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FILED
U.S. DISTRICT COURT
2013 MAY -3 10 2:47
DISTRICT OF UTAH
BY: _____
DEPUTY CLERK

Attorneys for Court-Appointed Receiver R. Wayne Klein

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

<p>SECURITIES AND EXCHANGE COMMISSION,</p> <p style="text-align: right;">Plaintiff,</p> <p style="text-align: center;">v.</p> <p>NATIONAL NOTE OF UTAH, LC, a Utah Limited Liability Company and WAYNE LaMAR PALMER, and individual,</p> <p style="text-align: right;">Defendants.</p>	<p>ORDER GRANTING RECEIVER'S MOTION SEEKING AUTHORIZATION TO SELL AUTUMN RIDGE LOTS FREE AND CLEAR OF PURPORTED INTERESTS</p> <p>2:12-cv-00591 BSJ</p> <p>The Honorable Bruce S. Jenkins</p>
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The matter before the Court is the *Receiver's Motion Seeking Authorization to Sell Autumn Ridge Lots Free and Clear of Purported Interests* (the "Motion") filed by R. Wayne Klein, the Court-Appointed Receiver (the "Receiver") in the above captioned case. The Court has reviewed the Motion, the Receiver's *Memorandum in Support* (the "Memorandum"), the *Declaration of R. Wayne Klein, Receiver*, together with all of the Exhibits attached thereto (the "Receiver's Declaration"), all other papers filed related thereto, and applicable law. Notice of the proposed sale had been given to holders of possible interests in the property. A hearing on

the Motion was held on April 19, 2013 at 10:00 a.m. At the hearing, Chris Martinez appeared on behalf of the Receiver. In response to questions from the Court, the Receiver explained the dates of closings on the sales of the lots subject to the Motion, which dates had not been adequately described in the Motion. No other parties or persons made an appearance. No higher and better offers were given to the Receiver or presented at the hearing. No objections to the Motion were received and no other parties appeared before the Court. Based thereon, and for good cause appearing,

IT IS HEREBY ORDERED that:

- (1) The Motion is **GRANTED**;
- (2) The Court **APPROVES** the sale to Hallmark Homes and Development, Inc. of

the real property described as:

Lot 6, Phase I, AUTUMN RIDGE SUBDIVISION, Eagle Mountain, Utah, according to the official plat thereof on file in the office of the Utah County Recorder, State of Utah, recorded on July 27, 2007 as instrument number 108734:2007;

Lot 7, Phase I, AUTUMN RIDGE SUBDIVISION, Eagle Mountain, Utah, according to the official plat thereof on file in the office of the Utah County Recorder, State of Utah, recorded on July 27, 2007 as instrument number 108734:2007; and

Lot 8, Phase I, AUTUMN RIDGE SUBDIVISION, Eagle Mountain, Utah, according to the official plat thereof on file in the office of the Utah County Recorder, State of Utah, recorded on July 27, 2007 as instrument number 108734:2007.

Lot 11, Phase I, AUTUMN RIDGE SUBDIVISION, Eagle Mountain, Utah, according to the official plat thereof on file in the office of the Utah County Recorder, State of Utah, recorded on July 27, 2007 as instrument number 108734:2007;

Lot 21, Phase I, AUTUMN RIDGE SUBDIVISION, Eagle Mountain, Utah, according to the official plat thereof on file in the office of the Utah County Recorder, State of Utah, recorded on July 27, 2007 as instrument number 108734:2007;

Lot 51, Phase I, AUTUMN RIDGE SUBDIVISION, Eagle Mountain, Utah, according to the official plat thereof on file in the office of the Utah County Recorder, State of Utah, recorded on July 27, 2007 as instrument number 108734:2007;

Lot 54, Phase I, AUTUMN RIDGE SUBDIVISION, Eagle Mountain, Utah, according to the

official plat thereof on file in the office of the Utah County Recorder, State of Utah, recorded on July 27, 2007 as instrument number 108734:2007 ;

Lot 55, Phase I, AUTUMN RIDGE SUBDIVISION, Eagle Mountain, Utah, according to the official plat thereof on file in the office of the Utah County Recorder, State of Utah, recorded on July 27, 2007 as instrument number 108734:2007;

Lot 60, Phase I, AUTUMN RIDGE SUBDIVISION, Eagle Mountain, Utah, according to the official plat thereof on file in the office of the Utah County Recorder, State of Utah, recorded on July 27, 2007 as instrument number 108734:200;

collectively, "Autumn Ridge Lots 6, 7, 8, 11, 21, 51, 54, 55, and 60."

