

# **NOTICE OF LEVY AND SALE OF REAL ESTATE**

## **Connecticut General Statutes § 12-155, et seq.**

The tax collector of the following municipality has levied upon the real estate identified below and slated it for public auction to satisfy delinquent taxes and/or other charges owed by its record owner(s) for this and/or other property. If you received this notice by mail, it is because you are listed in the land records as being or representing an owner, lienholder, or other encumbrancer of the property to be auctioned, or may claim to be, or are a member of the public who requested it.

**LEVYING MUNICIPALITY:** Town of Plainfield and Moosup Fire District

**DELINQUENT TAXPAYER:** TD Development LLC

**ADDRESS OF REAL ESTATE:** ±0.29 acres on Union St, 45 Union St, 53 Union St, and 57 Union St; ±0.54 acres on River St; ±0.07 and ±0.13 acres on Roy St; ±0.16 acres on Plainfield Road and ±2.3 acres on Plainfield Road; ±0.26 acres on South Main St, ±0.29 acres on South Main St, 95 South Main St, 100 South Main St, and 101 South Main St, Plainfield CT

**PROPERTY BOUNDARIES:** See Assessor Map 01M Block 0065 Lots 0001, 0002, and 009B; Map 01M Block 0096 Lots 0001, 001A, 0005, 0006, 0007, 0017, and 0018; Map 01M Block 0097 Lots 0095 and 0096; Map 01M Block 096B Lots 0005 and 0007

These are citations to publicly-available documents identifying the boundaries of the property to be auctioned. The Levying Municipality does not guarantee their accuracy. In the event of a discrepancy between the boundaries identified in the cited documents and the property actually owned by the Delinquent Taxpayer at the time of the original assessment, the latter will control for the purposes of this notice.

**TIME AND PLACE OF SALE:** 10:00 a.m. on March 5, 2019  
Plainfield Town Hall, 8 Community Avenue, Plainfield CT

**TOTAL AMOUNT DUE:** \$116,617.37 through November 30, 2018

This is not a “payoff” figure, and paying this amount will not stop the sale. As required by law, this figure includes only interest and charges through the end of last month. Additional taxes, interest, fees, and other charges authorized by law accruing after the last day of the month immediately preceding this notice are owed in addition to the amount indicated as due and owing in this notice, and a jeopardy acceleration of actual or estimated subsequent installments of the current and/or next grand list year may also have occurred. All of these amounts must be paid to satisfy the delinquency and stop the auction process. For current payoff information in order to stop the sale, call 203-330-2230 or e-mail [ajc@pullcom.com](mailto:ajc@pullcom.com).

**SURVIVING ENCUMBRANCES:** This property will be sold “free and clear” to the winning bidder subject only to: (1) taxes and water/sewer charges laid by the levying municipality which were not yet due and payable at the time of the levy, which is the date accompanying the signature on the first notice of this sale filed in the land records, except as are recovered from the sale; (2) the accrued taxes and water/sewer charges of any other governmental authority against this property; (3) any federal lien recorded until 30 days before the date which is six months after the auction date, except as extinguished pursuant to federal law; (4) easements, covenants and restrictions in favor of other parcels of land predating the time of the levy; (5) solely to the extent any of the delinquencies identified above was assessed on property other than the property to be sold, all encumbrances perfected before this notice was recorded; (6) interests exempt from levy and sale under the Constitution and laws of the United States; (7) the interest of any person or such person’s predecessors in title for whom notice of the sale was not sent as required by law, and who had a right to such notice, and who did not in fact know of it within six months thereafter; (8) any monetary encumbrance recorded between December 11, 2018 and the date the first notice of this sale was filed in the land records, unless its holder is notified of the tax sale as required by law or in fact knew of it within six months thereafter; and (9) any other interest not foreclosed by this tax sale procedure under state law.

**PERSONS TO WHOM THIS NOTICE IS SENT:** The following persons are, or may claim to be, or may represent, the known holders of choate interests which will be affected by the sale. Absent payment in full before the auction or valid redemption within six months thereafter, the respective titles, mortgages, liens, restraints on alienation, and other encumbrances in this property in favor of all persons with actual or constructive notice thereof shall be extinguished.

