

TRUSTEE'S SALE OF VALUABLE REAL ESTATE

The undersigned Substitute Trustee, by virtue of the authority vested in him by that certain Deed of Trust, dated the 31st day of December, 2007, and duly recorded in the Office of the Clerk of the County Commission of Jefferson County, West Virginia, in Trust Deed Book 1695, at page 00523, David M. Dinges and Shannon Dinges did convey unto Charles B. Howard, Trustee(s), certain real property described in said Deed of Trust; and the beneficiary has elected to appoint Seneca Trustees, Inc., as Substitute Trustee by a Substitution of Trustee dated September 17, 2009 and recorded in the aforesaid Clerk's office; and default having been made under the aforementioned Deed of Trust, and the undersigned Substitute Trustee having been instructed by the secured party to foreclose thereunder, will offer for sale at public auction at the front door of the Jefferson County Courthouse in Charles Town, West Virginia, on

January 6, 2010 at 1:00 o'clock pm

the following described real estate, together with its improvements, easements and appurtenances thereunto belonging, situate in Middleway District, Jefferson County, West Virginia, and more particularly described as follows:

ALL THAT CERTAIN LOT OR PARCEL OF LAND, TOGETHER WITH ALL IMPROVEMENTS THEREON AND ANY AND ALL EASEMENTS, RIGHTS-OF-WAY AND ANY OTHER APPURTENANCES THEREUNTO BELONGING, LYING AND BEING SITUATE IN THE MIDDLEWAY DISTRICT, JEFFERSON COUNTY, WEST VIRGINIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEING ALL OF LOT 42 AS THE SAME IS DESIGNATED AND DESCRIBED ON THE PLAT OF CHAPEL VIEW, SECTION 2, AS THE SAME IS ENTITLED "FINAL PLAT OF CHAPEL VIEW SECTION 2" MADE BY WILLIAM H. GORDON ASSOCIATES, INC., DATED MARCH 24, 2004 AND RECORDED IN THE OFFICE OF THE CLERK OF THE COUNTY COMMISSION OF JEFFERSON COUNTY, WEST VIRGINIA IN PLAT BOOK 21, AT PAGE 55. THIS CONVEYANCE IS MADE EXPRESSLY SUBJECT TO THE EASEMENTS, CONDITIONS, RESTRICTIONS AND RIGHTS-OF-WAY OF RECORD CONTAINED IN THE INSTRUMENTS FORMING THE CHAIN OF TITLE TO THE PROPERTY CONVEYED HEREIN (INCLUDING WITHOUT LIMITATION, ALL OF THOSE RESERVATIONS, RESTRICTIONS, EASEMENTS AND OTHER MATTERS AS MORE PARTICULARLY SHOWN ON THE ABOVE MENTIONED PLAT AND ON THE DECLARATION OF COVENANTS AND RESTRICTIONS RECORDED IN THE AFORESAID CLERK'S OFFICE IN DEED BOOK 997 AT PAGE 1; AMENDED DEED BOOK 1016 AT PAGE 217; SECOND AMENDMENT RECORDED IN DEED BOOK 1038 AT PAGE 524 AND THOSE RIGHTS-OF-WAYS AND EASEMENTS RESERVED IN THE DEED RECORDED IN DEED BOOK 1037 AT PAGE 476.

At the time of the execution of the Deed of Trust, this property was reported to have an address of: 245 Summer Grove Drive, Kearneysville, WV 25430.

The referenced real estate will be conveyed with no covenants of warranty, and subject to

all covenants, restrictions, easements, rights of way and reservations which may be a matter of record in the aforesaid Clerk's Office or visible upon the ground, all prior liens and encumbrances, including, without limitation, liens for real estate taxes, incinerator, sanitary and sewer charges. The purchasers at the sale shall be responsible for paying the recording costs and also the tax on the privilege of transferring real property (the cost of the tax stamp to be affixed to the deed). The purchasers shall be responsible for payment of all real estate taxes.

The subject property will be sold in "AS IS" condition. The Substitute Trustee shall be under no duty to cause any existing tenant or person occupying the subject property to vacate said property.

TERMS: \$28,000.00 in cash and/or certified funds as deposit with the balance due and payable within 30 days of the day of sale.

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.

Pursuant to the Deed of Trust, the Trustee may postpone the sale by public announcement at the time and place designated or by posting a notice of the same, and act by agent in the execution of the sale. The parties secured by the Deed of Trust reserve the right to purchase the property at such sale.

SENECA TRUSTEES, INC.
965 Hartman Run Road, Suite 1105
Morgantown, WV 26505
(304) 413-0044
Toll free: (888) 534-3132
Reference File No. 20-021671-09

cc: The Journal
10/10/09, 10/17/09

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