

**VIRGINIA: IN THE CIRCUIT COURT OF THE CITY OF HAMPTON, PART I
CITY OF HAMPTON, VIRGINIA,**

Plaintiff,

v.

Civil Action No. CL16-1165

ROSE M. CUNNINGHAM, *et al.*,

Defendants.

**ORDER APPROVING BID, CONFIRMING TAX SALE
AND DISBURSING PROCEEDS OF PAYMENT**

THIS CASE came to be heard on the Report of the Special Commissioner, Brandi Law, counsel for the Plaintiff, the City of Hampton, Virginia (the “City”), and their motion for approval of bid submitted by Troy Suntheimer (the “Highest Bidder”), confirmation of the sale of the property at issue in this suit (the “Property”) and disbursement of the sale proceeds after they are paid into the Special Commissioner’s office.

It appearing to the Court that:

1. On May 20, 2016, the City filed suit to sell the Property, designated 237 Pocahontas Place- Parcel ID 01N011 00 I 003- RPC 1003595 and more particularly described on Schedule A of the Complaint, for payment of the real estate taxes and other charges owing thereon.
2. On September 15, 2016, the Special Commissioner put the Property to public auction at which the Highest Bidder bid \$52,500.00 (the “Bid Price”), a fair and reasonable price for the property, made a down payment of \$11,600.00 and agreed to pay the balance, plus recording costs.

3. The Highest Bidder will deposit a total of \$57,925.00 (Bid Price of \$52,500.00 plus recording costs of \$175.00 and an auctioneer's fee of \$5,250.00) with the Special Commissioner.

It is accordingly ADJUDGED, ORDERED and DERCREED that:

- A. The Bid Price offered by the Highest Bidder for the Property is APPROVED;
- B. The sale of the Property is CONFIRMED;
- C. Upon full payment by the Highest Bidder, the Special Commissioner shall prepare, execute and deliver a special warranty deed conveying the property to the Highest Bidder and report their actions to the Court.

D. The Special Commissioner, upon receipt of the Highest Bidder's payment of \$57,925.00, is AUTHORIZED to issue checks on the funds as follows and to forward them to:

Virginia Auction Company, Inc., auction fee		\$5,250.00
City of Hampton, Virginia		\$ 5,796.55
Attorney's fees	\$ 5,250.00	
Reimbursed title search fees	\$ 143.00	
Reimbursed advertising fees	\$ 228.55	
Reimbursed grantor's tax, recording fee	\$ 175.00	
Subtotal	\$ 5,796.55	
Real Estate Taxes and fees owed to the City of Hampton		\$10,967.14
Surplus proceeds to be held pursuant to Va. Code § 58.1-3967		\$35,911.31
TOTAL DISBURSEMENTS:		\$57,925.00

ENTERED this 1st day of October, 2016.

William H. Brown
JUDGE

I ask for this:

Brandi A. Law
Brandi A. Law (VSB# 76961)
Senior Assistant City Attorney

Lola Rodriguez Perkins (VSB# 46433)
Senior Deputy City Attorney

Patricia Melochick (VSB# 80694)
Senior Deputy City Attorney

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Senior Assistant City Attorney

22 Lincoln Street
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Counsel for Plaintiff

I certify that the document to which
this authentication is affixed is a
true copy of an original record in
the Hampton Circuit Court, that I
have the custody of the record and I
am the custodian of that record.

Linda Batchelor Smith, Clerk
By Cornelia Schmitt
Deputy Clerk