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 8 Residential Finance Trust Mortgage Loan Asset-
 Backed Certificates Series 2007-BC1
 9

10 **UNITED STATES DISTRICT COURT**
 11 **DISTRICT OF NEVADA**

12 U.S. BANK NATIONAL ASSOCIATION, AS
 TRUSTEE FOR THE SPECIALTY
 13 UNDERWRITING AND RESIDENTIAL
 FINANCE TRUST MORTGAGE LOAN
 14 ASSET-BACKED CERTIFICATES, SERIES
 2007-BC1,

Case No.: 2:16-cv-01601-RFB-DJA

**STIPULATION AND ORDER TO
 DISMISS WASHINGTON & SANDHILL
 HOMEOWNERS ASSOCIATION**

15 Plaintiff,

16 v.

17 WASHINGTON & SANDHILL
 HOMEOWNERS ASSOCIATION, AND SFR
 18 INVESTMENTS POOL 1, LLC,

19 Defendants.

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1 Plaintiff U.S. Bank National Association, as Trustee for the Specialty Underwriting and
2 Residential Finance Trust Mortgage Loan Asset-Backed Certificates Series 2007-BC1 (**U.S. Bank**)
3 and Defendant Washington & Sandhill Homeowners Association (**Washington & Sandhill**) stipulate
4 as follows pursuant to the Court's Minute Order, ECF No. 29:

5 1. This matter relates to real property located at 920 Villa Crest Court, Las Vegas, NV
6 89110, APN No. **140-30-612-018**, described as:

7 **LOT 18 IN BLOCK 2 OF WASHINGTON & SANDHILL – UNIT 2, AS SHOWN BY**
8 **MAP THEREOF ON FILE IN BOOK 88, OF PALTS, PAGE 76 IN THE OFFICE**
9 **OF THE COUNTY RECORDER OF CLARK COUNTY, NEVADA.**

10 (the **property**).

11 2. U.S. Bank is the beneficiary of record of a deed of trust encumbering the property
12 recorded with the Clark County Recorder on September 29, 2006, as Instrument No. 20060929-
13 0002291.

14 3. On October 1, 2013, Alessi & Koenig, LLC recorded a trustee's deed upon sale with the
15 Clark County Recorder, as Instrument No. 201310010000140, reflecting Defendant SFR Investments
16 Pool 1, LLC purchased the property at a foreclosure sale of the property held on September 25, 2013
17 (the **foreclosure deed**).

18 4. U.S. Bank and Washington & Sandhill have entered into a confidential settlement
19 agreement by which they have settled all claims between them in this case.

20 5. Among other things in the settlement agreement, Washington & Sandhill agrees it no
21 longer has an interest in the property for purposes of this action vis a vis the deed of trust. This
22 disclaimer of interest does not apply to the continuing encumbrance of Washington & Sandhill's
23 declaration of covenants, conditions and restrictions, and any governing documents adopted
24 thereunder, easements, servitudes, or other rights and interests in the property as governed by NRS
25 chapter 116. Washington & Sandhill further agrees it will take no position in this action or in any
26 subsequent action regarding whether the deed of trust survived Washington & Sandhill's foreclosure
27 sale.

28 6. Among other things in the settlement agreement, U.S. Bank and Washington &
Sandhill agree that U.S. Bank does not waive its right to seek relief against the non-settling parties,

1 including but not limited to SFR Investments Pool 1, LLC related to its remaining claims in this
2 action. U.S. Bank does not admit the deed of trust was extinguished, and any consideration exchanged
3 for the dismissal of the claims against Washington & Sandhill is not intended to be compensation for
4 any loss of the deed of trust, but instead compensates U.S. Bank for fees incurred in litigating the
5 propriety and effect of Washington & Sandhill's foreclosure sale and related conduct.

6 7. U.S. Bank and Washington & Sandhill further stipulate and agree that all claims in this
7 matter asserted by U.S. Bank against Washington & Sandhill are dismissed in their entirety with
8 prejudice, with each party to bear its own attorneys' fees and costs.

9 U.S. Bank and Washington & Sandhill request the Court enter an order approving this
10 stipulation.

11 DATED September 10, 2019.

12 **AKERMAN LLP**

13 /s/ Jared M. Sechrist

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Attorneys for Defendant Washington & Sandhill
Homeowners Association

IT IS SO ORDERED.



RICHARD F. BOULWARE, II
UNITED STATES DISTRICT JUDGE

Case No.: 2:16-cv-01601-RFB-DJA

DATED September 11, 2019