

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 26th day of July, 2005, and duly recorded in the Office of the Clerk of the County Commission of Jefferson County, West Virginia, in Trust Deed Book 1457, at page 231, Chad J. Gauthier and Carrie E. Gauthier did convey unto Richard Pill, 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 January 12, 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

November 11, 2009 at 1:00 o'clock pm

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

All that certain parcel of real estate, together with the improvements thereon and the appurtenances thereunto belonging, Bolivar Corporation District, Jefferson County, West Virginia, and more particularly described as follows:

Beginning at a # 5 rebar to be set on the south side of Washington Street, a corner with Ehlerman; thence with the south line of Washington Street S. 88-36-46 E. 47.80 feet to a # 5 rebar to be set, a corner with McKimmie; thence S. 09-07-52 W. 311.50 feet to a 2 and 1/2" iron pipe, found, a corner with H. L. Jones Concrete and Swope; thence N. 84-16-44 W. 44.57 feet to a wood fence post; thence N. 08-06-59 E. 14.81 feet to a wood fence post; thence N. 87-22-19 W. 143.63 feet to a 1" iron pipe found in the east side of Jefferson Street; thence with the east line of Jefferson Street N. 17-40-06 W. 33.61 feet to a 1" iron pipe, found, a corner with Kirk; thence S. 86-57-54 E. 160.70 feet to a # 5 rebar to be set, a corner with Ehlerman; thence N. 08-08-18 E. 262.14 feet to the point of beginning, containing 0.428 acre, more or less, and being shown and described on a plat entitled "Plat Of Survey Showing Resurvey Of Jones Property", prepared by R. Michael Shepp, L.L.S., dated December 4, 1989, and recorded in the office of the Clerk of the County Commission of Jefferson County, West Virginia, in Deed Book 649, page 752, and being: known for postal purposes as 1161 Washington Street, Harpers Ferry, West Virginia.
(Tax Map 2, Parcel 0104)

TOGETHER WITH all of that certain contiguous parcel of real estate shown on the aforesaid plat as the area of overlap and possible adverse possession, and more particularly described as follows:

Beginning at a 1" iron pipe set on the east side of Jefferson Street, a corner with the aforesaid property; thence with Jefferson Street N. 17-47-37 W. 2.26 feet to a fence post; thence N. 82-16-10 W. 141.99 feet to a wood fence post; thence N. 08-06-59 E. 14.81 feet to a wood fence post; thence N. 87-22-19 W. 143.43 feet to an iron pin, and the point of

beginning, containing 0.028 acre, more or less.

At the time of the execution of the Deed of Trust, this property was reported to have an address of: **1193 West Washington Street, Harpers Ferry, WV 25425.**

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: \$18,000.00 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.
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Toll free: (888) 534-3132
Reference File No. 21945-08

cc: The Journal
9/7/09, 9/14/2009

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