

**TRUSTEE'S SALE OF PROPERTY
LOT 63, 5.585 ACRES, "THE RETREAT"
UNION HALL DISTRICT, FRANKLIN COUNTY, VIRGINIA**

IN EXECUTION OF A CERTAIN DEED OF TRUST OF RECORD IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF FRANKLIN COUNTY, VIRGINIA, IN DEED BOOK 861, PAGE 637, DATED SEPTEMBER 8, 2005, DEFAULT HAVING BEEN MADE IN THE PAYMENT OF THE DEBT THEREIN SECURED AND BEING REQUIRED TO DO SO BY THE NOTEHOLDER, THE UNDERSIGNED SUBSTITUTE TRUSTEE, AFTER GIVING FOURTEEN (14) DAYS DUE NOTICE TO THE OWNERS OF THE REAL ESTATE OF THE DATE, TIME, PLACE AND TERMS OF SALE, WILL OFFER FOR SALE AT PUBLIC AUCTION, **ON SITE AT LOT 63, THE RETREAT, LOCATED AT CORNER OF VERANDA BAY DRIVE AND IVY LANE, UNION HALL, VIRGINIA, ON FRIDAY, MAY 17, 2019 AT 11:00 A.M.**, THE REAL ESTATE WITH IMPROVEMENTS THEREON KNOWN AND DESCRIBED AS FOLLOWS:

All that certain tract or parcel of land, with the improvements thereon and the appurtenances thereunto belonging, situate, lying and being in the Union Hall District of Franklin County, Virginia, to-wit:

All that certain lot or parcel of land, being **Lot 63, containing 5.585 acres**, of "**THE RETREAT**", lying and being situate, in the Union Hall Magisterial District of Franklin County, Virginia, and being more particularly described according to the plat and survey prepared by Philip W. Nester, L.S., dated August 21, 2002, and revised on September 23, 2002, of record in the Circuit Court of Franklin County, Virginia, in Deed Book 758, at Pages 592-598, reference to which is made for a more particular description.

ALSO CONVEYED HEREIN is a perpetual exclusive easement to the Grantees, their heirs and assigns, over that portion of the land adjoining the land hereby conveyed, and between the extension of the imaginary lot lines for the lot conveyed herein, in and to the waters of Smith Mountain Lake, regardless of the water level as the same may rise and fall from time to time. And to exercise, hold and use that portion of land between the property hereby conveyed and Smith Mountain Lake for recreational purposes. Being the same rights granted and reserved in a certain Flowage Easement granted to Appalachian Power Company affecting the above described land which flowage easement is recorded in the aforesaid Clerk's Office.

RESERVED HOWEVER, UNTO the Grantors, their successors and assigns, is all rights and obligations as set forth in the Restrictions, Covenants and Conditions of The Retreat, which are recorded in the aforesaid Clerk's Office in Deed Book 758, Page 599, and particularly as to the Grantor's right to locate and approve the boat docking facilities, which may or may not encroach over and across the imaginary lot lines as stated above.

SUBJECT HOWEVER, TO an easement to use the drainfield for the benefit of Lot 58 which is designated as drainfield easement on Sheet 6 of 7 on the referenced survey and recorded in the aforesaid Clerk's Office in Deed Book 758, Pages 592-598, for the purpose of installing, repairing and

maintaining sewer lines and the drainfield, together with the right of entry for the purpose of repairing and maintaining such sewer lines and drainfield, within and crossing the drainfield easement area and the streets and public utilities easements of the Retreat Subdivision. Tax Map# 52.9-063

SALE WILL BE MADE SUBJECT TO ALL EXISTING EASEMENTS AND RESTRICTIVE COVENANTS AS THE SAME MAY LAWFULLY AFFECT THE REAL ESTATE.

TERMS OF SALE: CASH, SETTLEMENT WITHIN FIFTEEN (15) DAYS OF SALE. A BIDDERS DEPOSIT OF TWENTY-FIVE THOUSAND DOLLARS (\$25,000) WILL BE REQUIRED.

PLACE OF SALE: ON SITE AT LOT 63, THE RETREAT, LOCATED AT CORNER OF VERANDA BAY DRIVE AND IVY LANE, UNION HALL, VIRGINIA

DATE OF SALE: FRIDAY, MAY 17, 2019

TIME OF SALE: 11:00 A.M.

Daniel D. Hamrick, PC
Substitute Trustee

By: Daniel D. Hamrick, Agent
for Daniel D. Hamrick, PC

FOR INFORMATION CONTACT:
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