(3) The sales of Autumn Ridge Lots 6, 7, 8, 11, 21, 51, 54, 55, and 60 to Hallmark Homes and Development, Inc. shall be free and clear of all purported interests. Interests against Autumn Ridge Lots 6, 7, 8, 11, 21, 51, 54, 55, and 60, if any, shall attach to the "Net Sale Proceeds," as that term is defined in the Motion, and the Receiver shall separately account for such Net Sale Proceeds pending resolution of any disputes related to any purported interests, until a final order addressing the allowance of such interests, if any, is entered by the Court.

(4) The Court also **APPROVES** the sale to Merit Homes, LLC of the real property described as:

Lot 4, Phase I, AUTUMN RIDGE SUBDIVISION, Eagle Mountain, Utah, according to the official plat thereof on file in the office of the Utah County Recorder, State of Utah, recorded on July 27, 2007 as instrument number 108734:2007;

Lot 16, Phase I, AUTUMN RIDGE SUBDIVISION, Eagle Mountain, Utah, according to the official plat thereof on file in the office of the Utah County Recorder, State of Utah, recorded on July 27, 2007 as instrument number 108734:2007; and

Lot 30, Phase I, AUTUMN RIDGE SUBDIVISION, Eagle Mountain, Utah, according to the official plat thereof on file in the office of the Utah County Recorder, State of Utah, recorded on July 27, 2007 as instrument number 108734:2007.

Lot 33, Phase I, AUTUMN RIDGE SUBDIVISION, Eagle Mountain, Utah, according to the official plat thereof on file in the office of the Utah County Recorder, State of Utah, recorded on July 27, 2007 as instrument number 108734:2007;

Lot 39, Phase I, AUTUMN RIDGE SUBDIVISION, Eagle Mountain, Utah, according to the official plat thereof on file in the office of the Utah County Recorder, State of Utah, recorded on July 27, 2007 as instrument number 108734:2007;

Lot 40, Phase I, AUTUMN RIDGE SUBDIVISION, Eagle Mountain, Utah, according to the official plat thereof on file in the office of the Utah County Recorder, State of Utah, recorded on July 27, 2007 as instrument number 108734:2007;

Lot 41 Phase I, AUTUMN RIDGE SUBDIVISION, Eagle Mountain, Utah, according to the official plat thereof on file in the office of the Utah County Recorder, State of Utah, recorded on July 27, 2007 as instrument number 108734:2007 ;

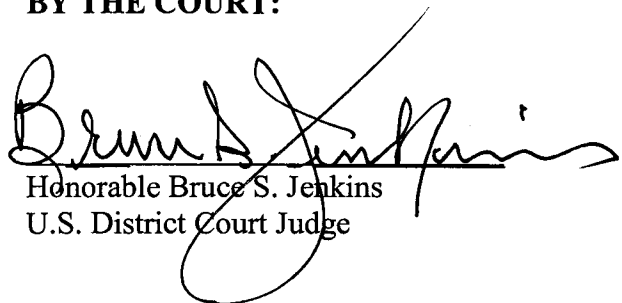
Lot 52, Phase I, AUTUMN RIDGE SUBDIVISION, Eagle Mountain, Utah, according to the official plat thereof on file in the office of the Utah County Recorder, State of Utah, recorded on July 27, 2007 as instrument number 108734:2007;

collectively, "Autumn Ridge Lots 4, 16, 30, 33, 39, 40, 41, and 52."

(5) The sales of Autumn Ridge Lots 4, 16, 30, 33, 39, 40, 41, and 52 to Merit Homes, LLC shall be free and clear of all purported interests. Interests against Autumn Ridge Lots 4, 16, 30, 33, 39, 40, 41, and 52, if any, shall attach to the "Net Sale Proceeds," as that term is defined in the Motion, and the Receiver shall separately account for such Net Sale Proceeds until such time as the interests are released voluntarily, or a final order related to the allowance of such interests is entered by the Court.

DATED this 3rd day of May, 2013.

BY THE COURT:


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