	anted as Submitted *See eSignature page***	Michael K Jeanes, Clerk of Court *** Electronically Filed *** S. Uppendahl, Deputy 5/22/2014 8:00:00 AM Filing ID 5887199
1 2 Cutrilla Murphy Anderson, P.C. City North City North City North City North 2 S415 E. High Street, Suite 200 Phoenix, Arizona 85054 Phoenix, Arizona 85054 0 10 11 12 14 12 14 12 12 14 12 12 14 12 14 12 12 14 12 12 14 12 14 12 14 12 14 12 14 14 12 15 19 16 10		TFOR THE STATE OF ARIZONA COUNTY OF MARICOPA Cause No. CV2009-020595 Cause No. CV2009-020595 CAUSE APPROVING FIRST AMENDMENT TO PURCHASE AND SALE AGREEMENT RE PRESIDIO 37 ACRES RE: PETITION NO. 80 (Assigned to Judge Lisa Flores)
	The Receiver TBM Associates LLC) the Gubin Family Trust Manny Daskal and
10 17 18 19 20 21 22 23 24 25 26	 Barry Wiss having executed and filed with the Court a <i>Stipulation to Approve Firs</i> <i>Amendment to Purchase and Sale Agreement, Re: Petition No. 80</i> ("Stipulation") a Court having considered same, and it appearing to the Court that the matters reque are reasonable, just and appropriate: NOW, THEREFORE, IT IS HEREBY ORDERED: 1. Approving the <i>First Amendment to Purchase and Sale Agreement</i>, at the Stipulation as Exhibit "A" and authorizing the Deputy Receiver to execute same 	

Guttilla Murphy Anderson, P.C. Giy North 5415 E. High Street, Suite 200 Phoonix Advana 86154 2.

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3	\$3,225,000 in accordance with the terms set forth in <i>Purchase and Sale Agreement</i> attached		
4			
5	as Exhibit 2 to the Receiver's Petition No. 80, as amended by the <i>First Amendment to</i>		
6	Purchase and Sale Agreement, attached to the Stipulation as Exhibit "A".		
7	3. The sale of the Property shall be free and clear of all liens and encumbrances		
8	and any and all interests in the Property shall attach to the net sale proceeds which shall be		
9	held by the Receiver in trust until all claims to the Property by TBM and Partners arising		
10	under the \$14.2 Million DOT have been finally resolved; provided the Receiver is authorized		
11 (480) 304-8300 304-8300 13	to use funds that become available to the Receiver pursuant to the Purchase Agreement to pay		
(1480) 13	obligations for real estate taxes and insurance regarding the Property.		
14	4. Authorizing Thomas J. Giallanza, as Deputy Receiver, to execute all necessary		
15 16	documents in connection with the sale of the Property confirmed by the Court.		
17	Dated this day of, 2014.		
18			
19	Judge of the Superior Court		
20			
21	1157-001 (180378)		
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Confirming the sale of the real property consisting of approximately 37 acres of

the Presidio West Tract and legally described in the attached Exhibit "1" ("Property") for

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Granted as Submitted



/S/ Lisa Flores Date: 5/20/2014 Judicial Officer of Superior Court

ENDORSEMENT PAGE

CASE NUMBER: CV2009-020595

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SIGNATURE DATE: 5/20/2014 FILED DATE: 5/22/2014 8:00:00 AM

JAMIE C EISENFELD

PATRICK M MURPHY

TIMOTHY C DIETZ

GUBIN FAMILY TRUST C/O STEVE GUBIN, TRUSTEE 2211 E CAMELBACK RD #906 PHOENIX AZ 85016

LANDMARC CAPITAL & INVESTMENT COMPANY 8485 E MCDONALD DRIVE #310 SCOTTSDALE AZ 85250