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MICHAEL K. JEANES, Clerk
By J. Rutledge
Deputy

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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)
9 KINGRY, Superintendent of the Arizona)
Department of Financial Institutions,)

10 Plaintiff,)

11 v.)

12 LANDMARC CAPITAL &)
INVESTMENT COMPANY,)

13 Defendant.)
14)
15)

Cause No. CV2009-020595

ORDER RE: PETITION NO. 58

(Assigned to Judge Eileen Willett)

16 The Receiver having filed Petition No. 58, and the Court having considered same, and
17 it appearing to the Court that the matters requested by Petition No. 58 are reasonable, just and
18 appropriate:

19 NOW, THEREFORE, IT IS HEREBY ORDERED:

20 1. Declaring that MHMI has failed to exercise its rights to acquire the Property as
21 provided in the Settlement Agreement approved by the Court's *Order Re: Petition No. 46*,

Guttilla Murphy Anderson, P.C.
City North
5415 E. High Street, Suite 200
Phoenix, AZ 85054
(480) 304-8300

EXHIBIT "ONE"

PARCEL I: (Tax Parcel No. 104-68-013B)

A portion of the Northwest Quarter of Section 6, Township 24 South, Range 22 East of the Gila and Salt River Base and Meridian, Cochise County, Arizona, more particularly described as follows:

COMMENCING at the Northwest corner of said Section 6;
Thence North 89° 52' 11" West, a distance of 709.09 feet;
Thence South 00° 37' 13" East, a distance of 378.88 feet;
Thence North 89° 22' 47" East, a distance of 558.22 feet;
Thence South 00° 02' 54" East, a distance of 191.42 feet;
thence North 89° 52' 26" East, a distance of 509.87 feet to the POINT OF BEGINNING;
Thence North 89° 52' 26" East, a distance of 530.00 feet;
Thence South 00° 07' 26" East, a distance of 230.00 feet;
Thence South 89° 52' 26" West, a distance of 530.00 feet;
thence North 00° 07' 26" West, a distance of 230.00 feet to the POINT OF BEGINNING.

PARCEL II: (Tax parcel 104-68-013D)

A portion of the Northwest Quarter of Section 6, Township 24 South, Range 22 East and a portion of the Northeast Quarter of Section 1, Township 24 South, Range 21 East of the Gila and Salt River Base and Meridian, Cochise County, Arizona, more particularly described as follows:

COMMENCING at the Northeast corner of said Section 1;
Thence North 89° 52' 11" West, a distance of 709.09 feet;
Thence South 00° 37' 13" East, a distance of 378.88 feet to the POINT OF BEGINNING;
Thence North 89° 22' 47" East, a distance of 558.22 feet;
Thence South 00° 02' 54" East, a distance of 191.42 feet;
Thence North 89° 52' 26" East, a distance of 509.87 feet;
Thence South 00° 07' 26" East, a distance of 230.00 feet;
Thence North 89° 52' 26" East, a distance of 50.00 feet;
Thence South 00° 07' 34" East, a distance of 71.64 feet;
Thence South 44° 55' 58" West, a distance of 215.20 feet;
Thence North 90° 00' 00" West, a distance of 261.28 feet;
Thence North 00° 07' 13" West, a distance of 70.81 feet;
Thence South 89° 51' 56" West, a distance of 699.29 feet;
Thence North 00° 37' 13" West, a distance of 568.99 feet to the POINT OF BEGINNING.

PARCEL III: (Tax Parcel No. 104-68-013F)

A portion of the Northwest Quarter of Section 6, Township 24 South, Range 22 East of the Gila and Salt River Base and Meridian, Cochise County, Arizona, more particularly described as follows:

Exhibit "1"

COMMENCING at the Northwest corner of said Section 6;
Thence North 89° 52' 11" West, a distance of 709.09 feet;
Thence South 00° 37' 13" East, a distance of 947.87 feet;
Thence North 89° 51' 56" East, a distance of 699.29 feet;
Thence South 00° 07' 13" East, a distance of 70.81 feet to the POINT OF BEGINNING;
Thence South 90° 00' 00" East, a distance of 261.28 feet;
Thence North 44° 55' 58" East, a distance of 215.20 feet;
Thence North 00° 07' 34" West, a distance of 71.64 feet;
Thence North 89° 52' 26" East, a distance of 270.00 feet;
Thence South 00° 07' 34" East, a distance of 170.00 feet;
Thence South 69° 05' 46" West, a distance of 302.25 feet;
Thence South 44° 37' 08" West, a distance of 384.62 feet;
Thence South 89° 52' 45" West, a distance of 130.29 feet;
Thence North 00° 07' 13" West, a distance of 327.31 feet to the POINT OF BEGINNING.

