

Auction Property 3

VIRGINIA: IN THE CIRCUIT COURT OF THE COUNTY OF ROANOKE

COUNTY OF ROANOKE, VIRGINIA,)	
Complainant,)	
)	
vs.)	Case No. CL20-353
)	
JANICE P. BONNIWELL, et al,)	
Respondents.)	

OFFER OF PURCHASE

Having been advised by Mark D. Kidd, Special Commissioner, that he is authorized to solicit bids on behalf of the Court for the sale of the property made the subject matter of this cause, described as Roanoke County Tax Map Parcel No. 060.20-07-15.00-0000, I hereby offer on this 24th day of September to purchase said property from the Court for the sum of \$_____. **I acknowledge this purchase price includes a five percent (5%) bidder’s premium.**

I understand that the property is strictly sold “AS IS,” “WHERE IS,” and “WITH ALL FAULTS;” and that this offer is subject to the approval of the Court. I acknowledge that if this offer is approved and the sale is confirmed by the Court, I will receive a deed with Special Warranty of Title. No warranty of any other type is made. I further acknowledge that a hearing to confirm the sale is scheduled for the October 14th, 2021, at 10:00 a.m., before The Honorable Judge James R. Swanson of the Circuit Court for the County of Roanoke, Virginia. I understand that this offer may not be withdrawn by me without leave of Court. I shall tender full payment of the purchase price, in cash or certified funds, to the Special Commissioner within fifteen (15) days following the entry of the Court’s Decree confirming the sale.

I understand that this property is being sold subject to any easements, covenants, agreements, restrictions, reservations, and any and all rights of record which may affect the property. I purchase this property subject to the foregoing and without grounds for objection to confirmation of the sale on that basis.

I understand that I will be responsible for any current real estate taxes on this parcel from
{00325325-1 }

the date of the auction, September 24, 2021 which shall be prorated. I acknowledge that I am solely responsible for paying any recording costs for deed recordation without offset to the purchase price.

If I fail to tender the full purchase price in cash or certified funds to the Special Commissioner within fifteen (15) days of confirmation of the sale by the Court, I shall be in default. The Special Commissioner, at his sole option and discretion, shall have the election to:

(A) Retain my deposit, void my rights under this Offer of Purchase and void my purchase of the property. The Special Commissioner may then resell the property pursuant to further order of the Circuit Court; or

(B) Retain the deposit and bring an action against me for the specific purpose to compel me to complete the purchase of the property, with discretion in the Court to award attorney fees and costs of suit against me.

Please Print Name

Please Sign Name

Street

City / State / Zip

Telephone

Email

CERTIFICATE

I hereby acknowledge receipt of a bidder's deposit of \$ _____ in the form of _____.

Special Commissioner

RECIPIENT: Mark D. Kidd, Esq.
Osterhoudt, Prillaman, Natt, Helscher, Yost, Maxwell & Ferguson PLC

RECIPIENT'S CASE NO: Unknown

INSOFAR AS THE RECORDS AND INDICES ARE PROPERLY KEPT, TITLE TO THE BELOW DESCRIBED PROPERTY IS VESTED OF RECORD IN:

Janice P. Moses Bonniwell

DERIVATIVE INFORMATION: The subject property was originally conveyed by deed from Edward Davis Saunders and Ruby C. Saunders, husband and wife, to Earl Arthur Ponting and Mary Frances Ponting, husband and wife, dated October 2, 1950, recorded in/as Deed Book 446, page 463.

Subsequent to this acquisition, Earl Arthur Ponting and Mary Frances Ponting were divorced thereby vesting each of them with a ½ undivided interest in the subject property.

Mary Frances Dunman Ponting Ferris died testate on April 18, 2002. Her will probated in the name of Mary F. Ferris is recorded as Instrument No. WF 200200226. Under this will, the ½ undivided interest of Mary Frances Dunman Ponting Ferris was made a part of her residuary estate and her will authorized her Executrix to sell any real estate.

Earl Arthur Ponting and Sarah Ponting, his wife, conveyed a 1/6 undivided interest (1/3 of his ½ undivided interest) to his daughter, Janice P. Moses Bonniwell, by Deed of Gift dated September 14, 2004, recorded as Instrument No. 200507441. Earl Arthur Ponting and Sarah Ponting, his wife, conveyed the remaining 2/6 undivided interest (the remaining 2/3 of his ½ undivided interest) to his son, James F. Ponting, by Deed of Gift dated September 14, 2004, recorded as Instrument No. 200507442.

James F. Ponting and Nadine S. Ponting, his wife, conveyed his 2/6 interest in the ½ undivided interest of his father to his sister, Janice P. Moses Bonniwell, by Deed of Gift dated September 15, 2004, recorded as Instrument No. 200507443. By virtue of this deed, Janice P. Moses Bonniwell was then vested with the full ½ undivided interest of her father, Earl Author Ponting, in the subject property.

