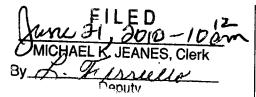


Guttilla Murphy Anderson, P.C.

5415 E. High Street, Suite 200 Phoenix, AZ 85054 (480) 304-8300

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CERTIFICATION



1 Guttilla Murphy Anderson Ariz. Firm No. 00133300 Patrick M. Murphy (Ariz. No. 002964) City North 5415 E. High St., Suite 200 3 Phoenix, Arizona 85054 Email: pmurphy@gamlaw.com Phone: (480) 304-8300 4 Fax: (480) 304-8301 5 Attorneys for the Receiver 6 IN THE SUPERIOR COURT FOR THE STATE OF ARIZONA 7 IN AND FOR THE COUNTY OF MARICOPA 8 STATE OF ARIZONA ex rel. LAUREN KINGRY, Superintendent of the Arizona 9 Cause No. CV2009-020595 Department of Financial Institutions, Plaintiff, 10 ORDER APPROVING PROCEDURES v. FOR THE SALE OF CERTAIN 11 LANDMARC CAPITAL & INTERESTS IN REAL PROPERTY INVESTMENT COMPANY, VALUED AT LESS THAN \$100,000 12 Defendant. WITHOUT FURTHER ORDER OF THE COURT 13 RE: PETITION NO. 21 14 (Assigned to Judge Sam Myers) 15 The Receiver having filed Petition No. 21, and the Court having considered same, and 16 it appearing to the Court that the matters requested by Petition No. 21 are reasonable, just and 17 appropriate: 18 NOW, THEREFORE, IT IS HEREBY ORDERED that the Receiver may market and 19 sell without further notice or order of this Court any of the real properties identified in Exhibit 20

3 to *Petition No. 21*, or any other interest in real property which constitutes a Receivership Asset ("Property") in this case, upon the following conditions:

- 1. All fee title to the Property is held in the name of one of more of the following: Landmarc Capital & Investment Company, Hayden Investments, LLC, Desert Trails Holdings, LLC, Arizona Valuation Company, LLC, or any other person placed in receivership by order of this court ("Receivership Entity");
- 2. The Receiver does not have actual knowledge of the existence of an adverse claim of ownership or security interest in the Property, including without limitation a claim of ownership or other interest by a loan participation lender or a claimed security or other interest by a Warehouse Credit Facility lender;
- 3. The Receiver is in possession of a written appraisal by a licensed Arizona appraiser dated within 12 months of the date of the purchase contract that sets forth a market value for the Property of \$100,000 or less or a range of values for the Property in which the highest value in the range is \$100,000 or less;
- 4. Under the terms of the purchase contract for the sale of the Property, the sale price is not less than 85% of the appraised value as set forth in the written appraisal required herein and the sales commission paid to the real estate agents does not exceed 6%; and
 - 5. Any secured lien on the Property is satisfied at the time of the sale.

IT IS FURTHER ORDERED that:

1. Thomas J. Giallanza, as Deputy Receiver, is authorized to execute all deeds, affidavits and other documents in connection with any sale pursuant to this order; and

2.	The Receiver shall periodically report to the Court regarding all sales of real
property, in	cluding those sold pursuant to this order.
Date	d this 21 day of Jupy 2010.

Judge of the Superior Court

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