2016-17288
Page 1 of 4
Requested By: Guttilla Murphy Anderson
Navajo County Recorder - Laura V. Sanchez
12-02-2016 03:55 PM Recording Fee \$16.00

Recording Requested By:

Thomas J. Giallanza, Deputy Receiver Landmarc Capital & Investment Company c/o Arizona Dept. of Financial Institutions 2910 N. 44th Street, Suite 310 Phoenix, AZ 85018

#### DEED OF RELEASE AND FULL RECONVEYANCE

WHEREAS the undersigned is the court appointed Deputy Receiver of Landmarc Capital & Investment Company in the matter pending before the Arizona Superior Court for Maricopa County entitled *State of Arizona v. Landmarc Capital & Investment Company*, cause number CV2009-020595 ("Receivership Court"), and as such is the beneficiary and legal owner and holder of the Deeds of Trust recorded in Navajo County and identified in Exhibit "A" attached hereto; and whereas the indebtedness secured by the Deeds of Trust identified in Exhibit "A" attached hereto have been paid in full, and whereas on November 29, 2016, the Receivership Court entered the order attached hereto as Exhibit "B" authorizing the execution and recordation of this deed of release:

NOW THEREFORE, Landmarc Capital & Investment Company, by and through its Receiver, does hereby release any and all claim, lien or interest arising under the Deeds of Trust identified in Exhibit "A attached hereto and does hereby reconvey, without warranty, to the person or persons legally entitled thereto, the estate, title, and interest now held by it under said Deeds of Trust, describing the land therein as more fully described in the Deeds of Trust.

Dated: December 2, 2016.

Landmarc Capital & Investment Company, in Receivership

Thomas J. Gallanza, Deput Received

STATE OF ARIZONA ) ss.

COUNTY OF MARICOPA

On December 2016, before me, the undersigned notary, personally appeared Thomas J. Giallanza, who acknowledged himself to be the Deputy Receiver appointed by the Arizona Superior Court for Maricopa County in State of Arizona v. Landmarc Capital & Investment Company, cause number CV2009-020595, and that he, as such Deputy Receiver, executed the same in his authorized capacity, and that by his signature on the instrument executed the instrument for the purposes therein contained.

CYNTHIA MARIE AMBROZIC
NOTARY PUBLIC, ARIZONA
MARICOPA COUNTY
My Commission Expires
September 14, 2020

WITNESS my hand and official seal

1157-002 14 (202118)

### Schedule of Deeds of Trust to be Released

# Navajo County Recording Information

#	Date	Number	Trustor	Amount	LCI Loan No.
1	10/01/04	200423309	Smith, Carol A.	\$32,500.00	N/A
2	12/14/05	200537322	Weir, Larry W. & Julianne Topper	\$44,000.00	05110021
3	02/17/06	200605068	Harry's Hospitality, Inc.	\$80,000.00	05LC115

Exhibit A
Schedule 6

### CERTIFIED COPY

11-29-16 8:53ar
MICHAEL K. JEANES, Clerk

By Station Deputy

- 11		J. Eaton, Deputy			
l	Guttilla Murphy Anderson, P.C.				
2					
-	Phoenix, Arizona 85054				
3	Phone: (480) 304-8300				
1	Fax: (480) 304-8301				
•	Attorneys for the Receiver				
5	DITUE OUNEDIAD COUNT	TOD THE OTATE OF A DIZONA			
6	IN THE SUPERIOR COURT FOR THE STATE OF ARIZONA				
Ì	IN AND FOR THE COUNTY OF MARICOPA				
7	STATE OF ARIZONA ex rel. ROBERT	)			
8	D. CHARLTON, Superintendent of the Arizona Department of Financial	) Cause No. CV2009-020595			
	Institutions,	)			
9	Plaintiff,	ORDER RE: PETITION NO. 97			
10	V. LANDMARC CAPITAL &				
,,	INVESTMENT COMPANY,	)			
11	Defendant.	)			
12		_ )			
13	The Receiver having filed Petition No. 97, Receiver's Petition for Order Authorizing				
14	the Receiver to Record Releases of Deeds of Trust for Certain Property and Deny Claims to				
	There Presenties and the Court having considered some and it appearing that the matters				
15	Those Properties and the Court having considered same, and it appearing that the matters				
16	requested by Petition No. 97 are reasonable, just and appropriate:				
17	NOW, THEREFORE, IT IS HEREBY ORDERED:				
18	1. Authorizing the Receiver to record deeds of release and reconveyance in the				
19	appropriate counties releasing any and all interest of Landmarc in the Deeds of Trust				
20	identified in Exhibit A attached to Petition No. 97;				
	1 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Patrick M. Murphy (Ariz. No. 002964) 5415 E. High St., Suite 200 Phoenix, Arizona 85054 Email: pmurphy@ganlaw.com Phone: (480) 304-8300 Fax: (480) 304-8301  Attorneys for the Receiver  IN THE SUPERIOR COURT  IN AND FOR THE COURT  STATE OF ARIZONA ex rel. ROBERT D. CHARLTON, Superintendent of the Arizona Department of Financial Institutions, Plaintiff, V. LANDMARC CAPITAL & INVESTMENT COMPANY, Defendant.  The Receiver having filed Petition No.  the Receiver to Record Releases of Deeds of Those Properties and the Court having con requested by Petition No. 97 are reasonable NOW, THEREFORE, IT IS HEREE  1. Authorizing the Receiver to reasonable appropriate counties releasing any and all in appropriate counties releasing any and all in  Institutions, Plaintiff, V. LANDMARC CAPITAL & INVESTMENT COMPANY, Defendant.			

Denying Claim No. 7421 filed by Kay Investments, LLC to the extent it claims

## Exhibit B

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an interest in the Potter loan (LC050540) or in the deed of trust for the loan recorded with the Maricopa County Recorder at 2005-0777032;

- Denying Claim No. 8536 filed by Port Elgin, LLC Profit Sharing Plan to the 3. extent it claims an interest in the Mando loan (LC050904) or in the deed of trust for the loan recorded with the Maricopa County Recorder at 2005-1403951;
- Denying Claim No. 8401 filed by LDM Acceptance Company to the extent it claims an interest in:
  - The Potter loan (LC050540) or in the deed of trust for the loan recorded a. with the Maricopa County Recorder at 2005-0777032; or
  - The Lujan loan (LC050111) or in the deed of trust for the loan recorded b. with the Mohave County Recorder at 2005-008714;
- Denying Claim No. 8538 filed by Willowdale Investments, LLC to the extent it 5. claims an interest in the Decausmaker loan (LC050632) or in the deed of trust for the loan recorded with the Pinal County Recorder at 2005-078334; and
- Authorizing the Receiver to execute and file or record such additional documents as may be necessary to release possible liens created by the loans identified in Exhibit "A" attached to Petition No. 97, including without limitation termination the second The foregoing instrument is a full, true and correct con Financing Statement.

DATED this 29<sup>th</sup> day of November, 2016.

1157-002.14 (264333)

Daniel G. Martin

Exhibit B2-