

COURT-ORDERED SALE OF VALUABLE REAL ESTATE
AT PUBLIC AUCTION AND BY PRIVATE OFFER

**1423 Redbud Road
FREDERICK COUNTY, VIRGINIA
TAX MAP NO. 55-A-121**

**TUESDAY, AUGUST 12, 2014, AT 11:00 A.M. ON THE STEPS OF THE
FREDERICK COUNTY/WINCHESTER JOINT JUDICIAL CENTER
(KENT STREET SIDE)**

Pursuant to Order Appointing Special Commissioner of Sale and Authorizing Sale entered by the Circuit Court of Frederick County, Virginia on February 5, 2014, in the case styled County of Frederick, Virginia v. Mary Harris Pendleton, et al, Case No. CL12-119, the undersigned Special Commissioner will offer for sale at public auction:

All of that certain lot or parcel of land, together with all improvements thereon and all rights, rights of way, and appurtenances thereunto belonging, lying and being situate in Stonewall Magisterial District, Frederick County, Virginia bounded on the northeast side by the road leading from the Winchester and Martinsburg Pike to the property formally known as Woods Mills, it being a part of the Bettie Moore land and said to contain two (2) acres, be the same more or less, it being the same property conveyed to Boyd R. Richards and Mary S. Richards, his wife, by Deed from Mary C. Green, et als, dated October 18, 1915, of record in the Clerk's Office of the Circuit Court of Frederick County, Virginia in Deed Book 138, at Page 287. Title to the aforesaid parcel of land was acquired by Raymond Harris by Deed dated April 14, 1916, of record in the aforesaid Clerk's Office in Deed Book 139, at Page 288.

Street Address: 1423 Redbud Road, Winchester, Virginia 22603
Tax Map No.: 55-A-121

The aforesaid parcel will be offered for sale on the steps of the Frederick County/Winchester Joint Judicial Center, 5 North Kent Street, Winchester, Virginia 22601 (Kent Street side) on August 12, 2014, at 11:00 A.M.

TERMS OF SALE: All Cash. A deposit of \$5,000.00 by certified or cashier's check on day of public auction, with balance due within 10 days after confirmation of the sale by the Circuit Court of Frederick County, Virginia. After the date of the public auction, the Special Commissioner shall submit the highest bid or offer for the property to the Circuit Court of Frederick County, Virginia for acceptance or rejection. If the sale is confirmed by the Court,

then the balance of the purchase price shall be due and payable within 10 days after the date of confirmation of the sale by said Court. If the sale is confirmed by the Court, then Settlement shall be held at the offices of the Special Commissioner within 10 days of the date of confirmation of the sale by the Court, unless otherwise postponed at the sole discretion of the Special Commissioner. The successful purchaser shall pay for all recording charges, including State Grantor tax, settlement fees and all costs of conveyancing, which will be by Special Warranty Deed. Time is of the essence with respect to Settlement.

The Special Commissioner hereby solicits and shall receive any private offers or bids for the aforesaid parcel, which private offers may be submitted in writing at the office address of the Special Commissioner as set forth below and must be accompanied by a deposit in the sum of \$5,000.00 by cashier's or certified check. Private offers will be accepted up to the date and time of the public auction as set forth above.

The deposit shall be applied to the credit of successful purchaser at Settlement; or, in the event of failure to complete Settlement within the time set forth after the date of sale in accordance with the terms of sale, the deposit aforesaid shall be forfeited and applied to the costs of sale, including Special Commissioner's fees, and the parcel shall be resold at the cost and expense of the defaulting Purchaser, who shall remain liable for the full purchase price, less net proceeds of any resale. Real estate property taxes for tax year 2014 will be prorated at closing.

The sale is subject to the covenants, conditions, restrictions, rights of way, and easements, if any, contained in the deeds forming the chain of title to the aforesaid parcel. The aforesaid parcel shall be sold **AS IS, WHERE IS, WITH ALL FAULTS.**

FOR INFORMATION, CONTACT:

Michael L. Bryan, Esquire
Special Commissioner
116 South Braddock Street
Winchester, Virginia 22601
(540) 545-4130 (Phone)
(540) 545-4131 (Fax)