

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

CASE NO.: 16-cv-21301-GAYLES

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

v.

**ARIEL QUIROS,
WILLIAM STENGER,
JAY PEAK, INC.,
Q RESORTS, INC.,
JAY PEAK HOTEL SUITES L.P.,
JAY PEAK HOTEL SUITES PHASE II. L.P.,
JAY PEAK MANAGEMENT, INC.,
JAY PEAK PENTHOUSE SUITES, L.P.,
JAY PEAK GP SERVICES, INC.,
JAY PEAK GOLF AND MOUNTAIN SUITES L.P.,
JAY PEAK GP SERVICES GOLF, INC.,
JAY PEAK LODGE AND TOWNHOUSES L.P.,
JAY PEAK GP SERVICES LODGE, INC.,
JAY PEAK HOTEL SUITES STATESIDE L.P.,
JAY PEAK GP SERVICES STATESIDE, INC.,
JAY PEAK BIOMEDICAL RESEARCH PARK L.P.,
AnC BIO VERMONT GP SERVICES, LLC,**

Defendants, and

**JAY CONSTRUCTION MANAGEMENT, INC.,
GSI OF DADE COUNTY, INC.,
NORTH EAST CONTRACT SERVICES, INC.,
Q BURKE MOUNTAIN RESORT, LLC,**

Relief Defendants.

**Q BURKE MOUNTAIN RESORT, HOTEL
AND CONFERENCE CENTER, L.P.
Q BURKE MOUNTAIN RESORT GP SERVICES, LLC,**

Additional Receivership Defendants¹

CORRECTED² ORDER GRANTING RECEIVER'S MOTION FOR

¹ See Order Granting Receiver's Motion to Expand Receivership dated April 22, 2016 [ECF No. 60].

² This Order corrects the legal description attached to the Order Granting Receiver's Motion for Authorization to Sell a 71-Acre Tract of Land (Divided into Four Lots) Owned by Burke 2000 LLC [ECF No. 535].

**AUTHORIZATION TO SELL A 71-ACRE TRACT OF LAND
(DIVIDED INTO FOUR LOTS) OWNED BY BURKE 2000 LLC**

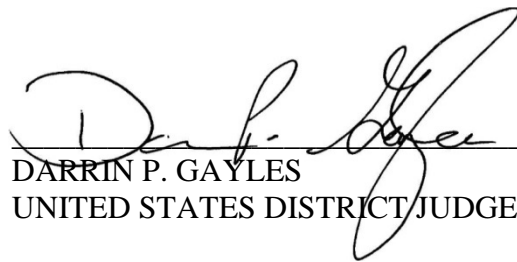
THIS MATTER comes before the Court without hearing upon the Motion for Authority to Sell a 71-Acre Tract of Land (Divided into Four Lots) Owned by Burke 2000 LLC (the “Motion”) [ECF No. 532] filed by the Court-appointed receiver, Michael I. Goldberg (the “Receiver”). The Court, having reviewed the Motion, being advised that counsel for the Securities and Exchange Commission has no objection to the relief requested in the Motion, and finding that the Receiver has made a sufficient and proper showing in support of the relief requested,

IT IS ORDERED, ADJUDGED AND DECREED, as follows:

1. The Motion is **GRANTED**.
2. The Receiver is authorized to sell a 71-acre tract of land owned by Burke 2000 LLC as four separate lots, “As-Is”, under the terms set forth in the Motion and in the four Purchase and Sale Contracts attached to the Motion as Exhibits “1” – “4”.
3. As more fully described in the Survey attached hereto as **Exhibit “A”**, the property shall be sold as follows:
 - (a) Lot No. 1 (2466 VT Route 114): Brian R. Boydon/Boyden Aleph LLC, or assigns;
 - (b) Lot No. 2 (Pinkham Road Parcel): Susannah Young and Patrick W. Ely;
 - (c) Lot No. 3 (Victory Road Parcel): Jeffrey Hale and Amy Hale; and
 - (d) Lot No. n/a, (000 VT Route 114): Charles Santos Jr.
3. The Receiver is further authorized to execute any documents and take any actions reasonably necessary to consummate the transactions contemplated therein.

4. Upon receipt of the consideration set forth in the Purchase and Sale Contracts, and delivery of the deeds and other documents called for in the Purchase and Sale Contracts, each sale shall stand as confirmed, without further Order of the Court.

