

NOTICE OF TRUSTEE'S SALE

In execution of Deeds of Trust from **SAM W. WITCHER, JR.** and **ZANNY K. WITCHER** to Russell L. Marsh, Trustee, dated August 13, 1999 and recorded in Deed Book 659, Page 1653 and Deed Book 656, Page 1639 and to Arthur L. Mitchell, Jr. and Stephen E. Peyton dated October 23, 1984 and recorded in Deed Book 382, Page 1595 and to Marion V. Baker and Kenneth G. Holland dated March 26, 1981 and recorded in Deed Book 362, Page 1705 among the land records in the Clerk's Office of the Circuit Court of FRANKLIN COUNTY, VIRGINIA, there having been a default under these Deeds of Trust and in the payment of the notes secured thereby, and the Noteholder secured by the Deeds of Trust having directed execution thereof, the undersigned Substitute Trustee, JAMES P. KENT, JR. as Sole Acting Trustee will on

June 18, 2010 at the hour of 10:30 A. M.

at the front door of the Franklin County Courthouse, 275 South Main Street, Rocky Mount, Virginia, offer for sale by way of public auction for cash to the highest bidder, the property with any improvements thereon located in FRANKLIN COUNTY, Virginia, having a Tax Map Designation of 1060002501 and further known as 107 Witcher Road, Penhook, Virginia 24137, as more particularly described in and covered by the Deeds of Trust as follows:

All that certain tract or parcel of land lying and being in the Union Hall Magisterial District of Franklin County, Virginia, adjoining the lands of or formerly Arthur Belcher of the west, lands of or formerly Herbert Belcher on the west and south, lands of or formerly Connie Witcher on the south and east, William Walker on the east, and Taylor Walker on the north, and a 15.049 acre tract reserved by Claude A. Witcher and Beatrice Witcher on the north, located at the intersection of Virginia Secondary Routes 855 and 958, containing 92.45 Acres \pm and being the same lands conveyed to Sam Wilson Witcher, Jr. and Zanny Kasey Witcher, his wife by Deed dated February 18, 1976 from Claude A. Witcher and Beatrice Witcher, his wife, which is duly recorded in the Clerk's Office of the Circuit Court of Franklin County, Virginia, in Deed Book 312, Page 807.

Said conveyance also includes the following easements of record in the aforesaid Clerk's Office: 1) Deed Book 112, Page 280 to Appalachian Electric Power Company for the construction, operation, maintenance, etc. of electric power lines, poles, anchors, etc. over, along and across the property dated June 22, 1948. 2) Deed Book 184, Page 431 dated April 3, 1961 to the Commonwealth of Virginia for the construction of Virginia Secondary Route 652 to the Pittsylvania County line. 3) Deed Book 247, Pages 91-96 dated May 6, 1968 to Lee Telephone Company for the construction, operation, maintenance, etc. of telephone lines, poles, etc. over, along and across the property being 15 feet in width along Virginia Secondary Route 652. 4) Deed Book 270, Page 121 dated March 16, 1971 to the Board of Supervisors,

Franklin County, VA being 50' in width for 0.60 mile, located 1.25 miles east of Virginia Secondary Route 611 and running in a northerly direction. 5) Order entered August 20, 1979 in case of Herbert W. Belcher, et al vs. Sam Witcher, et al. in Deed Book 354, Page 1066 wherein it was ordered that the boundary line between plaintiff & defendant is as shown on plat of survey by J. L. Zeh, C L S dated June 19, 1979, said boundary line being recorded in Deed Book 354, Page 1068. 6) Deed Book 357, Page 494 to Appalachian Power Company for the construction, operation, maintenance, etc. of electric power lines, poles, anchors, wires, etc. over, along and across the property.

The property is being sold "As Is" physical condition without warranty of any kind and the property is further SUBJECT TO conditions, restrictions, rights-of-way, easements, and reservations, if any, contained in the deeds forming chain title thereto, filed and unfiled mechanics and materialmen's liens, if any and all other matters of record taking priority over the Deeds of Trust, if any.

TERMS OF SALE:

Bidders deposit of ten percent (10%) by Cash or Cashier's/Certified check required at time of sale, except for party secured by the Deed of Trust. Risk of loss on Purchaser from date and time of sale. Settlement must be made by July 19, 2010, at the Office of undersigned Substitute Trustee. Taxes to be pro-rated at Settlement. Except for Grantors Tax, all settlement costs and expenses are purchaser's responsibility. Purchaser shall have responsibility for obtaining possession. If Substitute Trustee does not or is unable to convey good title, Purchaser's only remedy is return of deposit. If Purchaser does not close for any reason other than Substitute Trustee being able to convey good title, the deposit shall be forfeited. Other terms of sale to be announced prior to the sale and purchaser will be required to sign a memorandum of sale.

Written notice of the Trustee Sale has been sent to the owners by certified mail in compliance with Section 55-59.1 of the Virginia Code.

For further information, contact:

JAMES P. KENT, JR.
KENT & KENT, P.C.
Substitute Trustee
525 Seventh Street
Altavista, VA 24517
PH: 434-369-1326

Dates of Publication: May 19, 26, and June 2, 9, and 16