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*Attorneys for Court-Appointed Receiver R. Wayne Klein*

**UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH  
CENTRAL DIVISION**

SECURITIES AND EXCHANGE  
COMMISSION,

Plaintiff,

v.

NATIONAL NOTE OF UTAH, LC, a Utah  
Limited Liability Company and WAYNE  
LaMAR PALMER, and individual,

Defendants.

**ORDER APPROVING (1) PUBLIC  
SALE OF PROPERTY FREE AND  
CLEAR OF INTERESTS, (2)  
METHOD AND FORM OF  
PUBLICATION NOTICE, AND (3)  
PUBLIC AUCTION PROCEDURES**

**(OUTPOST PROPERTY)**

2:12-cv-00591 BSJ

The Honorable Bruce S. Jenkins

The matter before the Court is the *Receiver's Motion and Memorandum in Support Requesting Order Approving (1) Public Sale of Property Free and Clear of Interests, (2) Method and Form of Publication Notice, and (3) Public Auction Procedures (Outpost Property)* (the "Motion") filed by R. Wayne Klein, the Court-Appointed Receiver (the "Receiver") in the above captioned case. The Court has reviewed the Motion and the *Declaration of R. Wayne Klein, Receiver*, together with all of the Exhibits attached thereto, all other papers filed related thereto, and applicable law. Based thereon, and for good cause appearing,

**IT IS HEREBY ORDERED** that:

1. The Motion is **GRANTED**; and
2. The sale of two contiguous parcels of 8.93 acres and 23.26 acres for a total of 32.19 acres of real property located at 700 South Highway 191 in Duchesne, Utah (the "Property") is **APPROVED** free and clear of all liens against such property, with valid liens to attach to sales proceeds. The Property is more particularly described as:

**Parcel 1**

TOWNSHIP 4 SOUTH, RANGE 5 WEST, UINTAH SPECIAL BASE AND MERIDIAN

SECTION 1: All that land lying South of the Strawberry River and West and East of the State Road 33 right-of-way, in the Southwest Quarter of the Southwest Quarter. (All the Southwest Quarter of the Southwest Quarter EXCEPT that portion deeded to Guy Taylor and Ferron Peterson)

EXCEPT: Beginning at a point 1 °41'43" East 67.0 feet from the Northeast corner of the Southwest Quarter Southwest Quarter said point being on the East right-of-way line of Utah State highway 33; thence South 1 °41 '43" East 322.0 feet more or Jess to the North bank of the Strawberry River, thence along North bank North 71 °22' West 118.0 feet more or less; thence North 76°57' West 119.0 feet more or less thence North 75°29' West I 18.0 feet more or less to the East right-of-way line U.S. Highway 33; thence Northerly along right-of-way line North 64°56' East 124.0 feet more or less; thence North 56° 13' East 179.0 feet more or less thence North 43 °20' East 104.0 feet more or less to the point of beginning.

EXCEPT Beginning at a point in said Section South 1 °41 '44" East along East line of Southwest Quarter Southwest Quarter of said Section 497.64 feet from the Northeast corner of said Southwest Quarter Southwest Quarter. The Northeast corner of Southwest Quarter Southwest Quarter is South 126.819 feet and West 60.167 feet from the Southeast corner of Block 58 as designated on the official plat of Duchesne Townsite of Utah. From the point of beginning the boundary is described as follows; thence South 1 °41'44" East along the said East line of the Southwest Quarter Southwest Quarter 261.31 feet; thence South 80°10'00" West 77.04 feet; thence South 68°20'00" West 149.00 feet; thence South 80°45'00" West 86.00 feet; thence South 71 °20'00" West 197.00 feet; thence South 58°00'00" West 149.00 feet; thence North 63 °20'00" West 234.00 feet; thence North 31 °10'00" West 117.00 feet; thence North 23°00'00" West 52.00 feet; thence North 44°30'00" West 137.00 feet to a point on the East right-of-way line Utah Highway 33; thence North 57°40'00" East along said right-of-way line 51.00 feet; thence North 63°00'00" East along said right-of-way line 137.00 feet; thence North 65°15'00" East along the said right-of-W\Y line 472.00 feet; thence South 75°00'00" East 283.00 feet; thence South 57°15'00" East 146.68 feet to the point of beginning.

