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8 IN THE UNITED STATES DISTRICT COURT FOR THE  
 9 EASTERN DISTRICT OF CALIFORNIA

|                                              |   |                                |
|----------------------------------------------|---|--------------------------------|
| 10 UNITED STATES OF AMERICA,                 | } |                                |
| 11 Plaintiff,                                | } | CIVIL NO. 1:06-CV-1630-AWI-WMW |
| 12 v.                                        | } |                                |
| 13 CHARLES WAYNE UPTERGROVE; <i>et al.</i> , | } | <b>ORDER CONFIRMING SALE</b>   |
| 14 Defendants.                               | } | Date: August 22, 2011          |
|                                              | } | Time: 1:30 p.m.                |
|                                              | } | Place: Courtroom 2             |
|                                              | } | Judge: Hon. Anthony W. Ishii   |
|                                              | } |                                |

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 18 Money judgment was entered in favor of the United States (Doc. No. 134) and the  
 19 dispositive order (Docket No. 133, "Dispositive Order") directed the sale of the Uptergroves'  
 20 ranch pursuant to 28 U.S.C. § 2001. The Uptergrove Ranch is located at 26662 Road 23,  
 21 Chowchilla, California, 93613, and described as follows:

22 Real property in the unincorporated area of the County of MADERA, State of  
 California, described as follows:

23 THE NORTH ¾ OF THE NORTH ½ OF THE SOUTHEAST ¼ OF THE  
 24 NORTHEAST ¼ OF SECTION 20, TOWNSHIP 9 SOUTH, RANGE 17 EAST,  
 MOUNT DIABLO BASE AND MERIDIAN, ACCORDING TO THE OFFICIAL  
 25 PLAT THEREOF.

26 APN: 030-120-013.

27 The United States has reported, and the Court so finds, that the sale was publicized in  
 28 accordance with 28 U.S.C. § 2001 and properly conducted, on April 28, 2011, at 11:00 a.m., at

1 the Madera County Courthouse. The successful bidders, Zhongping Zeng and Congxiang Liu,  
2 bid \$150,000 for the Uptergrove Ranch. The buyers fully paid the purchase price to the IRS  
3 Officer in charge of the sale, Douglas McDonald, who then deposited the funds to the Court.  
4 The United States seeks an Order confirming the sale.

5 In accordance with the foregoing, and for good cause shown,

6 **IT IS ORDERED THAT** the sale on April 28, 2011 of the Uptergrove Ranch was properly  
7 conducted and no objection was filed. The sale is hereby confirmed.

8 **IT IS FURTHER ORDERED THAT** the Internal Revenue Service is authorized to  
9 execute and deliver to the purchasers a Certificate of Sale and Deed conveying the Uptergrove  
10 Ranch to them or to their assignee.

11 **IT IS FURTHER ORDERED THAT**, on delivery of the Certificate of Sale and Deed, all  
12 interests in, liens against, or claims to the Uptergrove Ranch that are held or asserted in this  
13 action by the plaintiff or any of the defendants, or any successor-in-interest to any defendant,  
14 are discharged. On delivery of the Certificate of Sale and Deed, the Uptergrove Ranch shall be  
15 free and clear of the interests of the following defendants: Charles W. Uptergrove; Martha  
16 Gene Freeman Uptergrove; HomEq Servicing, Inc.; State of California, Employment  
17 Development Department; Copeland Lumber Company; California Franchise Tax Board; Gulf  
18 Insurance Company, Inc.; ABC Supply Company, Inc.; Meeks Building Center; and the State of  
19 California, Department of Industrial Relations. The purchasers take the Uptergrove Ranch free  
20 and clear of any claim by a successor-in-interest to any of the listed defendants.

21 **IT IS FURTHER ORDERED THAT** possession of the Property sold shall be yielded to  
22 the purchasers upon the production of a copy of the Certificate of Sale and Deed; and if there  
23 is a refusal to so yield, a Writ of Assistance may, without further notice, be issued by the Clerk  
24 of this Court to compel delivery of the Uptergrove Ranch to the purchasers.

25 **IT IS FURTHER ORDERED THAT** the Clerk shall make an initial distribution of the  
26 funds on deposit in this case as follows:  
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1 a. First, by check made payable to the "Internal Revenue Service" in the amount of  
2 \$3,333.29 for costs of sale, mailed to:

3 Douglas McDonald,  
4 Property Appraisal & Liquidation Specialist  
5 751 Daily Dr. Ste 100  
6 Camarillo, CA 93010

6 IT IS SO ORDERED.

7 Dated: August 22, 2011

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CHIEF UNITED STATES DISTRICT JUDGE