

**NOTICE OF PUBLIC AUCTION
SPECIAL COMMISSIONER’S SALE OF REAL ESTATE
COUNTY OF BOTETOURT, VIRGINIA**

Pursuant to the terms of those certain Decrees of Sale entered in the Circuit Court of Botetourt County, the undersigned Special Commissioner will offer for sale at public auction (**with phone simulcast available**) the following described real estate at **Greenfield Auditorium, Room #212**, located at **57 S. Center Drive, Daleville, VA 24083**, on **Friday, April 30, 2021, at 1:00pm** or as soon thereafter as may be effected. The sale of such property is subject to the terms and conditions below, any conditions which may be subsequently posted by Nicely’s Auction Company (“Auctioneer”) and Taxing Authority Consulting Services, PC (“TACS”), and any such terms and conditions which may be announced on the day of the auction. Announcements made on the day of the auction take precedence over any prior written or verbal terms of sale.

	Property Owner	Identification	Description
1.	Allen James Coble	Tax Map No. 101D-191 RPC No. 11436 TACS No. 496409	237 Stoney Battery Road, Troutville; +/- 0.8 acres
2.	Gary E. Kern	Tax Map No. 16A(1)4 RPC No. 17191 TACS No. 496416	74 Saville Lane, Eagle Rock; +/- 0.41 acres
3.	Margaret Campbell Pearson, et al.	Tax Map No. 109-79 RPC No. 16505 TACS No. 496414	518 Webster Heights Road, Blue Ridge; +/- 3.04 acres
4.	Margaret Campbell Estate	Tax Map No. 27A-13 RPC No. 18190 TACS No. 570633	62 High Street, Eagle Rock; +/- 0.5 acres

GENERAL TERMS OF SALE: All sales are subject to confirmation by the Circuit Court of the County of Botetourt. The Special Commissioner of Sale has the right to reject any bids determined to be unreasonable in relation to the estimated value of the Property. All properties are sold in gross and not by the acre. Properties are offered for sale as-is, with all faults and without any warranty, either expressed or implied. Properties are conveyed by Special Warranty Deed, subject to any easements, covenants, agreements, restrictions, reservations, and any and all rights of record which may affect the property. Subsequent taxes will be prorated from the auction date of April 30, 2021, and the highest bidder will be responsible for taxes from that date forward. Any unsold property will be offered for sale again at the next auction, whenever that may be.

Persons are encouraged to make a visual inspection of the property within the limits of the law and to obtain an independent title search **prior to** bidding on any of the properties. Bidders are strongly encouraged to make their own inspection to determine the suitability of the property and it is assumed that all bidders will perform due diligence **prior to** the day of the auction. Any costs incurred by the bidder to inspect the property are at the expense of the bidder and are non-refundable. It is not guaranteed that the property has a right-of-way or that it is not landlocked. The information shown, including maps, is derived from public records that are constantly undergoing change and do not replace a site survey or inspection. There is no warranty as to the accuracy of the visual maps, nor is the information contained therein a legal representation of any of the features of the property which it depicts.

The highest bidder shall make a deposit in the amount of twenty-five percent (25%) or One Thousand Dollars (\$1,000.00), whichever is higher. Deposits shall not exceed Twenty Thousand Dollars (\$20,000.00). Bids which are less than One Thousand Dollars (\$1,000.00) shall be paid in full at the time of the auction. Such sum shall be held by the Special Commissioner and credited towards the purchase price following confirmation of the sale. There will be a **10% buyer's premium added to the final bid**. The **buyer's premium is in addition to the required deposit amount**. Please consider the buyer's premium when placing bids.

Terms applicable to In-Person Bidders ONLY: All payments must be made in the form of personal check, traveler's check, cashier's check or money order. **No cash will be accepted.**

Terms applicable to Online Bidders ONLY: All interested parties must register and be approved by the Auctioneer. Registration is free of charge and is done through the Auctioneer's website <https://nicelysauctionco.com>. If any interested bidders are unable to attend the auction in-person and do not have access to the internet to register they **must contact Brandon Nicely at (540) 968-0962** for assistance. The highest bidder will receive their purchase contract and balance due via email following the close of the auction. The contract shall immediately be executed and returned to TACS. The **25% bid deposit and 10% buyer's premium** must be **received** in full within five (5) business days following the auction closing (**no later than May 7, 2021, at 1:00pm EST**). Time is of the essence. All payments must be made in the form of certified funds, cashier's check, money order or wire transfer. Cash and personal checks **will not** be accepted. Checks and money orders shall be made payable to Botetourt County and forwarded to TACS, at the address shown below. Wire transfer instructions will be provided to the highest bidder upon request.

