

## NOTICE OF SUBSTITUTE TRUSTEE'S SALE

Notice is hereby given that default having occurred in the payment of a certain indebtedness secured by a Deed of Trust dated September 25, 2004, between Jerry L. Hardy and Tina A. Hardy and Robert L. Shuman, Trustee, recorded in the Office of the Clerk of the Commission, Jefferson County, West Virginia in Deed of Trust Book No. 1371 at Page 00488, which Deed of Trust authorizes the beneficiary to remove, substitute, or add a Trustee, at its option, and the beneficiary having exercised its option and substituted Krystal Cook, Connie Kesner, and Tressia Blevins as its Trustees, to act in the enforcement of said Deed of Trust in person, and the undersigned Substitute Trustees having been requested by the beneficial owner of said indebtedness to enforce said Deed of Trust, will sell at a public auction to the highest bidder, the following hereinafter described real estate on:

**MONDAY, NOVEMBER 16, 2009 AT 2:00PM  
IN FRONT OF THE JEFFERSON COUNTY COURTHOUSE  
CHARLES TOWN, WEST VIRGINIA**

All those certain lots or parcels or real estate in the City of Ranson, Jefferson County, West Virginia, on the north side of Fourteenth Avenue, known as Lot 34 and 35 in Block 154 as said lots are described on the plat of the lands of the Charles Town Mining, manufacturing and improvement company, which plat is of record in the Office of the Clerk of the County Commission of said county and was formerly recorded in said Clerk's Office in Deed Book X, at Page 1, and being the same lots or parcel of real estate that were conveyed by the grantors herein to Pauline Anderson Caponello, single, by deed dated December, 19, 1990, recorded in said Clerk's Office in Deed Book 674, at Page 441; and the said Pauline Anderson Caponello having died testate on July 2, 1992, did by her last will and testament of record in said Clerk's Office in will Book DD, at Page 236, devise said deal real estate to Gregory R. Stevens.

**PROPERTY ADDRESS: 207 E. 13<sup>th</sup> Avenue Ranson, WV 25438**

Property is sold subject to prior trusts, encumbrances, restrictions and easements of records, if any. The property is sold subject to an accurate survey at purchaser's expense.

**FEDERAL TAX LIEN:** In the event that there are Federal Tax Liens against the property, the United States would have the right to redeem the property within a period of 120 days from the date of such sale or the period allowable for redemption under local law, whichever is longer.

**TERMS OF SALE:** A deposit of \$8,000.00 by certified check or cashier's check at sale made payable to Mancini & Associates, the balance in cash or by certified check at closing. Certified funds must be presented to Trustee for inspection at start of sale in order to be qualified to bid. Conveyance will be by Special Warranty Deed subject to all easements, covenants, rights-of-way, conditions and restrictions of record. The property is sold in "as is" condition. The beneficial owner of the Deed of Trust does not make any representations or warranties as to the physical condition of the property. Any and all legal procedural requirements to obtain physical possession of the premises after the closing are the responsibility of the purchaser. Risk of loss or damage will be purchasers from and after the foreclosure sale. All taxes and utility charges will be the responsibility of the purchaser. All settlement fees, costs of conveyance, examination of title, recording charges, and transfer taxes are at the expense of the purchaser. The purchaser will be required to complete settlement within 30 days of the date of the sale, failing which the deposit made will be forfeit and the property resold at the risk and expense of the purchaser. Trustee makes no representations regarding state of title. If Trustee cannot convey insurable or marketable title, purchaser's sole remedy is a return of deposit. The Trustee reserves the right to continue sale of the subject property from time to time by oral proclamation, which continuation shall be in the sole discretion of the Trustee.

Connie Kesner, Substitute Trustee  
Mancini & Associates  
201A Fairview Drive  
Monaca, PA 15061  
Phone (724) 728-1020  
Fax (724) 728-4239