

Property from Defendant for \$155,000 in an “as is” condition. Defendant agreed to pay \$4,650 towards closing costs, including the settlement fee. Defendant has received no other offers to purchase the Property.

4. The Property is unencumbered by a mortgage. After the payment of settlement charges, taxes and other closing costs, the estimated proceeds from the sale are expected to be \$138,895.78.

5. Receiver retained an independent real estate agent in Bismarck, North Dakota, Candace Christianson of Coldwell Banker Realty Group, to provide a Broker Price Opinion/Comparable Market Analysis for the Property. Ms. Christianson was the 2007 Bismarck-Mandan Board of Realtors “Realtor of the Year.” One of her specialties is preparing Comparable Market Analyses.

6. Ms. Christianson opined that “the purchase price for 500 Weatherby Way seems appropriate unless the seller is willing to hold the property for an extended period.”

7. The sale of the Property under the terms of the purchase agreement constitutes an arm’s length transaction for fair market value.

Therefore, IT IS ORDERED that the sale of the property under the terms of the amended purchase agreement is approved. This Order hereby authorizes the payment of settlement charges, taxes, and other closing costs. The proceeds from the sale after these payments and other adjustments shall be paid to the Receiver upon closing, to be deposited into the receivership account.

IT IS SO ORDERED.

BY THE COURT:

 s/Ann D. Montgomery
ANN D. MONTGOMERY
U.S. DISTRICT JUDGE

Dated: November 4, 2008.