GENERAL TERMS OF SALE: The balance of the purchase price shall be deposited by the highest bidder with the Special Commissioner within fifteen (15) days of confirmation of the sale by the Court. Recording costs for deed recordation will be the responsibility of the successful bidder and will be due with the balance of the purchase price within fifteen (15) days of confirmation of sale by the Court.

The sale of property to the highest bidder is not contingent upon obtaining financing. Financing, if needed, is the sole responsibility of the high bidder. By bidding, parties are entering into a legally binding contract, waive all rescission rights, and understand that their bid is immediately binding, irrevocable, and enforceable. Additionally, by bidding, parties are representing that they have read, and agree to be bound by, all terms and conditions for this sale. Failure to complete the property purchase will result in forfeiture of any funds paid and may subject the highest bidder to additional damages, which may include expenses and any deficit upon resale.

Please be advised that in order to qualify as a bidder at this auction, you may not owe delinquent taxes to the County of Botetourt and you may not be a Defendant in any pending delinquent tax matter. Questions concerning the registration and bidding process should be directed to the Auctioneer online at <https://nicelysauctionco.com>, by email to Brammin57@aol.com or by phone to Brandon Nicely, at (540) 862-0714. Questions concerning the property subject to sale should be directed to TACS online at www.taxva.com, by email to taxsales@taxva.com, by phone to (804) 548-4425, or by writing to the address below.

John A. Rife, Esq.
Re: Botetourt County Auction
Taxing Authority Consulting Services, PC
P.O. Box 31800
Henrico, Virginia 23294-1800

**PURCHASER'S ACKNOWLEDGEMENT AND
CONTRACT OF SALE**

At that certain Special Commissioner's sale, a public auction with phone simulcast, held on Friday, April 30, 2021 at 1:00pm EST in the cause styled County of Botetourt v. _____ (Case No. _____), the undersigned was the highest bidder on the real estate described below, for a bid price of \$ _____, and a buyer's premium of \$ _____.

Tax Map No. _____

Account No. _____

I understand that a deposit of \$ _____ (25% of the purchase price or \$1,000.00, whichever is more, or the entire purchase price if less than \$1,000.00, or \$20,000.00 if purchase price is more than \$80,000.00) is required to be deposited today with the Special Commissioner and that the balance will be due within fifteen (15) days after confirmation of this sale by the Circuit Court of the County of Botetourt, Virginia. Further, I understand that a buyer's premium is required in this auction and have agreed to pay \$ _____ as a buyer's premium.

I understand that this property is being sold subject to any covenants, easements, agreements, restrictions, reservations, conditions of record, and any claims of persons in possession. I understand that this property may not have a right-of-way to a public road, and I hereby accept this limitation. I understand that I will be notified at the address below of the date the Court intends to confirm this sale, and that this Court hearing will be my last opportunity to raise any questions concerning this sale. I understand that this property is offered for sale as-is, with all faults and without any warranty, either expressed or implied, and I confirm that I have satisfied myself as to the property's existence and location prior to the execution of this contract.

I understand that I will be responsible for any real estate taxes on this parcel from the date of sale (auction date). I further understand that in the event I owe delinquent taxes to the County of Botetourt or if I am named as a Defendant in any delinquent tax suit filed by the County of Botetourt, Virginia, that this contract may be made null and void and I agree to forfeit any right, title or interest that I may have in the real estate to the next highest bidder as listed in the auction documents.

If the balance of the purchase price is not paid in full within fifteen (15) days of confirmation, I agree to forfeit the deposit and pay any charges incurred by the Special Commissioner or the Court in collecting on the delinquent amount. I further understand that if I fail to comply with this Purchaser's Acknowledgement and Contract of Sale, that this real estate may be resold and that I will be responsible for any deficiency upon resale, including any expenses that may be incurred.