PARCEL IV: (Tax Parcel No. 104-68-013H)

A portion of the Northwest Quarter of Section 6, Township 24 South, Range 22 East of the Gila and Salt River Base and Meridian, Cochise County, Arizona, more particularly described as follows:

COMMENCING at the Northwest corner of said Section 6;
Thence North 89° 52' 11" West, a distance of 709.09 feet;
Thence South 00° 37' 13" East, a distance of 378.88 feet;
Thence North 89° 22' 47" East, a distance of 558.22 feet;
Thence South 00° 02' 54" East, a distance of 191.42 feet;
Thence North 89° 52' 26" East, a distance of 1,039.87 feet;
Thence South 00° 07' 26" East, a distance of 230.00 feet to the POINT OF BEGINNING;
Thence South 00° 07' 26" East, a distance of 1,188.83 feet;
Thence South 89° 53' 41" West, a distance of 405.27 feet;
Thence North 01° 55' 51" East, 958.25 feet;
Thence North 69° 05' 46" East, a distance of 172.11 feet;
Thence North 00° 07' 34" West, a distance of 170.00 feet;
Thence North 89° 52' 26" East, a distance of 210.00 feet to the POINT OF BEGINNING.

PARCEL V: (Tax Parcel No. 104-68-013G)

A portion of the Northwest Quarter of Section 6, Township 24 South, Range 22 East of the Gila and Salt River Base and Meridian, Cochise County, Arizona, more particularly described as follows:

COMMENCING at the Northwest corner of said Section 6;
Thence North 89° 52' 11" West, a distance of 709.09 feet;
Thence South 00° 37' 13" East, a distance of 1,345.84 feet;
Thence North 89° 52' 45" East, a distance of 695.82 feet to the POINT OF BEGINNING;
Thence North 89° 52' 45" East, a distance of 130.29 feet;
Thence North 44° 37' 08" East, a distance of 384.62 feet;
Thence North 69° 05' 46" East, a distance of 130.14 feet;
Thence South 01° 55' 51" West, a distance of 958.25 feet;
Thence South 89° 53' 42" West, a distance of 488.39 feet;

Thence North 00° 07' 13" West, a distance of 638.12 feet to the POINT OF BEGINNING.

PARCEL VI: (Tax Parcel No. 104-68-012)

A portion of the Northeast Quarter of Section 1, Township 24 South, Range 21 East, and a portion of Lot 1, of Section 6, Township 24 South, Range 22 East of the Gila and Salt River Base and Meridian, Cochise County, Arizona, more particularly described as follows:

COMMENCING at the North quarter corner common to said Section 1 and Section 6;
Thence North 89° 52' 11" West, coincident with the North line of said Section 1, a distance of 709.09 feet;
Thence South 00° 37' 13" East, a distance of 378.88 feet;
Thence North 89° 22' 47" East, a distance of 558.22 feet;
Thence South 00° 02' 54" East, a distance of 191.42 feet;
Thence North 89° 52' 26" East, a distance of 1,039.87 feet;
Thence North 00° 07' 26" East, a distance of 560.34 feet to a point on the North line of said Section 6;
Thence North 90° 00' 00" West, coincident with said North line of Section 6, a distance of 892.02 feet to the POINT OF BEGINNING.

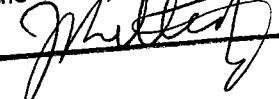
PARCEL VII: (Tax Parcel No. 104-68-016)

A portion of the Northeast Quarter of Section 1, Township 24 South, Range 21 East of the Gila and Salt River Base and Meridian, Cochise County, Arizona, more particularly described as follows:

COMMENCING at the Northeast corner of said Section 1;
Thence North 89° 52' 11" West, a distance of 709.09 feet;
Thence South 00° 37' 13" East, a distance of 947.87 feet to the POINT OF BEGINNING;
Thence North 89° 51' 56" East, a distance of 699.29 feet;
Thence South 00° 07' 13" East, a distance of 398.12 feet;
Thence South 89° 52' 45" West, a distance of 695.82 feet;
Thence North 00° 37' 13" West, a distance of 397.97 feet to the POINT OF BEGINNING.

The foregoing instrument is a full, true
and correct copy of the original document.
Attest 12/20/11, 20

MICHAEL K. JEANES, Clerk of the
Superior Court of the State of Arizona, in
and for the County of Maricopa.

By  Deputy