

COMMONWEALTH OF MASSACHUSETTS

NORFOLK

COURT DEPARTMENT
QUINCY DIVISION
No.

ATTORNEY GENERAL for the
COMMONWEALTH OF MASSACHUSETTS

Petitioner

v.

KEVIN [REDACTED] and MICHELLE
O as owners of record of

and

HOLDINGS, INC. as parties with an interest in the
Property located at,
Weymouth, Massachusetts.

Respondents

Premises:, Weymouth, MA

ORDER AUTHORIZING ENFORCEMENT OF
RECEIVER'S PRIORITY LIEN BY FORECLOSING THEREON
AND
AUTHORIZING THE RECEIVER TO SELL THE PROPERTY LOCATED AT
, WEYMOUTH, MA
TO SATISFY ITS PRIORITY LIEN

This matter coming to be heard on the Receiver's Motion For Authorization To Enforce Receiver's Priority Lien By Foreclosing Thereon and To Obtain Order Authorizing Sale of Receivership Property (the "Receiver's Motion") located at, Weymouth, Massachusetts (the "Receivership Property"); and, it appearing that notice of the Receiver's Motion was appropriately provided under the circumstances and that no other or further notice is necessary; and, after hearing before this court on August [REDACTED]; and, upon the entire record of these proceedings; and, the Court

being sufficiently advised and after due deliberation thereon; and, good and sufficient cause appearing therefore:

THE COURT HEREBY FINDS, ORDERS, ADJUDGES AND DECREES THAT:

1. This Court has personal and subject matter jurisdiction over this proceeding and the Receivership Property affected thereby.
2. Respondents Kevin M. and Michelle, the owners of the Receivership Property, are indebted to the Receiver for the Receivership Property, in the sum of \$[REDACTED] plus such additional fees and costs to be approved by the Court for, *inter alia*, the costs, expenses and fees of the Receivership as secured by the Receiver's priority lien filed with the Norfolk County Registry of Deeds (the "Registry").
3. It appears that the Respondents and the Parties in Interest will not pay off the Receiver's priority lien. Accordingly, an immediate need exists for the Receiver to foreclose on its priority lien by selling the Receivership Property at in order to satisfy such lien.
4. The Receiver is hereby authorized to foreclose on its priority lien by selling the Receivership Property through a licensed real estate broker in order to satisfy his priority lien, subject to the following procedure:
 - A. The Receiver is authorized to enter into a contract with [REDACTED] Group, Inc., Main Street, Weymouth, MA, a duly licensed real estate agent and broker to market and sell the Receivership Property in the ordinary course. The Receivership Property shall be sold to the highest qualified offeror.
 - B. The sale shall be free and clear of all encumbrances except municipal liens, including, without limitation, (a) the mortgage granted by Kevin M. and Michelle O to [REDACTED], dated [REDACTED] and recorded in the Norfolk County Registry of Deeds (the "Registry") in Book 22720, Page 583, as assigned to MT Investors, L.P. by an Assignment, dated September 10, , and as further assigned to Savings Fund Society, , doing business as C Trust, Trustee [REDACTED], by an Assignment, dated November 4, 2015, and recorded in the Registry in Book 123, Page 3; and, (b) mortgage granted by Kevin M. and Michelle O to , actin solely as nominee for the [REDACTED] Savings Bank, and Lender's successors and assigns, dated

██████████, and recorded in the Registry in Book 2270, Page 59, as assigned to bank N.A., as indenture Trustee For The Certificate holders of the Mortgage Investors Trust Series ██████████, by an Assignment, dated April 23, (but without assignment back) assigns it again to CitiMortgage, Inc. by an Assignment dated April 8, and recorded in the Registry in Book 306, Page 59, and then further assigned by Assignment dated July 25, 2016, and recorded in the ██████████.; (c) execution in favor of Citibank, N.A., judgment creditor levied on September 16, 2018 and recorded in the Registry in Book ██████████ Page 323; and, (d) federal tax lien dated November 13, 2019, and recorded in the Registry in Book ██████████ page 45.

C. The sale shall be subject to the prior approval by the Court.

So Ordered this _____ day of August, ██████████

(_____, Justice)