

NOTICE OF TRUSTEE'S SALE
Franklin County TM # 0460908200

In execution of a Deed of Trust in the original amount of \$224,925.00, dated October 25, 2021, recorded as Instrument No. 210010084 in the land records of the County of Franklin, Virginia, default having been made in the payments of indebtedness thereby secured, the undersigned will on:

September 19, 2025 @ 12:00 PM

at the property subject to foreclosure known as Franklin County TM # 0460908200, located on Crestview Dr, offer for sale at public auction the property and improvements thereon, described as follows:

LOT 82, LAKESIDE FARMS AT SMITH MOUNTAIN LAKE, CONTAINING 0.915 ACRE, being more particularly shown and described according to plat of survey-prepared by Balzer & Associates, John R. McAden, L.S., dated August 6, 2019, of record in the Clerk's Office of the Circuit court of Franklin County, Virginia, in Deed Book 1152 at Pages 2843 thru 2851, with this reference being made for a more complete and particular description of the subject property and as a means of incorporation by this reference thereto.

TOGETHER WITH (AND SUBJECT UNTO such rights as retained by the Developer necessary to properly exercise its rights as set forth in the Restrictions, Covenants and Conditions of the Lakeside Farms at Smith Mountain Lake subdivision recorded in the aforesaid Clerk's Office) any and all rights and interest that the Grantor may have to the land adjoining the property herein conveyed within the boundaries hereinafter stated located below the 800 foot elevation contour line, whether flooded by the waters of Smith Mountain Lake or not, being bounded by the said 800 foot elevation contour, line and the imaginary extension of the side lot lines of the aforesaid lot at the same bearing of the said side lot lines extending outward into Smith Mountain Lake for a reasonable distance so that said rights and interest of the Grantee do not interfere with the rights or property of other waterfront lot owners and the Granter, including the rights to the use of the waters of Smith Mountain Lake for recreational purposes as they pertain to the property herein conveyed and the right to construct boat docking and mooring structures upon the aforesaid land subject, however, to the aforesaid Restrictions, Covenants, and Conditions, with any and all of said rights and interest being subject to the flowage easement of Appalachian Power Company for Smith Mountain Lake to flood the land below the said 800 foot elevation contour line and its rights incidental thereto, all as set forth by instruments of record in the aforesaid Clerk's Office.

SUBJECT UNTO the Forest/Open Space easements as shown and reserved on the aforesaid McAden survey.

TERMS OF SALE: CASH

This sale is subject to all matters of record in the chain of title to the above property, and also subject to mechanics' and materialmen's liens of record and not of record, if any such liens exist.

A bidder's deposit of Twenty Thousand Dollars and Zero Cents (\$20,000.00), in cash, certified or cashier's check, is required at the time of sale, with the balance due at settlement, to be held within 30 days from the sale date at the office of the Trustee. The property and improvements thereon shall be sold in "as is" condition. All costs of conveyance, by special warranty deed, will be at the cost of the purchaser. **This sale is being conducted in coordination with The Counts Realty & Auction Group and the buyer will be charged a buyer's premium of 10% of the high bid amount.** Real estate taxes shall be prorated to date of sale. Additional terms of sale shall be announced at the time of sale and contained in a memorandum of sale which the successful bidder shall be required to sign.

SAMUEL M. PENDER
SUBSTITUTE TRUSTEE

For more information please contact:

Samuel M. Pender, Esquire

FRANKLIN, DENNEY, WARD, & STROSNIDER PLC

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Auctioneer contact: pete@countsauktion.com