

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CASE NO. 3:16-CV-285**

**SECURITIES AND EXCHANGE
COMMISSION,**

Plaintiff,

v.

RICHARD W. DAVIS, JR.,

Defendant,

and

DCG REAL ASSETS, LLC, et al.,

Relief Defendants.

**ORDER GRANTING MOTION FOR
AUTHORITY TO SELL REAL
PROPERTY – 16614 OLD
STATESVILLE ROAD - FREE AND
CLEAR OF LIENS**

This matter came before the Court upon the *Motion for Authority to Sell Real Property – 16614 Old Statesville Road – Free and Clear of Liens* (Doc. No. 152) (the “Motion”) by A. Cotten Wright, as the duly-appointed receiver in the above-captioned action, through counsel. It appears that notice of the Motion was proper, the deadline to object to the Motion has expired and that no objections were filed in response to the Motion.

The Court, having reviewed the Motion and the record in this case, has determined that it would be in the best interest of the receivership estate to permit the Receiver to sell certain real property—described as 16614 Old Statesville Road, Huntersville, North Carolina, Mecklenburg County, Tax Parcel No. 011-021-45, map reference Lot 3-M56-31 (the “Real Property”) for the sum of \$700,000.00 to the Charlotte Metro Federal Credit Union pursuant to the terms of the Real Estate Purchase Contract, a copy of which is attached to the Motion as “Exhibit A” (the “Contract”).

IT IS, THEREFORE, ORDERED that

- (1) The Motion is granted;
- (2) The Receiver is authorized to close on the sale of the Real Property pursuant to the terms of the Contract including executing necessary documentation customary in real estate closings such as deeds, lien waivers, 1099 forms and other similar documents;
- (3) The sale shall be free and clear of liens with any lien attaching to proceeds; and
- (4) The Receiver is authorized to deposit the Sale proceeds, net of the realtor commissions, taxes, closing costs, and other expenses typically paid by the sellers in a real property transaction, to the Receivership bank account to be held pending further Order from this Court.

Signed: December 6, 2017

A handwritten signature in black ink, reading "Graham C. Mullen", written over a horizontal line.

Graham C. Mullen
United States District Judge