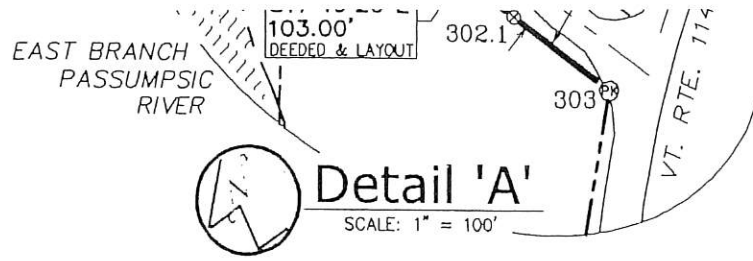
DONE AND ORDERED in Chambers at Miami, Florida, this Friday, February 08, 2019.



DARRIN P. GAYLES
UNITED STATES DISTRICT JUDGE

EXHIBIT A

LEGAL DESCRIPTION



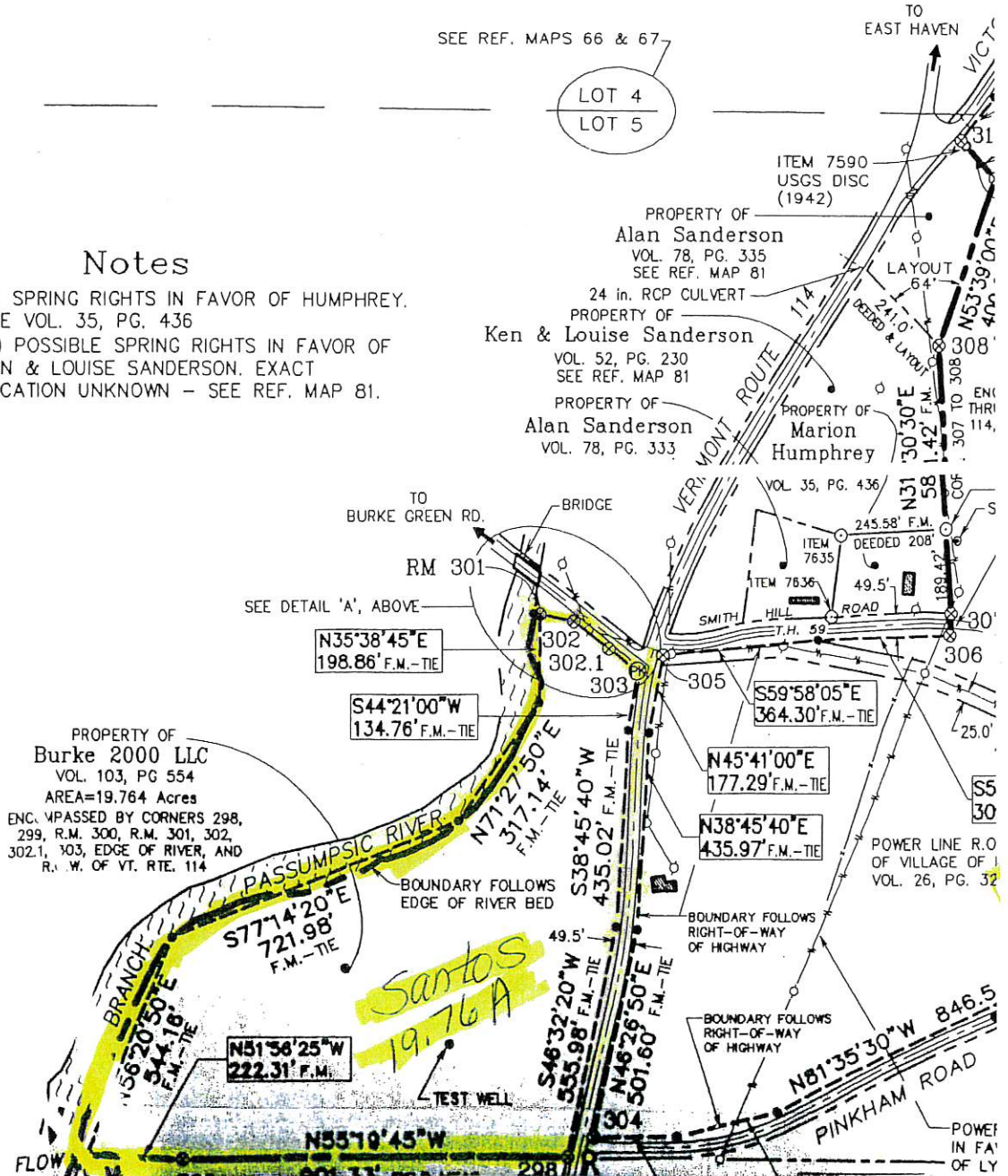
Sanderso
VOL. 61, PG. ...
SPRING RIGHTS IN F.
SANDERSON IN VOL.

