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12 Pages

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 (YUCCA, 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 Lot 2440 in Stagecoach Trails at Santa Fe Ranch, Yucca, Arizona 86438 (the
3 “Property”) to be disposed of through a tax lien foreclosure sale. A summary regarding the
4 Property is attached as Exhibit A hereto.

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

7 1. The Property is 39.96 acres of vacant, unimproved land in the Santa Fe
8 Property Owners Association (“POA”). The Property’s parcel number is 122-32-015, in Mohave
9 County. All roads in the POA are dirt. The Property is approximately 30-45 minutes from
10 Yucca, Arizona, and two hours from Fort Mohave, Arizona.

11 2. The fee title owners of the Property are or were Cory Keitz, a single man,
12 and Jeffrey Keitz and Shawna Weisler, husband and wife (the “Original Owners”). American
13 Eagle Mortgage 200, LLC (“AEM 200”) is the beneficiary of a deed of trust that secures the note
14 payable by the Original Owners. AEM 200 purchased a stream of payments on the note.

15 3. Mohave County sold a tax lien on the Property, and the purchase
16 certificate was assigned to The Tax Crew, LLC, which commenced a tax lien foreclosure on or
17 about July 8, 2020, by filing the Complaint attached hereto as Exhibit B, naming AEM 200 as
18 one of the defendants, along with the Original Owners. The Receiver does not intent to respond
19 to the Complaint, contest the entry of any judgment thereon, or exercise any right of redemption
20 with respect to the Property. It is anticipated that The Tax Crew, LLC ultimately will become
21 the owner of the Property through the foreclosure proceeding.

22 4. The Receiver does not know whether The Tax Crew, LLC is related to any
23 of the entities that are the subject of this receivership, to American Equities, Inc., or to Ross
24 Miles.

25 5. Except for the liens securing unpaid ad valorem property taxes that are
26 delinquent in the amount of approximately \$1,076.48 and would have to be paid as a condition to

1 prevention of foreclosure or in order to redeem the Property, the deed of trust that secures the
2 stream of payments to AEM 200 in the amount of \$21,887.05 (of a total balance of at least
3 \$39,676.10 on the note), and possibly the POA dues described in paragraph 6 below, the
4 Property is not encumbered by liens. The last payment on the AEM 200 note was before 2012.

5 6. The Receiver understands that the Original Owners also owe dues of \$150
6 per year to the POA and that the dues are approximately four years past due. The POA also
7 charges \$475 in fees to transfer ownership, and a foreclosure and subsequent sale by the
8 Receiver would constitute two sales incurring \$950 in transfer fees.

9 7. A drive-by broker's price opinion ("BPO") dated November 3, 2019,
10 values the Property at \$18,000. The Receiver believes that the BPO overvalues the Property. In
11 May 2020, the Receiver sold 30 nearby acres (3 parcels of 10 acres each) in the POA for \$6,900,
12 whereas the BPO had been \$24,000, or \$8,000 per parcel). Net proceeds to the estate were
13 \$4,800. Based on this, the Receiver believes the value of the Property to be \$10,000 and
14 anticipates a sale would produce proceeds of approximately \$6,000. However, in order to
15 acquire the Property and then resell it, the Receiver would have to foreclose the deed of trust and
16 pay the senior tax lien in order to prevent foreclosure by The Tax Crew, LLC or redeem the
17 Property. The Receiver believes that the cost of foreclosure would exceed the proceeds it would
18 generate for the receivership estate.

