

[illegible]

Hon. _____, Judge

Fair Market value of the premises entered pursuant to Affidavit and Report of Appraiser _____ filed on _____, as set forth below:

Total debt found to be \$ _____ pursuant to the Updated Calculation of Debt
filed _____.

Appraiser's fees: \$
Attorney's fees: \$
Title Search fee: \$

Appraiser: _____.

DRAFT ORDER AND STANDING ORDER VERSIONS WITHOUT WEBPOST INFO.

Return of appraiser: per Standing Orders.

Sale Date: _____ at 12:00 p.m. on the premises.

Inspection: per Standing Orders.

Deposit in the amount of: per Standing Orders.

Advertisement: _____ on the 2 successive Fridays immediately preceding the sale (/ / & / /).

Sign (3' x 2'): per Standing Orders.

The committee shall not incur fees or expenses until 45 days prior to sale per Standing Orders.

Plaintiff may fax its bid to the committee.

Plaintiff is to send to the Defendants notice via regular and certified mail with return receipt to be filed with the Court.

STANDING ORDERS

1. Committee will be appointed by the Court from a list of approved attorneys maintained by the clerk's office. The committee should only be on the court list where their principal office is located. This appointment is an individual appointment. Appointment requirements include participation in the foreclosure committee mentoring program.
2. The committee is to familiarize themselves with the *Uniform Procedures for Foreclosure by Sale Matters* (JD-CV-81) and the committee shall use court approved forms where applicable.
3. Sale will take place at 12:00 noon on the premises.
4. Inspection will occur from 10:00 a.m. to 12:00 noon on the date of sale unless otherwise designated.
5. The deposit is 10% of the fair market value as found by the Court. The deposit is waived for the plaintiff unless requested otherwise. The deposit shall not be waived for any other party. The deposit is to be paid by either bank or certified check. The committee shall collect the deposit instrument from the potential bidder at the time the bidder registers to bid. Purchaser is to close within 30 days of the Court's approval of the committee deed. The deposit shall be forfeited if the purchaser fails to close within 30 days of the approval of the committee deed.
6. Advertisement is to be published twice in a newspaper as directed by the Court.
7. The sign is to be placed on the premises not less than 20 nor more than 30 days prior to the sale. The committee is not required to place a sign where the subject property is a condominium.
8. The size of the sign is to be 3 feet wide and 2 feet high and must contain the following statement:
DO NOT REMOVE; VIOLATION SUBJECT TO PUNISHMENT BY THE COURT.
9. Cost of the sign is not to exceed the amount authorized by the Court including preparation, erection and photograph for inclusion in committee report.
10. Committee is authorized to replace the sign once without court approval, provided the sign can be erected at least ten days prior to the sale. **DO NOT ERECT THE SIGN YOURSELF.**
11. A disinterested appraiser will be appointed and will, under oath, appraise the property and make return of the appraisal to the Clerk of the Court at least seven days prior to the sale. The Court will appoint this appraiser from an approved list.
12. Committee is to obtain liability insurance for the date of the sale in the amount of \$1,000,000.00. The premium shall not exceed \$250.00.
13. Except for filing an appearance, if the sale is more than two months in the future, the committee should incur no fees or expenses until 45 days prior to the sale. The committee shall obtain a title search of the subject property immediately upon commencement of the period that they can incur expenses.
14. If the sale is cancelled for any reason after publication or erection of the sign, a written announcement of cancellation should be posted at the property location. The committee is to remain on site in that event for a reasonable period of time.

DRAFT ORDER AND STANDING ORDER VERSIONS WITHOUT WEBPOST INFO.

15. The Plaintiff via certified mail, return receipt requested, is to send a letter per Court order to the nonappearing defendant owner of the equity, which must contain the following: A.) Clearly state at the beginning that the letter is being sent at the direction of the Court; B.) State the results of the foreclosure judgment; C.) Inform the nonappearing equity owner that he/she/they risk loss of the equity if he/she/they fail to take steps to protect that equity **AND THAT HE/SHE/THEY SHOULD CHECK WITH THE COURT AFTER THE SALE TO LEARN IF THERE IS ANY MONEY THAT IS DISTRIBUTABLE TO HIM/HER/THEM**; D.) State that the nonappearing party should either file his/her own appearance or have an attorney file one on his/her behalf in order to protect his/her/their interest in the equity. A copy of the letter and the return receipt must be sent to the Clerk of the Court. **NO SALE WILL BE APPROVED OR FUNDS DISBURSED WITHOUT PROOF OF MAILING.**
16. The sale is subject to any and all liens choate and inchoate which are prior in right to the encumbrance being foreclosed.
17. The Plaintiff will provide the committee with the appraisal report no later than 2 weeks prior to the first posting date.
18. The Plaintiff, only, may submit a bid to the committee by fax on or before 5:00 p.m. the day before the sale. If the Plaintiff is the high bidder by fax, it is required to execute the *Bond for Deed* within 5 business days of the auction.
19. At the time judgment is entered, the Plaintiff shall provide a copy of the note for the court file.

By Order of the Court

_____, J.