

FILED
DATE: April 24, 2025
TIME: 04/24/2025 11:07:11 AM
WAKE COUNTY
SUPERIOR COURT JUDGES OFFICE
BY: S. Smallwood

**STATE OF NORTH CAROLINA
COUNTY OF WAKE**

Alabama Housing Finance Authority;

]

Plaintiff,

vs.

Christopher Christensen; Melissa Anne
Christensen; North Carolina Housing Finance
Agency; Secretary of Housing and Urban
Development; Trustee Services of Carolina,
LLC

Defendants.

**IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
24CV031609-910**

**ORDER GRANTING
MOTION FOR
JUDGMENT ON THE PLEADINGS
AND CONSENT ORDER**

THIS CAUSE, coming to be heard and being heard before the undersigned, during the April 14, 2025 Motion Calendar of the Wake County Superior Court, upon Motion of Plaintiff, Alabama Housing Finance Authority (hereinafter referred to as "Plaintiff Alabama Housing"), for a Motion for Judgment on the Pleadings and Consent Order.

IT APPEARING to the Court, that the Property at issue in this action is that real property located at 205 Tranquility Ln, Knightdale, NC 27545 ("Property"), said Property being more particularly described as:

Beginning at a new iron pipe in the northern right-of-way line of Tranquility Lane, said new iron pipe being the southernmost common corner of Lots 9 and 10 as shown on the hereinafter referenced recorded plat; running thence with said right of way line South 76° 23 minutes 50 seconds West 205.12 feet to an existing iron pipe; running thence North 57° 13 minutes 55

seconds West along a curve to the right having an arc length of 31.60 feet, and an arc radius of 19.40 feet, to an existing iron pipe in the eastern right-of-way line of Amity Drive; running thence with said right-of-way line North 19° 51 minutes 18 seconds West along a curve to the left having an arc length of 178.23 feet and an arc radius of 510.83 feet, to an existing iron pipe; running thence North 59° 07 minutes 04 seconds East 184.95 feet to a new iron pipe; running thence North 59° 06 minutes 07 seconds East 65.00 feet to an existing iron pipe; running thence South 14° 42 minutes 33 seconds East 271.01 feet to the point and place of BEGINNING, and Being all of Lot 9, Section II of Breckenridge Subdivision, as shown by map recorded in Book of Maps 1985, Page 1997, Wake County Registry, according to survey entitled "Survey for Bret E. Bosecker and Lisa A. O. Bosecker" dated August 15, 2005 and prepared by Al Prince & Associates, P.A.

IT APPEARING to the Court that Defendant Secretary of Housing and Urban Development has been properly served with the Summons and Complaint, filed an Answer on November 25, 2024, by and through Counsel, and has consented to this motion.

IT APPEARING to the Court that Defendants Christopher Christensen; Melissa Anne Christensen; North Carolina Housing Finance Agency; Trustee Services of Carolina, LLC have been properly served with the Summons and Complaint in this action, but failed to respond, answer or otherwise plead within the time allowed, and that an Entry of Default was properly entered by the Wake County Clerk of Superior Court, against said Defendants, on January 3, 2025;

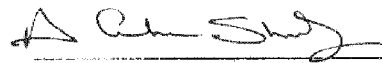
AND IT FURTHER APPEARING to the Court that the material averments in Plaintiff's Complaint are true, and Plaintiff is entitled to the relief sought in its Motion.

IT IS NOW THEREFORE ORDERED, ADJUDGED, AND DECREED that;

1. The Deed of Trust recorded on December 20, 2019 in Book 017692 at Page 02164 in the Wake County Registry is hereby declared to be a valid First Lien on the Property as drawn;
2. That Plaintiff's Lien on the Property shall be foreclosed by Judicial Sale pursuant to the provisions of N.C.G.S. § 1-339.1, et seq., with proceeds of the sale applied as follows:
 - a. To the cost of this action;
 - b. To the compensation allowed by the Court for a person holding the sale pursuant to the N.C.G.S. § 1-339.11;
 - c. To the amount due to the Plaintiff under the Note and Deed of Trust, including reasonable fees and costs provided therein; and
 - d. The surplus, if any, to be paid to the Office of the Clerk of Superior Court of Wake County pending a determination of those person entitled thereto.
3. The Property located at 205 Tranquility Ln., Knightdale, NC 27545 shall be sold at a public sale to the highest bidder;
4. That Jeremy B. Wilkins is hereby appointed as Commissioner to conduct the sale pursuant to N.C.G.S. § 1-339.14, et seq.

5. The United States of America shall be permitted to Bid by voucher at the Foreclosure Sale and Allowed Thirty (30) days in which to deliver a Treasury Check in Payment of the amount determined by the Court to be due and owing Plaintiff if the United States of America is the successful bidder at Plaintiff's Foreclosure Sale.
6. Plaintiff's alternate claims for relief are hereby dismissed and this Order shall be a final judgment;
7. This Order shall be recorded in the Wake County Register of Deeds, and indexed according to those parties named in said Deed of Trust and named herein to establish record notice of this proceeding in the chain of title to the Property;
8. The United States of America as a Lienholder shall have the right to exercise it's right of redemption pursuant to Title 28, United States Code, Statute 2410 (c), within one year from the date of sale; and
9. That upon final sale, confirmation of sale and conveyance of the Property, the underlying obligation secured by the Note and Deed of Trust shall be satisfied.

This the 24th of April, 2025


Superior Court Judge Presiding

4/24/2025 7:55:08 AM

[CONSENT SIGNATURES ON THE FOLLOWING PAGE]

A TRUE COPY
CLERK OF SUPERIOR COURT
WAKE COUNTY

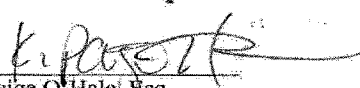


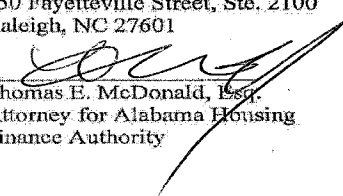
By: T. O'Neal
Date: 04/24/2025
Time: 3:06:37 PM

WE CONSENT:

This the 11th day of April, 2025.

This the 1st day of April, 2025.


K. Paige O'Hale, Esq.
Assistant United States Attorney
Counsel for Secretary of Housing
and Urban Development
United States Attorney
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Raleigh, NC 27601


Thomas E. McDonald, Esq.
Attorney for Alabama Housing
Finance Authority