

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

SUPERIOR COURT OF WASHINGTON FOR CLARK COUNTY

In re:

AMERICAN EAGLE MORTGAGE 100, LLC; AMERICAN EAGLE MORTGAGE 200, LLC; AMERICAN EAGLE MORTGAGE 300, LLC; AMERICAN EAGLE MORTGAGE 400, LLC; AMERICAN EAGLE MORTGAGE 500, LLC; AMERICAN EAGLE MORTGAGE 600, LLC; AMERICAN EAGLE MORTGAGE MEXICO 100, LLC; AMERICAN EAGLE MORTGAGE MEXICO 200, LLC; AMERICAN EAGLE MORTGAGE MEXICO 300, LLC; AMERICAN EAGLE MORTGAGE MEXICO 400, LLC; AMERICAN EAGLE MORTGAGE MEXICO 500, LLC; AMERICAN EAGLE MORTGAGE MEXICO 600, LLC; AMERICAN EAGLE MORTGAGE I, LLC; AMERICAN EAGLE MORTGAGE II, LLC; and AMERICAN EAGLE MORTGAGE SHORT TERM, LLC.

Case No. 19-2-01458-06

RECEIVER’S NOTICE OF INTENT TO SELL REAL PROPERTY (FOUR LOTS IN DOLAN SPRINGS, AZ 86438)

Clyde A. Hamstreet & Associates, LLC, the duly appointed general receiver herein (the “Receiver”), gives this notice in accordance with paragraph 2 of the Order Establishing Procedures Regarding Receiver’s Sale of Real Property in the Ordinary Course of Business and Entry of Comfort Orders Approving Such Sales dated August 8, 2019 (the “Sale Order”).

1           The Receiver proposes to allow the real property and improvements commonly  
2 known as four lots in Dolan Springs, Arizona 86438 (the “Property”) to be disposed of through  
3 tax lien foreclosure sales. A summary regarding the Property is attached as Exhibit A hereto.

4           The following information regarding the proposed sale is provided pursuant to the  
5 Sale Order:

6           1.       The Property is 20 acres of vacant, unimproved land (four parcels of five  
7 acres each) outside of Dolan Springs, Arizona. The Property’s parcel numbers are 317-18-033,  
8 317-18-046, 317-18-049, and 317-18-062 in Mohave County. There are no utilities on the  
9 Property. Dolan Springs is a small town just over 80 miles from Las Vegas, Nevada.

10          2.       The fee title owners of parcels 317-18-033 and 317-18-046 of the Property  
11 were Richard Work and Christopher Wile (the “Original Owners”). American Eagle Mortgage  
12 100, LLC (“AEM 100”) is the beneficiary of a deed of trust that secures the note payable by the  
13 Original Owners. In order to acquire and otherwise dispose of those two parcels of the Property,  
14 the Receiver would have to overturn a judgment foreclosing the right to redeem AEM 100’s  
15 interest in the Property and then foreclose the deed of trust. The Receiver believes that the cost  
16 of litigation and foreclosure by the Receiver would exceed the proceeds it would generate for the  
17 receivership estate.

18          3.       Mohave County sold a tax lien on parcels 317-18-033 and 317-18-046 of  
19 the Property to Sol, L.L.C., which became the fee title owner of those parcels pursuant to the  
20 laws of the State of Arizona, subject to the Original Owners’ and AEM 100’s right of  
21 redemption.. Pursuant to the Default Judgment Foreclosing Right to Redeem dated September 2,  
22 2020 (the “Default Judgment”), attached as Exhibit B hereto, the Superior Court of the State of  
23 Arizona in and for the County of Mohave found that parcels 317-18-033 and 317-18-046 the  
24 Property had not been redeemed, the rights of redemption were foreclosed, and a deed to the  
25 those two parcels Property is to be issued to Sol, L.L.C. by the Treasurer of Mohave County. The  
26 material terms of the tax lien foreclosure sale are set forth in the Default Judgment.

1           4.       Parcels 317-18-049, and 317-18-062 also have relatively low value, and  
2 the Receiver will allow those to be sold through a separate tax lien foreclosure whenever one  
3 may be instituted.

4           5.       The Receiver does not know whether Sol, L.L.C. or any buyer of the other  
5 two parcels of the Property is or will be related to any of the entities that are the subject of this  
6 receivership, to American Equities, Inc., or to Ross Miles.

7           6.       Except for the liens securing unpaid ad valorem property taxes that are  
8 delinquent in the amount of approximately \$3,243.14 (including \$2,435.42 that would have had  
9 to have been paid as a condition to redemption of the Property) and the AEM 100 deed of trust  
10 that secures an obligation in the principal amount of \$90,770.25, the Property is not encumbered  
11 by liens.

12           7.       A drive-by broker's price opinion dated November 2, 2019, values the  
13 Property at \$9,500 per parcel, or a total of \$38,000 for all four parcels. Based on the sale of  
14 similar property with a similar BPO value, the Receiver estimates that the Property, without  
15 accounting for the cost of overturning the Default Judgment, redemption of the tax lien, and  
16 subsequent foreclosure by the Receiver on two of the parcels, could generate total proceeds of  
17 \$15,000.

