

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 (CONDOMINIUM TAMAR UNIT #200, LOS CABOS, BAJA CALIFORNIA SUR, MEXICO)

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 known as  
2 Condominium Tamar Unit #200, Los Cabos, Baja California Sur, Mexico (the “Property”),  
3 according to the basic terms set forth in the summary attached as Exhibit A hereto.

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

6           1.       The Property consists of a 1,367 square foot condominium in Los Cabos, Baja  
7 California Sur, Mexico. The Property is on the second floor and has three bedrooms, three  
8 bathrooms, and one parking spot. There is a slight ocean view, but the main view is of the  
9 garden. The Residencial Tamar Condo development is a gated community near the Home Depot,  
10 approximately seven minutes from Cabo San Lucas. It has nicely maintained grounds and a  
11 community swimming pool.

12          2.       The current fee title owner of the Property is AEMEMMX S DE RL DE CV, a  
13 subsidiary owned by American Eagle Mortgage 600, LLC and American Eagle Mortgage  
14 Mexico 400, LLC.

15          3.       The buyer’s name is Francisco Sanchez Villalobos.

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

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

19          6.       The material terms and conditions of the proposed sale are: (a) the cash purchase  
20 price is in the amount of \$194,000; (b) the buyer will pay a non-refundable earnest money  
21 deposit in the amount of \$30,000, which in the event of the buyer’s default will be forfeited to  
22 the Receiver as the Receiver’s sole and exclusive remedy; (c) closing is estimated to occur on or  
23 after September 15, 2022; (d) the buyer will pay for escrow and notary costs; and (e) subject to  
24 the occurrence of closing, the Receiver will be obligated to pay, and will pay in connection with  
25 the closing, a broker’s commission to the buyer’s brokers, Chuck Lohrman and Emily Rice,  
26 Snell Real Estate, in an amount equal to ten percent (10%) of the gross purchase price.

1           7.       A broker's price opinion done in January 2020 valued the Property at \$121 per  
2 square foot, or approximately \$165,000. The Property was listed for sale at \$199,000. The  
3 Receiver anticipates that after paying the real estate commission to the buyer's brokers and  
4 closing costs, the receivership estate will net approximately \$165,000.

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

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

15           DATED this 23<sup>rd</sup> day of August, 2022.

16   MILLER NASH LLP

17  
18   /s/ John R. Knapp, Jr.  
  John R. Knapp, Jr., P.C., WSB No. 29343

19   Attorneys for Receiver  
20   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

## Condominium Tamar Unit #200, Los Cabos, Baja California Sur, Mexico

**Description of Property :**

A 1,367 square foot, 3 bedroom, 3 bathroom condo with 1 parking spot. This is a 2nd floor condo. There is a slight ocean view, but the main view is of the garden. The Residencial Tamar Condo development is a gated community near the Home Depot, approximately 7 minutes from Cabo San Lucas. It has nicely maintained grounds and a community swimming pool.

**Owner:**

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

**Buyer:**

Francisco Sanchez Villalobos

**Buyer's relationship to AEM:**

None

**Listing Price**

\$199,000

**Purchase Price:**

\$194,000

**Earnest Money**

\$30,000

**Estimated Closing**

Sept. 15, 2022



**Broker:**

Chuck Lohrman & Emily Rice, Snell Real Estate

**BPO Value and Date:**

BPO was done in January 2020 and estimated the value at \$121 per square foot, or approximately \$165,000 USD

**Liens affecting the property:**

None known

**Material terms and conditions of sale:**

Cash; Broker fee is 10% of the selling price. Buyer to pay for escrow and notary costs.

**Receiver's comments:**

After paying the real estate commission and closing costs the receiver estimates the sale will net approximately \$165,000 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).