

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

LAURA DOMBROWSKI,

Plaintiff,

v.

UNITED STATES OF AMERICA,

Defendant.

Civil Action No. 3:18-cv-11615

Hon. Robert H. Cleland, U.S.D.J.

UNITED STATES OF AMERICA,

Counterclaim-Plaintiff,

v.

LAURA DOMBROWSKI, and
RONALD MATHESON,

Counterclaim-Defendant.

ORDER APPROVING SALE

Before the Court is the United States of America's *Motion for Order Approving Sale*. It is the product of the United States having filed this action seeking, among other things, enforcement of the federal tax liens that attached to the real property located at 54213 Stillwater Drive, Macomb, Michigan 48042 (the

“Property”),¹ the Court having ordered the sale of the Property and appointed Carol Wright, a licensed broker with Keller Williams Great Lakes, The Monzo Group, as Receiver to market and sell the Property, the Receiver having listed the Property for sale, the Receiver having received a contract to purchase the Property from Elizabeth Wiczerza for \$460,000.00, the Receiver deeming that offer reasonable and recommending it be accepted, and the United States having submitted for the Court’s approval a proposed form of Receiver’s Deed for use in completing the sale, and, it appearing that Receiver conducted adequate efforts to market the Property, search for a buyer, and sell the Property, the Court finds that the offer of \$460,000 for the Property that was made by Elizabeth Wiczerza represents the highest and best price for the Property.

The Court having considered the premises of the Motion and the Declaration of the Receiver attached to the Motion, and finding good cause to grant the Motion, it is therefore

ORDERED that the *Motion for Order Approving Sale* of the Property is granted, and it is

¹ A more particular description for the property is:

Lot 198 Penzien Farms Subdivision, according to the plat thereof recorded in Liber 132 of Plats, Pages 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, and 42, Macomb County Records.
Parcel: 08-08-177-005.

ORDERED FURTHER that the sale of the Property by the Receiver under the terms of the contract to purchase real estate, which is attached as an exhibit to the declaration of the Receiver that, in turn, is attached as an exhibit to the motion for order approving the sale, is hereby approved, and it is

ORDERED FURTHER that the Receiver shall select a title company to conduct a closing for the sale or, if local law requires an attorney to conduct a closing for the sale, the Receiver shall select an attorney to conduct a closing for the sale, and it is

ORDERED FURTHER that, with respect to the sale of the Property, a portion of the proceeds of sale shall be credited or disbursed at closing to pay (a) any real property taxes due and owing or accrued on account at the time of closing, (b) any hold for estimated unpaid water and sewer charges, (c) the pro rata portion of any gas, water and sewer, and/or electric service charges accrued and/or due as of the date of closing, (d) the settlement or closing charges, including the fees charged by the title company or attorney to conduct the closing, if any, to be paid by the Seller, (e) the Receiver's compensation of 6% of the sale price (to be split equally with any Buyer's agent), and (f) reimbursement to the Receiver of \$977.41 for her work and payments related to preparing the Property for sale, maintaining it, and transitioning the utilities, plus reimbursement for additional utility payments the Receiver has made until the time of closing. The Court further orders that the

title company or attorney conducting the closing shall hold in escrow the sale proceeds remaining after credits or disbursements are made for said expenses together with any later determined remainder of any estimated amount for which a credit was given at closing, such as for a water hold, pending a further Order of the Court that sets forth the identity of the persons or entities that are to receive a disbursement from them and the amount of the disbursement each is to receive (the United States will prepare and submit a motion and a proposed order for this purpose, which generally will explain the amounts to be paid), and it is

ORDERED FURTHER that the sale of the Property shall be free and clear of all existing rights, titles, claims, liens, and interests, including any right of redemption; and it is

ORDERED FURTHER that the use of the Receiver's Deed for the sale of the Property that is attached to this Order is approved, and the Recorder's Office for the county where the Property is situated shall permit the recording of the deed after it is executed. The deed shall convey all of the rights, titles, claims, and interests that Laura Dombrowski has in the Property to the buyer, Elizabeth Wiczerza.

IT IS SO ORDERED.

Dated: January 10, 2023

s/Robert H. Cleland
HON. ROBERT H. CLELAND
United States District Judge