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

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Exhibit A

Summary of Property

AEM Receivership Notice of Proposed Sale Transaction

Lot 2440 in Stagecoach Trails at Santa Fe Ranch, Yucca, AZ 86438

Description of Property :	39.96 acres. Unimproved vacant land in the Sante Fe Property Owners Association (POA). All roads in the association are dirt. The property is approximately 30-45 minutes from Yucca, AZ, and two hours from Fort Mohave, AZ.
Beneficiary	American Eagle Mortgage 200, LLC
County	Mohave County
Tax-Lot #s	122-32-015
Total Tax Lien:	\$1,076.48
POA Dues:	\$600.00 - HOA dues are approximately \$150 per year, and similar to taxes, the Receiver estimates that HOA dues are 4 years HOA years past due.
POA Transfer Fees:	\$950.00 - the HOA charges \$475 in fees to transfer ownership. A foreclosure and subsequent sale would incur 2 sets of transfer fees.
BPO Value and Date:	Drive by BPO on 11/3/2019 valued at \$18,000
Receiver's comments:	<p>The Receiver believes the BPO is overvalued. In May 2020 the Receiver sold 30 nearby acres (3 parcels of 10 acres each) in the Stagecoach Trails POA for \$6,900 (the property had a BPO of \$24,000 or \$8,000 per parcel). Net proceeds to the estate were \$4,800. Based on this, the Receiver believes the value of the property to be \$10,000 and anticipates a sale would produce proceeds of approximately \$6,000.</p> <p>This property is security for a Note secured by Deed of Trust, of which AEM purchased a stream of payments. The total balance owed to AEM on the stream is \$21,887.05, and the total balance on the contract is \$39,767.10. The last payment made by the borrower was prior to 2012. The property is being foreclosed upon for tax delinquency by the county.</p> <p>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.</p>



Objections to sale must be made within 14 days of posting. Objections should be emailed to John.Knapp@MillerNash.com and to AEMReceiver@Hamstreet.net.

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Exhibit B

Complaint

1 Jeffrey A. Goldberg (Bar No. 011496)
2 BRUNO, BROOKS & GOLDBERG, P.C.
3 730 East Beale Street
4 Kingman, Arizona 86401-5923
5 Telephone: (928) 753-6115
6 Email: bbglaw@frontiernet.net
7 Attorneys for Plaintiff

8 **IN THE SUPERIOR COURT OF THE STATE OF ARIZONA**

9 **IN AND FOR THE COUNTY OF MOHAVE**

10 THE TAX CREW, LLC, a Nevada limited
11 liability company,

No.

12 Plaintiff,

COMPLAINT

13 vs.

(Tax Lien Foreclosure)

14 CORY KEITZ, a single man; JEFFREY KEITZ,
15 a single man; SANTA FE RANCH
16 PROPERTY OWNERS ASSOCIATION, INC.,
17 an Arizona Non-Profit Corporation;
18 AMERICAN EAGLE MORTGAGE 200, LLC, a
19 Washington limited liability company; CINDY
20 LANDA COX, MOHAVE COUNTY
21 TREASURER; JOHN DOES I-III; JANE DOES
22 III-V; ABC CORPORATION, a corporation;
23 XYZ PARTNERSHIP, a partnership; The
24 unknown heirs of any of the above if they be
25 deceased,

26 Defendants.

27 Plaintiff, by and through his undersigned attorney, allege:

28 1. The land and title thereto which is the subject matter of this action, described
below, is located wholly within the County of Mohave, State of Arizona; therefore, jurisdiction
and venue is proper in this Court. The Property (the "Property") is identified as Mohave
County Tax Parcel Number 122-32-015 described as follows:

Parcel 2440, STAGECOACH TRAILS AT SANTA FE RANCH UNIT 16, as shown on
record of survey plat recorded July 8, 1999 in Book 18 of Records of Surveys, page
27 and being a division on Section 28, Township 15 North, Range 16 West of the
Gila and Salt River Base and Meridian, Mohave County, Arizona.

1 2. Upon information and belief, Cory Keitz, a single man and Jeffrey Keitz, a single
2 man, claims or may claim an interest in the Property under a Warranty Deed recorded in the
3 Official Records of Mohave County, Arizona on June 29, 2007, at Fee Number 2007059017.

4
5 3. Upon information and belief, Santa Fe Ranch Property Owners Association,
6 Inc., an Arizona Non-Profit Corporation, claims or may claim an interest in the Property for
7 any charges relating to its inclusion in the Santa Fe Ranch Property Owners Association.

8 4. Upon information and belief, American Eagle Mortgage 200, LLC, a
9 Washington limited liability company, claims or may claim an interest in the Property under
10 a Deed of Trust recorded in the Official Records of Mohave County, Arizona on June 29,
11 2007, at Fee Number 2007059018 and an Assignment of Deed of Trust recorded in the
12 Official Records of Mohave County, Arizona on August 26, 2013, at Fee Number
13 2013045166.

14
15 5. Cindy Landa Cox is the Mohave County Treasurer and is being named as a
16 Defendant pursuant to A.R.S. §42-18201.

17 6. JOHN DOES I-III, JANE DOES I-III, ABC CORPORATION, a corporation, XYZ
18 PARTNERSHIP, a partnership, and the unknown heirs of any of the above if they be
19 deceased, are fictitious names of persons and legal entities who may claim an interest in the
20 properties hereinafter described and Plaintiff will substitute herein the true names of such
21 persons or entities when same become known to Plaintiff.

