

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 June 23, 2006, between Robert B. Hayes, Jr. and Lissa Hayes and Mitchell Lee Klein, Trustee, recorded in the Office of the Clerk of the Commission, Jefferson County, West Virginia in Deed of Trust Book No. 1563 at Page 00154, 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**

Situate in Kabletown District, Jefferson County, West Virginia, more particularly bounded and described as follows:

Lots 7, 8 and 9 in Section 2-G of the Shannondale Subdivision in Kabletown District, Jefferson County, West Virginia, as said lots are described on plats of record in the Office of the Clerk of the County Commission of Jefferson County, West Virginia in Deed Book 309, at Page 273 and Deed Book 206, at Page 510, to which plats reference is made for a more particular description.

BEING the same real estate that was conveyed unto Robert B. Hayes, Jr. and Lissa Hayes by James F. Sherwood, by deed dated July 6, 1999, and recorded in the Office of the Clerk of the County Commission of Jefferson County, West Virginia, in Deed Book 929, at Page 42.

PROPERTY ADDRESS: 62 Locust Drive, Harpers Ferry, WV 25425

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 \$14,000.00 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