I understand that the former owner(s) of this property may for good cause shown, within ninety (90) days from the entry of the Decree of Confirmation in this matter, petition the Court to have the matter reheard. I understand that title to the property described herein will be taken in the name(s) indicated below and I represent that I have the authority to purchase and title the property in the name(s) shown below.

Signature

Print Name:

Address:

Phone:

Email:

Title will be taken in the name of:

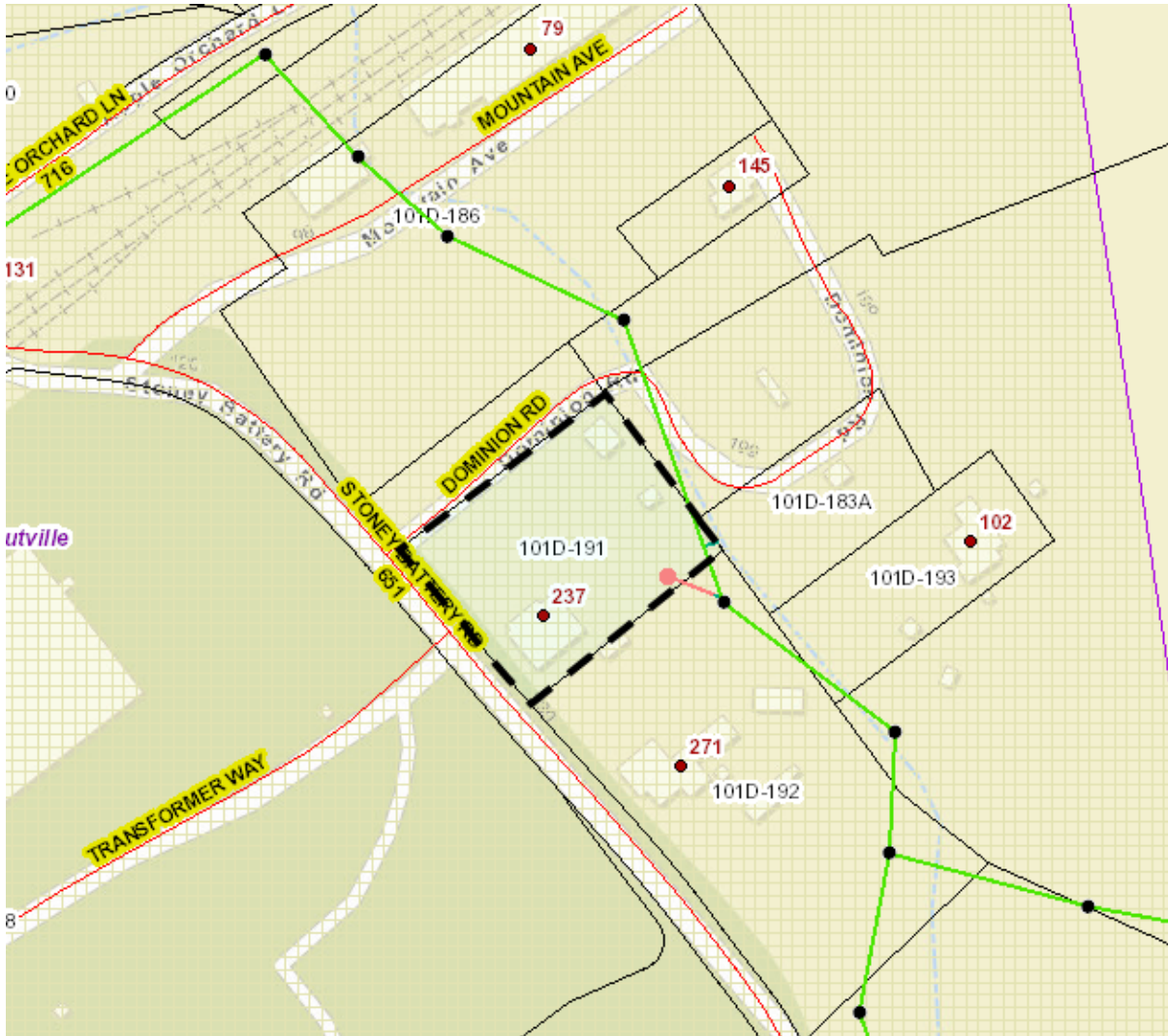
Type of Interest: Tenants in Common Tenants by Entirety with ROS Joint Tenants None

CERTIFICATION

It is hereby certified that the above-referenced purchaser has, on this 30th day of April, 2021, acknowledged and executed the foregoing Purchaser's Acknowledgment and Contract of Sale. I further certify that the contact information and signature shown above belong to the aforementioned purchaser and are true and correct to the best of my knowledge.

