

ELECTRONICALLY FILED

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CLERK OF THE MIAMI COUNTY

CASE NUMBER: 2020-CV-000028

PII COMPLIANT



Court: Miami County

Case Number: 2020-CV-000028

Case Title: Board of County Commissioners of Miami County, Ks
vs. Martha Allen, et al.

Type: Order Sale

SO ORDERED.

A handwritten signature in black ink, appearing to read "S. C. Montgomery", is written over a horizontal line.

/s/ Honorable Steven C. Montgomery, District Court
Judge

IN THE DISTRICT COURT OF MIAMI COUNTY, KANSAS

THE BOARD OF COUNTY COMMISSIONERS
OF MIAMI COUNTY, KANSAS,

Plaintiffs,

vs.

Case No. 2020 CV 000028

MARTA ALLEN, et al.,

Defendants.

ORDER OF SALE

THE STATE OF KANSAS TO THE SHERIFF OF MIAMI COUNTY, KANSAS: GREETINGS:

WHEREAS, on November 5, 2020, in the District Court of Miami County, Kansas, in an action therein pending wherein the Board of County Commissioners of Miami County, Kansas, was the plaintiff, and Marta Allen, et al, were the defendants, a judgment was rendered against the tracts of land described in Exhibit A, decreeing such judgments to be a tax lien thereon, and further ordering that should such liens thereon not be paid within fourteen (14) days from said date, that an order of sale should issue out of the above court to the Sheriff of Miami County, Kansas, commanding him to advertise and sell, according to K.S.A. 79-2801 *et seq.*, the lands described in Exhibit A, all of which are located in Miami County, Kansas, to satisfy such tax liens for taxes charges, interest, penalties and costs as described in aforesaid Exhibit A and apply the proceeds arising therefrom to the satisfaction of said tax liens, costs and other charges; the remainder to be held by the Clerk of the District Court subject to the further order of the Court.

NOW, THEREFORE, you are commanded to proceed according to law and advertise the real estate and mineral interests described in Exhibit A and apply the proceeds arising from said sale as directed by law as aforesaid; and you will make due return of this Order of Sale with your proceedings endorsed thereon showing the manner in which you have executed the same within sixty (60) days from the date hereof.

This Order is effective as of the date and time shown on the electronic file stamp.

EXHIBIT "A", CASE NO. 2020 CV 28, 2020 TAX FORECLOSURE SALE

(Taxes & interest as of November 30, 2020)

(There will be a \$125 abstract fee plus court costs of 10% of taxes & interest)

TRACT # 4: **CAMA #102-09-0-00-00-008-00-0-01**
LEGAL DESCRIPTION: Beginning at a point 712.85 feet West of the Southeast corner of the Southeast Quarter of Section 9, Township 16 South, Range 25 East, Miami County, Kansas, thence N1°39'22"W parallel to the West line of the Southeast Quarter of the Southeast Quarter of said Section 9, a distance of 660.37 feet measured (660 feet deed) to a point on the North line of the South Half of the Southeast Quarter of the Southeast Quarter of said Section 9, a distance of 660.37 feet measured (660 feet deed) to a point on the North line of the South Half of the Southeast Quarter of the Southeast Quarter of said Section 9; thence S89°00'43"W along the North line of the South Half of the Southeast Quarter of the Southeast Quarter of said Section 9, a distance of 617.52 feet measured (615.15 feet deed) to the Northwest corner of the South Half of the Southeast Quarter of the Southeast Quarter of said Section 9, thence S1°39'22"E along the West line of the Southeast Quarter of the Southeast Quarter of said Section 9, a distance of 661.45 feet measured (660 feet deed) to the Southwest corner of the Southeast Quarter of the Southeast Quarter of said Section 9, thence N88°54'41"E along the South line of the Southeast Quarter of said Section 9, a distance of 617.51 feet measured (615.15 feet deed) to the point of beginning, all in Miami County, Kansas. Subject to any part thereof in Road Right of Way.
TAX & INTERST: \$10,174.91 **DELINQUENT YEARS:** 2015-2019
SITUS ADDRESS: 0W. 255th St., Louisburg, KS 66053
RECORD OWNER: Southeast 4th Partners, LC

TRACT # 6 **CAMA #109-31-0-40-06-009-00-0-01**
LEGAL DESCRIPTION: Lot 9, Block 4, of South Ridge Addition to the City of Louisburg, in Miami County, Kansas.
TAX & INTERST: \$12,824.90 **DELINQUENT YEARS:** 2015-2019
SITUS ADDRESS: 804 S. 10th St., Louisburg, KS 66053
RECORD OWNER: Robert L. Tooley, Trustee of Karen L. Tooley Trust
OTHER: City of Louisburg

TRACT # 7 **CAMA #109-32-0-00-00-001-34-0-01**
LEGAL DESCRIPTION: Lot 4A, of Summerfield Center No. 2, a subdivision in the City of Louisburg, in Miami County, Kansas.
TAX & INTERST: \$22,858.16 **DELINQUENT YEARS:** 2015-2019
SITUS ADDRESS: 0 Harvest Dr., Louisburg, KS 66053
RECORD OWNER: Qamar & Associates, LLC

TRACT # 10 **CAMA #132-04-0-00-03-009-00-0-01**
LEGAL DESCRIPTION: Lot 4, Rockwood Estates III, a subdivision in the City of Paola, Miami County, Kansas.

