**NORTH CAROLINA POWER OF SALE FORECLOSURE ABSTRACT - LONG FORM**

Special Proceeding No. \_\_\_\_\_\_\_\_\_\_ SP \_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ County, North Carolina

Deed of Trust Foreclosed (DTF): Book \_\_\_\_\_\_\_\_ Page \_\_\_\_\_\_\_\_

Abstracted by \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_

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| **OWNER/PROPERTY/INTEREST FROM VESTING INSTRUMENT(S)****OCCUPANCY, MILITARY STATUS AND BANKRUPTCY INFORMATION** |
| (a) **Owner** Owner of record at time of filing of notice of hearing:  Spouse, if any, if not an owner of record:  Owner of record at time of execution of DTF (if different):  Spouse, if any, if not an owner of record:  |
| (b) **Borrower**  🞎 Same as Owner of record at time of notice of hearing, or 🞎  |
| (c) **Property** (Attach copy of full legal description from vesting instrument) Street Address:  Brief legal:  Mobile/Manufactured home located on Property? 🞎 Yes 🞎 No  DMV title status:  Declaration of Intent of record in Register of Deeds? 🞎 Yes 🞎 No Book \_\_\_\_\_\_\_ Page \_\_\_\_\_\_\_ MVR-46G Affixation Affidavit of record in Register of Deeds? 🞎 Yes 🞎 No Book \_\_\_\_\_\_\_ Page \_\_\_\_\_\_\_ |
| (d) **Interest** 🞎 Fee Simple 🞎 Leasehold 🞎 Life Estate 🞎 Remainder 🞎 Other \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
| (e) **Occupancy (during foreclosure proceeding)** 🞎 Owner \_\_\_ (Primary Residence) \_\_\_ (Second Home) 🞎 Spouse of Owner \_\_\_ (Primary Residence) \_\_\_ (Second Home) 🞎 Tenant \_\_\_ (Verbal/Unrecorded Lease) \_\_\_ (Lease recorded Book \_\_\_\_\_ Page \_\_\_\_\_) \_\_\_ (Less than 15 residential tenants) \_\_\_ (15 or more residential tenants) \_\_\_ (Commercial tenants) 🞎 Vacant 🞎 Other  |
| (f) **Military Status (during foreclosure proceeding)** [**https://scra-w.dmdc.osd.mil/scra/#/home**](https://scra-w.dmdc.osd.mil/scra/#/home) **or** <https://scra.dmdc.osd.mil>  Owner: In military service within last 90 days? 🞎 Yes 🞎 No OR within last 9 months? 🞎 Yes 🞎 No OR within one year? 🞎 Yes 🞎 NoSpouse, if any, if not an owner of record: In military service within last 90 days? 🞎 Yes 🞎 No OR within last 9 months? 🞎 Yes 🞎 No OR within one year? 🞎 Yes 🞎 NoBorrower, if different than Owner: In military service within last 90 days? 🞎 Yes 🞎 No OR within last 9 months? 🞎 Yes 🞎 No DTF originated before period of mortgagor’s or debtor’s period of military service? 🞎 Yes 🞎 No Tenant: In military service within last 90 days? 🞎 Yes 🞎 No |
| (g) **Bankruptcy (during foreclosure proceeding)** [**http://pacer.psc.uscourts.gov/**](http://pacer.psc.uscourts.gov/) Owner: 🞎 Yes 🞎 No Borrower, if different than Owner: 🞎 Yes 🞎 No |
| (h) **Other** |

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| **Instrument or Process**CSC = Clerk of Superior Court ROD = Register of Deeds |  | **Defects, Irregularities, Missing Information, Curative Notes, Comments** |
| **(1) DEED OF TRUST FORECLOSED (DTF)** *Required ROD* |
| (a) **Date of instrument:**  |  |  |
| (b) **Recording date/time:** |  |
| (c) **Parties** |  |
| Grantor/Owner: |  |
| 🞎 All owners of record at time of execution of DTF named as grantors & instrument executed by all such owners & spouses |  |
| Borrower (if different than Grantor/Owner): |  |
| Trustee: |  |
|  Lender: |  |
| (d) **Property** |  |
| Brief legal description of property encumbered: (attach copy of full legal): |  |
| 🞎 Legal description of encumbered parcel matches description of same parcel in Vesting Instrument described above |  |
| All encumbered property located in one county? 🞎 Yes 🞎 No |  |
| (e) **Interest encumbered:** 🞎 Fee Simple 🞎 Leasehold 🞎 Other:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |  |
| (f) **Debt/Type of loan** |  |
| Amount: $ |  |
| 🞎 Debt/note properly identified |  |
| Future Advance Provisions? 🞎 Yes 🞎 No (GS 45-67 et seq.) |  |
| Construction? 🞎 Yes 🞎 No (GS 45-67 et seq.) |  |
| Reverse Mortgage? 🞎 Yes 🞎 No (GS 53-263 et seq.) |  |
| Negative Amortization or Rate Spread Home Loan?🞎 Yes 🞎 No [GS 45-101(3a)] (Applicable to foreclosure proceeding filed on or after 11/15/2008 and expires 10/31/2010) |  |
| Multiple Properties Encumbered - Cross-Collateralized?🞎 Yes 🞎 No (GS 45-21.9A) |  |
| Subprime Loan?: 🞎 Yes 🞎 No [GS 45-101(4)] (Applicable to foreclosure proceeding filed on or after 11/15/2008 and expires 10/31/2010) |  |
| Home Loan?: 🞎 Yes 🞎 No [GS 45-101(1b)] (Applicable to foreclosure proceeding filed on or after 11/15/2008.) |  |
| (g) **Specific provisions** |  |
| 🞎 Includes power of sale |  |
| Trustee’s Fee: $ |  |
| Provision indicating subordinate to another lien? 🞎 Yes 🞎 No |  |
| After-acquired property clause? 🞎 Yes 🞎 No (GS 47-20.5) |  |
| Note any specific provisions regarding foreclosure or sale requirements: |  |
| (h) **Other** |  |

