

NOTICE OF U.S. MARSHAL'S SALE
(Real Estate)



United States of America,

Northern DISTRICT OF California

} ss: 5:08-cv-05152

Public notice is hereby given, that by virtue of a writ of execution (or *Fieri Facias*), dated April 10, A. D. 20 15, issued out of the U.S. District Court, of the United States for the Northern District of California on a judgment rendered in said Court, on the 12th day of May, A.D. 20 10, in favor of Mortgage Electronic Registration Systems, Inc and against Teresa G. Wharton, John J. Wharton, Thomas E. Roberts MD, CA Franchise Tax Board et al I have, on this 23rd day of April, A. D. 20 15, levied upon the following described real estate, situated in the County/Parish of Santa Clara and State of California, to wit:

the real property commonly known as 645 Buena Vista Avenue, Gilroy, CA 95020, APN 835-03-012. See Attached Description of Property for detailed legal description.

I will, accordingly, offer said real estate for sale, at public auction to the highest and best bidder, for cash (or certified check), on the 18th day of February A.D. 20 16 at 10 o'clock A.M., at Santa Clara County Courthouse, 191 N. First St San Jose, CA

subject to the following terms and conditions:

The Marshal shall require of the last and highest bidder at the sale a minimum deposit in cash, certified check or cashier's check, of the full purchase price if it does not exceed \$1,000, and otherwise \$1,000 or ten percent of the bid, whichever is greater. The balance, if any, of the purchase price shall be paid in cash, certified check or cashier's check before confirmation of the sale or within 3 court days of the dismissal of any opposition which may have been filed.

All persons wishing to bid must register their names and addresses with the Marshal at the commencement of the sale. Registered bidders shall be required to display confidentially to the Marshal cash, a certified check or a cashier's check sufficient to pay the deposit required.

Dated, Tuesday, January 19, A. D. 20 16
(Day) (Month) (Date)

Jayne A. Peeters 415-971-0199

Plaintiffs Attorney.

Donald M. O'Keefe

U. S. Marshal.

Northern DISTRICT OF California

By [Signature] Deputy.

ATTACHMENT 1: DESCRIPTION OF PROPERTY

645 Buena Vista Avenue, Gilroy, CA 95020, APN 835-03-012 and legally described as:

PARCEL ONE: All of Parcel 1 of the "parcel map" recorded December 8, 1970 in Book 276 of Maps at Page 18, Santa Clara County Records.

PARCEL TWO: A non-exclusive easement for ingress and egress and for the installation and maintenance of a water pipeline 10 feet in width, the center line of which is described as follows: Beginning at a point on the common line between parcels 2 and 3 of the parcel map, distant thereon south 18 Deg., 9 Min., 20S Sec. east, 63.0 feet from the northerly corners common thereto; thence north and south 71 Deg., 50 Min., 40 Ssec.east, parallel with the northerly line of parcel 2, a distance 13.0 feet to the westerly line of a well site located within parcel 2 and the termination of centerline as reserved in deed executed by Lawrence Rocchi, et al recorded April 5, 1972, Book 9972, page 289 of official records.

PARCEL THREE: A non-exclusive easement for ingress and egress and for the installation and maintenance of a water pipeline 10 feet in width, the center line of which is described as follows: Beginning at the westerly common corners of parcels 1 and 2 of the parcel map, thence north 18 Deg., 9 Min., 20 Sec. west along the westerly line of parcel 2, a distance of 269.7 feet to the intersection thereof with the southerly line of the easement firstly above reserved and the termination of westerly easement line as reserved in deed executed by Lawrence Rocchi, et al recorded April 5, 1972, Book 9972, page 289 of official records.

PARCEL FOUR: Together with those certain rights and easements provided in that certain water agreement executed by and between Lawrence Rocchi, et al and James E. Gran dated March 31, 1972 and recorded April 5, 1972, under recorder's serial number 4226874, Santa Clara County Records.