18           YOU ARE NOTIFIED that unless a creditor or other party with standing notifies  
19 the Receiver and the Receiver's attorneys, in writing within 14 calendar days after the date of  
20 this notice, that such party objects to the sale of the Property as proposed above, the Receiver  
21 intends to leave the Default Judgment undisturbed and take no further action with respect to the  
22 Property. Objections to this proposal must refer to this notice and be delivered or sent, so as to  
23 be actually received by the Receiver within 14 calendar days after the date of this notice, as  
24 follows:  
25  
26

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

AEM Receiver  
c/o Miller Nash Graham & Dunn LLP  
Attn: John R. Knapp, Jr.  
2801 Alaskan Way, Suite 300  
Seattle, Washington 98121  
Email: john.knapp@millernash.com  
Email: AEMReceiver@Hamstreet.net

DATED this 29<sup>th</sup> day of September, 2020.

MILLER NASH GRAHAM & DUNN LLP

/s/ John R. Knapp, Jr.  
John R. Knapp, Jr., P.C., WSB No. 29343

Attorneys for Receiver  
Clyde A. Hamstreet & Associates, LLC

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

**Exhibit A**

Summary of Property

# AEM Receivership Notice of Proposed Sale Transaction

## 4 Lots in Dolan Springs, AZ 86438

<b>Description of Property :</b>	20 acres (4 parcels of 5 acres each) outside of Dolan Springs, AZ  Vacant, unimproved land; no utilities on the property. Dolan Springs is a small town just over 80 miles from Las Vegas, NV.
<b>Beneficiary</b>	American Eagle Mortgage 100, LLC
<b>County</b>	Mohave County
<b>Tax-Lot #s</b>	317-18-033, 317-18-046; 317-18-049; 317-18-062
<b>Total Tax Lien:</b>	\$3,243.14
<b>BPO Value and Date:</b>	Drive by BPO on 11/2/2019 valued at \$9,500 per parcel or \$38,000.



**Receiver's comments:**

The Receiver believes the BPO is overvalued. In June of 2020 the Receiver sold a 5 acre parcel of unimproved land near Dolan Springs for \$5,000 (The BPO, done by the same broker estimated the value at \$10,000). This sale produced net proceeds to the estate of \$3,850. The Receiver anticipates a sale would produce similar per parcel proceeds to the estate, or approximately \$15,000.

This property is security for a Note secured by Deed of Trust, of which AEM is the beneficiary. The principal balance owed to AEM on the contract is \$90,770.25, plus accrued interest. The last payment made by the borrower was on 11/23/2016. Two of the four parcels are being foreclosed upon for tax delinquency by the county.

Due to the low value of the underlying collateral, the Receiver does not think the proceeds from a sale would cover the cost of a foreclosure, and recommends allowing the underlying collateral to be foreclosed on by the county.

Objections to sale must be made within 14 days of posting. Objections should be emailed to [John.Knapp@MillerNash.com](mailto:John.Knapp@MillerNash.com) and to [AEMReceiver@Hamstreet.net](mailto:AEMReceiver@Hamstreet.net).

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

**Exhibit B**

Default Judgement Foreclosing Right to Redeem

Barry Becker  
BARRY BECKER, P.C.  
2516 North Third Street  
Phoenix, Arizona 85004  
(602) 252-1822  
Attorney No. 4169  
Attorney for Plaintiff  
barrybeckerlaw@gmail.com

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA  
IN AND FOR THE COUNTY OF MOHAVE

SOL, L.L.C., an Arizona limited liability company,  
Plaintiff,  
v.  
CHRISTOPHER WILE, a single man;  
RICHARD WORK, a single man;  
AMERICAN EAGLE MORTGAGE 100, L.L.C., a Washington limited liability company; MOHAVE COUNTY TREASURER; JOHN DOE I-X AND JANE DOE I-X; ABC CORPORATION I-X; The unknown heirs and devisees of any defendant, if deceased,  
Defendants.

No. S8015 CV 2020-00309  
DEFAULT JUDGMENT  
FORECLOSING RIGHT TO REDEEM

This cause having come on regularly for hearing, Defendants Christopher Wile, Richard Work, and American Eagle Mortgage 100, L.L.C., having been served in compliance with Rule 4 of the Arizona Rules of Civil Procedure; Defendants Christopher Wile, Richard Work, and American Eagle Mortgage 100, L.L.C., having failed to answer and a default having been properly entered; and based upon pleadings and evidence received by the Court on behalf of the Plaintiff;

It is the finding of this Court that the Plaintiff is a limited liability company; the property to this lawsuit is located in Mohave



1 County, Arizona; in order to pay for delinquent taxes legally levied and  
2 assessed against the property, which is the subject of this lawsuit,  
3 together with interest, penalties and charges therein, the Treasurer of  
4 Mohave County, Arizona sold a tax lien on the following described  
5 property:

