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Presented by:

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IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

MICHAEL CAREY; LEONE CAREY;  
DOUGLAS CARPA and ROBERT  
TALBOT, as Trustees of the RANCH  
HOLDING TRUST; MICHAEL  
BLOOMQUIST, as Trustee of the  
HIDDEN MEADOWS HOLDING  
TRUST; PAMELA GRAFF; PATRICIA  
WELCH; STATE OF CALIFORNIA  
FRANCHISE TAX BOARD; and STATE  
OF CALIFORNIA DEPARTMENT OF  
INDUSTRIAL RELATIONS,

Defendants.

Civil No. 2:05-cv-2176-MCE

**ORDER CONFIRMING SALE OF  
REAL PROPERTY LOCATED AT  
23658 HIGHWAY 299E, BELLA VISTA,  
CALIFORNIA**

Hearing date: September 19, 2011  
Hearing time: 2:00 p.m.  
Hearing place: 501 I Street, Sacramento, CA  
Courtroom 7

Order Confirming Sale of Real Property  
Located at 23658 Highway 299E,  
Bella Vista, California

1 This matter came before the Court on the United States' Motion to Confirm Sale of Bella  
2 Vista Property ("Motion to Confirm Sale"). Upon consideration of the Motion to Confirm Sale,  
3 any opposition, and any reply, it is hereby ORDERED:

4 1) This Order concerns the real property located at 23658 Highway 299E, Bella Vista,  
5 California, 96008 ("the Property"). The Property is more particularly described as follows:

6 All that portion of the North one-half of the Southwest one-  
7 quarter of Section 35, Township 33 North, Range 3 West, M.D.B.  
8 & M., lying North of the California State Highway No. 299E.

9 Excepting therefrom all that portion conveyed in the deed  
10 to Kenneth E. Spencer and Ruth Melba Spencer, husband and wife,  
11 recorded March 16, 1970 in Book 1022 of Official Records, Page  
12 270, Shasta County Records. Also excepting therefrom "All  
13 mineral lands except coal or iron lands" as excepted in the patent  
14 from the United States of America, recorded April 7, 1896 in Book  
15 5 of patents, page 275, Shasta County Records. Also excepting  
16 therefrom one-third of all minerals or other hydrocarbon  
17 substances in said above described property with the right to enter  
18 upon said land and remove the same as reserved in the deed  
19 recorded April 28, 1960 in book 633 official records at page 292,  
20 Shasta County Records.

21  
22 2) The Court finds that the Property was sold at public auction on December 8, 2010,  
23 in accordance with 28 U.S.C. §§ 2001 and 2002 and this Court's Order entered February 11,  
24 2008. Accordingly, the United States' Motion to Confirm Sale is hereby GRANTED.

25 3) It is hereby ORDERED that the sale is confirmed.

26 4) It is FURTHER ORDERED that the Proposed Deed to Real Property Located at  
27 23658 Highway 299E, Bella Vista, California, submitted by the United States is APPROVED,  
28 and that an appropriate official at the Internal Revenue Service shall execute and deliver the  
29 Deed to the Property to the purchaser, Michael Hanley Harvey.

30 5) It is FURTHER ORDERED that the proceeds of the sale, which total \$210,000,  
31 shall be distributed as follows:

Order Confirming Sale of Real Property  
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Bella Vista, California

1           **First**, to the Internal Revenue Service Property Acquisition and Liquidation Specialist in  
2 the sum of **\$1,419.65** for the costs of the sale of the Property, including advertising and  
3 locksmith expenses. The check shall be made payable to “United States Treasury” and shall be  
4 sent to the Internal Revenue Service, ATTN: Douglas McDonald, 751 Daily Drive, Suite 100,  
5 Camarillo, California, 93010, and the phrase “Carey – Bella Vista” shall be placed in the memo  
6 line of the check.

7           **Second**, to Shasta County for payment of due and owing ad valorem taxes on the  
8 Property. The check shall be made payable to “Shasta County Tax Collector” and shall be sent  
9 to the Shasta County Tax Collector’s Office, PO Box 991830, Redding, California, 96099-1830,  
10 and the phrase “AP No. 305-150-008” shall be placed in the memo line of the check. The  
11 amount of this payment to Shasta County shall be **\$4,886.14**, if distribution is made before  
12 October 1, 2011; **\$4,945.06**, if distribution is made on or after October 1, 2011 and before  
13 November 1, 2011; and **\$5,003.98**, if distribution is made on or after November 1, 2011 and  
14 before December 1, 2011.

15           **Third**, to Patricia Welch in full payment of her senior interest in the Property. The check  
16 shall be made payable to “Armstrong Law Offices, in trust for its client, Patricia Welch,” and  
17 shall be sent to Armstrong Law Offices, 326 N. Mount Shasta Blvd., Suite 2, Mount Shasta, CA  
18 96067. The amount of this payment to Patricia Welch shall be **\$106,469.03** if distribution is  
19 made before October 1, 2011; **\$107,066.92** if distribution is made on or after October 1 but  
20 before November 1, 2011; and **\$107,664.81** if distribution is made on or after November 1 but  
21 before December 1, 2011.

22           **Fourth**, to the United States of America for application to the unpaid federal income tax  
23 liabilities of Michael and Leone Carey for the years 1995 through 2000. The check shall be

Order Confirming Sale of Real Property  
Located at 23658 Highway 299E,  
Bella Vista, California


1 made payable to "United States Treasury" and shall be sent to Adam D. Strait, Trial Attorney,  
2 U.S. Department of Justice, P.O. Box 683, Washington, D.C. 20044, and the phrase "Carey  
3 2005104103" shall be placed in the memo line of the check. The amount of this payment to the  
4 United States of America shall be the remainder of the proceeds: **\$97,225.18** if distribution is  
5 made before October 1, 2011; **\$96,568.37** if distribution is made on or after October 1 but before  
6 November 1, 2011; and **\$95,911.56** if distribution is made on or after November 1 but before  
7 December 1, 2011.

8 6) It is FURTHER ORDERED that the confirmation of the sale shall, and hereby does,  
9 discharge and extinguish all interests in, liens against, or claims to the Property that are held by  
10 the United States of America; Michael Carey; Leone Carey; the Ranch Holding Trust, including  
11 its Trustee(s) and beneficiaries; the Hidden Meadows Holding Trust, including its Trustee(s) and  
12 beneficiaries; Pamela Graff; Patricia Welch; the State of California Franchise Tax Board; and the  
13 State of California Department of Industrial Relations.

14 7) It is FURTHER ORDERED that the purchaser of the Property may record this  
15 Order in the public records of Shasta County or in other public records as he may find  
16 appropriate.

17 **IT IS SO ORDERED.**

18 Dated: November 8, 2011

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21 MORRISON C. ENGLAND, JR.  
22 UNITED STATES DISTRICT JUDGE  
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Order Confirming Sale of Real Property  
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