

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 (VILLA ROSA UNIT 106)

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 sell the real property and improvements commonly  
2 known as Villa Rosa Unit 106 (the “Property”), according to the basic terms set forth in the  
3 summary 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 a three-bedroom, second story condo in phase 3 of Villas  
7 de Oros. The Property has a partial ocean view and a detached one-car garage. Villas de Oros is  
8 located in the Palmilla area of San Jose Del Cabo in Mexico’s Baja California Sur. Villas de  
9 Oros is a well maintained development in a desirable location. The tax identification numbers for  
10 the Property are 401-030-001-014-PIR-106 and 401-030-001-014-PCL-106.

11           2.       The fee title owner of the Property is American Eagle Mortgage’s  
12 Mexican subsidiary, AEMEMMX S DE RL DE CV.

13           3.       The buyer’s name is Harry Barr.

14           4.       To the best of the Receiver’s knowledge, the buyer is not related to any of  
15 the entities that are the subject of this receivership, to American Equities, Inc., or to Ross Miles.

16           5.       There are no known liens currently encumbering the Property.

17           6.       The material terms and conditions of the proposed sale are: (a) the cash  
18 purchase price is in the amount of \$420,000; (b) the buyer will pay a non-refundable earnest  
19 money deposit in the amount of \$10,650, which in the event of the buyer’s default will be  
20 forfeited to the Receiver as the Receiver’s sole and exclusive remedy; (c) closing is estimated to  
21 occur on or after March 31, 2021; (d) the buyer will pay for escrow and notary costs; and  
22 (e) subject to the occurrence of closing, the Receiver will be obligated to pay, and will pay in  
23 connection with the closing, a broker’s commission to Emily Rice, Snell Real Estate, in an  
24 amount equal to six percent (6%) of the gross purchase price.

25           7.       A broker’s price opinion done in January 2020 valued the Property at  
26 \$350,000. A verbal update in January 2021 placed the value of the Property in the range of

1 \$400,000 to \$440,000. The Property was unlisted at the time of the proposed sale. The Receiver  
2 anticipates that after paying the real estate commission and closing costs, the receivership estate  
3 will net approximately \$380,000 from the sale.

4 YOU ARE NOTIFIED that unless a creditor or other party with standing notifies  
5 the Receiver and the Receiver's attorneys, in writing within 14 calendar days after the date of  
6 this notice, that such party objects to the proposed sale transaction, the Receiver intends to  
7 consummate the sale transaction described above. Objections to the proposed sale transaction  
8 must refer to this notice and be delivered or sent, so as to be actually received by the Receiver  
9 within 14 calendar days after the date of this notice, as follows:

10 AEM Receiver  
11 c/o Miller Nash Graham & Dunn LLP  
12 Attn: John R. Knapp, Jr.  
13 2801 Alaskan Way, Suite 300  
14 Seattle, Washington 98121  
15 Email: john.knapp@millernash.com  
16 Email: AEMReceiver@Hamstreet.net

17 DATED this 28th day of January, 2021.

18 MILLER NASH GRAHAM & DUNN LLP

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

21 Attorneys for Receiver  
22 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 Basic Terms of Proposed Sale

## AEM Receivership Notice of Proposed Sale Transaction

### Villa Rosa Unit 106

**Description of Property :**

Villa Rosa unit 106 is a 3 Bedroom 2nd story condo in phase 3 of Villas de Oros. It has a partial ocean view and a detached 1 car garage. Tax IDs: 401-030-001-014-PIR-106 & 401-030-001-014-PCL-106

Villas de Oros is located in the Palmilla area of San Jose Del Cabo in Mexico's Baja California Sur.

**Owner:**

AEM's Mexican subsidiary, AEMEMMX S DE RL DE CV

**Buyer:**

Harry Barr

**Buyer's relationship to AEM:**

None Known

**Listing Price:**

Property was unlisted at time of sale

**Purchase Price:**

\$420,000

**Earnest Money:**

\$10,650

**Est. Closing Date:**

31-Mar-21



**Broker:**

Emily Rice, Snell Real Estate

**BPO Value and Date:**

BPO done in January 2020 based value at \$350,000. Verbal update in January 2021 placed value in the \$400,000 to \$440,000 range.

**Liens affecting the property:**

None known

**Material terms and conditions of sale:**

Cash; Broker fee is 6% of the selling price. Buyer to pay for escrow and notary costs.

**Receiver's comments:**

Villas de Oros is a well maintained development in a desirable location. After paying the real estate commission and closing costs the receiver estimates the sale will net approximately \$380,000 for the estate.

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).