

STATE OF VERMONT

SUPERIOR COURT

CIVIL DIVISION

Addison Unit

Docket No. 24-CV-01364

HERITAGE FAMILY FEDERAL

CREDIT UNION,)

Plaintiff,)

)

vs.)

SOLANGE NYANDAMBYA)

MINYATI, SPAFFORD AND)

SONS and OCCUPANTS at)

527 Main Street, Orwell, Vermont)

Defendants.)

)

NOTICE OF SALE

By virtue of the order for public sale contained in the Judgment and Decree of Foreclosure by Judicial Sale issued by this Court in favor of the Plaintiff, Heritage Family Federal Credit Union, dated August 2, 2024, the lands and premises which are the subject of this foreclosure action will be sold at Public Auction at 10:00 a.m. on the 25th day of June, 2025, at 527 Main Street, Orwell, Vermont, County of Addison, and State of Vermont.

The sale shall be conducted by a sheriff or any licensed auctioneer. The property to be sold is all and singular the premises as described in a certain Mortgage Deed from Solange Nyandambya Minyati to Heritage Family Federal Credit Union and which was recorded in the Town of Orwell Land Records in Book 106 at Page 212. The lands and premises are more particularly described as follows:

“Being all and the same lands and premises conveyed to Maurice Minyati and Solange Minyati by Warranty Deed from Catherine S. Euber dated October 24, 2018 and recorded in Book 97 at Page 480 of the Town of Orwell Land Records and Quit Claim Deed from Maurice Minyati to Solange Minyati dated August 19, 2022 and recorded in Book 105 at Page 384 of the Town of Orwell Land Records and more particularly described as follows:

Being all and the same lands and premises conveyed to Gordon F. Euber and Catherine S. Euber by Warranty Deed of Florence A. Hadwen dated May 28, 1968 and recorded June 8, 1968 at Book 29, Page 532 of the Orwell Land Records and more particularly described as follows:

Being a parcel of land containing one acre, more or less, with buildings thereon situated on the southerly side of Main Street in Orwell Village, bounded on the North by the highway (Route 73, so-called); on the West in part by lands nor (sic) or formerly of Augustuse Lamoureux, in part by lands now or formerly of Edith Munger and in part by lands now or formerly of Gerald Frazier; on the South by lands of said Gerald Frazier; and on the East by lands nor (sic) or formerly of Albert Peltier.

Meaning and intending to described and to convey hereby all and the same lands and premises conveyed to the Grantor, Florence A. Hadwen, by Julia H. Abell Gregory by her Warranty Deed dated August 31, 1964 and recorded in Book 29 at Page 444 of the land records of the Town of Orwell.

EXCEPTING the lands and premises conveyed by Catherine S. Euber to Patrick W. Halnon by Quitclaim Deed dated March 11, 2003, as recorded in Book 69, Page 351 of the Orwell Land Records and more particularly described as follows:

A strip of land approximately eighteen (18”) wide and 260.85 feet long on the westerly border of lands owned by Catherine S. Euber and easterly of lands owned by Patrick Halnon all as depicted on a survey dated December 30, 1996 prepared by Michael R. Magoon and recorded in the Town of Orwell Land Records on January 12, 1997 as Map #136.

A more up-to-date description of the premises is as follows:

Beginning at a concrete monument in the supposed right-of-way limit of Vermont Route 73 which point marks the North and Northwest corner of the premises herein described and the Northeast corner of premises now or formerly of Corey O. Buxton.

Thence proceeding on said right-of-way limit S 79° 09’ 50” E 68.02 feet to a 5/8th inch reinforcement bar;

Thence turning and running on lands now or formerly of Desna Gail Jenkins S 09° 37’ 00” W 259.15 feet to a 5/8th inch reinforcement bar;

Thence continuing on lands of said Jenkins and lands now or formerly of Theodore C. and Arnolda J.R. Michel S 09° 37’ 00” W 113.00 feet to a 5/8” inch reinforcement bar;

Thence turning and running on lands now or formerly of Delbert C. and Bonita M. Frazier N 80° 23’ 00” W 68.00 feet to a concrete monument;

Thence turning and running on lands now or formerly of Sheila A. Nichols N 09° 37’ 00” E 113.00 feet to a concrete monument;

Thence continuing on lands now or formerly of Corey O. Buxton N 09° 37’ 00” E 260.53 feet to the point and place of beginning.

Continuing by estimation 0.58 acres be the same more or less with buildings thereon.

The foregoing described premises are shown on a Survey entitled “Boundary Survey Plat property of Catherine S. Euber, 523-527 Main Street, Orwell, Vermont”, prepared by Stuart J. Morrow, L.L.S. and recorded at Map #239 of the Orwell Land Records.

Also conveying the benefit of a drainage and cesspool easement as set forth in a deed from Martha E. Boynton to Warren S. Roberts recorded at Book 17, Page 216 of the Orwell Land Records.

Gordon F. Euber died on February 8, 1991.”

The Defendant Mortgagor shall be entitled to redeem the premises at any time prior to the sale by paying the full amount due under the Mortgage, together with the costs and expenses of sale.

TERMS OF SALE

The above-described property foreclosed by the Judgment and Decree of Foreclosure by Judicial Sale issued in this matter shall be sold to the highest bidder in “AS IS” condition and subject to all outstanding municipal assessments. The property shall be sold as a whole and not in parcels. The terms of the sale shall be cash, certified bank draft or official bank (treasurer’s) check for the full amount of the purchase price. In the alternative, bidders may provide a Ten Thousand Dollar (\$10,000.00) down payment (by cash, certified bank draft or official bank (treasurer’s check) with written evidence of bank financing acceptable to Plaintiff in its sole discretion, with closing to take place not later than ten (10) days from the date of confirmation of the sale by the Court. In the event that the high bidder fails to close for any reason, the Ten Thousand Dollar (\$10,000.00) down payment shall be forfeited to the Plaintiff, in which case Plaintiff in its sole discretion may then either proceed to re-auction at a second judicial sale or seek to amend the Confirmation Order to approve a sale to the second highest bidder. The high bidder may also be required to sign a Purchase and Sale Agreement.

The sale shall further be subject to confirmation by this Court at a hearing to be held at the Vermont Superior Court, Addison Unit. Custodian of the proceeds of the sale pending confirmation shall be Kupferer & Blake, Ltd. OTHER TERMS to be announced at the sale.

DATED at the City of Rutland, County of Rutland and State of Vermont, this 19th day of May, 2025.

KUPFERER & BLAKE, LTD.
By: /s/GARY R. KUPFERER
Gary R. Kupferer, Esquire
ERN #3547
Attorneys for the Plaintiff
25 Washington Street
Rutland, Vermont 05702
802-773-9109
kupferer@kupfererlaw.com