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| **(2) INSTRUMENTS SPECIFICALLY RELATED TO DTF AFFECTING PROPERTY ENCUMBERED, PRIORITY, PARTIES ENTITLED TO NOTICE, PARTY ENTITLED TO FORECLOSE** |
| (a) Subordination, Non-disturbance Attornment Agreement? 🞎 Yes 🞎 No |  |  |
| (b) Release deed? 🞎 Yes 🞎 No |  |
| (c) Modification of DTF? 🞎 Yes 🞎 No |  |
| (d) Subordination Agreement? 🞎 Yes 🞎 No |  |
| (e) Assignment? 🞎 Yes 🞎 No |  |
| (f) Substitution of Trustee? 🞎 Yes 🞎 No (GS   45-10) |  |
| (g) Request for Notice? 🞎 Yes 🞎 No (GS 45-21.17A) |  |
| (h) Other |  |

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| **(3) OTHER MATTERS AFFECTING/POSSIBLY AFFECTING FORECLOSURE PROCEEDING** |
| (a) Other Deed of Trust? 🞎 Yes 🞎 No |  |  |
| (b) Lease & Modifications-Extensions? 🞎 Yes 🞎 No |  |  |
| (c) Right of First Refusal? 🞎 Yes 🞎 No |  |
| (d) Easement? 🞎 Yes 🞎 No |  |
| (e) Homeowner Association Dues? 🞎 Yes 🞎 No |  |
| (f) Transfer or reconveyance fees? 🞎 Yes 🞎 No |  |
| (g) Deed, Option or Contract to Purchase? 🞎 Yes 🞎 No |  |
| (h) Judgment? 🞎 Yes 🞎 No |  |
| (i) Lis Pendens? 🞎 Yes 🞎 No |  |
| (j) Federal Tax Lien? 🞎 Yes 🞎 No |  |
| (k) Mechanics’ or Materialmen’s Liens? 🞎 Yes 🞎 No |  |
| (l) Divorce? 🞎 Yes 🞎 No |  |
| (m) Marriage?  Yes 🞎 No |  |
| (n) Death/Estate? 🞎 Yes 🞎 No  |  |
| (o) Special Proceeding (Partition, Incompetency, etc.)? 🞎 Yes 🞎 No |  |
| (p) Other |  |

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| **(4) AFFIDAVIT(S) OF NOTEHOLDER [GS 45-21.16(c), GS 45-21.16(c1), GS 45-21.16C(a), GS 45-93, GS 45-102, GS 53-267 and GS 53-268]** *Required CSC* |
| (a) 🞎 Affiant \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ identified as current holder of note 🞎 States nature of default 🞎 States following amount due of principal, interests, fees and charges and includes daily interest charge $\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ 🞎 States maturity of debt accelerated 🞎 Confirms compliance with 30-day itemized debt notice/letter required under GS 45-21.16(c)(5a) 🞎 States whether there have been any requests for information by borrower to servicer pursuant to GS 45-93, compliance with such requests, or the expiration date for compliance (Applicable to foreclosure proceeding filed on or after 4/1/2008)  |  |  |
| (b) If loan secured by principal residence of debtor, 🞎 describes efforts made as required by GS 45-21.16C(a) to communicate with debtor, resolve default, and results of such efforts (Applicable to foreclosure proceeding filed on or after 10/1/2009) 🞎 Not Applicable |  |
| (c) If a reverse mortgage loan, 🞎 event of default is one authorized under GS 53-267 🞎 confirms borrower given not less than 90 days’ notice of intent to foreclose required by GS 53-268 (Applicable to foreclosure proceeding filed on or after 10/1/2009) 🞎 Not Applicable |  |
| (d) Other |  |

