

STATE OF VERMONT

**SUPERIOR COURT
WINDHAM UNIT**

**CIVIL DIVISION
DOCKET NO: 171-5-18 Wmcv**

THE BRATTLEBORO SAVINGS AND LOAN ASSOCIATION

Plaintiff

v.

CAMERON NESBITT

KEYBANK NATIONAL ASSOCIATION

CAPITAL ONE BANK (USA), N.A.

OCCUPANTS of 1585 Fort Bridgman Rd. Vernon, Vermont

Defendants

NOTICE OF SALE

By virtue and in execution of the Power of Sale contained in a certain mortgage deed dated October 7, 2004 and recorded in Book 94, Page 19 of the Town of Vernon, State of Vermont Land Records, given by Cameron Nesbitt to the Brattleboro Savings & Loan Association, F.A. (n/k/a The Brattleboro Savings and Loan Association), of which the undersigned is the present holder, for breach of conditions of said mortgage and for the purposes of foreclosing said mortgage deed and the right in equity to redeem, the lands and premises described in said mortgage deed will be sold at a public auction at 9:30 A.M. on February 12, 2020 at the premises located at 1585 Fort Bridgman Rd. Vernon, Vermont all and singularly the lands and premises described in said mortgage deed, to wit:

BEING ALL AND THE SAME LANDS AND PREMISES CONVEYED TO CAMERON NESBITT BY WARRANTY DEED OF MARK A. MILLER DATED JUNE 8, 2004 AND RECORDED IN BOOK 92, PAGE 478 OF THE VERNON, VERMONT LAND RECORDS AND FURTHER DESCRIBED AS FOLLOWS:

"BEING ALL AND THE SAME LANDS AND PREMISES CONVEYED TO MARK A. MILLER AND DOREEN A. DEROBERTS (NOW DECEASED) BY EXECUTORS DEED OF DAVID A. MILLER, EXECUTOR OF THE ESTATE OF ELLWYN E. MILLER, DATED MAY 18, 1998 AND RECORDED IN BOOK 72, PAGE 87 OF THE VERNON, VERMONT LAND RECORDS AND FURTHER DESCRIBED AS FOLLOWS:

LAND AND BUILDINGS OFF ROUTE 142 IN VERNON, VERMONT, COMPRISING A MULTI-FAMILY HOME AND GARAGE ON APPROXIMATELY THREE ACRES OF LAND AND BEING THE SAME PREMISES AS CONVEYED BY PAUL E. MILLER AND MARY E. MILLER TO ELLWYN E. MILLER AND BEVERLY H. MILLER, AS TENANTS BY THE ENTIRETY, BY WARRANTY DEED DATED DECEMBER 28, 1972, WHICH DEED IS RECORDED IN BOOK 34, PAGE 101 OF VERNON LAND RECORDS, TOGETHER WITH APPURTENANT RIGHT OF WAY FOR ACCESS AS DESCRIBED IN SAID DEED.

EXCEPTING AND RESERVING, HOWEVER, FROM AND OUT OF THE ABOVE PREMISES A PARCEL OF LAND CONVEYED BY ELLWYN E. MILLER AND BEVERLY H. MILLER TO STEVEN AND JUDITH BUTYNSKI BY WARRANTY DEED RECORDED OCTOBER 4, 1980 IN BOOK 41, PAGE 358 OF VERNON LAND RECORDS.

ALSO CONVEYING HEREIN THE RIGHT OF WAY RESERVED IN SAID DEED AS ADDITIONAL ACCESS TO SAID CONVEYED PREMISES.”

Terms of Sale: Purchaser is to provide a \$10,000.00 deposit at the time of sale by Bank Check or Certified Check as to the real estate being sold, the balance of which is to be paid within 45 days of the confirmation of said sale by the Vermont Superior Court. If the balance of the successful bid price is not so deposited within said period, said deposit shall be forfeited and shall be retained by the plaintiff herein as agreed as liquidated damages. Purchaser shall also be required to sign a contract of purchase and sale agreeing to purchase the premises as a result of being the successful and high bidder at said sale.

Defendant CAMERON NESBITT may redeem up to the date and time of the sale by payment of the redemption amount, pursuant to 12 V.S.A. § 4949.

THIS SALE IS SUBJECT TO COURT CONFIRMATION AND ALL UNPAID REAL ESTATE TAXES AND ASSESSMENTS TO THE TOWN OF VERNON. THE PREMISES SHALL BE SOLD IN AN “AS IS” CONDITION.

Other terms of sale: Said sale is being conducted by James R. St. Jean Auctioneers, licensed auctioneer, 45 Exeter St., Epping, NH 03042 Other terms will be announced just prior to sale or individuals may inquire for further information from Elana S. Baron, Esq., Bragdon, Baron & Kossayda, P.C., PO Box 465, Keene, NH 03431, 603-357-4800.

BRATTLEBORO SAVINGS AND LOAN
ASSOCIATION

By: Bragdon, Baron & Kossayda, P.C.

By: Elana S. Baron, Esq.

PO Box 465

Keene, NH 03431

To Be Published in the Brattleboro Reformer:

- 1- January 21, 2020;
- 2- January 28, 2020; and
- 3- February 4, 2020.