

## **MORTGAGEE'S NOTICE OF SALE OF REAL PROPERTY**

By virtue of a Power of Sale contained in a certain mortgage given by Jay Hergenbahn ("the Mortgagor(s)") to Ross Hergenbahn and Kimberly Hergenhan, said mortgage dated September 16, 2022, and recorded with the Rockingham County Registry of Deeds at Book 6440. Page 675("the Mortgage"), pursuant to and in execution of said power and for breach of conditions of said Mortgage and for the purposes of foreclosing the same will sell at:

Public Auction  
On  
March 20, 2024  
At  
11:00 a.m.

Said sale being located on land that the mortgaged premises is situated hereinafter described and having a present address of 112 Cotton Farm Road, Town of Danville, County of Rockingham, State of New Hampshire

The premises being more particularly described in the Mortgage as follows:

The 1981 Artcraft Prestige Modular Home, 65' x 14'. Serial Number PM 80010, situated at 112 Cotton Farm Road, Town of Danville, County of Rockingham, State of New Hampshire 03819. The mobile home was previously and erroneously referred to as being situated at 112 Cotton Farm Road, which was previously and erroneously referred to as being situated at 111 Cotton Farm Road a/k/a 109 Cotton Farm Road in said Danville, NH.

The tract or parcel of land upon which said manufactured house is situated on is owned by Cotton Farm MHP, LLC by deed dated June 15, 1999 and recorded in the Rockingham County Registry of Deeds at Book 3399, Page 780.

### NOTICE

**PURSUANT TO NEW HAMPSHIRE RSA 479:25, YOU ARE HEREBY NOTIFIED THAT YOU HAVE A 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's agent for service of process is: Sweeney & Sweeney, P.C., 6 Manchester Street, Nashua, New Hampshire 03064. The contact information for the New Hampshire Banking Department is: New Hampshire Banking Department 53 Regional Drive, Suite 200 Concord, NH 03301 nhbd@banking.nh.gov (603) 271-3561 - main office (800) 437-5991 - toll free. 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.

### TERMS OF SALE

A deposit of Ten Thousand (\$10,000.00) Dollars in the form of a certified check or bank treasurer's check or other check satisfactory to Mortgagee's attorney 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 check satisfactory to Mortgagee's attorney. The Mortgagee reserves the right to bid at the sale, to reject any and all bids, to cancel or continue the sale and to amend the terms of the sale by written or oral announcement made before or during the foreclosure sale. The description of the premises contained in said mortgage shall control in the event of an error in this publication. The premises to be sold at the sale will be sold "AS IS AND WHERE IS" and subject to unpaid taxes, prior liens or other enforceable encumbrances of record, if any, entitled to precedence over the Mortgage. Notwithstanding any title information contained in this notice, the Mortgagee expressly disclaims any representations as to the state of the title to the Property involved as of the date of the notice of the date of sale.

Dated at Nashua, New Hampshire, on January 25, 2024.

Ross Hergenbahn and Kimberly Hergenbahn  
By and through their Attorneys,  
Sweeney & Sweeney, P.C.

By: \_\_\_\_\_  
J. Leonard Sweeney, III, Esq.  
6 Manchester Street  
Nashua, New Hampshire 03064  
NH Bar No.: 10604