

NOTICE OF SUBSTITUTE TRUSTEE'S SALE

NOTICE OF SUBSTITUTE TRUSTEE'S SALE is hereby given pursuant to and by virtue of the authority vested in him by that certain Deed of Trust, dated January 17, 2008, and duly recorded in the Office of the Clerk of the County Commission of Jefferson County, West Virginia, in Trust Deed Book 1697 at page 584, Javier Osorio and Nixy Osorio, husband and wife, did convey unto James B. Crawford, III, Trustee, certain real property described in said Deed of Trust; and the beneficiary has elected to appoint Gregory A. Tucker, P.L.L.C. as Substitute Trustee by a Substitution of Trustee dated January 18, 2010 and recorded in the aforesaid Clerk's office in Trust Deed Book 1074 at page 97; 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:

FEBRUARY 25, 2010 at 11:00 a.m.

The property is described as all that certain lot or parcel of real estate, with the improvements thereon and the appurtenances thereunto belonging, situate in the City of Ranson, Jefferson County, West Virginia, and more particularly described as follows:

Unit 26, in Block E, as the same is determined and described on a plat entitled "Final Plat Blocks A-O, SHENANDOAH SPRINGS NEIGHBORHOOD, Single Family Section", made by Resource International, Ltd., dated October 4, 2004, and recorded in the Office of the Clerk of the County Commission of Jefferson County, West Virginia, in Plat Book 21, at page 91. TOGETHER WITH a right of way ingress to and from said lot as same is set forth on the aforesaid plat.

At the time of the execution of the Deed of Trust, this property was reported to have an address of 135 Mineral Springs Road, Ranson, West Virginia 25438.

AND BEING the same real estate which was conveyed to Javier Osorio and Nixy Osorio by deed of Gemcraft Homes, Inc., dated January 17, 2008, and recorded in the Office of Clerk of the County Commission of Jefferson County, West Virginia, in Deed Book 1046 at page 4.

TERMS OF SALE:

- 1) The subject property will be conveyed in an "AS IS" physical condition by Deed containing no warranty, express or implied, subject to the Internal Revenue Service right of redemption, all property taxes, prior Deeds, liens, reservations, encumbrances, restrictions, rights-of-way, easements, covenants, conveyances and conditions of record in the Clerk's office or affecting the subject property.
- 2) The Purchaser shall be responsible for the payment of the transfer taxes imposed by West Virginia Code §11-22-1.
- 3) The Beneficiary and/or the Servicer of the Deed of Trust and Note reserve the right to submit a bid for the property at sale.
- 4) The Trustee reserves the right to continue sale of the subject property from time to time by written or oral proclamation, which continuance shall be in the sole discretion of the Trustee.
- 5) The Trustee shall be under no duty to cause any existing tenant or person occupying the property to vacate said property, and any personal property and/or belongings remaining at the property after the foreclosure sale will be deemed to constitute ABANDONED PROPERTY AND WILL BE DISPOSED OF ACCORDINGLY.
- 6) The total purchase price is payable to the Trustee by certified or cashier's check within thirty (30) days of the date of sale, with ten (10%) of the total purchase price payable to the Trustee at sale by certified or cashier's check.
- 7) 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.

Dated the 3rd day of February, 2010.

GREGORY A. TUCKER, P.L.L.C.
Substitute Trustee

By: GREGORY A. TUCKER, member
719 Main Street
Summersville, West Virginia 26651
(304) 872-2500