6       LOTS 33, 34, AND 47 OF SECTION 31, GATEWAY ACRES TRACT NO. 2,  
7       ACCORDING TO THE PLAT THEREOF, RECORDED MARCH 12, 1930, IN THE  
8       OFFICE OF THE COUNTY RECORDER OF MOHAVE COUNTY, ARIZONA, EXCEPT  
9       ONE-HALF ALL OIL, GAS AND MINERAL DEPOSITS AS RESERVED IN  
10       INSTRUMENT RECORDED IN BOOK 122 OF DEEDS, PAGE 99 AND IN BOOK 158  
11       OF DEEDS, PAGE 200;

12       Parcel No.: 317-18-032, 317-18-033, 317-18-046

13 to the Plaintiff herein more than three (3) years prior to the filing  
14 of this action; Certificates of Purchase Nos. 2017-228060, 2017-228065,  
15 and 2017-228105 have been lawfully issued to the Plaintiff; the sale  
16 referred to above was valid, and the taxes due and owing on the property  
17 described above were delinquent at the time of said sale; the whole  
18 amount of all delinquent taxes, interest, penalties and charges legally  
19 due and owing on the subject property were paid to the County Treasurer  
20 upon a Certificate of Purchase, the amounts being endorsed thereon; more  
21 than three (3) years have elapsed since the date of the sale set forth  
22 above, said property has not been redeemed from the sale thereof, and  
23 Plaintiff is entitled to foreclose the rights of the Defendants herein  
24 and each of them, to redeem said property from the sale; Plaintiff,  
25 prior to the Judgment to be rendered in this case, is the owner in fee  
26  
27  
28

1 of the property, subject only to the rights of the Defendants to redeem  
2 said property, and pay to Plaintiff its cost incurred herein, plus  
3 reasonable attorney's fees; the Defendants' claim to said property, if  
4 any, is invalid other than the right to redeem, which right to redeem  
5 will be foreclosed by this judgment.

6 **NOW, THEREFORE, IT IS ADJUDGED** that the sale of the property  
7 legally described as follows is valid:

8 **LOTS 33, 34, AND 47 OF SECTION 31, GATEWAY ACRES TRACT NO. 2,**  
9 **ACCORDING TO THE PLAT THEREOF, RECORDED MARCH 12, 1930, IN THE**  
10 **OFFICE OF THE COUNTY RECORDER OF MOHAVE COUNTY, ARIZONA, EXCEPT**  
11 **ONE-HALF ALL OIL, GAS AND MINERAL DEPOSITS AS RESERVED IN**  
12 **INSTRUMENT RECORDED IN BOOK 122 OF DEEDS, PAGE 99 AND IN BOOK 158**  
13 **OF DEEDS, PAGE 200;**

14 **Parcel No.: 317-18-032, 317-18-033, 317-18-046**

15 The Certificates of Purchase issued pursuant to the sale are valid;  
16 at the time of the sale the property had not been redeemed; the rights  
17 of the Defendants, and each of them, to redeem the property described  
18 in this judgment from said sale, is forever foreclosed, and Defendants  
19 are barred and forever estopped from having or claiming any right or  
20 title adverse to Plaintiff, and any claim of these Defendants has no  
21 legal significance and the Defendants have no legal or equitable claim,  
22 right, or title to the property described in this judgment.

23 **IT IS FURTHER ADJUDGED, ORDERED AND DECREED** that the Treasurer of  
24 Mohave County be commanded and ordered to execute and deliver forthwith  
25 to Plaintiff, upon payment of \$50.00, per parcel, pursuant to A.R.S.  
26 §42-18205, herein a Deed conveying the following described real property:

27 **LOTS 33, 34, AND 47 OF SECTION 31, GATEWAY ACRES TRACT NO. 2,**  
28

1 ACCORDING TO THE PLAT THEREOF, RECORDED MARCH 12, 1930, IN THE  
2 OFFICE OF THE COUNTY RECORDER OF MOHAVE COUNTY, ARIZONA, EXCEPT  
3 ONE-HALF ALL OIL, GAS AND MINERAL DEPOSITS AS RESERVED IN  
4 INSTRUMENT RECORDED IN BOOK 122 OF DEEDS, PAGE 99 AND IN BOOK 158  
5 OF DEEDS, PAGE 200;

6 Parcel No.: 317-18-032, 317-18-033, 317-18-046

7 No further matters remain pending and this judgment is entered pursuant  
8 to Rule 54(c) and is a final judgment.

9 DONE IN OPEN COURT this 2<sup>nd</sup> day of September 2020.

10  
11  
12  
13  
14   
15 Hon. Lee F. Jantzen

16 **COPIES OF THE FOREGOING**

17 mailed this \_\_\_\_\_ day  
18 of August, 2020, to:

19 Christopher Wile  
20 808 N. Lamb Blvd.  
21 Las Vegas, NV 89110

22 Richard Work  
23 279 E Maulding Ave.  
24 Las Vegas, NV 89123

25 American Eagle Mort. 100, LLC  
26 Greg Zehrung  
27 2801 Alaskan Way, Ste. 300  
28 Seattle, WA 98121

By: \_\_\_\_\_  
word/pleadings/wile rtr