

Attorney or Party Name, Address, Telephone & FAX Nos., State Bar No. & Email Address	FOR COURT USE ONLY
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<input type="checkbox"/> Individual appearing without attorney <input checked="" type="checkbox"/> Attorney for: Jeremy W. Faith, Chapter 7 Trustee	

UNITED STATES BANKRUPTCY COURT  
CENTRAL DISTRICT OF CALIFORNIA - NORTHERN DIVISION

In re:  TERESA A. METZNER,	CASE NO.: 9:13-bk-12179-PC CHAPTER: 7
Debtor(s).	<b>NOTICE OF SALE OF ESTATE PROPERTY</b>

<b>Sale Date:</b> 01/06/2015	<b>Time:</b> 10:00 am
<b>Location:</b> 1415 State Street, Courtroom 201, Santa Barbara, CA 93101	

**Type of Sale:**  Public  Private **Last date to file objections:** 12/23/2014

**Description of property to be sold:** Vacant Land (APN 139-051-052) located in Solvang, California 93463.  
See Legal Description attached hereto as Exhibit A.

**Terms and conditions of sale:** The Trustee is providing marketable title to the property.  
The sale is otherwise "as-is," "where-is," "with all faults," and without any representations or warranties of any kind and is subject to overbid at the hearing.

**Proposed sale price:** \$ 350,000.00

This form is mandatory. It has been approved for use in the United States Bankruptcy Court for the Central District of California.

**Overbid procedure (if any):** Initial overbid \$25,000 above the proposed sale price, with each additional bid in \$5,000 increments. Overbidders must deliver a deposit in the amount of \$75,000 by way of cashier's check made payable to "Jeremy W. Faith, Chapter 7 Trustee," and proof of financial ability to close the sale to the Trustee's Counsel by 12/29/2014.

**If property is to be sold free and clear of liens or other interests, list date, time and location of hearing:**

Date: January 6, 2015  
Time: 10:00 am  
Place: Courtroom 201  
United States Bankruptcy Court  
1415 State Street  
Santa Barbara, California 93101

**Contact person for potential bidders (include name, address, telephone, fax and/or email address):**

Counsel for the Trustee:  
Meghann Triplett of MARGULIES FAITH LLP  
Telephone: (818) 705-2777  
Email: Meghann@MarguliesFaithlaw.com

Date: 12/16/2014

# Exhibit A

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### LEGAL DESCRIPTION

Real property in the unincorporated area of the County of Santa Barbara, State of California, described as follows:

PARCEL ONE: (APN: 139-051-52)

PARCEL 4 OF PARCEL MAP NO. 13,908 IN THE COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 44, PAGES 23 AND 24 OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPTING THEREFROM AN UNDIVIDED ½ INTEREST IN AND TO THE PETROLEUM, GAS OR OTHER HYDROCARBON SUBSTANCES LYING IN OR UNDER THE PROPERTY HEREIN DESCRIBED, AS RESERVED BY ERWINA D. JANIN, TRUSTEE UNDER THE LAST WILL AND TESTAMENT OF CHARLES JANIN, DECEASED, IN THE DEED RECORDED DECEMBER 7, 1950 AS INSTRUMENT NO. 17764 IN BOOK 957, PAGE 106 OF OFFICIAL RECORDS, RECORDS OF SAID COUNTY.

PARCEL TWO:

AN EASEMENT FOR ROAD AND ALL PUBLIC UTILITY PURPOSES, AS CREATED BY DEED RECORDED JANUARY 8, 1991 AS INSTRUMENT NO. 91-000865 OF OFFICIAL RECORDS, OVER, IN, ALONG, UNDER, AND THROUGH THE FOLLOWING DESCRIBED PORTION OF SECTION 14, TOWNSHIP 6 NORTH, RANGE 31 WEST, SAN BERNARDINO BASE AND MERIDIAN, IN THE COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA.

ALL PORTIONS OF HILL HAVEN ROAD LYING WITHIN AND UPON PARCELS 1, 2, 3 AND 4 OF PARCEL MAP NO. 13,909 IN THE COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA, AS SHOWN ON THE MAP FILED IN BOOK 4, PAGES 25 AND 26 OF PARCEL MAPS, IN THE OFFICE OF THE RECORDER OF SAID COUNTY, HILL HAVEN ROAD BEING THAT CERTAIN 40-FOOT WIDE PRIVATE ROAD AND PUBLIC UTILITIES EASEMENT TERMINATING IN A CUL-DE-SAC WITH A 50-FOOT RADIUS, AS SHOWN ON SAID PARCEL MAP NO. 13,909.

