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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 Department of Financial Institutions,)

10 Plaintiff,

v.

11 LANDMARC CAPITAL &)
 INVESTMENT COMPANY,)

12 Defendant.

Cause No. CV2009-020595

ORDER RE: PETITION NO. 28

(Assigned to Judge Sam Myers)

13)
 14)
 15)
 16 The Receiver having filed Petition No. 28, and the Court having considered same, and
 17 it appearing to the Court that the matters requested by Petition No. 28 are reasonable, just and
 18 appropriate:

19 NOW, THEREFORE, IT IS HEREBY ORDERED:

20 1. Authorizing the Receiver to convey to Partners fee title to the four properties
 21 identified in Exhibit "A" attached to Petition No. 28;

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1 2. Confirming the title vested in Partners to the REO listed in Exhibit "B" attached
2 to Petition No. 28;

3 3. Authorizing the Receiver, in the case of loans in foreclosure, to direct the
4 Trustee under the deed of trust to issue the Trustee's Deed Upon Sale to Partners where the
5 following criteria are met:

6 a. The records of Landmarc show that 100% of the beneficial interest in the
7 loan was held by Partners on the Receivership Date;

8 b. There is an Assignment of Deed of Trust properly recorded as of the
9 Receivership Date assigning to Partners 100% of the beneficial interest in the loan and
10 deed of trust; and

11 c. The Receiver has no actual knowledge of a failure or inadequacy of
12 consideration by Partners or the existence of an adverse claim of ownership or security
13 interest in the loan or promissory note.

14 4. Authorizing the Receiver to convey to Partners fee title to the four properties
15 identified in Exhibit "C" attached to Petition No. 28.

16 5. Authorizing the Deputy Receiver to execute all deeds, instructions and other
17 documents necessary to carry out this order.

18 Dated this 18 day of August, 2010.

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HONORABLE SAM J. MYERS

Judge of the Superior Court

1157-001(97764)