

United States Department of Justice

United States Marshals Service

Northern District of California

# NOTICE OF SALE OF REAL PROPERTY

*United States v. Ruth Thomas, Special Administrator for Estate  
of Ruth E. Dubois, etc.,  
U.S. District Court, Case No. C-02-1091 MMC*

## **Brief Description of Real Property to be Sold:**

**Group One** - A.P.N.: 043-071-010, approximately 1.64 acres of vacant, undeveloped land located in the San Juan Hills area of Belmont, California, close to Adelaide Way and Lori Court. Includes a 25-foot wide easement across a parcel that fronts on Adelaide Way. Burdened by a utility easement.

**Group Two** - A.P.N.: 043-021-380 & 043-021-010, approximately 6.93 and 0.93 acres of vacant, undeveloped land located along the northerly side of Bishop Road in the San Juan Hills of Belmont, California.

**Group Three** - A.P.N.: 043-072-010, approximately 9.0 acres of vacant, undeveloped land accessed via Marsten Avenue, north of Christian Drive, in the San Juan Hills of Belmont, California.

**Group Four** - A.P.N.: 043-072-030, approximately 5.05 acres of vacant, undeveloped land located along the northerly side of Ralston Avenue, in the San Juan Hills of Belmont, California.

**Group Five** - A.P.N.: 043-203-420 & 043-203-430, approximately 0.27 acres of vacant, undeveloped land located along Upper Lock Avenue in the San Juan Hills of Belmont, California.

**Group Six** - 83 parcels, ranging from 0.11 acres to 0.23 acres, for a total of approximately 12.57 acres, of vacant, undeveloped lots located in the San Juan Hills area of Belmont.

A.P.N.s. are 043-030-350, 043-030-340, 043-030-330, 043-030-320, 043-030-390, 043-030-380, 043-030-370, 043-030-360, 043-030-120, 043-030-500, 043-030-490, 043-030-480, 043-030-470, 043-030-460, 043-030-450, 043-030-440, 043-030-430, 043-030-420, 043-030-410, 043-030-400, 043-062-010, 043-062-480, 043-062-490, 043-062-500, 043-062-510, 043-062-520, 043-062-530, 043-062-540, 043-062-550, 043-062-560, 043-062-570, 043-062-580, 043-062-590, 043-062-600, 043-062-610, 043-062-160, 043-062-170, 043-062-180, 043-062-190, 043-062-200, 043-062-620, 043-062-630, 043-062-640, 043-062-650, 043-062-660, 043-062-670, 043-042-580, 043-042-590, 043-042-600, 043-042-630, 043-042-640, 043-042-650, 043-042-660, 043-042-670, 043-042-680, 043-042-690, 043-042-180, 043-061-630, 043-061-620, 043-061-610, 043-061-580, 043-061-600, 043-061-590, 043-061-290, 043-061-690, 043-061-680, 043-061-670, 043-061-660, 043-061-650, 043-061-640, 043-061-730, 043-061-720, 043-061-710, 043-061-700, 043-061-400, 043-061-790,

043-061-780, 043-061-770, 043-061-760, 043-061-750, 043-061-740, 043-061-810, 043-061-800.

**Group Seven** - A.P.N.: 083-105-070 & 083-105-080, total of approximately 0.24 acres of vacant, undeveloped land located in La Honda, California.

**Group Eight** - A.P.N.: 044-242-040, approximately 0.18 acres of vacant, undeveloped land located in the San Juan Hills of Belmont, California.

**Sale Particulars:**

Date of Sale: September 17, 2009

Time of Sale: 10:00 a.m.

Place of Sale: Steps of San Mateo County Hall of Justice, 400 County Center, Redwood City, California.

Notice is hereby given under the [Judgment and Decree of Sale](#) filed on March 18, 2005, that the United States Marshals Service will offer the real estate described above for sale at public auction at the time, date and place noted above. The real property to be sold is situated in the County of San Mateo and State of California, and is more commonly known as 91 parcels in the Belmont Country Club Properties Subdivision, together with a right of way for road purposes and an easement for utilities, and 2 parcels in the Cuesta La Honda Subdivision, located in La Honda, California.

