

State of Wisconsin :: Circuit Court :: Manitowoc County

Fox Communities Credit Union,

Plaintiff,

v.

Notice of Foreclosure Sale
Case No. 21CV83

Mark A. Kiley,

Defendant.

TAKE NOTICE, that by virtue of a judgment of foreclosure entered on April 20, 2021, the Sheriff will sell the below-described premises at public auction as follows:

DATE AND TIME: November 9, 2021, 2021, at 9:30 a.m.

PLACE: Manitowoc County Courthouse, 1010 S. 8th St., Room B18, Manitowoc, Wisconsin

JUDGMENT AMOUNT: \$83,663.34, plus interest from March 1, 2021 to date of confirmation, plus court costs and attorney fees incurred in the action.

TERMS OF SALE:

1. Ten percent (10%) of the successful bid must be paid to the Sheriff at the sale in cash or cashier's check, payable to the Clerk of Courts (personal checks cannot and will not be accepted). The balance of the successful bid must be paid to the Clerk of Courts in cash, cashier's check or certified funds no later than ten days after the court's confirmation of the sale or else the 10% down payment is forfeited to the plaintiff.

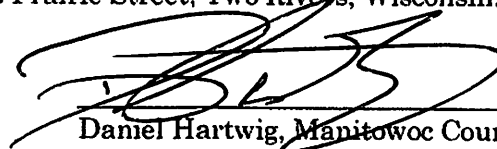
2. The Property is sold "as is" and subject to all unpaid real estate taxes.

3. Buyer to pay applicable Wisconsin Real Estate Transfer Tax in addition to the purchase price.

DESCRIPTION/PARCEL #: Lot Fifteen (15) in Block Four (4) of Still Bend Addition to the Town, now City, of Two Rivers, Manitowoc County, Wisconsin.

PROPERTY ADDRESS: 3212 Prairie Street, Two Rivers, Wisconsin.

Date: 10-7-21



Daniel Hartwig, Manitowoc County Sheriff

Plaintiff's atty: Steven J. Cerasoli / 2401 E Enterprise Ave, Appleton WI 54913 / 920.257.2207

FILED
04-20-2021
Clerk of Circuit Court
Manitowoc County, WI
2021CV000083

DATE SIGNED: April 20, 2021

Electronically signed by Robert P. Dewane
Circuit Court Judge

State of Wisconsin :: Circuit Court :: Manitowoc County

Fox Communities Credit Union
a Wisconsin credit union
610 East Wisconsin Avenue
Appleton WI 54911,

Plaintiff,

v.

Case No. 21 CV 83

Mark A. Kiley
3212 Prairie Street
Two Rivers WI 54241,

Defendant.

Order and Judgment

This case came before the Court on April 20, 2021, on the Plaintiff's motion for a Default Judgment. Based on the pleadings, the submissions made in support of the motion, and the entire record, the motion is granted, and it is hereby ordered:

1. Plaintiff Fox Communities Credit Union is a Wisconsin credit union; it has a place of business at the address appearing on the above caption.

2. Defendant Mark A. Kiley is an adult whose last known address appears on the above caption.

3. Kiley is obligated to the Plaintiff under the note alleged in the Complaint.

4. Kiley's obligations under the note are secured by the property located at 3212 Prairie Street, Two Rivers, Wisconsin, and legally described as: Lot Fifteen (15) in Block Four (4) of Still Bend Addition to the Town, now City, of Two Rivers, Manitowoc County, Wisconsin.

5. The note is in default for the reasons alleged in the Complaint.

6. The accelerated balance due under the note is \$83,663.34 as of March 1, 2021, plus interest that has accrued, and is continuing to accrue, at the daily rate of \$10.24, plus the costs, disbursements, and actual reasonable attorney fees incurred by the Plaintiff in this case.

7. The property is Kiley's homestead.

8. The property is not owned by a tax exempt charitable organization.

9. The property is not used as a farm or church.

10. The property is composed of twenty acres or less.

11. The property cannot be sold in parcels without injuring the interests of the parties.

12. A Lis Pendens was filed more than twenty days ago.

13. The property may be sold by the Sheriff at public auction no sooner than 6 months after the entry of this Judgment and Order; public notice of the sale shall be published and posted as required by law.

14. The sale shall be subject to any taxes and assessments, general or special, and subject to any superior mortgage, lien, or encumbrance of record.

15. The sale shall be free and clear of all claim, right, or equity of redemption of any Defendant in this case, and of the interest of any person whose interest in the property was recorded after the date the Lis Pendens

was recorded; all such persons shall be forever barred and foreclosed of any right, title, or interest in the property.

16. The Sheriff shall report the results of the sale to the Court, shall execute a Sheriff's Deed conveying the property to the purchaser, and shall deposit the deed with the Clerk of Courts, who shall hold it pending further order.

17. The proceeds of the sale, less the expenses of sale, shall be applied to the amount due the Plaintiff, with interest at the contract rate; any surplus shall be held by the Clerk of Courts pending further order.

18. The Plaintiff has waived its right to a deficiency judgment, and has consented that Kiley may remain in possession of the property and be entitled to its rents and profits, until the Sheriff's sale is confirmed; accordingly, no deficiency judgment will be granted.