TAX & INTEREST: \$43,413.82 DELINQUENT YEARS: 2009-2019
SITUS ADDRESS: 29324 Palmer Dr., Paola, KS 66071
RECORD OWNER: Pinnacle Construction Co., Inc.
OTHER: Rockwood Estates and Villas Home Owners Association

TRACT # 12 CAMA #134-17-0-40-04-009-00-0-01 CAMA #134-20-0-00-01-002-00-0-01
CAMA #135-16-0-30-38-004-01-0-01

LEGAL DESCRIPTION: Beginning at the Northwest corner of Out Lot N, Angiers Addition, City of Paola, Miami County, Kansas, thence South 79°50'35" East 55.54 feet along the North line of said Out Lot N, thence South 13°33'26" West 130.26 feet, thence South 79°50'35" East 15.00 feet along a line parallel to the North line of said Out Lot N to a point being the Northwest corner of Lot 3, Block 4 of said Addition, thence South 20°04'14" West 66.00 feet along the West line of said Lot 3 to a point being the Southwest corner of said Lot 3, thence North 79°50'35" West 11.08 feet along a line parallel to the North line of Out Lot N of said Addition, thence South 20°56'22" West 161.50 feet, thence South 1°02'54" East 37.10 feet to a point being the Southwest corner of Lot 6, Block 4, of said Addition, thence South 20°04'14" West 166.17 feet along the East line of Out Lots M and L of said Addition to a point on the Westerly right of way line of Silver Street as now established, thence along said right of way line as follows: thence South 53°51'05" West 365.94 feet, thence North 36°08'55" West 262.41 feet, to a point on the East Bank of Bull Creek, thence along said East Bank as follows: thence North 5°23'03" West 112.00 feet, thence North 4°47'41" East 90.81 feet, thence North 0°23'14" West 96.79 feet, thence North 1°23'34" East 212.63 feet, thence leaving said East Bank North 89°13'12" East 556.78 feet to a point on the West line of Out Lot N, of said addition, thence North 1°23'34" East 28.17 feet along the West line of said Out Lot N to the point of beginning, all being a part of Out Lots L, M, and N, Angiers Addition, City of Paola, and also being a part of the Southeast Quarter of Section 17, Township 17 South, Range 23, Miami County, Kansas.

TAX & INTEREST: \$4,350.28 DELINQUENT YEARS: 2014-2019
SITUS ADDRESS: 0 Delaware St., 0 Old Kansas City Rd., 0 S., Silver St., Paola, KS 66071
RECORD OWNER: Farhan R. and Sadaf F. Khan

TRACT # 13 CAMA #135-16-0-20-47-004-00-0-01

LEGAL DESCRIPTION: Beginning at the Northeast corner of Lot 2, in Block 35 of the City of Paola, thence West 23 feet, thence South 127 ½ feet thence East 23 feet, thence North 127 ½ feet to the place of beginning, being a tract 23 feet by 127 ½ feet off of the East side of said Lot 2, Block 35, all being in the City of Paola, Miami County, Kansas.

TAX & INTERST: \$50,280.19 DELINQUENT YEARS: 2015-2019
SITUS ADDRESS: 9 W. Wea St., Paola, KS 66071
RECORD OWNER: Roy E. Dodson and Marcia A. Peterson
MORTGAGES: James H. Johnson, Jr.

TRACT # 14 CAMA #135-16-0-20-48-005-00-0-01

LEGAL DESCRIPTION: A part of Lot 2 of Block 46, of the City of Paola, Kansas, more fully described as follows: Beginning 22 feet West of the Northeast corner of Lot 2, in Block 46, in the City of Paola; thence West 22 feet; thence South 127 ½ feet; thence East 22 feet; thence North 127 ½ feet to place of beginning, all in Miami County, Kansas.

TAX & INTERST: \$10,323.15 DELINQUENT YEARS: 2013-2019

SITUS ADDRESS: 115 W Wea St., Paola, KS 66071

RECORD OWNER: Thomas and Jennifer Wright; Patricia C. Campbell

TRACT # 16 CAMA #147-35-0-00-01-054-00-0-01

LEGAL DESCRIPTION: Beginning at a point 971 feet West and 30 feet South of the Northeast corner of the Northwest Quarter of Section 35, Township 17, Range 22, thence South 2620 feet, thence West 20 feet, thence North 2620, thence East to point of beginning in Miami County, Kansas.

TAX & INTERST: \$207.26 DELINQUENT YEARS: 2015-2019

SITUS ADDRESS: Primrose Dr., Paola, KS 66071

RECORD OWNER: Pamela J., and Shalyn M. Rugh

TRACT # 18 CAMA #171-11-0-20-09-006-00-0-01

LEGAL DESCRIPTION: Lot Fourteen (14) and the East Five (5) feet of Lot Thirteen (13), Block Ten (10), City of Osawatomie, Miami County, Kansas.