22
23 7. In order to pay for delinquent taxes legally levied and assessed against the
24 Property, the County Treasurer sold a tax lien for delinquent taxes for the years 2015 through
25 2018 pursuant to Certificate of Purchase Number 2017-210757 (the "Certificate of
26 Purchase") more than three years prior to the filing of this action.
27

1 8. The sale by the Mohave County Treasurer of the lien evidenced by the
2 Certificate of Purchase was valid and completed in accordance with applicable laws.

3 9. The Certificate of Purchase on the Property was validly assigned to and is
4 presently owned by the Plaintiff, who has paid all amounts legally due thereon.

5 10. Plaintiff has sent the (30) day notice required by A.R.S. §42-18202 by certified
6 mail to the Property owner of record and the Mohave County Treasurer on April 2, 2020.
7 Copy of said notice is attached hereto as Exhibit "A" and is incorporated herein by this
8 reference.
9

10 11. No party has redeemed the Property; therefore, Plaintiff is entitled to foreclose
11 the rights of all Defendants to redeem the Property and to be adjudged the owner of the
12 Property in fee simple, free and clear of liens, claims, rights or interests of any of the
13 Defendants herein.

14 12. Plaintiff's rights and interests in the Property is senior and superior to any
15 rights, claims or interests of the Defendants therein, except the right of Defendants to redeem
16 as provided in A.R.S. §42-18206.
17

18 13. It has become necessary for Plaintiff to incur attorney's fees and costs to bring
19 this action and in the event said Defendants, or any of them, desire and are entitled to
20 execute their right of redemption, they are legally obligated to pay to Plaintiff all taxes, costs,
21 fees, interest, costs of suit, and a reasonable attorney's fee, all as provided by the laws of
22 the State of Arizona.
23

24 WHEREFORE, Plaintiff prays for Judgment as follows:

25 A. Decreeing the tax sale described above and the Certificate of Purchase
26 issued thereon to be valid and legal;
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B. That the subsequent assignment of said Certificate be held valid and binding;

C. That the Defendants, and each of them, unless they make redemption before the entry of Judgment in the manner prescribed by law, be barred and forever estopped from claiming any title to or interest in or lien upon the Property or any part thereof;

D. That the rights of said Defendants, and each of them, to redeem be forever foreclosed;

E. That it be decreed that the Plaintiff is the owner of the Property in fee simple, free and clear of any claim, liens or interests of Defendants, and each of them;


F. That the Treasurer of Mohave County be commanded to execute and deliver to Plaintiffs forthwith, a Deed to the Property;

G. That in the event any of the Defendants redeem the Property, that Plaintiff has Judgment against said Defendants for reasonable attorney's fees, to be fixed by the Court in a manner prescribed by law, together with all costs of suit; and

H. That Plaintiff has such other proper relief as the Court may deem just and proper in the premises.

DATED this 8th day of July, 2020.

BRUNO, BROOKS & GOLDBERG, P.C.



Jeffrey A. Goldberg
730 East Beale Street
Kingman, Arizona 86401
Attorney for Plaintiff

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VERIFICATION

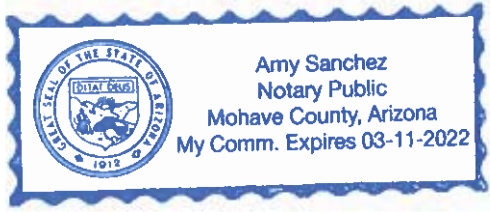
STATE OF ARIZONA)
) ss
COUNTY OF MOHAVE)

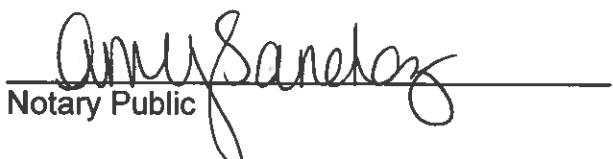
Jeffrey A. Goldberg, being first duly sworn upon his oath, deposes and says: That he is the attorney for Plaintiff in the above-captioned cause; that he has read the foregoing Complaint and is familiar with the contents thereof; and that the matters and statements set forth therein are true and correct, except as to those matters based on information and belief, and as to those matters he believes them to be true.



JEFFREY A. GOLDBERG

SUBSCRIBED AND SWORN TO before me this 8th day of July, 2020, by JEFFREY A. GOLDBERG.





Notary Public