

## NOTICE OF TRUSTEE'S SALE

**NOTICE OF TRUSTEE'S SALE** and Notice of the Beneficiary/Service's election to sell property, is hereby given pursuant to and by virtue of the authority vested in the Trustee(s) by that certain Deed of Trust dated September 11, 2000, executed by John Darrell Black to Mitchell Hyatt, Trustee, of record in the Office of the Clerk of the County Commission of Jefferson County, West Virginia, in Book 985, at Page 671. Greentree Mortgage Corporation assigned this Deed of Trust to M & I Bank, FSB by Assignment dated September 11, 2000, of record in the Clerk's Office in Book 165, at Page 712. Hereford & Riccardi, PLLC was appointed as Trustee by APPOINTMENT OF SUCCESSOR TRUSTEE dated October 20, 2015, of record in the Clerk's Office in Book 1163, at Page 543. The borrowers defaulted under the Note and Deed of Trust and the Trustee has been instructed to foreclose under the Deed 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, DECEMBER 3, 2015, AT 10:45 O'CLOCK A.M.**

All that certain parcel of real estate, with improvements thereon, located on the west side of W. Va. State Secondary Route 230, in the Harpers Ferry District, Jefferson County, West Virginia, and more particularly bounded and described as follows:

Being all of that certain 2.00 acre parcel as the same is designated and described on a plat entitled "Plat of Survey Showing a 2.00-Acre Parcel" made by Appalachian Surveys, Inc., dated January 1985 and June 1985, said Plat being attached hereto and made a part hereof.

The improvements thereon being commonly known as No. P. O. Box 952.

This is the same property conveyed unto John Darrell Black by deed dated June 14, 1985, of record in the Clerk's Office in Book 541, at Page 729.

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


4) 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.

5) 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.

6) 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 the equivalent.

Given under my hand this 11th day of November 2015.

**HEREFORD & RICCARDI, PLLC-TRUSTEE**

By:   
**Philip B. Hereford, Member**  
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