**Parcel 2**

TOWNSHIP 4 SOUTH, RANGE 5 WEST, UINTAH SPECIAL BASE AND MERIDIAN

SECTION 1: Beginning at a point in said Section South J04 1'44" East along East line of Southwest Quarter Southwest Quarter of said Section 497.64 feet from the Northeast corner of said Southwest Quarter Southwest Quarter. The Northeast corner of Southwest Quarter Southwest Quarter is South 126.819 feet and West 60.167 feet from the Southeast corner of Block 58 as designated on the official plat of Duchesne Townsite of Utah. From the point of beginning the boundary is described as follows; thence South 1'04 t '44" East along the said East line of the Southwest Quarter Southwest Quarter 261.31 feet; thence South 80°10'00" West 77.04 feet; thence South 68°20'00" West 149.00 feet; thence South 80°45'00" West 86.00 feet; thence South 71 °20'00" West 197.00 feet; thence South 58°00'00" West 149.00 feet; thence North 63°20'00" West 234.00 feet; thence North 31° 10'00" West 117.00 feet; thence North 23°00'00" West 52.00 feet; thence North 44°30'00" West 137.00 feet to a point on the East right-of-way line Utah Highway 33; thence North 57°40'00" East along said right-of-way line 51.00 feet; thence North 63°00'00" East along said right-of-way line 137.00 feet; thence North 65°15'00" East along the said right-of-way line 472.00 feet; thence South 75 °00'00" East 283.0 feet; thence South 57°15'00" East 146.68 feet to the point of beginning.

3. The method and form of the publication notice as set forth in the Motion are **APPROVED**. The following notice shall be published in *The Salt Lake Tribune*, a newspaper published in Salt Lake City, Utah, and in the *Uintah Basin Standard*, a newspaper published in Roosevelt, Utah, once a week for a period of four weeks prior to the public sale:

R. Wayne Klein, Receiver for National Note of Utah, LC and its affiliated entities (the "Receiver") in the civil case styled as *Securities and Exchange Comm. v. National Note of Utah, LC et al.*, Civ. Case No. 2:12-cv-00591 (D. Utah) ("Civil Case"), gives notice of his intent to sell two contiguous parcels of 8.93 acres and 23.26 acres for a total of 32.19 acres located at 700 South Highway 191 in Duchesne, Utah (the "Property") through a public auction to the highest bidder payable in lawful money of the United States on the \_\_\_ day of \_\_\_\_\_, 2013 at the hour of \_\_\_ on the Property at the above stated address, or as may be continued from time to time by the Receiver (the "Auction"). The Property will be sold at the Auction free and clear of all interests, "as is" with no representations and warranties. The Receiver has accepted an initial bid of \$148,222.56 to act as the opening "Stalking Horse Bid" at Auction. Only "Qualified Bidders" may participate in the Auction. To be a Qualified Bidder, you must comply with the

“Auction Procedures” that have been approved in the Civil Case, which Auction Procedures may be obtained upon request made to the Receiver’s counsel at: Dorsey & Whitney LLP, attn: Michelle Montoya, 136 South Main Street, Suite 1000, Salt Lake City, Utah 84101; [montoya.michelle@dorsey.com](mailto:montoya.michelle@dorsey.com).

4. The Auction Procedures attached to the Motion as Exhibit A are **APPROVED**.

DATED this 22 day of April, 2013.

**BY THE COURT:**

A handwritten signature in black ink, appearing to read "Bruce S. Jenkins", written over a horizontal line.

Honorable Bruce S. Jenkins  
U.S. District Court Judge