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| **(5) CERTIFICATION(S) OF NOTEHOLDER/TRUSTEE/FILING PARTY [GS 45-21.16(c2) & GS 45-107(a)] as to** **PRE-FORECLOSURE NOTICE FOR SUBPRIME (**foreclosure proceeding filed 11/15/2008 - 10/31/2010) **OR HOME LOAN (**foreclosure proceeding filed on or after 11/15/2008) **(AKA 45-DAY LETTER) (GS 45-102), and** **FILING WITH ADMINISTRATIVE OFFICE OF THE COURTS (GS 45-103)** *Required CSC* |
| (a) If a subprime loan on borrower’s principal residence, 🞎 confirms compliance with GS 45-102 – the 45-day pre-foreclosure notice for subprime loans (Applicable to foreclosure proceeding filed on or after 11/15/2008 and expires 10/31/2010) 🞎 confirms compliance with GS 45-103 - the pre-foreclosure notice to AOC for certain subprime loans (Applicable to foreclosure proceeding filed on or after 11/15/2008 and expires 10/31/2010) 🞎 Not Applicable |  |  |
| 1. If a home loan on the borrower’s principal residence (other than equity line or bridge loan or loan for other than personal, family or household purposes),

 🞎 confirms compliance with GS 45-102 – the 45-day pre-foreclosure notice. (Applicable to foreclosure proceeding filed on or after 11/1/2008) 🞎 confirms compliance with GS 45-103 - the pre-foreclosure notice to AOC (Applicable to foreclosure proceeding filed on or after 11/1/2008)🞎 Not Applicable |  |
| 1. Other
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| **(6) NOTICE OF HEARING [GS 45-21.16(c)]** *Required CSC* |
| (a) 🞎 Includes description sufficient to identify real property to be sold which property is encumbered by the DTF. Property to be sold: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |  |  |
| (b) Specifies following time and place for hearing: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |  |
| (c) 🞎 Describes DTF including date, original amount, original holder, and book and page |  |
| (d) 🞎 States nature of default |  |
| (e) 🞎 States maturity of debt accelerated |  |
| (f) 🞎 Includes right of debtor to pay/care default, if permitted |  |
| (g) 🞎 Confirms that within 30 days of Notice of Hearing, debtor was sent itemized written statement of all amounts due required under GS 45-21.16(c)(5a). |  |
| (h) 🞎 States whether there have been any requests for information by borrower to servicer pursuant to GS 45-93, compliance with such requests, or the expiration date for compliance (Applicable to foreclosure proceeding filed on or after 4/1/2008) 🞎 Not Applicable |  |
| (i) 🞎 States right of debtor (or other party served) to appear before clerk at specified date, time, location to show cause why foreclosure should not be allowed |  |
| (j) 🞎 States if uncontested, debtor does not have to appear and failure to appear will not affect right to pay indebtedness |  |
| (k) 🞎 States Trustee/Substitute Trustee is neutral party and cannot advocate for either party |  |
| (l) 🞎 States debtor’s right pursuant to GS 45-21.34 to apply to superior court judge to enjoin sale |  |
| (m) 🞎 States debtor’s right to appear at hearing and contest evidence |  |
| (n) States that to authorize foreclosure, clerk must find existence of 🞎 (i) valid debt & party seeking to foreclose is holder 🞎 (ii) default 🞎 (iii) right to foreclose under DTF 🞎 (iv) notice to those entitled 🞎 (v) whether or not debt underlying DTF is a subprime loan [per GS 45-101(4)], and if so, confirm 45-day pre-foreclosure notice under GS 45-102 and information under GS 45-103 provided and time period elapsed [Item (v) applicable for foreclosure proceeding filed on or after 11/15/2008 and expires 10/31/2010] 🞎 (vi) whether or not debt underlying DTF is a home loan [per GS 45-101(1b)], and if so, confirm 45-day pre-foreclosure notice under GS 45-102 and information under GS 45-103 provided and time period elapsed [Item (vi) applicable for foreclosure proceeding filed on or after 11/1/2008] |  |
| (o) 🞎 States Trustee will ask for order to sell if debtor does not appear? |  |
| (p) 🞎 States debtor’s right to seek advice of counsel and that free legal services may be available |  |
| (q) 🞎 States if foreclosure consummated, purchaser entitled to possession as of date of delivery of deed and debtor can be evicted |  |
| (r) 🞎 States name, address, phone number of trustee or mortgagee Trustee/Mortgagee named:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |  |
| (s) 🞎 States debtor should keep trustee or mortgagee informed in writing of his address |  |
| (t) All information required by GS 45-21.16A for Notice of Sale (see Item \_\_\_ below) 🞎 is included and this instrument can serve as Notice of Sale 🞎 is not included |  |
| (u) 🞎 States hearing may be later and party will be notified of change |  |
| (v) If a subprime loan on borrower’s principal residence, 🞎 confirms compliance with GS 45-102 – the 45 days pre-foreclosure notice for subprime loans (Applicable to foreclosure proceeding filed on or after 11/15/2008 and expires 10/31/2010) 🞎 confirms compliance with GS 45-103 - the pre-foreclosure notice to AOC for certain subprime loans (Applicable to foreclosure proceeding filed on or after 11/15/2008 and expires 10/31/2010) 🞎 Not Applicable |  |
| (v) If a home loan on borrower’s principal residence, 🞎 confirms compliance with GS 45-102 – the 45 days pre-foreclosure notice (Applicable to foreclosure proceeding filed on or after 11/1/2008.) 🞎 confirms compliance with GS 45-103 - the pre-foreclosure notice to AOC (Applicable to foreclosure proceeding filed on or after 11/1/2008.) 🞎 Not Applicable |  |
| (w) If a reverse mortgage loan, 🞎 confirms borrower given not less than 90 days’ notice of intent to foreclose required by GS 53-268 (Applicable to foreclosure proceeding filed on or after 10/1/2009) 🞎 event of default is one authorized under GS 53-267 🞎 Not Applicable |  |
| (x) States that if the debtor is currently on military duty the foreclosure may be prohibited by GS 45-21.12A. (Applicable to foreclosure proceeding filed on or after 1/1/11) |  |
| (y) Other |  |  |

