

Notice of Intention to Sell Municipal Land

On May 11th, 2016 the Delinquent Tax Collector of the Town of Cavendish did faithfully perform his duty to conduct a tax sale in conformance with VSA 32 §5251, et seq on property identified as Cavendish Parcel #1V20-217 and located at 723 Main Street, Proctorsville, Vermont which was owned by Melissa K. Rota, Trustee of The Nancy K. Horahan Revocable Trust and which then had taxes, municipal utility fees, penalties, interest, fees and costs owing since the year 2010 in the total amount of \$22,904.78. At said tax sale, no party bid on the subject property other than the Town itself with that bid being the exact amount of then delinquent taxes, interest, advertising, fees and costs. The taxpayer was sent a copy of the Report of Tax Sale at her last known address. On May 11th, 2017, hearing and seeing no evidence of any attempt at redemption of said property, the Delinquent Tax Collector declared the property as not having been redeemed per 32 VSA §5260 and, therefore, the Collector of Delinquent Taxes did cause a Tax Collector's Deed to be prepared and duly executed with said deed transferring title to the Town of Cavendish consistent with 32 VSA §5261. Said Tax collector's Deed was executed on June 20th, 2017 and received for recording in the Town on June 20th, 2017.

The Delinquent Tax Collector discussed the property acquisition with the Board of Selectmen and, acting in his capacity as Town Manager, did advise said legislative body that the thus acquired property was not necessary for town purposes and that it should be disposed of in a manner which would recoup all tax sale expenses, subsequent taxes, utility fees, penalties, interest and expenses which accrued beyond those included in the May 11th, 2017 tax sale as well as all other expenses incurred by the town in dealing with this property. The Board of Selectmen discussed this matter in public session on May 26th, 2017 and authorized the Manager to act as agent for the legislative body to take those actions necessary to convey the subject property.

Now comes the Select Board of the Town of Cavendish, through their authorized agent Brendan McNamara, with prospects for the sale of said property. The total anticipated proceeds from such sale are expected to slightly exceed the total of costs itemized below:

1. Tax Sale Amount
2. Cavendish real estate taxes, municipal utility fees, interest and penalties which have occurred and accrued after the tax periods which were the subject of the May 11th, 2017 tax sale.
3. All costs of having the property made ready for sale which were incurred by the Town.
4. Any real estate commission and costs incurred in the sale of the property and the costs of advertisement pertaining to the Town's intended sale of the property.
5. Current year taxes pro-rated to the date of closing.
6. Closing costs.

The Select Board proposes that the proceeds from the sale of the property reimburse the Town for all of the expenses above and that any amount of net proceeds in excess of this total, if any, be disbursed to Melissa K. Rota, Trustee of The Nancy K. Horahan Revocable Trust, as previous owner of record and the delinquent taxpayer at the time of tax sale, in accordance with VSA 32 §5259 and precedence set in *Bogie v. Town of Barnet* (1970) 129 Vt. 46, 270 A.2d 898.

Be it known that the subject property has liens placed upon it by creditors which are not extinguished or otherwise nullified by the Town's ownership or conveyance.

In compliance with the requirements of VSA 24 §1061, the Town of Cavendish, by Brendan McNamara, duly authorized agent on behalf of the Town of Cavendish legislative body, has caused a notice of proposed conveyance to be hereby properly posted and advertised. The postings have been accomplished at the three official Town posting places including the Clerk's office and the Town of Cavendish website as of September 15, 2017. The advertisements will occur in the Vermont Journal, the Town's official newspaper of advertisements, with publication dates scheduled for September 20th and September 27th, 2017. Conveyance of the subject property will not occur until after October 20th, 2017.

If a petition signed by 5% of the legal voters of the Town of Cavendish objecting to this sale is presented to the Town Clerk within 30 days of the date of the posting and publication of this notice, then the Town will cause the question of whether to convey this property to be considered at a special or annual meeting called for that purpose.

Town of Cavendish dated September 15th, 2017