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*Attorneys for Court-Appointed Receiver R. Wayne Klein*

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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.

**RECEIVER'S NOTICE OF SALE  
RESULTS**

**(80-Acre Millard County Property,  
HD-4648)**

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

District Judge David Nuffer

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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 *Receiver's Notice of Sale Results (80-Acre Millard County Property, HD-4648)*. In support hereof, the Receiver states as follows:

1. On January 13, 2021, the Court entered an *Order Granting Receiver's Motion Requesting Order Approving (1) Public Sale of Property Free and Clear of Interests, (2) Method*

*and Form of Publication Notice, and (3) Public Auction Procedures*<sup>1</sup> (the “Sale Order”), authorizing the public sale at auction of certain real property described as 80 acres of undeveloped land located near Delta, in Millard County, Utah (the “Property”), free and clear of interests.

2. The Receiver acquired the Property from Glenda Johnson as a result of the Turnover Order.<sup>2</sup>

3. With approval of the Court,<sup>3</sup> the Receiver published notice of the proposed sale in the *Millard County Chronicle Progress*, a newspaper of general circulation in Millard County, Utah. The notice was published on January 20, January 29, February 3, and February 10, 2021. Notice of the publication is attached hereto as Exhibit A. Notice of the auction also was provided on the Receiver’s website and via solicitations of potential real estate investors by electronic mail and regular mail.

4. One other bidder prequalified to bid at the auction, paying a bid deposit and signing an auction procedures agreement.

5. The Property auction was held on February 25, 2021 at the Millard County Courthouse in Fillmore, Utah. The bidding started at the \$26,000 bid from the stalking horse bidder. At the conclusion of the auction, Thom Belchak was the high bidder, agreeing to pay \$35,000. This was a \$9,000 increase from the amount of the stalking horse bid.

6. The sale of the Property to the high bidder closed on April 15, 2021. The following is a summary of the results of this sale.

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<sup>1</sup>Docket no. 1064, filed January 13, 2021.

<sup>2</sup>Docket no. 107, filed September 15, 2020.

<sup>3</sup>Docket no. 1064, filed January 13, 2021.

|                                     |                    |
|-------------------------------------|--------------------|
| Gross sales price                   | \$35,000.00        |
| 2021 property taxes                 | -\$5.43            |
| Settlement fee to title company     | -\$250.00          |
| Title insurance                     | -\$341.00          |
| Real estate commissions             | <u>-\$1,560.00</u> |
| <b>Net Sale Proceeds at Closing</b> | <b>\$32,843.57</b> |

7. The net proceeds from the sale have been deposited into the Receivership operating account. The earnest money deposit was returned to the stalking horse bidder.

DATED this 3<sup>rd</sup> day of May, 2021.

**PARR BROWN GEE & LOVELESS**

/s/ Jeffery A. Balls

Jonathan O. Hafen

Jeffery A. Balls

Michael S. Lehr

*Attorneys for Receiver*

**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 May 3, 2021, which sent notice of the electronic filing to all counsel of record.

And via U.S. Mail, postage prepaid, to the following:

Neldon Johnson  
PO Box 95332  
South Jordan, UT 84095

R. Gregory Shepard  
858 Clover Meadow Drive  
Murray, UT 84123

*/s/ Wendy V. Tuckett* \_\_\_\_\_