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| **(7) PROOF OF SERVICE OF NOTICE OF HEARING [GS 45-21.16(a) & GS 1A-1, Rule 4(j)], or** **WAIVER OF RIGHT TO NOTICE AND HEARING [GS 45-21.16(f)]**NOTE: Must be served at least 10 days before hearing unless service by posting in which case posted at least 20 days before hearing. *Required CSC* |
| (a) **Owner (time of filing Notice of Hearing) & spouse, if any**: Person(s) served: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date of service: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Method/Proof:🞎 Affidavit of Trustee as to service by Certified/Registered Mail - Return Receipt Request (return receipt(s) attached)🞎 Affidavit of Trustee as to service by Posting and circumstances warranting service by Posting [GS 45-21.16(a)] 🞎 Sheriff’s Return of Service 🞎 Other \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Proper waiver of notice and hearing by: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |  |  |
| (b) **Borrower (identified in DTF), if different than Owner at time of filing of Notice of Hearing**: Person(s) served: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date of service: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Method/Proof:🞎 Affidavit of Trustee as to service by Certified/Registered Mail - Return Receipt Request (return receipt(s) attached)🞎 Affidavit of Trustee as to service by Posting and circumstances warranting service by Posting [GS 45-21.16(a)] 🞎 Sheriff’s Return of Service 🞎 Other \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Proper waiver of notice and hearing by: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |  |
| (c) **Tenant under recorded lease**: Person(s) served: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date of service: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Method/Proof:🞎 Affidavit of Trustee as to service by Certified/Registered Mail - Return Receipt Request (return receipt(s) attached)🞎 Affidavit of Trustee as to service by Posting and circumstances warranting service by Posting [GS 45-21.16(a)] 🞎 Sheriff’s Return of Service 🞎 Other \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Proper waiver of notice and hearing by: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |  |
| (d) **Other (including any person DTF directs notice be sent):** Person(s) served: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date of service: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Method/Proof:🞎 Affidavit of Trustee as to service by Certified/Registered Mail - Return Receipt Request (return receipt(s) attached)🞎 Affidavit of Trustee as to service by Posting and circumstances warranting service by Posting [GS 45-21.16(a)] 🞎 Sheriff’s Return of Service 🞎 Other \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Proper waiver of notice and hearing by: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |  |

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| **(8) AFFIDAVIT REGARDING MILITARY STATUS [50 USCS Appx Sec 3932 formerly Sec 520 and 521 and Sec 3953 formerly Sec 533 & GS** **45-21.12A], and COMPLIANCE WITH SERVICEMEMBERS’ CIVIL RELIEF ACT (50 U.S.C. 3901 *et seq.*, formerly 50 USCS Appx Sec 501 et seq. and, effective October 1, 2019, G.S. Ch. 127B, including National Guard serving for or living in North Carolina and their dependents) *(NC website to be created)***[**https://scra-w.dmdc.osd.mil/scra/#/home**](https://scra-w.dmdc.osd.mil/scra/#/home) **or** <https://scra.dmdc.osd.mil>NOTE: Temporary extension of the period from 90 days to 9 months after the termination of the servicemember’s military service, effective for the period from July 30, 2008, until December 31, 2010, and for one year until December 31, 2017 (if not further extended). *Required CSC* |
| (a) 🞎 States whether or not \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ is in military service OR has been within last year and shows necessary facts to support the affidavit, OR 🞎 States that unable to determine whether or not \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ is in military service |  |  |
| (b) Servicemember received actual notice of Notice of hearing and foreclosure proceeding? 🞎 Yes 🞎 No |  |
| (c) Was stay requested or granted by court? 🞎 Yes 🞎 No If stay granted,  🞎 order dissolving stay entered on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, or 🞎 waiver of agreement by \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, a servicemember during or after military service (50 USCS Appx Sec 3918) |  |
| (d) 🞎 Certification that the hearing will take place at a time that is not during, or within 90 days after, a period of military service for the mortgagor, trustor or debtor. (This subsection applies only to mortgages and deeds of trust that originated before the mortgagor's or trustor's period of military service) OR 🞎 Waiver by written agreement executed during or after the mortgagor's, trustor's, or debtor's period of military service, as an instrument separate from the obligation or liability to which the waiver applies, in at least 12 point type, specifying the legal instrument creating the obligation or liability to which the waiver applies. (Effective for foreclosures filed on or after 1/1/11.)GS 45-21.12A |  |
| (e) Other |  |

