

MT92270-KR

2012-001073

Klamath County, Oregon



01/31/2012 03:41:51 PM

Fee: \$57.00

RECORDING COVER SHEET

ORS 205.234

This cover sheet has been prepared by the person presenting the attached instrument for recording. Any error in this cover sheet DOES NOT affect the transaction(s) contained in the instrument itself.

Reference - Escrow No. MT92270-KR
Title Order No. 0092270

Please print or type information.

1. AFTER RECORDING RETURN TO -

Required by ORS 205.180(4) & 205.238:

Name: **Buchalter Nemer**

Attention: **Steven M. Spector**

Address: **1000 Wilshire Boulevard, Suite 1500**

City, ST Zip: **Los Angeles, CA 90017-2457**

2. TITLE(S) OF THE TRANSACTION(S) - Required by ORS 205.234(1)(a)

Note: "Transaction" means any action required or permitted by law to be recorded, including, but not limited to, any transfer, encumbrance or release affecting title to or an interest in real property. Enter descriptive title for the lien instrument:

Document Title(s): Order Authorizing the Sale of Property of the Receivership Estate Consisting of Real Property and Improvements Located in Klamath Falls, Oregon

3. DIRECT PARTY / GRANTOR Names and Addresses - Required by ORS 205.234(1)(b)

for Mortgages/Liens list Borrower/Debtor

Plaintiff Name & Address: **Bank of America, N.A.**

c/o McGuire Woods, LLP

Attention: William H. Kiekhofer, III

1800 Century Park East, 8th Floor

Los Angeles, CA 90067

4. INDIRECT PARTY / GRANTEE Names and Addresses - Required by ORS 205.234(1)(b)

for Mortgages/Liens list Beneficiary/Lender/Creditor

Defendant Name & Address: **G & S Co., etc., et al.,**

c/o Sandra G. Kanengiser, Esq

Irell & Manella LLP

1800 Avenue of the Stars, Suite 900

Los Angeles, CA 90067

5. For an instrument conveying or contracting to convey fee title, the information required by ORS 93.260: UNTIL A CHANGE IS REQUESTED, ALL TAX STATEMENTS SHALL BE SENT TO

Name: **NO CHANGE**

Address:

City, ST Zip:

57AWA

1 BUCHALTER NEMER
A Professional Corporation
2 STEVEN M. SPECTOR (SBN: 51623)
1000 Wilshire Boulevard, Suite 1500
3 Los Angeles, CA 90017-2457
Telephone: (213) 891-0700
4 Facsimile: (213) 896-0400
Email: sspector@buchalter.com

5 Attorneys for
6 Joel B. Weinberg, Receiver

7
8 UNITED STATES DISTRICT COURT
9 CENTRAL DISTRICT OF CALIFORNIA

10
11 BANK OF AMERICA N.A.,
12 Plaintiff,
13 vs.
14 G&S CO., etc., et al.,
15 Defendants.

Case No. LA 10-1901-GW(JEMx)

Assigned to Hon. George H. Wu

**ORDER AUTHORIZING THE SALE OF
PROPERTY OF THE RECEIVERSHIP
ESTATE CONSISTING OF REAL PROPERTY
AND IMPROVEMENTS LOCATED IN
KLAMATH FALLS, OREGON**

[HEARING WAIVED]

16
17
18 The Court has considered the Ex Parte Application of Joel B. Weinberg, the duly
19 appointed, qualified and acting receiver herein ("Receiver"), for an Order Authorizing the Sale of
20 Property of the Receivership Estate Consisting of Real Property and Improvements Located in
21 Klamath Falls, Oregon (the "Application").

22 Based thereon, and upon the non-opposition of the Plaintiff and Defendants to the
23 Application and good cause appearing therefor,

24 IT IS ORDERED AS FOLLOWS:

- 25 1. The Application is granted.
26 2. Notice of the Application was appropriate.

