

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION



















ENTERED  
2-20-62  
U.S.D.C.

869

Accordingly, it is ordered that:

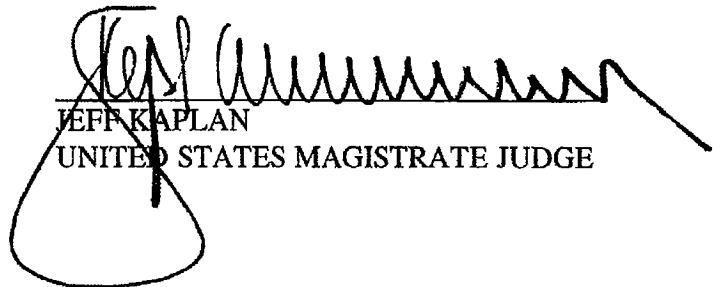
1. The Receiver's motion to sell real property free and clear of all liens, claims, and encumbrances is granted.

2. The Receiver is hereby authorized to sell that certain real property located at 58100 Pottawatomie, Osceola, Elkhart County, Indiana, at a private sale to Pleasant Ridge Development for \$300,000, less normal and appropriate realtor commissions and closing costs as may be agreed to by the Receiver. Such sale shall be free and clear of all liens, claims, and encumbrances of any nature. To the extent that any such liens, claims, or encumbrances exist, they shall attach to the proceeds of the sale held by the Receiver subject to further order of the court.

3. The Receiver shall publish notice of this sale in the form attached hereto as Exhibit "1" in the *Elkhart Truth* for at least 10 consecutive days. If the Receiver does not receive a cash offer to purchase the property for a price which is at least 10% higher than the current \$300,000 sales price, the Receiver is authorized to close the sale immediately following the expiration of the 10 day publication period.

SO ORDERED.

DATED: March 22, 2002.

  
JEFF KAPLAN  
UNITED STATES MAGISTRATE JUDGE

## Legal Notice

### Notice of Private Sale

Notice is given pursuant to 28 U.S.C. §2001 in the case styled, *Securities and Exchange Commission, Plaintiff, vs. Funding Resource Group, et al.* Civil Action No. 3:98-CV-2689-M, in the Northern District of Texas, Dallas Division, that the Receiver for Howe Financial Trust obtained court approval on \_\_\_\_\_, 2002, to sell the following real property at private sale:

A part of the Northwest Quarter of Section 22, Township 37 North, Range 4 East, Baugo Township, Elkhart County, Indiana described as follows:

Commencing at a monument at the Southwest corner of the Northwest Quarter of said Section 22; thence North 00 degrees 25 minutes 37 seconds East along the West line of the Northwest Quarter of said Section 22 (being also the center line of Ash Road), 1,320.89 feet to a spike set on this survey at the intersection of the West line of the Northwest Quarter of said Section 22 with the South line of the Northwest Quarter of the Northwest Quarter of said Section 22, said intersection being midway between the monuments at the Southwest and Northwest corners of the Northwest Quarter of said Section 22; thence South 89 degrees 06 minutes 02 seconds East along the South line of the Northwest Quarter of the Northwest Quarter of said Section 22, 630.00 feet to an iron pin set on this survey said iron pin being at the Point of Beginning of this description; thence North 00 degrees 25 minutes 37 seconds East, 420.00 feet to an iron pin set on this survey; thence North 89 degrees 59 minutes 56 seconds West, 400.00 feet to an iron pin set on this survey; thence East along the East line of Creekwood Estates Third Section as recorded August 7, 1978 in Plat Book 14, page 1 in the Office of the Recorder of Elkhart County, Indiana the following two courses; North 00 degrees 25 minutes 37 seconds East, 145.32 feet; North 01 degrees 14 minutes 25 seconds East, 100.02 feet; thence along the Southerly line of Creekwood Estates First Section as recorded March 4, 1966 in Plat Book 9, page 61 in the Office of the Recorder of Elkhart County, Indiana the following five courses; North 26 degrees 15 minutes 04 seconds East, 153.38 feet; South 89 degrees 14 minutes 56 seconds East, 140.59 feet; South 66 degrees 18 minutes 22 seconds East, 204.56 feet; North 02 degrees 52 minutes 30 seconds West, 84.00 feet; North 79 degrees 45 minutes 04 seconds East, 193.00 feet; thence South 10 degrees 14 minutes 56 seconds East, 148.37 feet to an iron pin found on this survey; thence North 55 degrees 24 minutes 58 seconds East, 160.64 feet to an iron pin found on this survey, said pin being at the Southwest corner of Lot 14 of Creekwood Estates First Section as recorded; thence South 18 degrees 46 minutes 57 seconds East, 23.91 feet; thence Southerly and Easterly along the boundary of a survey done on June 3, 1975 by Homer W. Fisher as Job Number 54-1975 the following eight courses; South 14 degrees 48 minutes 08 seconds East, 68.87 feet; South 00 degrees 01 minutes 26 seconds East, 84.18 feet; South 09 degrees 42 minutes 20 seconds East, 56.77 feet; North 79 degrees 56 minutes 43 seconds East,

98.23 feet; North 51 degrees 38 minutes 55 seconds East, 94.11 feet; North 36 degrees 57 minutes 28 seconds East, 55.19 feet; North 78 degrees 16 minutes 43 seconds East, 121.12 feet to a point on the East line of the Northwest Quarter of the Northwest Quarter of said Section 22; thence South 72 degrees 28 minutes 28 seconds East, 174.20 feet; thence South 00 degrees 07 minutes 19 seconds East, 658.35 feet to a point on the South line of the Northeast Quarter of the Northwest Quarter of said Section 22; thence North 89 degrees 06 minutes 02 seconds West along said South line, 166.03 feet to an iron pin set on this survey at the Southwest corner of the Northeast Quarter of the Northwest Quarter of said Section 22, said Southwest corner being midway between the stone at the Northeast corner of the Northwest Quarter of the Northwest Quarter of said Section 22 and the Southeast corner of the Southwest Quarter of the Northwest Quarter of said Section 22 as depicted on a survey by Frank B. Rupe, Jr. dated September 13, 1952; thence continuing North 89 degrees 06 minutes 02 seconds West, along the South line of the Northwest Quarter of the Northwest Quarter of said Section 22, 705.26 feet to the Point of Beginning (58100 Pottawatomie, Osceola, Indiana)

The sale shall be "as is" and "where is."

Bona Fide offers in accordance with 28 U.S.C. §2001 must be received in writing on or before 5:00 p.m. on \_\_\_\_\_, 2002. All persons having claims against the property are required to present them within the time and in the manner prescribed by law and advise the Receiver of same in writing on or before 5:00 p.m. on \_\_\_\_\_, 2002.

Dated the \_\_\_\_ day of \_\_\_\_\_, 2002.

Direct correspondence to:  
Howe Financial Trust  
c/o Michael J. Quilling, Receiver  
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