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| **(9) CONTINUANCES, CONTINUATIONS, INJUNCTIONS, POSTPONEMENTS, APPEALS***Required CSC* |
| (a) **Continuance** of Hearing by clerk for lack of service (GS 45-21.16(a) or other good cause shown [GS 45-21.16C(b)]? 🞎 Yes 🞎 No If yes 🞎 all parties property notified of date to which continued |  |  |
| (b) **Continuation** of Hearing if "good cause to believe that additional time or additional measures have a reasonable likelihood of resolving the delinquency without foreclosure" on debtor's principal residence. [GS 45-21.16C(b)] (foreclosures initiated on or after 10/1/09) 🞎 Yes 🞎 No If yes 🞎 all parties property notified of date to which continued |  |
| (c) **Appeal to District or Superior Court** of Clerk’s findings at hearing [GS 45-21.16(d1)]? 🞎 Yes 🞎 No If yes, 🞎 certified copy of order entered for foreclosure proceeding to continue [GS 45-21.21(d)] |  |
| (d) **Postponement of Sale** at the sale? [GS 45-21.21(a),(b),(c),(e)] 🞎 Yes 🞎 No If yes, 🞎 postponed to \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ a date not more than 90 days, exclusive of Sundays, after original date of sale 🞎 notice of postponement attached to or entered on original notice of sale posted at courthouse 🞎 posted notice of postponement states sale is postponed, hour and date to which postponed, reason for postponement authorized under GS 45.21.21(a), and is signed by person authorized to hold sale or his agent or attorney* Notice to Clerk and posted under GS 45-21.21(h)-(k) delivered and posted?
 |  |
| (e) **Postponement of Sale** other than in Item (d) above? [GS 45-21.21(d)] 🞎 Yes 🞎 No If yes, 🞎 compliance with posting, publication and notice provisions of GS 45-21.16A, GS 45-21.17 & GS 45-21.17A |  |
| (f) **Temporary restraining order** entered by Superior Court Judge? (GS 45-21.34) 🞎 Yes 🞎 No If yes, result is 🞎 Judge dissolves order restraining sale. Compliance with judge’s order as to time and place ordered for sale and any additional notice requirements. [GS 45-21.22(a) & (b)] 🞎 Other:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |  |
| (g) **Bankruptcy Court order lifting stay**? [GS 45.21.22(c)] 🞎 Yes 🞎 No If yes, 🞎 If stayed before hearing -- new hearing & notices served? 🞎 If stayed after entry of Clerk's order of sale (GS 45-21.16) and before expiration of 10-day upset bid period -- no-rehearing 🞎 compliance with notice, publication and posting provisions of GS 45-21.16A, GS 45-21.17 & GS 45-21.17A |  |
| (h) **Other** |  |

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| **(10)CLERK’S ORDER OF SALE [GS 45-21.16]** *Required CSC* |
| (a) 🞎 Filed in each county in which part of property located [GS 45-21.16(d)] |  |  |
| (b) Finds existence of 🞎 (i) valid debt & party seeking to foreclose is holder 🞎 (ii) default 🞎 (iii) right to foreclose under DTF 🞎 (iv) notice to those entitled 🞎 (v) whether or not debt underlying DTF is a subprime loan [per GS 45-101(4)], and if so, confirm 45-day pre-foreclosure notice provided and time period elapsed [Item (v) applicable for foreclosure proceeding filed on or after 11/15/2008 and expires 10/31/2010] 🞎 (vi) whether or not debt underlying DTF is a home loan [per GS 45-101(1b)], and if so, confirm 45-day pre-foreclosure notice under GS 45-102 provided and time period elapsed [Item (vi) applicable for foreclosure proceeding filed on or after 11/1/2010 and expires 5/31/2013, unless extended] 🞎 (vii) that the sale is not barred by GS 45-21.12A [Item (vii) applicable for foreclosure proceeding filed on or after 1/1/2011] |  |
| (c) Authorizes \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ as mortgagee or trustee to proceed with sale |  |
| (d) Other |  |