TAX & INTERST: \$12,936.36 DELINQUENT YEARS: 2015-2019

SITUS ADDRESS: 524 Lincoln St., Osawatomie, KS 66064

RECORD OWNER: Kenneth L. Foulk, Jr.

MORTGAGE: First Option Bank

OTHER: Kansas Department of Revenue

TRACT # 19 CAMA #171-11-0-20-12-009-01-0-01

LEGAL DESCRIPTION: Fractional Lot 11, Block 20, in the City of Osawatomie, Miami County, Kansas according to the recorded plat thereof. And, Lot 12, Block 20, in the City of Osawatomie, Miami County, Kansas according to the recorded plat thereof.

TAX & INTERST: \$5,816.13 DELINQUENT YEARS: 2015-2019

SITUS ADDRESS: 736 Parker Ave., Osawatomie, KS 66064

RECORD OWNER: Angela L. Cook

TRACT # 21 CAMA #171-11-0-30-19-002-00-0-01

LEGAL DESCRIPTION: Lot Eleven (11), in Block Four (4) of J.C. Chestnut's Addition to the City of Osawatomie, Miami County, Kansas.

TAX & INTERST: \$14,423.16 DELINQUENT YEARS: 2011-2019

SITUS ADDRESS: 805 Chestnut, Osawatomie, KS 66064

RECORD OWNER: William G. Smith and Shannon Spillman / Copperstone Enterprises, LLC

TRACT # 22

CAMA #171-11-0-30-20-001-00-0-01

LEGAL DESCRIPTION: Part of Lot 3, Block 3, J.C. Chestnut's Addition, except a strip of land 30 feet wide, adjoining and adjacent to the Missouri Pacific Railway right of way across said Lot 3, J.C. Chestnut's Addition to the City of Osawatomie, Miami County, Kansas AND Part of Lot 2, Block 3, J.C. Chestnut's Addition to Osawatomie, except a strip of land 30 feet wide, adjoining and adjacent to the Missouri Pacific Railway right of way across said Lot 2, J.C. Chestnut's Addition to the City of Osawatomie, Miami County, Kansas.

TAX & INTERST: \$4,380.36 **DELINQUENT YEARS:** 2013-2019

SITUS ADDRESS: 715 Chestnut, Osawatomie, KS 66064

RECORD OWNER: John S. Snyder and William G. Smith

TRACT # 28

CAMA #172-10-0-40-25-003-00-0-01

LEGAL DESCRIPTION: Lots 6 and 7, Block 8, Caffery & Sheldon's Addition to the City of Osawatomie, Miami County, Kansas.

TAX & INTERST: \$3,393.20 **DELINQUENT YEARS:** 2015-2019

SITUS ADDRESS: 1013 Chestnut, Osawatomie, KS 66064

RECORD OWNER: Copperstone Enterprises, L.L.C.

TRACT # 29

CAMA #174-18-0-00-00-006-00-0-01

LEGAL DESCRIPTION: The East 115 feet (being approximately 3 acres) of the following described tract: Beginning at a point 316.5 feet West of the Northeast corner of the Northwest Quarter of Section 18, Township 18 South, Range 22 East, Miami County, Kansas, thence West 316.5 feet, thence South 1155 feet, thence Easterly 300.5 feet, thence North 1132.5 feet and parallel to the East line of the Northwest Quarter to the place of beginning enclosing 8 acres, more or less, in Miami County, Kansas.

TAX & INTERST: \$10,622.85 **DELINQUENT YEARS:** 2015-2019

SITUS ADDRESS: 37625W, 351st St., Osawatomie, KS 66064

RECORD OWNER: Oren and Martha Allen

OTHER: Kansas Estate Recovery Program

TRACT # 32

CAMA #231-02-0-00-02-003-01-0-01

LEGAL DESCRIPTION: Tract 1: Beginning at the Southwest corner of Block 25, City of Fontana, Miami County, Kansas, thence East 78 feet, thence North 10 rods, thence West 78 feet, thence South 10 rods to the place of beginning, this being a part of Section 2, Township 19 South, Range 23 East, as shown on the original plat of the City of Fontana, Miami County, Kansas.

Tract 2: Beginning at the Southwest corner of Block 25, in the City of Fontana, Miami County, Kansas, thence East approximately 150 feet or 8 feet East of the East side of the High School Building, which is the center of the passage-way of the High School building and the shop building, from this point (150 feet East of the Southwest corner of Block 25), thence North 10 rods, thence West 150 feet, thence South 10 rods to the place of beginning as shown on the original plat of the City of Fontana, Miami County, Kansas, EXCEPTING THEREFROM the West 78 feet thereof. This being a part of Section 2, Township 19, Range 23, subject to any part thereof in roads.

TAX & INTERST: \$1,323.85 **DELINQUENT YEARS:** 2015-2019

SITUS ADDRESS: 200 E. North Ave., Fontana, KS 66026
RECORD OWNER: Joshua A. and Crystal L. Franks