

CERTIFIED COPY

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1-22-19 9:21am

Seaton, Deputy

1 **Guttilla Murphy Anderson, P.C.**  
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8 Attorneys for the Receiver

9 IN THE SUPERIOR COURT FOR THE STATE OF ARIZONA

10 IN AND FOR THE COUNTY OF MARICOPA

11 STATE OF ARIZONA ex rel. ROBERT )  
12 D. CHARLTON, Superintendent of the )  
13 Arizona Department of Financial )  
14 Institutions, )  
15 Plaintiff, )  
16 v. )  
17 LANDMARC CAPITAL & )  
18 INVESTMENT COMPANY, )  
19 Defendant. )

Cause No. CV2009-020595

ORDER RE: PETITION NO. 106

(Assigned to Judge Daniel Martin)

20 The Receiver having filed *Petition No. 106, Petition for Approval of the Sale of the*  
21 *Receiver's Interest in the Secured Loan to Youth Pad, Inc., and the Receiver's Supplement to*  
*Petition No. 106*, in which the Receiver seeks an order of the Court approving the sale of the  
33.3% participation interest of Desert Trails Insurance Co. ("Receiver's Participation  
Interest") in a \$370,000 loan to Youth Pad, Inc. as more fully described in *Petition No. 106*  
("Youth Pad Loan"), which loan is secured by that certain real property and improvements  
legally described in the attached **Exhibit "1"** ("Property"); and the Receiver having reported  
to the Court the results of bidding between the competing buyers, and Court having

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1 considered same, and it appearing to the Court that the sale of the Receiver's Participation  
2 Interest in the Youth Pad Loan is reasonable, just and appropriate:

3 NOW, THEREFORE, IT IS HEREBY ORDERED that:

- 4 1. Approving the sale of the Receiver's Participation Interest in the Youth Pad  
5 Loan to Youth Pad Inc., as the successful bidder, for the purchase price of \$15,000.00;
- 6 2. Authorizing Thomas Giallanza, as Deputy Receiver to execute all necessary  
7 documents in connection with the sale of the Receiver's Participation Interest in the Youth  
8 Pad Loan;
- 9 3. Authorizing the Receiver to apply all funds held in Trust in connection with the  
10 loans secured by the Property to the accrued and unpaid loan charges as reflected in Exhibit  
11 "2" attached to Petition No. 106; and
- 12 4. Authorizing the Receiver to transfer servicing to the Youth Pad Loan to a new  
13 servicing agent as instructed by those persons holding a majority of the participation interests  
14 in the Youth Pad Loan.

15 IT IS FURTHER ORDERED that Pursuant to Rule 54(b), Ariz.R.Civ.P., the Court  
16 makes the express determination that there is no just reason for delay and makes the express  
17 determination directing entry of this Order at this time as a final judgment.

18 Dated this 22<sup>nd</sup> day of January, 2019.

19  
20 The foregoing instrument is a full, true and correct copy  
of the original on file in this office.

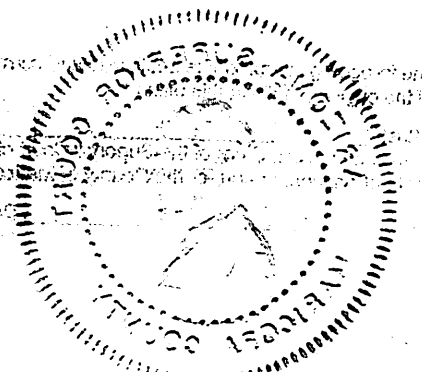
21 Attest: 1-22-19  
CHRIS DEROSE, Clerk of the Superior Court of the  
State of Arizona, in and for the County of Maricopa.

