

Peggy Hunt (Utah State Bar No. 6060)
Chris Martinez (Utah State Bar No. 11152)
John J. Wiest (Utah State Bar No. 15767)

DORSEY & WHITNEY LLP

Kearns Building
136 South Main Street, Suite 1000
Salt Lake City, UT 84101-1685
Telephone: (801) 933-7360
Facsimile: (801) 933-7373
hunt.peggy@dorsey.com
martinez.chris@dorsey.com
wiest.john@dorsey.com

Attorneys for Court-Appointed Receiver R. Wayne Klein

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

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

vs.

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

Defendants.

**RECEIVER'S NOTICE OF PUBLIC
SALE RESULTS**

(2351 GRANT AVE., OGDEN, UT)

Civil No. 2:12-00591

The Honorable Bruce S. Jenkins

R. Wayne Klein, the Court-Appointed Receiver (the "Receiver") of National Note of Utah, LC, its subsidiaries and affiliates (collectively, "National Note"), and the assets of Wayne LaMar Palmer, by and through his counsel, hereby files this *Notice of Public Sale Results (2351 Grant Ave., Ogden, UT)*. In support hereof, the Receiver states as follows:

1. On November 20, 2015, the Court entered an *Order Approving (1) Public Sale of Property Free and Clear of Interests, (2) Method and Form of Publication Notice, (3) Public Auction Procedures, and (4) Settlement Agreement with Co-Owner (2351 Grant Ave., Ogden,*

UT) [Docket No. 1042] (the “Sale Order”), authorizing procedures for and the public sale of certain real property identified as 2351 Grant Ave., located in Ogden, Utah (the “Real Property”) free and clear of interests. A legal description of the Real Property is set forth in the Sale Order.

2. Pursuant to the Sale Order, the Receiver provided notice of the auction via publication of the Court-approved notice in the *Salt Lake Tribune* and the *Standard Examiner* once a week for a period of four weeks prior to the public sale and on his website and conducted a sale of the Real Property pursuant to the Court approved “Auction Procedures” attached as Exhibit B to the *Receiver’s Amended 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, (3) Public Auction Procedures, and (4) Settlement Agreement with Co-Owner (2351 Grant Ave., Ogden, UT)* [Docket No. 1040]. Capitalized terms used hereinafter have the meaning attributed to them in the Auction Procedures.

3. Proof of publication of notice of the sale is attached hereto as Exhibit A.

4. No Qualified Bids were received by the Receiver prior to the expiration of the Bid Deadline, and accordingly, in accordance with the Auction Procedures, the Real Property was sold to the holder of the Stalking Horse Bid.

5. The sale of the Real Property to the holder of the Stalking Horse Bid closed on January 6, 2016. The following is a summary of the results of this sale:

Gross Sales Price	\$ 600,000.00
Closing Costs, Title Ins.	(\$ 2,956.00)
Real Estate Commissions	(\$ 36,000.00)
Property Taxes (eight years)	(\$125,994.20)
Building Operating Expenses	<u>(\$ 54,708.99)</u>
NET SALE PROCEEDS	\$ 380,340.81

6. The Receivership Estate has received 49.2% of the Net Sale Proceeds, plus reimbursement of \$54,708.99 in Building Operating Expenses noted above that had been paid by

the Receivership Estate. The remaining net sale proceeds have been paid to the Katy Athay, who owns a 50.8% interest in the Real Property. Thus, the Net Sale Proceeds have been disbursed as follows:

Receivership Estate Share (49.2%)	\$187,127.68
Expense Reimbursement	\$ 54,708.99
TOTAL TO RECEIVERSHIP ESTATE	<u>\$241,836.67</u>
 TOTAL TO K. ATHAY, 50.8% CO-OWNER	 \$193,213.13

7. The funds paid to the Receivership Estate have been deposited by the Receiver in the Receivership Estate's Operating Account inasmuch as all outstanding taxes, assessments, and liens were paid at closing, and because the Receiver has previously obtained (through voluntary releases or litigated judgments) the releases of all 17 assignments of beneficial interest that had been filed against the Real Property.

DATED this 8th day of January, 2016.

DORSEY & WHITNEY LLP

 /s/ Peggy Hunt
Peggy Hunt
Chris Martinez
John Wiest
Attorneys for Receiver

