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

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UNITED STATES OF AMERICA,

Plaintiff,

v.

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

Defendants.

**CORRECTED ORDER APPROVING  
PUBLIC SALE OF PROPERTY FREE  
AND CLEAR OF INTERESTS  
(HD-4606-2)**

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

District Judge David Nuffer

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Before the Court is *Receiver's Motion Requesting Corrected Sale Orders* (the "Motion") filed by R. Wayne Klein, the Court-Appointed Receiver (the "Receiver") in the above-captioned case, related to the sale of certain real property located in Millard County, Utah (the "Property"), identified by parcel number HD-4606-2 and described as follows:

**Parcel No. HD-4606-2:** The South half of the Southeast quarter of Section 2, Township 17 South, Range 8 West, Salt Lake Base and Meridian. Less: Beginning at the Southeast corner of Section 2, Township 17 South, Range 8 West, Salt Lake Base and Meridian, thence South 89°51'00" West 544.50 feet along the South boundary of Section 2, thence North 600 feet paralleling the East boundary of the Southeast quarter of Section 2, thence North 89°51'00" East 544.50 feet paralleling the South boundary to the East boundary of Section 2, thence South 600 feet, along the East boundary of Section 2, to the point of beginning. Less: **Parcel No. HD-4606-2-1:** Beginning at the Northeast corner of the Southeast quarter of the Southeast quarter of Section 2, Township 17 South, Range 8 West, Salt Lake Base and Meridian, thence West 466.7 feet along the North boundary of the Southeast quarter of the Southeast quarter of Section 2, thence South 466.7 feet, thence East 466.7 feet to the East boundary of the Southeast quarter of the Southeast quarter of said Section 2, thence North 466.7 feet along the East boundary of the Southeast quarter of the Southeast quarter of said Section 2, to the point of beginning.

Through the Motion, the Receiver reports that the Property has already been sold at auction and is awaiting closing. Pursuant to Rule 60(a) of the Federal Rules of Civil Procedure, the Receiver seeks an order correcting mistakes in the legal description of the Property contained in the December 1, 2020 sale order,<sup>1</sup> to facilitate closing of the sale and to ensure accuracy of the recorded documents.

The Court has reviewed the Motion and together with the Exhibits attached thereto, all other papers filed related thereto, and applicable law. Based thereon and for good cause appearing,

**IT IS HEREBY ORDERED** that:

1. The Motion is GRANTED;
2. The sale of the Property, with the corrected legal description listed above, to the high bidder at the January 19, 2021 auction, free and clear of interests, is APPROVED. The sale of the Property is without any water rights.

DATED this \_\_\_\_ day of \_\_\_\_\_, 2021.

**BY THE COURT:**

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<sup>1</sup> Docket No. 1028, filed December 1, 2020.

The Honorable David Nuffer  
U.S. District Court Judge