# **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 are a member of the public who requested a copy.

| LEVYING MUNICIPALITY:   | Town of Newington, Connecticut  |
|-------------------------|---|
| DELINQUENT OWNER:       | F. W. Kowal and Sons, Inc. c/o Frank W. Kowal, Jr.<br>25 Webster Court<br>Newington, CT 06111 |
| ADDRESS OF REAL ESTATE: | 23 Brooks Edge Drive, Newington, Connecticut  |
| TIME AND PLACE OF SALE: | 10:00 a.m. on April 11, 2013<br>Newington Town Hall<br>131 Cedar Street, Newington CT 06111   |

#### **TOTAL AMOUNT DUE:** \$10,021.20

This is <u>not</u> a "payoff" figure. As required by law, this total includes only interest and charges through **December 31, 2012,** the end of last month. However, additional taxes, interest, fees and other charges authorized by law accruing after the last day of the month immediately preceding the notice will be added to the amount indicated as due and owing. This may include a jeopardy acceleration of the actual or estimated subsequent tax and water/sewer installments of the current and/or next grand list year. All of these amounts must be paid to satisfy the delinquency and stop the auction process. Call (203) 330-2230 for current payoff information.

#### 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; (2) the accrued taxes and water/sewer charges of any other governmental authority with the power to tax 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; (5) solely to the extent any of the delinquent taxes were assessed on property other than the property to be sold, all encumbrances recorded before this notice was recorded; (6) interests exempt from levy and sale under the Constitution and laws of the United States; and (7) any other interest not foreclosed by this tax sale procedure under state law.

# **RECORD OWNERS AND ENCUMBRANCERS TO WHOM THIS NOTICE IS SENT:**

| F. W. Kowal and Sons, Inc. | F. W. Kowal and Sons, Inc.          |
|----------------------------|-------------------------------------|
| c/o Frank W. Kowal, Jr.    | c/o Frank W. Kowal, Jr., Reg. Agent |
| 25 Webster Court           | 566 New Britain Avenue              |
| Newington, CT 06111        | Newington, CT 06111                 |

LEGAL DESCRIPTION OF PROPERTY TO BE AUCTIONED: The following legal description is taken from the land records with no guarantee of accuracy. In the event of a discrepancy between this description and the property actually owned by the Delinquent Owner, the latter will control.

All that certain piece or parcel of land in the Town of Newington, County of Hartford, and State of Connecticut, consisting of  $\pm 0.11$  acres identified on Newington Assessor's Map 33 at Block 47 as Lot 7 and further identified as tax account #K1654506. Reference may be made to Map No. 2570 on file in the Newington Town Clerk's Office.

## **AUCTION NOTICES**

The auction will take place as stated above unless the total delinquency (including all taxes, charges, interest, fees, and expenses) is paid in good funds by an owner or encumbrancer of record, or unless the tax collector chooses to adjourn the sale to another date, time, or place for legal reasons (postponements will not occur at the request of an owner or encumbrancer). The auction will be open to the public, and any member of the public other than a record owner, lienholder, 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 not guaranteed buildable under current zoning regulations, and any improvements are not guaranteed habitable. The property may be subject to rights, restrictions, easements, and covenants as of record may appear, as well as building lines, if established, all applicable laws, ordinances, or governmental regulations or rules including but not limited to zoning regulations, Inland-Wetlands Act and regulations, state Health Code and regulations, Solid Waste Disposal Act and regulations, and the environment. Absolutely no representations whatsoever are made as to the character, quality, usability, accessibility, value, or suitability of the property or any interests therein, or the accuracy of the legal description, acreage, encumbrances, or addresses stated.

Interested bidders MUST attend the sale in person or by representative, bring governmentissued identification, provide a social security number or federal employer ID number, and tender a deposit of \$5,000.00 in cash or certified funds payable to "Pullman & Comley, Trustee" at the time of the auction. The successful bidder must pay the balance of the sale price within five (5) days thereafter or forfeit this deposit; in the tax collector's discretion, the second-highest bid might then be accepted. Title will pass to the purchaser six months after the auction unless an owner or encumbrancer of record redeems the debt by paying the total delinquency plus 1.5% per month interest on the winning bid, which will be transmitted to the purchaser. If redemption does not take place by the date six months after the auction and in the manner provided by law, the delinquent owner and all mortgagees, lienholders and other record encumbrancers who have received actual or constructive notice of such sale as provided by law, are hereby notified that their respective titles, mortgages, liens and other encumbrances in such property shall be extinguished. This means you could permanently lose your interest in the property unless the taxes, charges, interest, attorney's fees, and collection expenses are paid in full before the auction or within six months thereafter.

You are advised to consult an attorney to determine your rights and obligations with respect to the tax sale. 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.

By: \_\_\_\_

Adam J. Cohen, Esq., Municipal Counsel date

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

ACTIVE/75357.1/AJC/3894834v1