

## **LOCAL RULE 22**

### **ORDER OF SALE**

Prior to the filing of a praecipe for Order of Sale, the attorney for the party filing such praecipe shall seek approval for transfer of the legal description of the real estate to be sold from the Tax Map Department of the county wherein such real estate is situated. The attorney shall file with the praecipe for Order of Sale a copy of the legal description indicating such tax map approval if obtained. If the real estate will not be approved for transfer by the county Tax Map Department without a new survey, the attorney shall, upon notice to all other interested parties, seek leave of Court to cause a new survey of the real estate be prepared with the expense thereof to be taxed as costs in the action. If the Tax Map Department of the county wherein the real estate is situated refuses to either approve or disapprove the legal description prior to actual transfer thereof, the attorney shall so indicate by a notation on the legal description. Failure to comply with this Local Rule shall be grounds for dismissal of the action.

An Order to Sell Real Estate upon foreclosure can only be withdrawn by Entry signed by the Judge. The clerk or sheriff is not authorized to withdraw the property from sale except in the case of receipt of a Notice of Stay from a U.S. Bankruptcy Court. If a notice of a stay is received, the party granted the foreclosure shall present a proposed entry staying the case to the Court within seven (7) business days of the filing of the Notice of Stay with the Clerk of Courts.