

HYATT & WEBER, P.A.  
200 Westgate Circle, Suite 500  
Annapolis, Maryland 21401  
410-266-0626  
SUBSTITUTE TRUSTEES' SALE  
OF  
VALUABLE, FEE-SIMPLE, UNIMPROVED PROPERTY  
Known as  
4 North Street, Brookeville, Maryland 20833

Under and by virtue of the power of sale contained in a certain Money Loaned Deed of Trust from Richard T. Kirby, dated December 22, 2005, and recorded in Liber 31523, folio 641, among the Land Records of Montgomery County, Maryland, default having occurred under the terms thereof and at the request of the party secured thereby, the undersigned Substitute Trustees will sell at public auction, at the front entrance of the Court House for the Circuit Court for Montgomery County, Maryland on:

THURSDAY, JULY 29, 2010 AT 10:30 A.M.

ALL THAT property situated in Montgomery County, Maryland and described as follows:

Lot numbered One (1) in the subdivision known as "Powers' Woods, Lots 1, 2, and 3" as per Plat No. 23281 duly recorded among the Land Records of Montgomery County, Maryland on December 5, 2005.

The property and any improvements thereon will be sold subject to conditions, restrictions and agreements of record, or otherwise, affecting the same, if any. The property and improvements thereon are being sold without warranty, express or implied, of any kind, in "as is" condition.

**TERMS OF SALE:** A cash deposit or certified check for \$28,000.00 required of the purchaser at the time of sale, balance in cash, certified check or cashier's check at settlement, which must occur within ten (10) days following final ratification of sale by the Circuit Court for Montgomery County, unless said period is extended by the Substitute Trustees, their successors or assigns, in their sole discretion, time being of the essence. Interest to be paid on the unpaid purchase price at the rate of 5% per annum from the date of sale to date of settlement. In the event purchaser fails to proceed to settlement as required herein, in addition to any other legal or equitable remedies available to them, the Substitute Trustees may, without further order of the court, declare the aforementioned deposit forfeited and resell the property at the purchaser's risk and expense. In such event, the defaulting purchaser shall be liable for the payment of any deficiency in the purchase price, all costs and expenses of both sales, reasonable attorneys' fees, all other charges due, and incidental damages. Taxes and water rent to be adjusted to date of sale. Condominium fees and/or Homeowners Association dues, or any other private charge or assessment, if applicable, shall be adjusted to the date of sale and assumed thereafter by the purchaser. All other public charges and assessments, payable on an annual basis, including sanitary and/or metropolitan district charges, to be adjusted for the current year to date of sale and assumed thereafter by the purchaser. It shall be the responsibility of the purchaser to obtain possession of the property. Purchaser assumes the risk

of loss or damage from the date of sale forward. Cost of all documentary stamps, transfer taxes, title examination, document preparation and title insurance shall be borne by the purchaser. Purchaser must pay document review fee of \$395.00 to Hyatt & Weber, P.A. at settlement. The Substitute Trustees reserve the right to modify the requirements for bidders' deposits, to withdraw the property from the sale prior to the termination of bidding and to postpone the sale. If Substitute Trustees are unable to convey good and marketable title to the property, the sole remedy of the purchaser shall be limited to the refund of the deposit of the purchaser. Upon refund of the deposit, the sale shall be void and of no effect, and the purchaser shall have no further claim against the Substitute Trustees. The beneficiary, or any subsidiary of beneficiary, named in the deed of trust being foreclosed upon shall be excused from posting a deposit.

The information contained herein was obtained from sources deemed to be reliable, but is offered for information purposes only. The Substitute Trustees do not make any representations or warranties with respect to the accuracy of this information.

Financing may be available for qualified successful bidder. Please contact Christie Hambruch at 410-260-2000 for more information.

Alan J. Hyatt, Jonathan M. Wall and David A. Katz, Substitute Trustees.

(Atlantic Auctions logo)

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