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**UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH
CENTRAL DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

RAPOWER-3, LLC; INTERNATIONAL
AUTOMATED SYSTEMS, INC.; LTB1,
LLC; R. GREGORY SHEPARD; NELDON
JOHNSON; and ROGER FREEBORN,

Defendants.

**RECEIVER'S NOTICE OF SALE
RESULTS**

(Payson, Utah Condominium)

Civil No. 2:15-cv-00828-DN

District Judge David Nuffer

R. Wayne Klein, the Court-Appointed Receiver (the "Receiver") for RaPower-3, LLC, International Automated Systems, and LTB1 (collectively, "RaPower"), and the assets of Neldon Johnson and R. Gregory Shepard, by and through his counsel, hereby files this *Notice of Sale Results (Payson, Utah Condominium)*. In support hereof, the Receiver states as follows:

1. On February 11, 2021, the Court entered an *Order Granting Receiver's Motion Seeking Authorization to Sell Payson, Utah Condominium Free and Clear of Purported*

Interests)¹ (the “Sale Order”), authorizing the private sale of certain real property described as a condominium located at 1045 South 1700 West, #132, Payson, Utah County, Utah (the “Real Property”), free and clear of interests.

2. The Receiver had acquired the property from Glenda Johnson as a result of the Turnover Order.²

3. The Receiver obtained insurance on the home, paid utility expenses, and paid 2020 property taxes. He also spent \$8,643.91 in repairs. Significant expenditures included painting, new carpeting, appliance repairs, and cleaning.

4. With approval of the Court,³ the Receiver published notice of the proposed sale in the *Daily Herald*, a newspaper of general circulation in Utah County, Utah. The notice was published on January 27, 2021 and notice of the publication was filed with the Court.⁴ Notice of the proposed sale also was provided on the Receiver’s website and via solicitations of potential real estate investors by electronic mail and regular mail.

5. No other bidders offered a higher bid as a result of the notice published in the newspaper.

6. The Court held a hearing on February 9, 2021 at which time the Receiver notified the Court that there had been no other offers on the home and recommended approval of the sale as proposed in his motion.

7. The sale of the Real Property to the buyer (Killpack) closed on February 16, 2021. The following is a summary of the results of this sale.

¹ [Docket No. 1086](#), filed February 11, 2021.

² [Docket No. 1007](#), filed September 15, 2020.

³ [Docket No. 1058](#), filed December 30, 2020.

⁴ [Docket No. 1080](#), filed February 9, 2021.

Property Sale Closing

Gross sales price	\$214,000.00
Credit: HOA dues	\$134.29
Seller concession for repairs	-\$1,000.00
Real estate commissions	-\$11,715.00
Title insurance	-\$1,317.00
2021 property tax	-\$146.01
Settlement fee, recording	<u>-\$235.00</u>
Net Closing Proceeds	\$199,721.28

Repairs, Utilities, Selling Expenses, Asset Sales

Net income from furniture sales	\$515.00
Appraisal and publication costs	-\$1,556.26
2020 Property taxes	-\$2,279.42
Repairs and remodeling	-\$8,643.91
Utilities	-\$59.80
HOA dues	-\$1,175.00
Insurance	-\$269.00
Bank fees	<u>-\$15.00</u>
NET SALES PROCEEDS⁵	\$188,237.89

8. The Net Closing Proceeds were deposited into the Receivership operating account.

DATED this 22nd day of February, 2021.

PARR BROWN GEE & LOVELESS

/s/ Michael S. Lehr
 Jonathan O. Hafen
 Michael S. Lehr
Attorneys for Receiver

⁵ The Receiver expects to receive partial refunds of insurance premiums and utility deposits.

CERTIFICATE OF SERVICE

IT IS HEREBY CERTIFIED that service of the foregoing was electronically filed with the Clerk of the Court through the CM/ECF system on February 22, 2021, which sent notice of the electronic filing to all counsel of record.

R. Gregory Shepard
858 Clover Meadow Dr.
Murray, Utah 84123

Neldon Johnson
PO Box 95332
South Jordan, UT 84095

/s/ Michael S. Lehr