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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 RECEIVER'S
MOTION AND MEMORANDUM IN
SUPPORT REQUESTING ORDER
CONFIRMING SALE OF
COTTONWOOD ROAD PROPERTY
TO THE HOLDER OF THE WINNING
BID AT AUCTION**

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 Confirming Sale of Cottonwood Road Property to the Holder of the Winning Bid at Auction* (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**;
2. The sale of approximately .96 acres of real property made up of five parcels of real property described below (collectively, the "Real Property") to Karl Sun, the holder of the Winning Bid at Auction (each as defined in the Motion), is **APPROVED**.

3. The Real Property is more particularly described as:

a. 3711: Parcel 28-12-178-025-0000 - .19 acres

BEGINNING AT THE SOUTHWEST CORNER OF LOT 10, MOUNTAIN VALLEY SUBDIVISION, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE WITH THE OFFICE OF THE SALT LAKE COUNTY RECORDER, SAID POINT OF BEGINNING BEING REPORTED ON SAID PLAT TO BE NORTH 89°50'31" EAST ALONG THE QUARTER-SECTION LINE 1314.08 FEET FROM THE WEST QUARTER CORNER OF SECTION 12, TOWNSHIP 3 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN; THENCE ALONG THE SOUTH LINE OF SAID LOT 10, AND ITS EXTENSION, NORTH 89°50'31" EAST 113.47 FEET; THENCE SOUTH 6°10'00" WEST 99.27 FEET, MORE OR LESS, TO THE CENTER LINE OF UTILE COTIONWOOD CREEK ROAD; THENCE SOUTH 86°43'00" WEST 107.25 FEET ALONG THE CENTER LINE OF LITTLE COTIONWOOD CREEK ROAD; THENCE NORTH 00°00'00" EAST 45.53 FEET TO THE MOST SOUTHERLY AND EASTERLY CORNER OF LOT 22, LITTLE COTIONWOOD, A SUBDIVISION, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE WITH THE OFFICE OF THE SALT LAKE COUNTY RECORDER; THENCE ALONG THE EAST LINE OF SAID LOT 22, NORTH 4°08'10" EAST 59.15 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPTING THEREFROM ANY PORTION LYING WITHIN THE BOUNDS OF LITTLE COTIONWOOD ROAD.

b. 3725: Parcel 28-12-178-007-0000 - .39 acres

BEGINNING AT A POINT WHICH IS EAST 1418.55 FEET AND SOUTH 54.88 FEET FROM THE WEST QUARTER CORNER OF SECTION 12, TOWNSHIP 3 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN; AND RUNNING THENCE NORTH 6°10' EAST 223.73 FEET; THENCE SOUTH 82°39'40" EAST 103.32 FEET; THENCE SOUTH 6°10' WEST 198.15 FEET; THENCE SOUTH 83°22' WEST 105.93 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPTING THE FOLLOWING DESCRIBED PROPERTY:

BEGINNING AT A POINT WHICH IS EAST 1418.55 FEET AND SOUTH 54.88 FEET FROM THE WEST QUARTER CORNER OF SECTION 12, TOWNSHIP 3 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE NORTH 6°10' EAST 55.8 FEET; THENCE EAST 105.25 FEET, THENCE SOUTH 6°10' WEST 42.55 FEET; THENCE SOUTH 83°22' WEST 105.93 FEET TO BEGINNING.

c. **3731:** Parcel 28-12-326-001-0000 - .12 acres

BEGINNING AT A POINT WHICH IS EAST 1418.55 FEET AND SOUTH 54.88 FEET FROM THE WEST QUARTER CORNER OF SECTION 12, TOWNSHIP 3 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE NORTH 6°10' EAST 55.8 FEET; THENCE EAST 105.25 FEET; THENCE SOUTH 6°10' WEST 42.55 FEET; THENCE SOUTH 83°22' WEST 105.93 FEET TO THE POINT OF BEGINNING.

LESS STREET.

d. **9767:** Parcel 28-12-178-022-0000 - .09 acres

BEGINNING AT THE SOUTHEAST CORNER OF LOT 22 OF LITTLE COTTONWOOD SUBDIVISION, RECORDED AS ENTRY NO. 3157447 IN BOOK 78-8 AT PAGE 235 IN THE OFFICE OF THE SALT LAKE RECORDER, SAID POINT BEING EAST 516.21 FEET AND NORTH 246.21 FEET FROM THE STREET MONUMENT LOCATED IN ALTA RIDGE CIRCLE AND QUIET RIDGE CIRCLE, SAID MONUMENT BEING NORTH 89°50'31" EAST 792.36 FEET AND SOUTH 320.98 FEET FROM THE WEST QUARTER CORNER OF SECTION 12, TOWNSHIP 3 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN; AND RUNNING THENCE SOUTH 86°43'00" WEST 20.04 FEET; THENCE NORTH 01 °31'34" WEST 150.05 FEET; THENCE SOUTH 85°49'06" EAST 34.64 FEET; THENCE SOUTH 04°07'26" WEST 146.71 FEET TO THE POINT OF BEGINNING.

e. **9778:** Parcel 28-12-178-024-0000 - .17 acres

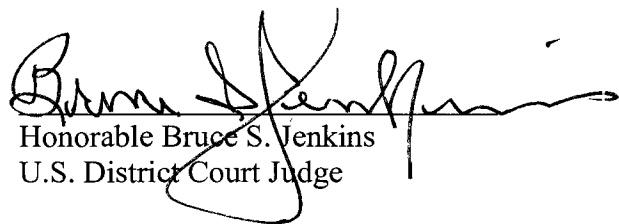
BEGINNING AT THE SOUTHWEST CORNER OF LOT 10 OF MOUNTAIN VALLEY SUBDIVISION, RECORDED AS ENTRY NO. 33203350 IN BOOK 78-11 AT PAGE 319 IN THE OFFICE OF THE SALT LAKE RECORDER, SAID POINT BEING EAST 521.72 FEET AND NORTH 322.70 FEET FROM THE STREET MONUMENT LOCATED IN ALTA RIDGE CIRCLE AND QUIET RIDGE CIRCLE, SAID MONUMENT BEING NORTH 89°50'31" EAST 792.36 FEET AND SOUTH 320.98 FEET FROM THE WEST QUARTER CORNER OF SECTION 12, TOWNSHIP 3 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN; AND RUNNING THENCE NORTH 04°07'26" EAST 70.02 FEET; THENCE SOUTH 85°49'06" EAST 112.34 FEET; THENCE SOUTH 06°09'16" WEST 61.67 FEET; THENCE SOUTH 89°49'47" WEST 110.47 FEET TO THE POINT OF BEGINNING.

4. The sale of the Real Property is AS IS with no representations or warranties.

5. The sale of the Real Property is free and clear of any claims or liens asserted against the Real Property, with such claims or liens attaching to the Net Sale Proceeds (as defined in the Motion).

DATED this 28 day of October, 2013.

BY THE COURT:



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