Janice P. Moses Bonniwell, Executrix under the will of Mary F. Ferris, conveyed the ½ undivided interest of Mary Frances Dunman Ponting Ferris to Janice P. Moses Bonniwell by deed dated September 17, 2004, recorded as Instrument No. 200507444. Please note that James F. Ponting and Patricia Ponting Hanna executed this deed to ratify their consent of this sale to their sister, Janice P. Moses Bonniwell. By virtue of this deed, Janice P. Moses Bonniwell was then vested with the full fee title to the subject property.

THE PROPERTY LIES IN THE COUNTY OF ROANOKE, VIRGINIA. Recordation references are to the Clerk's Office of the Circuit Court thereof unless otherwise stated.

BRIEF LEGAL DESCRIPTION:

Lots 10, 11 and 12, Section 5, Pedigo Addition as shown on the plat thereof recorded in Plat Book 1, page 21.

NOTE: See the above referenced deeds for a more complete description of the subject property.

DEEDS OF TRUST: (X) NONE

JUDGMENTS:

Dated March 13, 2008, docketed April 1, 2008, in/as Judgment Lien No. 200800681 rendered in favor of Carilion Medical Center against Janice P. Moses and Bruce Bonniell {sic}

Dated April 3, 2008, docketed April 22, 2008, in/as Judgment Lien No. 200800848 rendered in favor of Carilion Healthcare Corporation against Janice P. Moses and Bruce Bonniell {sic}

Dated April 26, 2010, docketed July 20, 2010, in/as Judgment Lien No. 201001518 rendered in favor of Anesthesiology Consultants of Virginia Inc. against Janice E. Moses and Bruce Bonniwell

JUDGMENTS & FEDERAL LIENS HAVE BEEN CHECKED IN THE NAME OF THE FOLLOWING PURCHASER(S):

Not applicable – delinquent tax sale

FINANCING STATEMENTS: (X) NONE

TAX & ASSESSMENT INFORMATION:

Assessed Owner: BONNIWELL Janice P Moses

Assessed Description: Lt 10 11 & 12 Sec 5 Pedigo Add

Tax Map/ID# 060.20-07-15.00-0000

Land \$ 25,300 **Improvements \$** 52,900 **Total \$** 78,200

Annual Amt \$ 852.38 **Taxes Payable on:** June 5 and December 5 of the calendar year

Taxes Paid Thru: 1st half of calendar year 2018 (06-30-18)

Delinquent Taxes: 2nd half calendar year 2018 and all of calendar year 2019

Taxes a Lien, Not Yet Due: Calendar year 2020 (1st half due 06-05-20)

Town Taxes, Exemptions, Rollback, Supplementals, Stormwater Fees, Etc: Stormwater utility fee **AND** Vinton Town taxes (delinquent for 2nd half calendar year 2019)

Property Address (not warranted): 920 Bedford Road

NOTE: The above information is based upon the data shown on the printout obtained from the Tax Computer located in the Clerk's Office. The above information is subject to confirmation by the Treasurer's office.

NOTE: The above information is based upon the 2019 tax assessment as the 2020 assessment has not yet been posted to the tax computer.

RESTRICTIONS AND/OR DECLARATIONS: (X) NONE

DEEDED EASEMENTS: (X) NONE

ITEMS SHOWN ON PLAT OF SUBDIVISION of Pedigo Addition recorded in/as Plat Book 1, page 21: None

ITEMS SHOWN ON OTHER PLATS OF RECORD as follows: None

ACCESS:

- Public street(s) named: Bedford Street and Cottage Street
- Appurtenant easement created by Deed Book & Pg./Inst. No.:
- Road Maintenance Agreement in Deed Book & Pg./Inst. No.:

OTHER MATTERS:

1. The research for this title report began with the deed from Edward Davis Saunders and Ruby C. Saunders, husband and wife, to Earl Arthur Ponting and Mary Frances Ponting, husband and wife, dated October 2, 1950, recorded in/as Deed Book 446, page 463. The research for this report covers a period of approximately 69 years.
2. All derivatives of the name Janice Ponting Moses Bonniwell have been researched. All derivatives of the name Mary Frances Dunman Ponting Ferris have been researched. Both names of Patricia Mae Ponting and Patricia Mae Ponting Hanna have been researched.
3. Possible rights of parties in possession under unrecorded leases. Please note that the tax tickets on this property are being sent to the current owner at an address different from the property address indicating that she does not live in the property.
4. Such state of facts as would be disclosed by a current survey and physical inspection of the subject property.

BACK TITLE INFO: Exact Full Limited None X

Policy/Case #

EFFECTIVE DATE: January 31, 2020 @ 8:00 A.M.

This report consists of 3 pages.