Taxing Authority Consulting Services, PC

**Property 1: Allen James Coble
Tax Map No. 101D-191**



Current Data:

Tax Map No.: 101D-191

Owner: Allen James Coble

Lot Description: Town of Troutville

Physical Location: 237 Stoney Battery Road

Acres: 0.8

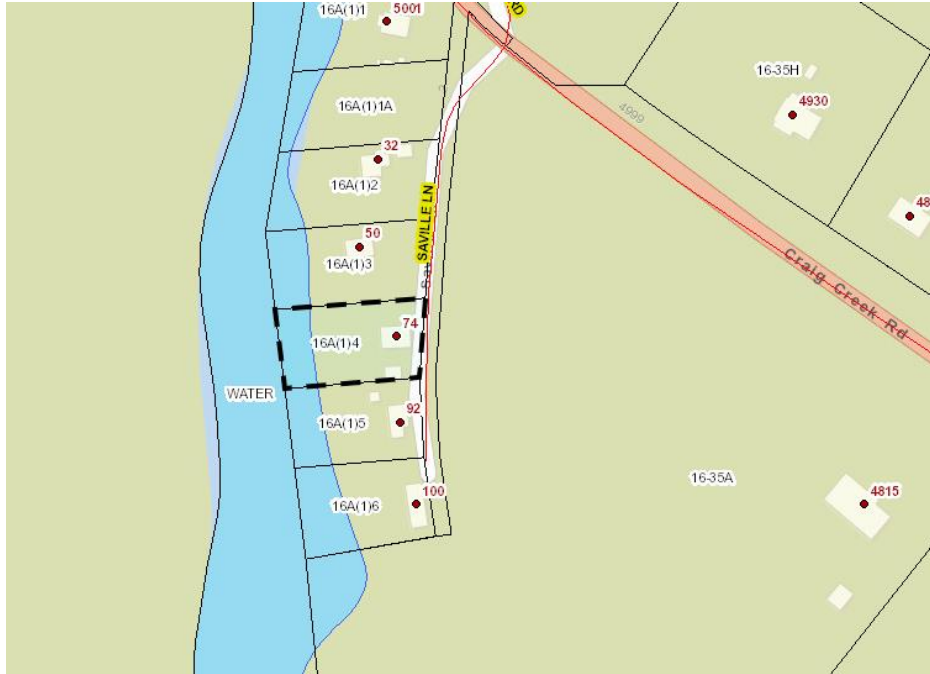
Land Value: \$38,100.00

Improvement Value: \$36,500.00

Total Value: \$74,600.00

This information is provided for general reference only and is not intended to be a true and accurate representation of the shape of the property. This is no substitute for a survey of the property and is intended to be informational in nature. Interested bidders should exercise their due diligence to determine the size, shape, location, percability, zoning, road frontage, and any other matters of interest related to this property.

**Property 2: Gary E. Kern
Tax Map No. 16A(1)4**



Current Data:

