V I R G I N I A

IN THE CIRCUIT COURT OF

\*

Complainant \*

\*

v. \* Case No. \_\_\_\_\_\_\_\_\_\_\_

\*

\*

Defendant \*

***CREDITOR'S BILL OF COMPLAINT***

COMES NOW the complainant, by counsel, and in support of this Bill of Complaint states as follows:

1. On , in the case styled , Law No. , in the County Circuit Court, com­plainant was awarded a judgment against defendant in the principal amount of $ plus interest at % per annum from through (copy of the Judgment Order is attached as Exhibit A).

2. Defendant owns real property as is more particularly described below (hereafter the property):

3. According to the land records of County, Virginia, the property is encumbered by a first deed of trust made and executed on by conveying the property to the trustees and securing in the principal sum of $ , with said deed of trust being recorded in Deed Book at Page .

WHEREFORE, complainant requests the Court that it:

A. Appoint a Commissioner in Chancery, directing said Commissioner to inquire and report to the Court as to the following:

1. verification of the rightful owners of the property;

2. an accounting of any and all taxes owed on the property;

3. determination of any and all liens of record which are binding on the property, and the amount of each, their priority and notification to all such lienholders;

4. determination that the rents and profits, if any, of the property will not satisfy the judgment in five years;

5. ascertainment of the fair market value of the property;

6. the reasonable fee to be paid to counsel; and

7. any and all other matters deemed pertinent by said Commissioner.

B. After a full inquiry and reporting of the matters set forth in paragraph A above, appoint a Special Commissioner with the authority, after first giving due notice of the time and place to all interested parties, to partition or otherwise sell or dispose of the property, with the proceeds of such sale, after deducting all expenses of sale, to be used to satisfy the claims of the complainant.

C. Award complainant such further relief as it shall consider just and equitable.

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Counsel for the Complainant