The sale shall be free and clear of any interests of the Estate of Ruth E. DuBois and the United States of America. The sale shall be subject to any lease, building lines if established, all laws, ordinances and governmental regulations (including building and zoning regulations), affecting the premises, as well as and easements and restrictions of record.

**Bidding and Purchase Requirements and Sale Terms:**

Any sale will be made to the highest bidder for certified check or cash only, subject to the following terms and conditions:

1. Lots will be sold in groups described above only. The **minimum bid price** for each parcel group shall be:

Group One .....	\$96,000
Group Two .....	\$405,000
Group Three .....	\$270,000
Group Four .....	\$168,000
Group Five.....	\$3,000
Group Six .....	\$135,000
Group Seven .....	\$21,000
Group Eight .....	\$165,000

2. Bidders must present proof to the Deputy United States Marshal that they have a minimum of \$10,000 in funds, either certified checks or cash, for each parcel they wish to bid on. If the Deputy United States Marshal, in her sole discretion, is not satisfied that a bidder has met this requirement, they may not bid.

3. At the conclusion of the sale, successful bidders must either:
  - a. pay the entire purchase price with certified checks or cash; or
  - b. pay the Deputy United States Marshal \$10,000.00 of the purchase price in certified checks or cash, and deliver certified checks or cash to the United States Marshals Service for the remaining balance no later than sixty days after the bid is accepted.
4. In the event the successful bidder at the execution sale fails to pay the remainder of the purchase price within sixty days (pursuant to the provisions set forth in Paragraph 3(b) above), any deposit made by the bidder is forfeited, and shall be used to pay the costs of sale and the United States Marshal's commission on the sale, with any remainder applied to the debt that is the basis for this sale. The United States Marshals Service shall, within seven days following the default, begin the process for a new sale under the procedures established in the Judgment and Decree of Sale.
5. The sale of the realty shall be subject to confirmation by the United States District Court. Upon confirmation of the sale by the Court, the United States Marshal shall execute and deliver a quit claim deed conveying the realty to the purchaser.
6. The United States Marshal reserves the right to reject any bids not in conformance with the above requirements and to postpone the sale at anytime.

**No Warranties**  
**By United States:**

Any sales of real property are made "as is," with no express or implied representations or warranties as to the value of the parcels, whether they can be subdivided, combined, developed, or altered in any way. No representation is made as to the zoning of any parcel, or to the parcel's accessibility to county-maintained roads, sewage, power, or public services. No representation or warranty is made as to the soil or earth conditions on the properties. Bidders are encouraged to carefully review applicable laws, including city and county zoning measures before bidding.

Sales are "subject to" any encumbrance or interest with priority over the United States' lien interest. Bidders are also encouraged to obtain a title report for any parcel they may wish to purchase so they understand whether there are any encumbrances or interests senior to the United States' interest.

**Inspection:**

The real property parcels are open lots and may be inspected and appraised by prospective bidders prior to the date of sale. Contact the United States Marshals Service, Civil Division at (415) 436-7649 to obtain access to the property. To obtain and/or request information regarding any changes regarding the sale location, date and/or time, please contact either the United States Marshals Service, Civil Division at (415) 436-7649, or the U.S. Attorney's Office's Financial Litigation Unit's property sale voice-mailbox at (415) 436-6735.

*The United States Marshal's Service has plat maps showing the location of the parcels offered for sale. They are offered for information purposes only. No warranty is made as to the accuracy of the maps. Bidders should not rely on the maps in making their bids. Contact the*

*United States Marshals Service at 415-436-7649 to obtain a copy or visit the United States Attorney's Office Public Notification website to view a copy of this notice, along with the plat maps at:*

<http://www.usdoj.gov/usao/can/community/Notifications/index.html>

Prospective bidders are referred to the Court's Judgment and Decree of Sale and to 28 U.S.C. §§ 2001(a), and 2002 for more information on the sale procedures, including, but not limited to, provisions governing the terms, conditions and effect of the sale, and the liability of the defaulting successful bidder.

Attorney for creditor:  
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Dated: August 19, 2009

FEDERICO L. ROCHA  
United States Marshal

By:     /S/ KELLY McGOWEN, SDUSM