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| **(11)NOTICE OF SALE [GS 45-21.16A]** *Required CSC* |
| (a) 🞎 Filed in each county in which part of property located |  |  |
| (b) 🞎 Identifies original mortgagors and recording data for DTF? |  |
| (c) Identifies record owner of property per Register of Deeds not more than 10 days prior to posting notice as being \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |  |
| (d) 🞎 Designates \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ as date, hour & place of sale consistent with provisions of DTF, if any, and not a Sunday, legal holiday (GS 103-4, 5 USCS 6103(a)) or date when courthouse closed (GS 45-21.23) (See curative GS 45-21.43 regarding county & place of sale) |  |
| (e) 🞎 Description of real property to be sold consistent with that in Notice of Hearing and is described in manner reasonably calculated to inform public what is being sold (and what is not being sold if a portion of property described in FDT is not being offered for sale) (GS 45-21.8 & GS 45-21.9) |  |
| (f) 🞎 States terms of the sale and amount of cash deposit required |  |
| (g) 🞎 Includes other provisions required by DTF, if any (GS 45-21.4, GS 45-21.7 & GS 45-21.8) |  |
| (h) 🞎 States whether sold subject to taxes and special assessments |  |
| (i) 🞎 States whether sold subject to or together with subordinate rights or interests (for development loans – includes together with developer/declarant rights, assigned interests, etc.) |  |
| (j) 🞎 If less than 15 residential rental units, states that order for possession (GS 45-21.29) may issue (if allowed by federal acts), and rights of tenants to terminate leases (for leases or amendments on or after 10/1/2007) (GS 42-45.2) |  |
| (k) Other |  |

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| **(12)AFFIDAVIT OF PUBLICATION [GS 45-21.17 & GS 45-21.33(e)]** *Required CSC* |
| (a) Affidavit of publisher that notice(s) of sale and resale, if any, were published in \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ newspaper on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ & \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. (Must be published once a week for 2 successive weeks in newspaper qualified for legal advertising in each county in which part of property situated. Period from date first publication to date last publication, both dates inclusive, not less than 7 days, including Sundays; and date last publication not more than 10 days preceding date of sale.) |  |  |
| (b) Other |  |

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| **(13)SERVICE AND POSTING OF NOTICE OF SALE [GS 45-21.17] (Also see next 2 sections-service on IRS/United States)**NOTE: Must be mailed by first-class mail at least 20 days prior to the date of sale to each party entitled to notice of hearing (GS 45-21.16), any party desiring a copy who has complied with GS 45-21.17A, and tenant under residential rental agreement of property containing less than 15 rental units. *Required CSC* |
| (a) **Posted** on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ in area designed by CSC for posting public notices. (Must be posted in each county in which any part of property situated at least 20 days immediately preceding date of sale.) |  |  |
| (b) **Owner (at time of filing Notice of Hearing) & spouse, if any**: Person(s) served: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date of service: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Method/Proof:🞎 Delivery with Notice of Hearing🞎 Affidavit of Trustee as to service by First-Class Mail🞎 Affidavit of Trustee as to service by Posting and circumstances warranting service by Posting [GS 45-21.16(a)] 🞎 Other \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |  |
| (c) **Borrower (identified in DTF), if different than Owner at time of filing Notice of Hearing**: Person(s) served: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date of service: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Method/Proof:🞎 Delivery with Notice of Hearing🞎 Affidavit of Trustee as to service by First-Class Mail🞎 Affidavit of Trustee as to service by Posting and circumstances warranting service by Posting [GS 45-21.16(a)] 🞎 Other \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |  |
| (d) **Tenant under recorded lease**: Person(s) served: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date of service: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Method/Proof:🞎 Delivery with Notice of Hearing🞎 Affidavit of Trustee as to service by First-Class Mail🞎 Affidavit of Trustee as to service by Posting and circumstances warranting service by Posting [GS 45-21.16(a)] 🞎 Other \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |  |
| (e) **Tenant(s) of residential property with less than 15 rental units: [GS 42-45.2]** Person(s) served: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date of service: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Method/Proof:🞎 Affidavit of Trustee as to service by First-Class Mail 🞎 Other \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |  |
| (f) **Party filing Request for Notice of Sale:** Person(s) served: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date of service: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Method/Proof:🞎 Affidavit of Trustee as to service by First-Class Mail 🞎 Other \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |  |
| (g) **Party filing Request for Notice of Sale:** Person(s) served: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date of service: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Method/Proof:🞎 Affidavit of Trustee as to service by First-Class Mail 🞎 Other \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |  |
| (h) **Subordinate lienholder: (no Request for Notice)** Person(s) served: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date of service: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Method/Proof:🞎 Affidavit of Trustee as to service by First-Class Mail 🞎 Other \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |  |
| (i) **Subordinate lienholder: (no Request for Notice)** Person(s) served: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date of service: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Method/Proof:🞎 Affidavit of Trustee as to service by First-Class Mail 🞎 Other \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |  |
| (j) **Special posting or publishing provisions in DTF:** Person(s) served: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date of service: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Method/Proof:🞎 Affidavit of Trustee as to service by First-Class Mail 🞎 Other \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |  |
| (k) **Other (including any person DTF directs notice be sent):** Person(s) served: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date of service: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Method/Proof:🞎 Affidavit of Trustee as to service by First-Class Mail 🞎 Other \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |  |

