

SUPERIOR COURT
WINDHAM UNITCIVIL DIVISION
DOCKET NO. 136-4-19 Wmcv

TD BANK, N.A.

Plaintiff

VS.

JAMES D. ELSESSER a/k/a JAMES DAVID
ELSESSER; SHARON L. ELSESSER;
and OCCUPANTS OF 8 CHURCH PLACE,
BELLOWS FALLS (ROCKINGHAM), VT

Defendants

MORTGAGEE'S NOTICE OF SALE OF REAL PROPERTY

By virtue and in execution of the Judgment and Decree of Foreclosure by Sale entered on December 18, 2019 and of the Power of Sale contained in a certain mortgage given by James D. Elsassor a/k/a James David Elsassor and Sharon L. Elsassor (the "Mortgagors") to CFX Mortgage, Inc., as lender, its successors and assigns (the "Mortgagee") and recorded in Volume 237, Page 385 of the Rockingham Land Records, of which mortgage the undersigned is the present holder, for breach of the conditions of said mortgage and for the purpose of foreclosing the same will be sold at Public Auction at **8 Church Place, in the Village of Bellows Falls, Town of Rockingham, Windham County, Vermont at ONE O'CLOCK P.M. on the 20th day of July, 2021** all and singular the premises described in said mortgage,

To wit:

A CERTAIN PIECE OF LAND IN THE TOWN OF ROCKINGHAM, IN THE COUNTY OF WINDHAM AND STATE OF VERMONT, DESCRIBED AS FOLLOWS, VIZ:

BEING ALL AND THE SAME LANDS AND PREMISES DECREED TO FIRST VERMONT BANK AND TRUST COMPANY BY JUDGMENT ORDER AND DECREE OF FORECLOSURE OF THE WINDHAM SUPERIOR COURT, DOCKET NO. S283-90WMC ENTITLED FIRST VERMONT BANK AND TRUST COMPANY V MICHAEL W. ORR, ET AL., DATED OCTOBER 30, 1990, AND THEREIN DESCRIBED AS FOLLOWS:

BEING ALL AND THE SAME LANDS AND PREMISES CONVEYED TO MICHAEL W. ORR AND SARA J. ORR BY WARRANTY DEED OF JOHN B. DUNPHY DATED DECEMBER 30, 1987, AND TO BE RECORDED IN THE

ROCKINGHAM LAND RECORDS. SAID PREMISES ARE MORE PARTICULARLY DESCRIBED THEREIN AS FOLLOWS:

"SITUATED ON THE WESTERLY SIDE OF CHURCH PLACE IN THE VILLAGE AND BEING ALL OF THE LAND AND BUILDINGS NUMBER 8 CHURCH PLACE."

FURTHER REFERENCE IS HEREBY MADE AND HAD TO NON-REDEMPTION CERTIFICATE RECORDED IN THE TOWN OF ROCKINGHAM LAND RECORDS ON DECEMBER 12, 1990 IN BOOK 220, PAGE 183.

BEING THE SAME PROPERTY CONVEYED TO JAMES DAVID ELSESSER BY DEED FROM FIRST VERMONT BANK AND TRUST COMPANY, A VERMONT BANKING COMPANY RECORDED 07/13/1992 IN DEED BOOK 192 PAGE 543, IN THE ROCKINGHAM LAND RECORDS, VERMONT.

Pursuant to 12 V.S.A §4953(b), the public sale may be adjourned one or more times for a total time not exceeding 30 days, without further court order, and without publication or service of a new notice of sale, by announcement of the new sale date to those present at each adjournment or by posting notice of the adjournment in a conspicuous place at the location of the sale.

TERMS OF SALE

A deposit of \$10,000.00 in the form of cash, a bank treasurer's check, or certified funds will be required to be delivered at or before the time a bid is offered. The successful bidder(s) will be required to execute a purchase and sale agreement immediately after the close of the bidding. The balance of the purchase price shall be paid within thirty (30) days from the sale date in the form of a certified check, bank treasurer's check or other payment satisfactory to the Mortgagee's attorney. The subject property is being sold "as is, where is", with all defects, patent and latent, subject to property taxes and municipal assessments, if any, which take precedence over the said mortgage above described.

Pursuant to 12 V.S.A §4949(a), the Mortgagors are entitled to redeem the premises at any time prior to the public sale by paying the full amount due under the judgment order and such other amounts, including costs and expenses of sale, accruing postjudgment as agreed upon by the mortgagors and the mortgagee or ordered by the court.

Other terms to be announced at the sale.

Dated: June 18, 2021.

By: TD Bank, N.A.

/s/ Elizabeth M. Lacombe

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