NOTICE OF UNITED STATES MARSHALS SALE Under the authority and direction of 28 U.S.C. §§ 2001 and 2002, the property described below will be sold pursuant to an Order of Sale entered August 18, 2010 (Docket # 52), in Ausilio v. United States, Case no. 2:08-cv-12988, in the United States District Court for the Eastern District of Michigan.

Date: November 22, 2010

Time: 12:00 noon

Location: 37502 Fiore Trail, Clinton Township, Michigan 48036

Inspection: The property will be open for public inspection on November 15, 2010 at 12:00 noon to 4:00 p.m.

Property offered for sale:

Lot 56, VILLA DI FIORE NO. 2, according to the plat thereof as recorded in liber 77, pages 32 through 36 inclusive of Plats, Macomb County Records. Commonly known as: 37502 Fiore Trail, Clinton Township, Michigan 48036

Tax Parcel ID # 11-20-453-001

Minimum Bid: $120,000

The terms and conditions:

The sale of the property shall be free and clear of all rights, title, and interest of all parties to the District Court action, namely (i) the plaintiff Ronald B. Ausilio, as personal representative of the Estate of John S. Ausilio, and as trustee of the John S. Ausilio and Genevieve T. Ausilio Revocable Trust dated 12/5/05; (ii) the defendant the United States of America; (iii) the third party defendants Sherry Lynn Ausilio, John V. Ausilio, and Marie Meyer, as trustees of the John S. Ausilio and Genevieve T. Ausilio Revocable Trust dated 12/5/05; (iv) the third party defendant Christian Bros. Plumbing, Heating, Sewer Cleaning, Inc., and (v) the third party defendant S&C Lawn & Landscape LLC. The sale shall be subject to building lines, if established, all laws, ordinances, and governmental regulations (including building and zoning ordinances) affecting the property, and easements and restrictions of record, if any. The successful bidder(s) shall be required to deposit at the time of the sale with the United States Marshal or his representative a minimum of ten percent of the bid, with the deposit to be made by certified or cashier's check or cash payable to the United States Marshals Service. Before being permitted to bid at the sale, bidders shall display to the United States Marshal or his representative proof that they are able to comply with this requirement. No bids will be received from any person(s) who have not presented proof that, if they are the successful bidders(s), they can make the deposit required by this order of sale. The balance of the purchase price for the property is to be paid within 21 days after the date the bid is accepted, by a certified or cashier's check payable to the United States Marshals Service. If the bidder fails to fulfill this requirement, the deposit shall be forfeited and shall be retained to cover the expenses of the sale, including commissions due under 28 U.S.C. § 1921(c). The subject property shall be again offered for sale under the terms and conditions of the order of sale. The United States may bid as a credit against its judgment without tender of cash. The sale of the property shall be subject to confirmation by the District Court. On confirmation of the sale, the United States Marshal shall execute and deliver a quitclaim deed conveying the property to the purchaser. On confirmation of the sale, all interests in, liens against, or claims to, the property that are held or asserted by all parties to the District Court action shall be discharged and extinguished. The sale is ordered pursuant to 28 U.S.C. § 2001, and is made without right of redemption. Forms of Payment: All payments must be by certified or cashier's check or cash payable to the United States Marshals Service.

Contact:

Diane Mack, Deputy
United States Marshals Service
526 Water St., Rm 103A
Port Huron, MI 48060
(810) 982-2422 or (313) 215-9188