PARCEL THREE:

AN EASEMENT FOR INGRESS, EGRESS, ROAD AND PUBLIC UTILITIES PURPOSES, OVER THOSE PORTIONS OF HILL HAVEN ROAD AS SHOWN AND DELINEATED ON SUBDIVISION MAP OF TRACT NO. 12,697 IN THE COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA, ACCORDING TO THE MAP THEREOF RECORDED IN BOOK 121, AT PAGES 80 AND 81 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, EXCEPTING THEREFROM ALL PORTIONS OF HILL HAVEN ROAD DEPICTED ON TRACT MAP NO. 12,697 AS LYING WITHIN AND UPON THE LAND DESIGNATED AS "(NOT A PART)" ON SAID TRACT MAP NO. 12,697.

PARCEL FOUR:

AN EASEMENT FOR INGRESS, EGRESS, ROAD AND PUBLIC UTILITY PURPOSES OVER, ALONG AND THROUGH THAT PORTION OF PARCEL 1 OF PARCEL MAP 13,909 IN THE COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA, ACCORDING TO THE MAP THEREOF FILED IN BOOK 44 AT PAGES 25 AND 26 OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWESTERLY CORNER OF SAID PARCEL 1, THENCE ALONG THE

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NORTH LINE OF SAID PARCEL 1, NORTH 64° 47' 57" EAST, 70 FEET; THENCE LEAVING SAID NORTH LINE, SOUTH 47° 02' 03" WEST, 79.12 FEET TO A POINT ON THE WEST LINE OF SAID PARCEL 1; THENCE NORTH 21° 10' 30" EAST, 49.51 FEET TO THE POINT OF BEGINNING.

PARCEL FIVE:

AN EASEMENT FOR INGRESS, EGRESS, ROAD AND PUBLIC UTILITY PURPOSES OVER, ALONG AND THROUGH THAT PORTION OF PARCEL 2 OF PARCEL MAP 13,909 IN THE COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA, ACCORDING TO THE MAP THEREOF FILED IN BOOK 44 AT PAGES 25 AND 26 OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WESTERLY LINE OF SAID PARCEL 2 OF SAID PARCEL MAP 13,909, FROM WHICH THE MOST SOUTHERLY CORNER OF SAID PARCEL 2 BEARS SOUTH 21° 10' 30" WEST, 80 FEET; THENCE LEAVING SAID WESTERLY LINE, SOUTH 37° 32' 32" EAST, A DISTANCE OF 56.48 FEET TO THE END THEREOF BEING A POINT ON THE SOUTHERLY LINE OF SAID PARCEL 2 FROM WHICH THE MOST SOUTHERLY CORNER OF SAID PARCEL 2 BEARS SOUTH 64° 47' 57" WEST, 70 FEET.

PARCEL SIX:

AN EASEMENT FOR ROAD AND ALL PUBLIC UTILITY PURPOSES, OVER, ALONG AND THROUGH THE FOLLOWING DESCRIBED PORTION OF SECTION 14, TOWNSHIP 6 NORTH, RANGE 31 WEST, SAN BERNARDINO BASE AND MERIDIAN IN THE COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WESTERLY PROPERTY LINE OF THE MOST WESTERLY 5.00 ACRE PARCEL AS SHOWN MORE FULLY ON RECORD OF SURVEY BOOK 30, PAGE 50 IN RECORDS OF SAID COUNTY, THAT BEARS NORTH 21° 10' 30" EAST 350.88 FEET FROM A ¾ INCH PIPE AT THE SOUTHWEST CORNER OF THE WESTERLY 5.00 ACRE PARCEL; SAID POINT BEING THE TRUE POINT OF BEGINNING OF THE CENTERLINE OF A 20 FOOT ROAD EASEMENT; THENCE LEAVING SAID WESTERLY PROPERTY LINE AND CONTINUING ALONG SAID CENTERLINE NORTH 64° 46' 15" EAST 290.04 FEET TO A POINT IN THE EASTERLY PROPERTY LINE OF SAID 5.00 ACRE PARCEL AND THE NORTHEASTERLY TERMINUS THEREOF THAT BEARS NORTH 21° 10' 30" EAST 483.55 FEET FROM THE SOUTHEAST CORNER OF SAID 5.00 ACRE PARCEL.

