

FILED
U.S. DISTRICT COURT

2013 SEP 30 A 11: 24

DISTRICT OF UTAH

BY: _____
DEPUTY CLERK

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

<p>SECURITIES AND EXCHANGE COMMISSION,</p> <p>Plaintiff,</p> <p>v.</p> <p>NATIONAL NOTE OF UTAH, LC, a Utah Limited Liability Company and WAYNE LaMAR PALMER, and individual,</p> <p>Defendants.</p>	<p>ORDER GRANTING RECEIVER'S SECOND MOTION SEEKING AUTHORIZATION TO SELL AUTUMN RIDGE PHASE II 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 Second Motion Seeking Authorization to Sell Autumn Ridge Phase II Free and Clear of Purported Interests and Memorandum in Support* (collectively, 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 *Declaration of R. Wayne Klein, Receiver* in support of the Motion, together with all of the Exhibits attached thereto (the "Receiver Declaration"), all other papers filed related thereto, and applicable law. A

hearing on the Motion was held on September 24, 2013 at 2:00 p.m. At the hearing, Chris Martinez appeared on behalf of the Receiver. Ronald C. Barker appeared on behalf of Wayne LaMar Palmer. No higher or better offers were received at the hearing for the purchase of the property at issue.

Based thereon, and for good cause appearing,

IT IS HEREBY ORDERED that:

- (1) The Motion is **GRANTED**;
- (2) The Court **APPROVES** the sale to Wren Holdings, LLC of the real property

described as:

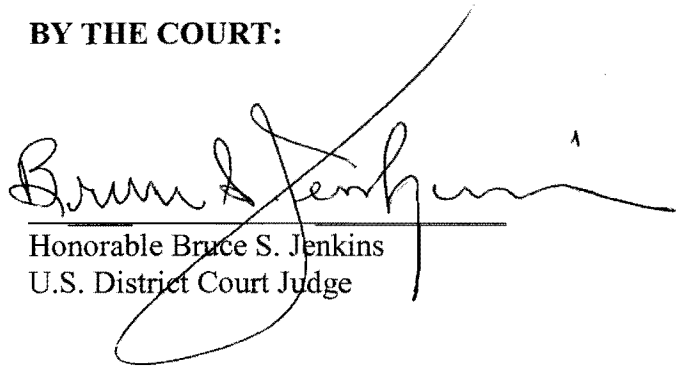
PROPOSED AUTUMN RIDGE SUBDIVISION, PHASE 2, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING S02°17'02"W 2497.79 FEET FROM THE NORTHWEST CORNER OF SECTION 12, T6S, R2W, SLB&M; THENCE N49°48'33"E 44.99 FEET; THENCE N89°33'55"E 1072.63 FEET; THENCE S74°29'22"E 182.00 FEET; THENCE N89°33'55"E 101.97 FEET; THENCE S01°21'47"W 615.10 FEET; THENCE S89°32'46"W 300.39 FEET; THENCE S00°26'05"E 129.51 FEET; THENCE S81°07'55"W 77.01 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 275.00 FEET; THENCE NORTHWESTERLY 212.60 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 44°17'42" (CHORD BEARING AND DISTANCE OF SAID CURVE BEING N76°43'14"W 207.35 FEET); THENCE N54°34'23"W 515.63 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 475.00 FEET; THENCE NORTHWESTERLY 240.08 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 28°57'33" (CHORD BEARING AND DISTANCE OF SAID CURVE BEING 40°05'37"W 237.53 FEET) TO THE BEGINNING OF A COMPOUND CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 20.00 FEET; THENCE NORTHEASTERLY 33.88 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 97°03'51" (CHORD BEARING AND DISTANCE OF SAID CURVE BEING N22°55'05"E 29.97 FEET); THENCE N18°32'59"W 50.00 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 940.74 FEET, A RADIAL LINE BEARS S18°32'59"E; THENCE SOUTHWESTERLY 164.46 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 10°01'00" (CHORD BEARING AND DISTANCE OF SAID CURVE BEING S66°26'31"W 164.25 FEET); THENCE N28°33'59"W 100.00 FEET; THENCE N06°35'11"W 144.95 FEET TO THE POINT OF BEGINNING.

(the "Autumn Ridge Phase II Property").

(3) The Autumn Ridge Phase II Property shall be sold free and clear of all interests against the Autumn Ridge Phase II Property. Interests against the Autumn Ridge Phase II Property, 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 30 day of September, 2013

BY THE COURT:



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