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Attorneys for Court-Appointed Receiver R. Wayne Klein

**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**

(Oasis Warehouse: DO-4568-1)

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 (Oasis Warehouse: DO-4568-1)*. In support hereof, the Receiver states as follows:

1. On June 14, 2022, the Court entered an *Order Approving (1) Public Sale of Property Free and Clear of Interests, (2) Method and Form of Publication Notice, and (3) Public Auction Procedures*¹ (the "Sale Order"), authorizing procedures for and the public sale of certain real

¹Docket no. 1219, filed June 14, 2022.

property described as a warehouse and 3.46 acres of property having parcel number DO-4568-1, located in Oasis, Millard County, Utah (the "Real Property"), free and clear of interests. A legal description of the Real Property is set forth in the Sale Order.

2. Pursuant to the Sale Order, the Receiver provided notice of the auction via publication of the Court-approved notice in the *Millard County Chronicle Progress* once a week for a period of four weeks prior to the auction date, on the Receiver's website, and via solicitations of potential real estate investors by regular mail. The legal notice was published on July 13, 20, and 27, and August 3, 2022. Evidence of the publication of notice is attached hereto as **Exhibit A**. The Receiver also sent notice of the auction to two others who expressed interest in the property.

3. Two other bidders qualified to bid prior to the auction prequalification deadline and participated in the auction. The auction of the Real Property was held on August 4, 2022 at the Millard County Courthouse. During the course of the auction, the bid amount rose from the \$215,000 stalking horse bid to a high bid of \$285,000. The high bidder was Sean Jansson, who has taken title to the property under the name Oasis Storage and Warehouse Rentals, LLC.

4. The sale closed on August 19, 2022. The following summarizes the sale results.

Gross Sales Price	\$285,000.00
2022 Property Taxes	-\$1,585.10
Real Estate Commissions	-\$12,900.00
Title Insurance	-\$1,397.00
Settlement Agent Fee, Escrow Fee	<u>-\$295.00</u>
NET SALES PROCEEDS	\$268,822.90

5. The net sales proceeds were deposited into the Receivership operating account.

6. The \$5,000.00 bid deposits of the stalking horse bidder and the unsuccessful new bidder were returned to the bidders.

DATED this 23rd day of August 2022.

PARR BROWN GEE & LOVELESS

/s/ Jeffery A. Balls

Jonathan O. Hafen

Jeffery A. Balls

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 August 23, 2022, which sent notice of the electronic filing to all counsel of record.

IT IS FURTHER CERTIFIED that, on the same date, by U.S. Mail, first-class, postage pre-paid, I caused to be served the same documents upon the following persons:

R. Gregory Shepard
10672 Winter Haven Court
South Jordan, Utah 84095

Neldon Johnson
Post Office Box 95332
South Jordan, Utah 84095

Pro se Defendants

/s/ Wendy V. Tuckett