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| **(14)INTERNAL REVENUE SERVICE - SUBORDINATE FEDERAL TAX LIEN** **[26 USCS 7425(b),(c) & (d)], (IRS Publication 786) & (Treasury Reg. 301.7425-2 et seq.)**NOTES:1. Federal tax liens with priority over the DTF are NOT extinguished by this procedure.2. Subordinate federal tax liens filed more than 30 days prior to the actual final foreclosure sale date will NOT be extinguished by the foreclosure unless this notice procedure is followed precisely or the IRS files either discharge of property or consent to sale.3. The IRS Right of Redemption continues for 120 days after date of sale, unless released, EVEN IF the notice procedure is followed. (For risk purposes, most title insurers look to the date 120 days after expiration of the last upset bid period.)  *Recommended CSC* |
| (a) Service of Notice of Sale IRS lien file #\_\_\_\_\_\_\_\_\_\_\_\_\_\_, filed \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date of delivery of Notice to IRS: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (must be delivered by registered or certified mail or by personal service, not less than 25 days prior to sale) Method/Proof:🞎 Affidavit of Trustee as to service by either 🞎 Registered or certified mail (return receipt attached) 🞎 Personal Delivery to IRS office Contains: 🞎 Name/address of person submitting notice of sale 🞎 Copy of each notice of Federal Tax Lien [Form 668(Y)(c)] or (A) IRS office named on notice of lien (B) name and address of taxpayer (C) date and place notice of lien filed 🞎 Complete physical address, legal description, and, if available, title abstract of property 🞎 Date, time, place, and terms of sale 🞎 Approximate amount of principal obligation, interest, and expenses. |  |  |
| (b) 🞎 Redemption period has expired. (conservative calculation @ 120 days after expiration of last upset bid period) |  |
| (c) Other |  |

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| **(15)UNITED STATES - SUBORDINATE FEDERAL LIEN, JUDGMENT OR MORTGAGE (OTHER THAN FEDERAL TAX LIEN):****(28 USCS 2410)** *Recommended CSC* |
| (a) Notice given as required by applicable federal statute creating the lien? 🞎 Yes 🞎 No Method/Proof: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |  |  |
| (b) Waiver by United States of 1-year right of redemption [28 USCS 2410(c)]? 🞎 Yes 🞎 No |  |
| (c) Other |  |

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| **(16)PRELIMINARY REPORT OF FORECLOSURE SALE/RESALE (Typically AOC-SP-400) [GS 45-21.26]** *Required CSC* |
| (a) 🞎 Form AOC-SP-400 properly completed indicating a date, time and place of sale consistent with that in Notice of Sale; signed by person authorized to hold the sale or his agent or attorney; and filed with CSC in county where property sold on \_\_\_\_\_\_\_\_\_\_\_\_\_\_, said date being within 5 days after date of sale.  AOC-SP-400 shows: Highest Bidder:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Amount of Bid: $\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Place of Sale: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date & Time of Sale:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Mortgagors \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Mortgagee \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Deed of Trust \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |  |  |
| (b) Is high bidder the borrower or a related party 🞎 Yes 🞎 No |  |
| (c) Other: |  |

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| **(17)ORDER OF RESALE BY CLERK OF SUPERIOR COURT FOR DEFAULT OF SUCCESSFUL BIDDER** **[GS 45-21.21(d) & GS 45-21.22(c) & GS 45-21.33(c)]** *Required CSC* |
| (a) If yes, 🞎 compliance with clerk’s order or resale and notice, publication and posting provisions of GS 45-21.16A, GS 45-21.17 & GS 45-21.17A |  |  |
| (b) Other |  |

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| **(18)UPSET BID/NOTICE OF UPSET BID #1 (Typically AOC-SP-403) [GS 45-21.27]**NOTE: If high bidder fails to comply with bid, see GS 45-21.30 *Required CSC* |
| (a) Form AOC-SP-403 properly completed; signed by upset bidder or his agent or attorney; and filed with CSC in county where property sold on \_\_\_\_\_\_\_\_\_\_\_\_\_\_, said date being within 10 days after filing of report of sale.  AOC-SP-403 shows: Upset Bidder:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Amount of Upset Bid:$\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |  |  |
| (b) 🞎 Proof notice of upset bid mailed by first-class mail to last prior bidder and current record owner(s) |  |
| (c) Is upset bidder the borrower or a related party 🞎 Yes 🞎 No |  |
| (d) Other |  |