Tax Map No.: 16A(1)4

Owner: Gary E. Kern

Lot Description: Sidney H Saville Lot 4

Physical Location: 74 Saville Lane

Acres: 0.41

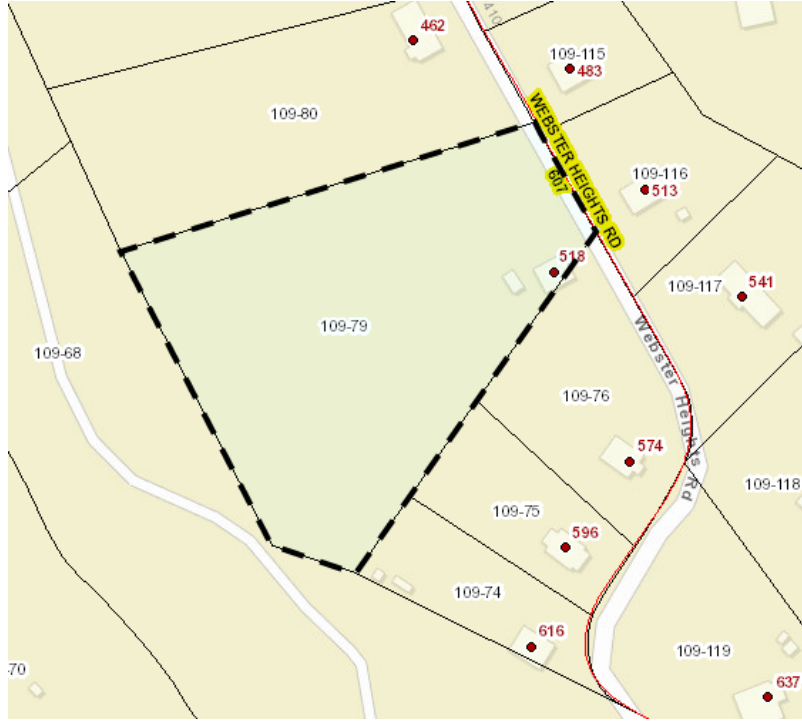
Land Value: \$20,000.00

Improvement Value: \$68,300.00

Total Value: \$88,300.00

This information is provided for general reference only and is not intended to be a true and accurate representation of the shape of the property. This is no substitute for a survey of the property and is intended to be informational in nature. Interested bidders should exercise their due diligence to determine the size, shape, location, percability, zoning, road frontage, and any other matters of interest related to this property.

**Property 3: Margaret Campbell Pearson, et al.
Tax Map No. 109-79**



Current Data:

Tax Map No.: 109-79

Owner: Margaret Campbell Pearson, et al.

Lot Description: Glade Creek

Physical Location: 518 Webster Heights Road

Acres: 3.04

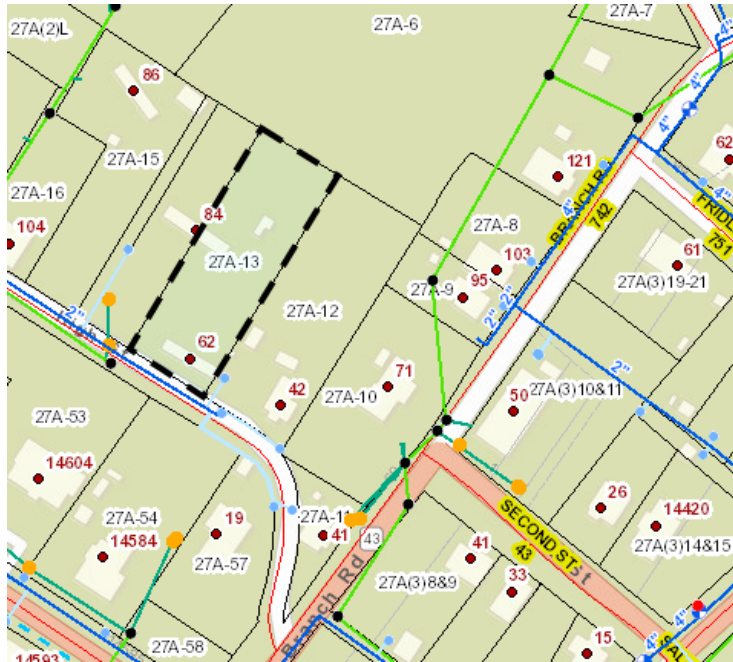
Land Value: \$39,200.00

Improvement Value: \$51,400.00

Total Value: \$90,600.00

This information is provided for general reference only and is not intended to be a true and accurate representation of the shape of the property. This is no substitute for a survey of the property and is intended to be informational in nature. Interested bidders should exercise their due diligence to determine the size, shape, location, percability, zoning, road frontage, and any other matters of interest related to this property.

**Property 4: Margaret Campbell Estate
Tax Map No. 27A-13**



Current Data:

Tax Map No.: 27A-13

Owner: Margaret Campbell Estate

Lot Description: Eagle Rock

Physical Location: 62 High Street

Acres: 0.5

Land Value: \$15,000.00

Improvement Value: \$5,500.00

Total Value: \$20,500.00

This information is provided for general reference only and is not intended to be a true and accurate representation of the shape of the property. This is no substitute for a survey of the property and is intended to be informational in nature. Interested bidders should exercise their due diligence to determine the size, shape, location, percability, zoning, road frontage, and any other matters of interest related to this property.