest or claim thereto. Said real estate is to be sold and will be sold without liens and any other subordinate liens thereon.

Each of the judgment liens above is subject to post judgment interest according to law from and after July 1, 2020, until paid and court costs of \$475.00 and subsequent accruing real estate taxes.

WITNESS MY HAND at Newton, Kansas, this 8th day of July, 2020.

/s/ Chad E. Gay
CHAD E. GAY, Sheriff
of Harvey County, Kansas

ATTEST:

/s/ Gregory C. Nye
GREGORY C. NYE, #09912
109 East Seventh Street
Newton, KS 67114
Phone: (316) 283-3490
Fax: (316) 283-1099
nyelaw@gcny.com
Harvey County Counselor