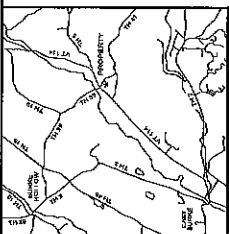
SEE REF. MAPS 66 & 67

LOT 4
LOT 5

Notes

- 1.) SPRING RIGHTS IN FAVOR OF HUMPHREY. SEE VOL. 35, PG. 436
- 2.) POSSIBLE SPRING RIGHTS IN FAVOR OF KEN & LOUISE SANDERSON. EXACT LOCATION UNKNOWN - SEE REF. MAP 81.

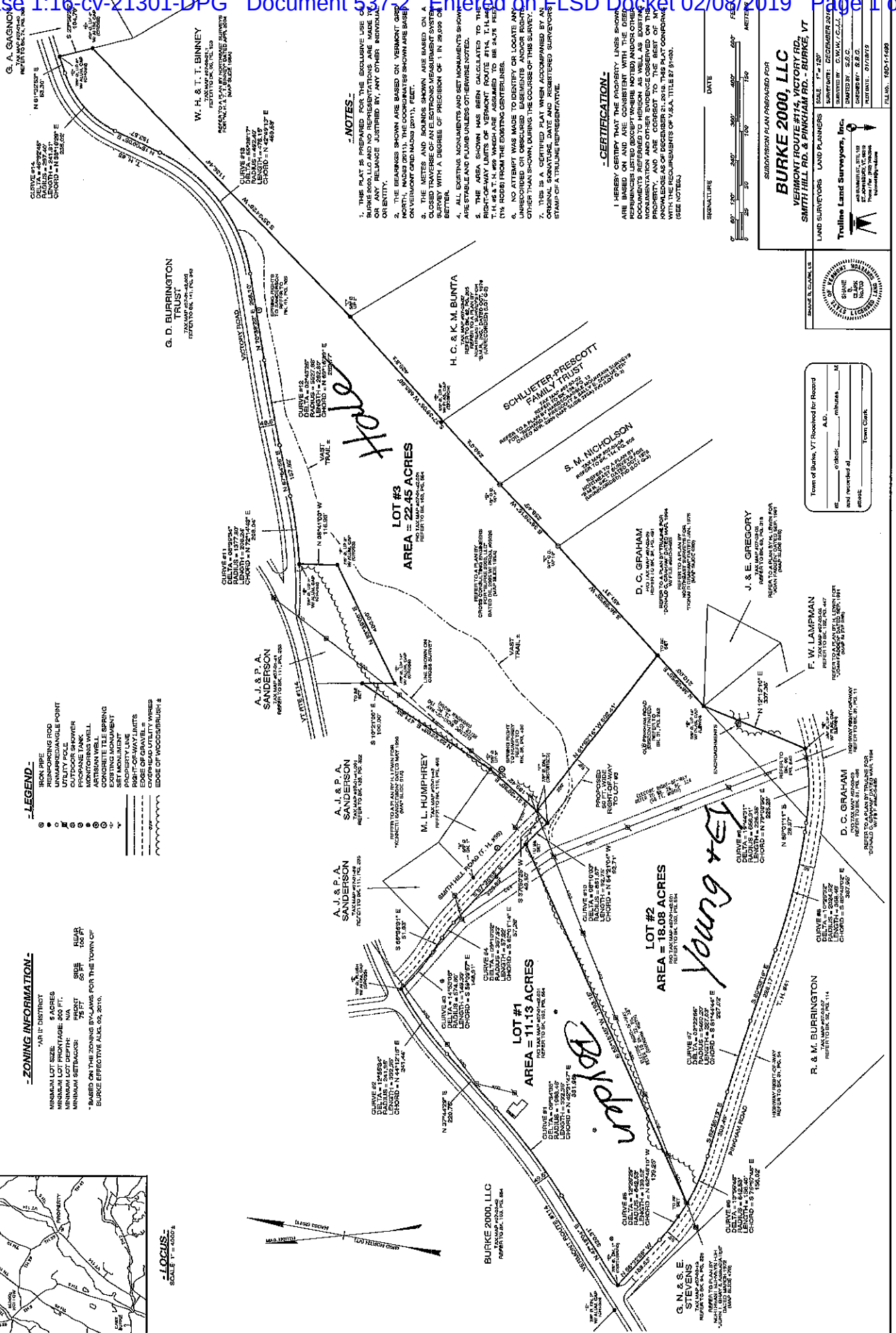




-ZONING INFORMATION-
 1st DISTRICT
 MINIMUM LOT SIZE: 5 ACRES
 MINIMUM SETBACK: 10 FT.
 MINIMUM LOT DEPTH: N/A
 MINIMUM SETBACK: N/A
 *BASED ON THE ZONING BYLAWS FOR THE TOWN OF BURKE EFFECTIVE AUG. 05, 2010.