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| **(19)UPSET BID/NOTICE OF UPSET BID #2 (Typically AOC-SP-403) [GS 45-21.27]**NOTE: If high bidder fails to comply with bid, see GS 45-21.30 *Required CSC* |
| (a) 🞎 Form AOC-SP-403 properly completed; signed by upset bidder or his agent or attorney; and filed with CSC in county where property sold on \_\_\_\_\_\_\_\_\_\_\_\_\_\_, said date being within 10 days after filing of last upset bid.  AOC-SP-403 shows: Upset Bidder:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Amount of Upset Bid:$\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |  |  |
| (b) 🞎 Proof notice of upset bid mailed by first-class mail to last prior bidder and current record owner(s) |  |
| (c) Is upset bidder the borrower or a related party 🞎 Yes 🞎 No |  |
| (d) Other |  |

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| **(20)ASSIGNMENT OF BID** *Required CSC* |
| (a) Assignment of bid? 🞎 Yes 🞎 No If yes, 🞎 Assignment from \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (being successful highest bidder) to \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |  |  |
| (b) Is assignee related to lender, if indicated? 🞎 Yes 🞎 No |  |
| (c) Indication of consideration for assignment? 🞎 Yes 🞎 No |  |
| (d) Other |  |

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| **(21)TRUSTEE’S/SUBSTITUTE TRUSTEE’S DEED** *Required ROD* |
| (a) 🞎 Recorded in Book \_\_\_\_\_ page \_\_\_\_\_, \_\_\_\_\_\_\_\_\_\_\_\_ County Registry, from the authorized Trustee/Substitute Trustee to \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |  |
| (b) 🞎 Consistent with foreclosure proceedings and accurately identifies property and DTF |
| (c) 🞎 Grantee was highest bidder or assignee of highest bidder |
| (d) Other |

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| **(22)NOTICE OF FORECLOSURE (GS 45-38)** *Required ROD* |
| (a) 🞎 Recorded in Book \_\_\_\_\_ page \_\_\_\_\_, \_\_\_\_\_\_\_\_\_\_\_\_ County Registry |  |
| (b) 🞎 Recorded in Register of Deeds in each county in which part of property located |  |
| (c) 🞎 Includes date when and person to whom conveyance made |  |
| (d) 🞎 If only part of encumbered property sold, indicates which property sold |
| (e) 🞎 Recites original parties and recording data for DTF |
| (f) Other |

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| **(23)FINAL REPORT & ACCOUNT OF FORECLOSURE SALE (Typically AOC-SP-402) [GS 45-21.31, 45-21.33]** *Required CSC* |
| (a) 🞎 Form AOC-SP-402 properly completed; signed by person authorized to hold the sale or his agent or attorney; and audited and recorded by the CSC on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.  AOC-SP-402 shows: Name of Purchaser:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ As to the obligation secured: (\_\_) Entire amount of secured obligation satisfied, or (\_\_) Only a part of secured obligation satisfied As to the property encumbered by FDT: (\_\_) All property was sold, or (\_\_) Only a portion of property was sold |  |
| (b) Other: |

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| **(24)POST FORECLOSURE PROCEEDINGS INCLUDING ACTION BY PARTY ENTITLED TO NOTICE NOT PROVIDED (GS 45-21.33), APPEAL (GS 1-301.2), ACTION FOR SURPLUS FUNDS (GS 45-21.31), ORDER FOR POSSESSION (GS 45-21.29 (GS 45-21.33A repealed 10-1-19), (50 USCS Appx Sec 3951 and 3952) & (Protecting Tenants at Foreclosure Act of 2009, P.L. 111-22, for petitions filed on or after 5/20/2009)***Required CSC* |
| (a) Action filed within 6 months of final accounting by party entitled to notice not provided and lender was high bidder? 🞎 Yes 🞎 No (If yes, see G.S. 45-21.17A) |  |
| (b) Appeal of foreclosure and sale? 🞎 Yes 🞎 No (If yes, see GS 1-301.2) |
| (c) Action for surplus funds? 🞎 Yes 🞎 No (If yes, see GS 45-21.31) |
| (c) Order for possession? 🞎 Yes 🞎 No If yes, 🞎 compliance with Protecting Tenants at Foreclosure Act of 2009 (Applicable to petitions filed on or after 5/20/2009)🞎 compliance with 50 USCS Appx Sec 3932 and 3953 for occupant in military service, as well as GS Ch. 127B including National Guard (on or after 10-1-19)🞎 compliance with GS 45-21.29 in each county in which any part of property situated, 🞎 subject to rights of single-family tenant, not terminated by tenant under GS 45-21.16A(b)(2), unless purchaser occupying as primary residence and compliance with notice provisions under GS 45-21.33A (Effect. 10-1-15, repealed 10-1-19)🞎 eviction completed  |
| (d) Other |

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| **(25)OTHER** |
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| **ATTORNEY COMMENTS/ITEMS TO DISCUSS WITH CLIENT AND/OR TITLE INSURER** |
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| Comments by \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |