STATE OF NORTH CAROLINA

File No.

_____ County

In The General Court Of Justice
Superior Court Division
Before the Clerk

IN THE MATTER OF:

Name Of Mortgagors/Grantors

Name Of Mortgagee/Secured Party

NOTICE OF UPSET BID
NOTICE TO TRUSTEE OR MORTGAGEE

G.S. 45-21.27(e)

Owner Of Record (if not original mortgagor)

Name Of Trustee

Name Of Holder Of Security Interest (if not original mortgagee)

Deed Of Trust, Book And Page No.

NOTICE OF UPSET BID

The undersigned, as the upset bidder, or as the attorney or agent for the upset bidder named below, gives notice of the filing of an upset bid in the above referenced matter. The filing of this bid establishes a new sales price, and the sale shall remain open for a period of 10 days after this Notice of Upset Bid is filed for the filing of additional upset bids as provided by law.

(NOTE: *The upset bid, as set forth below must exceed the reported sale price or last upset bid by a minimum of 5%, but in any event must represent a minimum increase of at least $750.)*

Name And Address Of Upset Bidder

Name And Address Of Attorney Or Agent For Upset Bidder

Telephone No.

Telephone No.

Amount of Last Previous Sale Or Upset Bid
$

Amount of New Upset Bid
$

Deposit With Clerk (Greater Of $750 Or 5% Of Upset)
$ **See Note to Clerk Below.**

Date Of Filing Of New Upset Bid

Signature

NOTICE TO TRUSTEE OR MORTGAGEE

You are notified that, in the above referenced matter, the Clerk of Superior Court of the above referenced county of sale is in receipt of a deposit by cash, certified check or cashier's check satisfactory to the Clerk in an amount at least equal to the minimum required by G.S. 45-21.27, together with the above timely filed Notice of Upset Bid. **YOU ARE DIRECTED TO MAIL WRITTEN NOTICE** of the upset bid by first class mail to the last known address of the last prior bidder, the current record owner(s) of the property, and to all other persons or entities you may deem appropriate.

Date

Signature

☐ *Deputy CSC* ☐ *Assistant CSC*
☐ *Clerk Of Superior Court*

Last Day For Next Upset Bid

Minimum Amount Of Next Upset Bid
$

Amount of Deposit For Next Minimum Upset Bid
$

NOTE TO CLERK: ***Deliver upset bid deposit along with completed form AOC-G-120 to the bookkeeper.***

NOTE: ***North Carolina law prohibits bid rigging, price fixing, and collusion in the bidding process. Unlawful conduct includes agreeing with another person not to bid. (G.S. 75-1)***

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