

NACH, RODGERS, HILKERT & SANTILLI

2001 East Campbell Avenue, Suite 103

Phoenix, AZ 85016

Telephone No.: (602) 258-6000

Facsimile No.: (602) 258-6003

Stuart B. Rodgers – 025720

Email: stuart.rodgers@NRHSLaw.com

Docket@NRHSLaw.com

Attorneys for Robert A. MacKenzie, Trustee

IN THE UNITED STATES BANKRUPTCY COURT

FOR THE DISTRICT OF ARIZONA

In re:

IVAN DE LA CRUZ and MEI-LING DE
LA CRUZ fka MEI-LING ALLEN,

Debtors.

(Chapter 7 Case)

Case No. 2:24-bk-06299-EPB

**(AMENDED) NOTICE TO
CREDITORS AND INTERESTED
PARTIES OF PUBLIC AUCTION OF
ESTATE'S INTEREST IN REAL
PROPERTY**

AND

**NOTICE OF MOTION TO SELL
ESTATE'S FRACTIONAL INTEREST
IN (UNDEVELOPED) REAL
PROPERTY AND APPROVE
BIDDING PROCEDURES**

NOTICE OF AUCTION

NOTICE IS GIVEN that the Estate's interest in the below-described vehicle will be offered to the person making the highest and best bid at public sale by Robert A. MacKenzie, Chapter 7 Trustee ("Trustee") on Friday, **May 30, 2025**, at **8:30 a.m.**, by telephone, by dialing 1 (310) 372-7549 wait for prompt – ACCESS CODE # 831482 then press #.

Property to be Sold:	The Estate's interest in the following personal property: Undivided 50% interest (reportedly) in unimproved real property in Navajo County with a reported address of 5326 Turkey Dr., Heber, AZ 85928 (" Property ") A of the Vesting Deed is attached as Exhibits A to the Motion and are available upon written request to Stuart.Rodgers@NRHSLaw.com
Terms of Sale:	Interested buyers must do their own due diligence to determine the extent of the Estate's interest in the Note and Deed of Trust. Prospective purchasers are encouraged to personally inspect/perform their own due diligence of the Estate's interest in

	<p>the Note and Deed of Trust being sold, as the property will be sold on an “AS IS” “WHERE IS” basis, with no warranties, guarantees express or implied.</p> <p>Sale may be subject to sales tax unless the property being sold is tax-exempt or a resale number is used as proof of exemption. The purchaser will be provided an Assignment of the Estate’s interest in the Property. <i>All sales are subject to Trustee’s approval.</i></p> <p>If a party bids, that party is liable for the bid amount. A bidder may not withdraw his or her bid and if the successful bidder fails to pay the successful bid amount, the Estate will seek payment from the back-up bidder, if any, no exceptions. Moreover, the bidder that failed to pay will be liable for any difference in the amount bid and the amount collected. The Trustee shall also accept a backup bid.</p>
Proposed Purchaser:	<p>The Trustee has obtained an offer to purchase the Estate’s interest in the Property from the Debtor’s father, Pedro De Le Cruz (“Proposed Buyer”) for a purchase price of \$1,500 (“Offer”).</p> <p>Proposed Buyer has made its offer on an “AS-IS”, “WHERE-IS” basis and is taking the Estate’s interest in the Property without guaranties, warranties, or representations.</p> <p><u>The Sale is subject to Trustee’s final approval.</u></p> <p>The successful bidder shall remit payment to the Trustee within 5 calendar days of the sale. The funds may be a cashier’s check, money order, or personal check and should be made payable to “Robert A. MacKenzie, Trustee”.</p> <p>Offers are subject to higher and better bids.</p>
Insider:	The proposed purchaser is not an insider.
To Obtain More information:	Contact Stuart B. Rodgers, attorney for the Trustee, (602) 248-6000 or Stuart.Rodgers@NRHSLaw.com.
Description of Interest(s) in the Property:	<p>The Trustee is unaware of any liens, claims, or interests encumbering the Estate’s interest in the Debtor’s interest in the Property. The Debtor is a reported 50% co-owner with Adam De La Cruz.</p> <p><u>The Estate’s Interest in the Property is being sold as-is, where-is, with no representations, guarantees, or warranties.</u></p>
Appraisals:	The Trustee is not aware of any recent appraisals on the scheduled interest in the Property being sold.
Compensation/Fees:	There are no broker’s fees/compensation related to this sale.
Motions for stay relief:	There have been no motions for stay relief filed regarding the interest in the Property.

NOTICE OF MOTION

NOTICE IS FURTHER GIVEN that on May 5, 2025, the Trustee filed a *Motion to Sell*

1 *Estate's Interest in (Undeveloped) Real Property and Approve Bidding Procedures* seeking to sell
2 the Estate's interest in the Property. Any person opposing the sale shall file a written objection,
3 specifying the reason therefor, together with a notice of hearing, on or before twenty-one (21) days
4 of the date of this mailing as follows: United States Bankruptcy Court, as follows: (a) by hand-
5 delivery or mail to the Clerk of the Court, 230 North First Avenue, Suite 101, Phoenix, Arizona
6 85003-1706; or (b) electronically at the Court's website: ecf.azb.uscourts.gov using the Court's
electronic filing procedures, with a copy to: Nach, Rodgers, Hilkert & Santilli, at the above-address.
If a person timely objects in writing and a hearing is requested but has not yet been conducted by
the Court as of the date of the scheduled auction, bids will be taken and the normal sales procedures
followed. The closing of the sale remains dependent upon the outcome of the Court hearing
regarding the objection. **If there is no timely objection and request for hearing, no hearing will
be held, and the Trustee will proceed to sell the Property without further order of the Court.**

7 RESPECTFULLY SUBMITTED this 5th day of May, 2025.

8 **NACH, RODGERS, HILKERT & SANTILLI**

9 By /s/ Stuart B. Rodgers
10 Stuart B. Rodgers
11 Tyler N. Bowman
Attorneys for Trustee

12 A COPY mailed to:

13 All parties on the attached Master Mailing Matrix.¹

14 A COPY of the foregoing e-mailed to:

15 Pedro De La Cruz
16 c/o Ivan De La Cruz
Email: idelacruz55@gmail.com

17 Jared G. Parker
18 Parker Schwartz, PLLC
7310 N. 16th St., Ste. 330
Phoenix, AZ 85020
19 Email: jparker@psazlaw.com
Attorney for Debtors

20 Office of U.S. Trustee
21 230 North First Avenue
Phoenix, AZ 85003
22 Email: Patty.Chan@usdoj.gov
Email: ustpreion14.px.ecf@usdoj.gov

23 By: /s/ Danica Acosta
24

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26
27 ¹ A copy of the Master Mailing Matrix shall not be mailed with this Notice. Any party interested in a
28 copy of the Master Mailing Matrix may obtain a counsel by requesting it from Trustee's counsel via
email at Stuart.Rodgers@NRHSLaw.com