

## NOTICE OF MORTGAGEE'S SALE

By virtue of the Power of Sale contained in a certain Mortgage Deed given by **Daniel Colon** having a mailing address of 44 Lexington Drive, Hampstead, New Hampshire 03841, to Pentucket Bank, a Massachusetts banking corporation, duly organized and existing under the laws of the Commonwealth of Massachusetts, having a principal place of business at One Merrimack Street, PO Box 791, Haverhill, Massachusetts 01831, which Mortgage is dated June 7, 2022 and recorded on June 20, 2022 in the Rockingham County Registry of Deeds at Book 6417, Page 477, Pentucket Bank, pursuant to and in execution of said Power of Sale and for breach of the condition of said mortgage, to wit: nonpayment of principal and interest when due, will sell at PUBLIC AUCTION all of its right, title and interest in and to the real estate described in said mortgage on:

**SALE DATE: May 17, 2024**

at 11:00 a.m. on the premises located at 44 Lexington Drive, Hampstead, New Hampshire, and further described as follows:

A certain tract of land, with the buildings thereon, situated on Lexington Drive, in the Town of Hampstead, County of Rockingham and State of New Hampshire, being shown as Lot No. 13 on a plan entitled "Heritage Estates III, Plan of Land in Hampstead, NH, as drawn for A&J Realty Trust, Scale 1"= 50', July 1985 by Vernon W. Dingman III, Lic. Land Surveyor", recorded in the Rockingham County Registry of Deeds as Plan No. D-13865, to which plan reference may be made for a more particular description.

Containing 57,800 square feet, more or less of 1.33 acres.

Subject to any and all matters as shown on Plan No. D-13865.

For Mortgagor's title see deed recorded in the Rockingham County Registry of Deeds at Book 6046, Page 236.

A copy of the original mortgage instrument may be examined by any interested person at the office of Feniger, Uliasz & Stacey, PLLC, during normal business hours.

To the Mortgagor(s) and any and all persons, firms, corporations or agencies claiming by, from or under them:

**NOTICE PURSUANT TO NEW HAMPSHIRE RSA 479:25: YOU ARE HEREBY NOTIFIED THAT YOU HAVE THE RIGHT TO PETITION THE SUPERIOR COURT FOR THE COUNTY IN WHICH THE MORTGAGED PREMISES ARE SITUATED, WITH SERVICE UPON THE MORTGAGEE, AND UPON SUCH BOND AS THE COURT MAY REQUIRE, TO ENJOIN THE SCHEDULED FORECLOSURE SALE.**

The name and address of the mortgagee for service of process is Pentucket Bank, a Massachusetts banking corporation, duly organized and existing under the laws of the Commonwealth of Massachusetts, having a principal place of business at One Merrimack Street, PO Box 791, Haverhill, Massachusetts 01831. The name and address of the mortgagee's agent for service of process is Attorney Gregory T. Uliasz, Feniger, Uliasz and Stacey, PLLC, 45 Bay Street, Manchester New Hampshire 03104. The original mortgage is located at Pentucket Bank, One Merrimack Street, Haverhill, Massachusetts 01831 and may be examined during normal business hours.

The sale of the premises will be subject to any and all easements, encroachments, covenants, restrictions, unpaid municipal or other taxes, assessments, prior liens or claims in the nature of liens, outstanding tax titles, building, zoning and other land use laws and all permits and approvals issued pursuant thereto and any other encumbrances whether or not of record, which may be entitled to precedence over the mortgage if there be any. Said premises are to be sold subject to the right of redemption of the United States of America, if any there be.

No warranties: Except for warranties arising by operation of law, the conveyance of the Mortgaged Premises will be made by the Mortgagee and accepted by the successful bidder therefore without any express or implied warranties whatsoever including without limitation any representations or warranties with respect to possession, permits, approvals, recitation of acreage, hazardous materials and physical condition. The Mortgagee expressly disclaims any representations as to the state of the title to the premises as of the date of the notice of the date of sale. Said Mortgaged Premises will be sold "AS IS WHERE IS" and with all faults in all respects, including, but not limited to, the physical condition of the Mortgaged Premises and the rights, if any, of the occupants of the Mortgaged Premises.

TERMS OF SALE: Five Thousand and 00/100 (\$5,000.00) Dollars cash or certified check or other funds acceptable to Mortgagee or agent at the time of sale; balance within forty-five (45) days, or on delivery of deed, at option of Mortgagee at the firm of Feniger, Uliasz and Stacey, PLLC Attorneys for the Mortgagee at 45 Bay Street, Manchester, New Hampshire. Mortgagee reserves the right to bid at the sale, to reject or accept any and all bids, to continue the sale to another date and time, to cancel the sale and to amend the terms of the sale by written or oral announcement made before or during the foreclosure sale, in which event such terms as amended or altered shall be binding on all bidders and interested persons, and to qualify some or all bidders at its discretion. Mortgagee reserves the right to purchase at the high bid amount, should the high bidder default. Mortgagee further reserves the right to amend this notice. Furthermore, the successful Bidder will be required to execute a Memorandum of Sale at the auction upon completion of the sale. Other terms, if any, shall be announced at the time and place of the sale. The description of the premises contained in said mortgage shall control in the event of error in publication.

The contact information for the New Hampshire Banking Department is: New Hampshire Banking Department, 53 Regional Drive, Suite 200, Concord, New Hampshire 03301. For information on getting help with housing and foreclosure issues, please call the foreclosure information hotline at 1-800-437-5991. The hotline is a service of the New Hampshire Banking Department. There is no charge for this call.

For further information regarding the Mortgaged Premises and/or terms of the foreclosure sale, please contact James R. St. Jean Auctioneers, 45 Exeter Road, PO Box 400, Epping, New Hampshire 03042, website: [jsjauctions.com](http://jsjauctions.com), Phone Number (603) 734-4348.

Dated this \_\_\_\_<sup>th</sup> day of March, 2024

Pentucket Bank,  
By its attorney  
Feniger, Uliasz & Stacey, PLLC

By: \_\_\_\_\_  
Gregory T. Uliasz  
45 Bay Street  
Manchester, NH 03104  
Tel. No. 603-627-5997  
[guliasz@fenigeranduliasz.com](mailto:guliasz@fenigeranduliasz.com)