TD Development LLC 720 Eagle View Court Mason, OH 45050	TD Development LLC c/o Law Office of Hide W. Inga LLC, Reg. Agent 139 Whitney Street, Suite One Hartford, CT 06105	Stuart Norman, Jr., Esq. 19 Slater Avenue Jewett City, CT 06351
Ethan Broatch 6 Far Hills Drive Avon, CT 06001	Ethan Broatch 931 Wapping Road Portsmouth, RI 02871	Duncan S. Broatch 43 Parker Avenue Newport, RI 02840
Wood and Bricks, LLC 450 Rainbow Beach Road Neenah, WI 54956	Wood and Bricks, LLC c/o Paul R. Erickson, Reg. Agent 735 N. Water Street, Suite 1400 Milwaukee, WI 53202	Fuss & O’Neill, Inc. 146 Hartford Road Manchester, CT 06040
Strategic Environmental Services, Inc. 362 Putnam Hill Road Sutton, MA 01590	Strategic Environmental Services, Inc. c/o Alisa Seeley, Reg. Agent 128 Wildcat Road Burlington, CT 06013	Fuss & O’Neill, Inc. c/o Cogency Global, Inc., Reg. Agent 53 Pamela Drive Milford, CT 06460
Connecticut Dept. of Energy and Environmental Protection 79 Elm Street Hartford, CT 06106	Connecticut Attorney General 55 Elm Street Hartford, CT 06106	

## AUCTION NOTICES

The auction will proceed as stated unless the total delinquency (including all principal, interest, charges, fees, expenses, and jeopardy accelerations) is paid in full by a record owner or encumbrancer, except as otherwise ordered by a court. **Postponements will NOT occur because an owner or encumbrancer requests it, makes a partial payment, or arranges a private sale of the property.** The auction will be open to the public, and anyone other than a record owner or encumbrancer may submit a bid in accordance with the rules stated herein and at the auction.

The property will be sold “as is” in all respects. It is now and will remain subject to all applicable laws, ordinances, rules, and regulations including but not limited to those related to planning, zoning, wetlands, health, building, safety, and the environment. Absolutely no guarantees are made as to the degree to which the property is or is not buildable, habitable, landlocked, contaminated, worth the purchase price, or suitable for any purpose, or as to the accuracy of any description, characterization, acreage, ownership, encumbrances, or addresses provided, or that the property or its title are marketable or insurable before or after the sale.

Interested bidders must attend the sale in person or by representative, bring government-issued identification, tender a deposit of \$5,000.00 in cash or certified funds payable to “Pullman & Comley, Trustee,” and complete the provided registration form. No owner, nonmunicipal lienholder, or encumbrancer of this property may bid on it. The successful bidder must pay the balance of the sale price within five (5) calendar days thereafter or forfeit the deposit; after such a renege in the tax collector’s discretion, the second-highest bid and then other junior bids might then be accepted. The municipality retains the right to rescind the auction as it deems necessary. Otherwise, title will pass to the purchaser six months after the auction except as otherwise provided by law, unless a record owner or encumbrancer validly redeems by paying the delinquency in full as increased pursuant to law. If there has been no bidder or the amount bid is insufficient to pay the amount due, the collector may accept a lower bid, or sell the property to the municipality in exchange for such amount in lieu of a deposit and bid.

If redemption does not take place by the date six months after the auction and in the manner provided by law, the delinquent owners and all mortgagees, lienholders and other record encumbrancers who have received actual or constructive notice of the sale as provided by law, as well as all persons claiming interests which either are inchoate or postdate the recording of notice of the sale in the land records, are hereby notified that their respective titles, mortgages, liens, restraints on alienation, and other encumbrances in the property shall be extinguished. This means you could permanently lose your rights in the property unless the debt is paid in full no later than six months after the auction. You are advised to consult an attorney to determine your rights and obligations. **Procedural and payoff inquiries should be directed to Adam J. Cohen, Esq. at Pullman & Comley, LLC, 850 Main Street in Bridgeport, CT 06604, (203) 330-2230 or [ajc@pullcom.com](mailto:ajc@pullcom.com).**

By: \_\_\_\_\_  
Adam J. Cohen, Esq., Municipal Counsel      date

**THIS COMMUNICATION IS FROM A DEBT COLLECTOR. THIS IS AN EFFORT TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.**