By: [Signature] Deputy Clerk

[Signature]  
Judge of the Superior Court

Daniel G. Martin

*[Faint signature]*  
Date: 12/12/2020



**Parcel I:**

**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, being more particularly described as follows:**

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

**Parcel II:**

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

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

**PARCEL III:**

**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, being more particularly described as follows:**

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

**PARCEL IV:**

**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, being more particularly described as follows:**

**COMMENCING at Northwest corner of said Section 6;**  
**THENCE North 89 degrees 52 minutes 11 seconds West, a distance of 709.09 feet;**  
**THENCE South 00 degrees 37 minutes 13 seconds East, a distance of 378.88 feet;**  
**THENCE North 89 degrees 22 minutes 47 seconds East, a distance of 558.22 feet;**  
**THENCE South 00 degrees 02 minutes 54 seconds East, a distance of 191.42 feet;**  
**THENCE North 89 degrees 52 minutes 26 seconds East, a distance of 1039.87 feet;**  
**THENCE South 00 degrees 07 minutes 26 seconds East, a distance of 230.00 feet to the POINT OF BEGINNING;**  
**THENCE South 00 degrees 07 minutes 26 seconds East, a distance of 1,188.83 feet;**  
**THENCE South 89 degrees 53 minutes 41 seconds West, a distance of 405.27 feet;**  
**THENCE North 01 degrees 55 minutes 51 seconds East, a distance of 958.25 feet;**  
**THENCE North 69 degrees 05 minutes 46 seconds East, a distance of 172.11 feet;**  
**THENCE North 00 degrees 07 minutes 34 seconds West, a distance of 170.00 feet;**  
**THENCE North 89 degrees 52 minutes 26 seconds East, a distance of 210.00 feet to the POINT OF BEGINNING.**

**PARCEL V:**

**That portion of 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 Northwest corner of said Section 6:  
THENCE North 89 degrees 52 minutes 11 seconds West, a distance of 709.09 feet;  
THENCE South 00 degrees 37 minutes 13 seconds East, a distance of 1,345.84 feet;  
THENCE North 89 degrees 52 minutes 45 seconds East, a distance of 695.82 feet to the POINT OF BEGINNING;  
THENCE North 89 degrees 52 minutes 45 seconds East, a distance of 130.29 feet;  
THENCE North 44 degrees 37 minutes 08 seconds East, a distance of 384.62 feet;  
THENCE North 69 degrees 05 minutes 46 seconds East, a distance of 130.14 feet;  
THENCE South 01 degrees 55 minutes 51 seconds West, a distance of 958.25 feet;  
THENCE South 89 degrees 53 minutes 42 seconds West, a distance of 488.39 feet;  
THENCE North 00 degrees 07 minutes 13 seconds West, a distance of 638.12 feet to the POINT OF BEGINNING.**

**PARCEL VI:**

**That 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, 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:**

**BEGINNING at the North corner common to said Section 1 and**



**Section 6:**

**THENCE North 89 degrees 52 minutes 11 seconds West, coincident with the North line of said Section 1, a distance of 709.09 feet;**

**THENCE South 00 degrees 37 minutes 13 seconds East, a distance of 378.88 feet;**

**THENCE North 89 degrees 22 minutes 47 seconds East, a distance of 558.22 feet;**

**THENCE South 00 degrees 02 minutes 54 seconds East, a distance of 191.42 feet;**

**THENCE North 89 degrees 52 minutes 26 seconds East, a distance of 1039.87 feet;**

**THENCE North 00 degrees 07 minutes 26 seconds East, a distance of 560.34 feet; to a point on the North line of said Section 6;**

**THENCE North 90 degrees 00 minutes 00 seconds West, coincident with said North line of Section 6, a distance of 892.02 feet to the POINT OF BEGINNING**

**PARCEL VII:**

**That 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 degrees 52 minutes 11 seconds West, coincident with the North line of said Section 1, a distance of 709.09 feet;**

**THENCE South 00 degrees 37 minutes 13 seconds East, a distance of 947.87 feet to the POINT OF BEGINNING**

**THENCE North 89 degrees 51 minutes 56 seconds East, a distance of 699.29 feet;**

**THENCE South 00 degrees 07 minutes 13 seconds East, a distance of 398.12 feet;**

**THENCE South 89 degrees 52 minutes 45 seconds West, a distance of 695.82 feet;**

**THENCE North 00 degrees 37 minutes 13 seconds West, a distance of 397.97 feet to the POINT OF BEGINNING.**