

## NOTICE OF FORECLOSURE SALE

Reference is made to a mortgage given by Scott Mitchell, Sr. and Marie T. Mitchell, Trustees of Grand View Realty Trust u/d/t dated August 3, 2000 ("Mortgagor") to Digital Federal Credit Union dated March 18, 2005 and recorded at the Cheshire County Registry of Deeds in Book 2226, Page 757 (the "Mortgage").

By virtue of the power of sale contained in the Mortgage, Digital Federal Credit Union, the current holder of the note and mortgage (the "Mortgagee"), in execution of the power of sale and for breach of the conditions of the Mortgage, including non-payment, and for the purpose of foreclosing the same, will sell

at PUBLIC AUCTION  
on **January 26, 2012**  
at **11:00 a.m.**

all of its right, title and interest in the Property which is more particularly described in the Mortgage (the "Mortgaged Premises"). The foreclosure auction will take place at the Mortgaged Premises which is known as **580 Mountain Road, Jaffrey, New Hampshire**. The foreclosure auction will be held in conjunction with a Disposition of Collateral of personal property located on the Mortgaged Premises. See also Notification of Disposition of Collateral.

To the Mortgagor or any other person claiming a lien or encumbrance against the Mortgaged Premises: **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.** Failure to institute such petition and complete such service upon the Mortgagee or its agent conducting the sale prior to sale shall thereafter bar any action or right of action of the Mortgagor based on the validity of the foreclosure.

**Liens and Encumbrances:** The Mortgaged Premises shall be sold subject to all liens and encumbrances entitled to precedence over the Mortgage, including but not limited to, any and all unpaid real estate taxes and all liens, if any, for hazardous waste cleanup.

**Terms of Sale:** To qualify to bid, bidders must place \$50,000.00 on deposit with the auctioneer in cash, by certified check, bank treasurer's check or other form of payment acceptable to the Mortgagee prior to the commencement of the auction sale. The deposits placed by unsuccessful bidders shall be returned to those bidders at the conclusion of the auction. The successful bidder shall execute a foreclosure sale agreement. The balance of the purchase price must be paid in full by the successful bidder in cash or by certified check on or before 45 days after the date of the sale. If the successful bidder fails to complete the purchase of the Mortgaged Premises on or before 45 days after the date of the sale, then the Mortgagee may, at its option, retain the deposit in full as reasonable liquidated damages. Conveyance of the Mortgaged

Premises shall be by foreclosure deed. The foreclosure deed shall be delivered to the successful bidder upon the Mortgagee's receipt of the balance of the purchase price.

**Exclusion of Warranties:** The conveyance of the Mortgaged Premises will be made by the Mortgagee and accepted by the successful bidder without any express or implied representations or warranties whatsoever including, without limitation, representations or warranties relating to title, zoning, subdivision, possession, recitation of acreage and hazardous waste.

**Reservation of Rights:** The Mortgagee reserves the right to (1) cancel or continue the foreclosure sale to such later date as the Mortgagee may deem desirable; (2) bid on and purchase the Mortgaged Premises at the foreclosure sale without producing a deposit; (3) reject any and all bids for the Mortgaged Premises; (4) waive reading this notice or any portion thereof at the foreclosure sale; and (5) amend or alter the terms of sale stated in this notice by oral or written announcement made at any time before or during the foreclosure sale. Such changes or amendments shall be binding on all bidders.

For further information regarding the Mortgaged Premises, contact the auctioneer, Paul McInnis Inc., at (800)-242-8354, or visit its website at <http://www.paulmcinnis.com>.

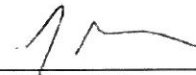
DATED: December 6, 2011

Digital Federal Credit Union

By its Attorneys,

McLane, Graf, Raulerson &  
Middleton, Professional Association

By:

  
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