27
28 BN 7671530v1

52Amc

2

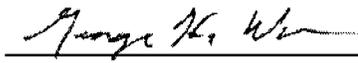
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

3. The sale of the real estate and improvements located at 6320 South 6th Street, Klamath Falls, Oregon and legally described in Exhibit "A" attached hereto (the "Property") is authorized and approved as set forth in the Sale Agreement described in the Application and in any further documents or agreements entered into in conjunction therewith.

4. The Receiver is authorized to execute any and all documents relating to the sale of the Property.

5. The Receiver is authorized to pay to the Broker identified in the Application the commission described in the Application upon closing of the sale of the Property.

DATED: December 7, 2011



GEORGE H. WU
United States District Judge

EXHIBIT "A"
LEGAL DESCRIPTION

PARCEL 1:

A tract of land described as follows: Beginning at an iron pin which marks the Northeast corner of Tract 63 of ROLAND PARK and which iron pin lies North 0°51' West along the 40 line a distance of 542.3 feet and the North 89°09' East a distance of 287.2 feet from the iron axle which marks the Southwest corner of the NE1/4 SW1/4 of Section 1, Township 39 South, Range 9 East of the Willamette Meridian, and running thence North 45°09' East a distance of 299.6 feet to an iron pin which lies on the Southwesterly right of way line of the State Highway 40 feet at right angles from the brass plug in the center line of the highway; thence in a Northwesterly direction following a 3°11' curve to the left along the Southwesterly right of way line of the State Highway a distance of 150 feet (the long chord of this curve bears North 48°32' West a distance of 149.96 feet) to an iron pin; thence South 45°09' West a distance of 221.6 feet to an iron pin; thence South 20°18' East a distance of 164.5 feet, more or less, to the point of beginning, said tract being a portion of the NE1/4 SW1/4 of Section 1, Township 39 South, Range 9 East of the Willamette Meridian and Beginning at an iron pin which marks the Southeast corner of Tract 63, ROLAND PARK, and which iron pin lies North 0°51' West along the 40 line a distance of 462.3 feet and North 89°09' East a distance of 262.2 feet from the iron axle which marks the Southwest corner of the NE1/4 SW1/4 of Section 1, Township 39 South, Range 9 East of the Willamette Meridian, and running thence North 16°33' East along the Easterly line of the above mentioned TRACT 63, a distance of 83.8 feet to an iron pin; thence North 45°09' East a distance of 299.6 feet to an iron pin on the Southerly right of way line of the Klamath Falls-Lakeview Highway; thence following the Southerly right of way line of the highway the following bearings and distances: South 46°09' East a distance of 13.5 feet to an iron pin; thence North 43°51' East a distance of 10 feet to an iron pin; and South 46°09' East a distance of 216.5 feet to an iron pin; thence South 43°51' West a distance of 384 feet to an iron pin; thence North 46°09' West a distance of 198.4 feet more or less to the point of beginning, said tract in the NE1/4 SW1/4 of Section 1, Township 39 South, Range 9 East of the Willamette Meridian. EXCEPTING THEREFROM that tract conveyed to the State of Oregon in Deed recorded January 11, 1972 in Volume M72, page 342, Deed Records of Klamath County, Oregon.

PARCEL 2:

A tract of land situated in the NE1/4 SW1/4 of Section 1, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, being more particularly described as follows:

Beginning at a point situated North 00°51' West 462.3 feet, North 89°06' East 262.2 feet and South 46°09' East 198.4 feet from the Southwest corner of the said NE1/4 SW1/4 of Section 1; thence continuing South 46°09' East 106.00 feet; thence North 43°51' East 150.00 feet; thence North 46°09' West 106.00 feet; thence South 43°51' West 150.00 feet to the point of beginning with bearings based on recorded Survey No. 625 as recorded in the office of the Klamath County, Surveyor.



CLERK OF DISTRICT COURT
DEPUTY CLERK

Thereby attest and certify on 12/12/11
that the foregoing document is a full, true
and correct copy of the original on file in
my office, and in my legal custody.

CLERK U.S. DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

Adwanne Luther

DEPUTY CLERK



1222