

## **NOTICE OF TRUSTEE'S SALE**

**NOTICE OF TRUSTEE'S SALE** and Notice of the Beneficiary/Servicer's election to sell property is hereby given pursuant to and by virtue of the authority vested in the Trustee by that certain Deed of Trust dated January 6, 1995, executed by Bruce F. Hamilton and Catherine F. Hamilton to Robert D. Lewis, Trustee, of record in the Office of the Clerk of the County Commission of Jefferson County, West Virginia, in Book 796, at Page 456, which Deed of Trust was assumed by Arthur F. Hamilton and Jamie L. Hamilton by Assumption Agreement dated December 11, 2008. Bailey & Slotnick, PLLC was appointed as Trustee by SUBSTITUTION OF TRUSTEE dated April 29, 2019, of record in the Clerk's Office in Book 1224, at Page 546. The borrower defaulted under the Note and Deed of Trust and the Trustee has been instructed to foreclose under the Deeds of Trust. Accordingly, the Trustee will sell the following described property to the highest bidder at the front door of the Courthouse of Jefferson County, in Charles Town, West Virginia, on:

**THURSDAY, JULY 18, 2019, AT 1:45 O'CLOCK P.M.**

All that certain lot or parcel of real estate, together with the improvements thereon and the appurtenances thereunto belonging, situate in Charles Town District of Jefferson County, West Virginia, to the northeast and approximately one (1) mile from Charles Town and on the south side of Flowing Springs Road (State Route 17), and being more particularly described as follows:

Lot No. 14 of Section D of Walnut Grove Subdivision, and as the same is bounded and described in accordance with a plat of Walnut Grove Subdivision made by Charles R. Atherton, C.E., dated March 18, 1974, and recorded in the Office of the Clerk of the County of Jefferson County, West Virginia, in Plat Book 3 at page 38.

This is the same property conveyed unto Bruce F. Hamilton and Catherine F. Hamilton by deed dated January 6, 1995, of record in the Clerk's Office in Deed Book 796, at Page 453. Bruce F. Hamilton died in Jefferson County on August 30, 2007, at which time title vested solely in Catherine F. Hamilton. Catherine F. Hamilton died testate in Jefferson County, West Virginia on November 6, 2008, at which time title vested in Arthur F. Hamilton and Jamie L. Hamilton by Will Book 17, at Page 238.

### **TERMS OF SALE:**

1) The property will be conveyed in an "AS IS" physical condition by Deed containing no warranty, express or implied, subject to the Internal Revenue Service right of redemption, all property taxes, prior Deeds, liens, reservations, encumbrances, restrictions, rights-of-ways, easements, covenants, conveyances and conditions of record in the Clerk's office or affecting the subject property.

2) The Purchaser shall be responsible for the payment of the transfer taxes imposed by the West Virginia Code § 11-22-2.

3) Real estate taxes due and payable have been paid. All real estate taxes hereafter will be the responsibility of the purchaser.

4) The Beneficiary and/or the Servicer of the Deed of Trust and Note reserve the right to submit a bid for the property at sale.

5) The Trustee reserves the right to continue sale of the subject property from time to time by written or oral proclamation, which continuance shall be in the sole discretion of the Trustee.

6) The Trustee shall be under no duty to cause any existing tenant or person occupying the property to vacate the property, and any personal property and/or belongings remaining at the property after the foreclosure sale will be deemed to constitute ABANDONED PROPERTY AND WILL BE DISPOSED OF ACCORDINGLY.

7) The total purchase price is payable to the Trustee by cashier's check, cash or the equivalent within thirty (30) days of the date of sale, with ten percent (10%) of the total purchase price payable to the Trustee at sale by cashier's check, cash or money order at the time and place of the sale. There will be no refund granted of any amount if the third party purchaser elects not to purchase the property for any reason. Minimum acceptable bid will be \$102,991.00.

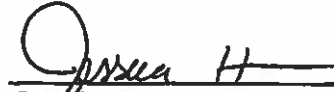
8) For more information on this property, please see listing on the PROPERTIES FOR SALE WEBSITE:

<https://properties.sc.egov.usda.gov/resales/public/home>.

Given under my hand this 25<sup>th</sup> day of June, 2019.

**BAILEY & SLOTNICK, PLLC-TRUSTEE**

By:



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