

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge Christine M. Arguello**

Civil Action No. 11-cv-02292-CMA-KLM

UNITED STATES OF AMERICA,

Plaintiff,

v.

JAMES D. WELCH,
AMRA WELCH, as nominee/alter ego of James D. Welch, and
CIT GROUP/EQUIPMENT FINANCING, INC.,

Defendants.

**ORDER CONFIRMING SALE OF REAL PROPERTY AND
FOR DISTRIBUTION OF PROCEEDS**

On July 28, 2014, the Court entered an Order of Judicial Sale in this case (Docket #115). The Order directed the Internal Revenue Service Property Appraisal and Liquidation Specialist ("PALS") to sell certain real property and report the sale to the Court. The Order permitted the sale of the following real property commonly referred to as 11420 Teachout Road, Colorado Springs, Colorado 80908 ("subject property"). The subject property is more particularly described as follows:

Lot 2, in Black Forest Square Filing No. 1, in El Paso
County, Colorado, according to the plat thereof recorded
August 28, 1998 at Reception No. 98123605

The United States has reported, and the Court so finds, that the sale was publicized in accordance with 28 U.S.C. §§ 2001-2002 and properly conducted, on November 13, 2014 at the subject property, and that the subject property sold for \$266,000. The purchasers have fully paid the purchase price to the IRS PALS, who

then deposited the funds into the Court's registry. The United States seeks an Order confirming the sale and directing the Clerk to distribute the sale proceeds.

In accordance with the foregoing, and for good cause shown, the motion is GRANTED, and it is hereby,

ORDERED, the sale on November 13, 2014, of the real property at issue was properly conducted and no objection was filed so that the sale of the real property at issue is confirmed;

ORDERED, the Internal Revenue Service is authorized to execute and deliver to the purchaser(s) a Deed to Real Property conveying the real property at issue;

ORDERED, on delivery of the Deed to Real Property, all interests in, liens against, or claims to the real property at issue that are held or asserted in this action by the plaintiff or any of the defendants are discharged. On delivery of the Deed to Real Property, the real property at issue shall be free and clear of the interests of the United States (or the Internal Revenue Service); Jim D. Welch, Celestial Pursuits Trust, CIT Group/Equipment Financing, Inc., and Colorado Department of Revenue.

ORDERED, possession of the real property sold shall be yielded to the purchaser(s) upon the production of a copy of the Deed to Real Property; and if there is a refusal to so yield, a Writ of Assistance may, without further notice, be issued by the Clerk of this Court to compel delivery of the real property at issue to the purchaser;

ORDERED, that the Clerk shall disburse the proceeds of the sale from the Court's registry in the following manner:

a. First, by check made payable to the "Internal Revenue Service PALS" with "U.S. v. Jim D. Welch, 1:11-CV-02292-CMA-KLM" written in the memo line, in the amount of \$2,332.97 for costs of sale, mailed to:

Darlene Jones, IRS PALS
Internal Revenue Service
4041 N. Central Avenue, Mail Stop 5021
Phoenix, AZ 85012-3330

b. Second, by certified check made payable to "El Paso County Treasurer"
"Tax ID. No. 5220005029" written in the memo line, in an amount of \$6,371.15 if mailed
on or before December 31, 2014, and in an amount of \$6,419.89 if mailed thereafter,
mailed to:

Office of El Paso County Treasurer
P.O. Box 2018
Colorado Springs, CO 80901

c. Third, the total remaining funds should be sent by check made payable to
"US Treasury" with "U.S. v. Jim D. Welch, 1:11-CV-02292-CMA-KLM" written in the
memo line, for application to the judgment debt of the United States in this case against
Jim D. Welch, mailed to:

Office of Review, Tax Division
P.O. Box 310
Ben Franklin Station
Washington, D.C. 20044

DATED: December 17, 2014

BY THE COURT:



CHRISTINE M. ARGUELLO
United States District Judge