PARCEL SEVEN:

AN EASEMENT FOR ROAD AND ALL PUBLIC UTILITY PURPOSES, OVER, ALONG AND THROUGH THE FOLLOWING DESCRIBED PORTION OF SECTION 14, TOWNSHIP 6 NORTH, RANGE 31 WEST, SAN BERNARDINO BASE AND MERIDIAN IN THE COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

BEGINNING AT A ¾ INCH IRON PIPE WHICH IS DISTANT 1907.24 FEET SOUTH 89° 58' 30" EAST FROM A ¾ INCH IRON PIPE IN THE CENTER OF THE INTERSECTION OF THE SOLVANG TO SANTA YNEZ HIGHWAY WITH THE COUNTY ROAD TO BALLARD, AS MORE FULLY SHOWN IN BOOK 30 ON PAGE 50, IN RECORDS OF SURVEYS, RECORDS OF SAID COUNTY; THENCE ALONG THE WESTERLY LINE DESCRIBED IN BOOK 957, PAGE 106 OF OFFICIAL RECORDS AS MORE FULLY SHOWN IN THE ABOVE MENTIONED RECORD OF SURVEY, NORTH 21° 10' 30" EAST 197.58 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID WESTERLY LINE NORTH 21° 10' 30" EAST 167.80 FEET TO A POINT; THENCE SOUTH 38° 31' 26" WEST 129.58 FEET TO A POINT; THENCE SOUTH 20° 02' 42" EAST 58.64 FEET TO THE TRUE POINT OF BEGINNING.

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PARCEL EIGHT:

AN EASEMENT FOR ROAD AND PUBLIC UTILITIES, IN THE COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA, OVER, UNDER, ALONG AND THROUGH A STRIP OF LAND 20.00 FEET IN WIDTH, BEING A PORTION OF THE TRACT OF LAND DESCRIBED AS "PARCEL ONE" IN THE QUITCLAIM DEED TO THOMAS J. PETERSEN, ET UX., RECORDED MAY 21, 1968 AS INSTRUMENT NO. 16260 IN BOOK 2232, PAGE 1247 OF OFFICIAL RECORDS OF SAID COUNTY, LYING 10 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

BEGINNING AT A POINT ON THE SOUTH LINE OF SAID "PARCEL ONE" DISTANT THEREON NORTH 89° 58' 30" WEST 9.34 FEET FROM THE SOUTHEAST CORNER THEREOF; THENCE NORTH 32° 46' 52" WEST 236.58 FEET TO A POINT IN THE NORTHWESTERLY LINE OF SAID "PARCEL ONE", DISTANT THEREON NORTH 21° 10' 30" EAST 213.31 FEET FROM THE SOUTHWESTERLY CORNER THEREOF.

THE SIDELINES OF SAID EASEMENT TO BE PROLONGED OR SHORTENED TO INTERSECT IN THE BOUNDARY LINES OF SAID "PARCEL ONE".

PARCEL NINE:

AN EASEMENT FOR ROAD PURPOSES, INGRESS AND EGRESS OVER, ALONG AND UPON THE NORTH 30 FEET OF PARCEL "B" OF PARCEL MAP 11,986 IN THE COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA, AS SHOWN ON MAP FILED IN BOOK 15, PAGES 10 AND 11 OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

## PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:  
16030 Ventura Blvd., Suite 470, Encino, CA 91436

A true and correct copy of the foregoing document entitled: **NOTICE OF SALE OF ESTATE PROPERTY** will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner stated below:

**1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):** Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On *(date)* 12/16/2014, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

Service information continued on attached page

**2. SERVED BY UNITED STATES MAIL:**

On *(date)* 12/16/2014, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

JUDGE: Honorable Peter Carroll, U.S. Bankruptcy Court, 1415 State Street, Santa Barbara, CA 93101

Service information continued on attached page

**3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL** *(state method for each person or entity served)*: Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on *(date)* \_\_\_\_\_, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

12/16/2014  
*Date*

Helen Cardoza  
*Printed Name*

/s/ Helen Cardoza  
*Signature*

**ADDITIONAL SERVICE INFORMATION (if needed):**

**1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):**

Gary R Colegrove garycolegrove@aol.com  
Jeremy W. Faith (TR) jfaith@7trustee.net, C118@ecfbis.com;Helen@MarguliesFaithLaw.com;leedowding@gmail.com  
Nina Z Javan nina@marguliesfaithlaw.com, Helen@MarguliesFaithlaw.com;Maureen@MarguliesFaithlaw.com  
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