-LEGEND-
 IRON PIPE
 UNMARKED ANGLE POINT
 UTILITY POLE
 PROPOSED SHOWER
 MONITORING WELL
 ARTISAN WELL
 EXISTING MONUMENT
 SET MONUMENT
 RIGHT-OF-WAY LIMITS
 EDGE OF GRAVEL
 CENTERLINE
 WHIRLS
 EDGE OF WOODCROFTMENT

-LOCUS-
 SCALE 1" = 4000.0'



-NOTES-

1. THIS PLAT IS PREPARED FOR THE EXCLUSIVE USE OF BURKE 2000, LLC AND IS NOT TO BE REPRODUCED OR COPIED IN ANY MANNER WITHOUT THE WRITTEN CONSENT OF BURKE 2000, LLC. ANY REPRODUCTION OR COPIING OF THIS PLAT WITHOUT THE WRITTEN CONSENT OF BURKE 2000, LLC IS STRICTLY PROHIBITED.
2. THE BEARINGS SHOWN ARE BASED ON VERMONT ADJUSTED MERIDIAN (2011), FEET.
3. THE METERS AND SQUARE METERS SHOWN ARE BASED ON A CLOSED TRAVERSE OF AN ELECTRONIC MEASUREMENT SYSTEM (EMTS) WITH A DEGREE OF PRECISION OF 1 IN 25,000 ON THE DATE OF SURVEY.
4. ALL EXISTING MONUMENTS AND SET MONUMENTS SHOWN ARE STABLE AND FIRM UNLESS OTHERWISE NOTED.
5. THE AREA SHOWN HAS BEEN CALCULATED TO THE RIGHT-OF-WAY LIMITS OF VERMONT ROUTE #14. THE RIGHT-OF-WAY LIMITS OF VERMONT ROUTE #14 ARE SHOWN BY THE SOLID LINE WITH THE CENTERLINE OF THE ROAD SHOWN BY THE DASHED LINE.
6. NO ATTEMPT WAS MADE TO LOCATE OR LOCATE ANY UNRECORDED OR UNRECORDED EASEMENTS AND/OR RIGHTS OF WAY OTHER THAN SHOWN, DURING THE COURSE OF THIS SURVEY.
7. THIS IS A CERTIFIED PLAT WHEN ACCOMPANIED BY AN ORIGINAL COPY OF THE NOTARIZED SURVEYOR'S SIGNATURE AND A TRUE AND CORRECT COPY OF THIS PLAT.

-CERTIFICATION-

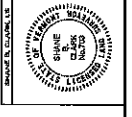
I, HENRY C. GREGORY, LAND SURVEYOR, LICENSE NO. 1000, AM A MEMBER OF THE VERMONT SURVEYORS ASSOCIATION AND AM CONSISTENT WITH THE OTHER DOCUMENTS LISTED EXCEPT WHERE NOTED AND/OR OTHER REFERENCES REFERRED TO HEREIN AS WELL AS EXISTING RECORDS, AND AM CORRECT TO THE BEST OF MY KNOWLEDGE AS OF DECEMBER 21, 2018. THIS PLAT CONFORMS TO THE REQUIREMENTS OF V.S.A. TITLE 25, CHAPTER 101 (SEE NOTICES).

SIGNATURE: _____ DATE: _____
 HENRY C. GREGORY
 LAND SURVEYOR
 44 S. MOUNTAIN AVENUE
 WASHINGTON, VERMONT 05676
 TEL: 802.251.1111
 FAX: 802.251.1112

BURKE 2000, LLC
 VERMONT ROUTE #14, VICTORY RD,
 SMITH HILL RD. & PINGHAM RD. - BURKE, VT

LAND SURVEYORS LAND PLANNERS

DATE: 7th 2019
 SURVEYED: DECEMBER 2018
 DRAWN: HENRY C. GREGORY
 CHECKED: HENRY C. GREGORY
 APPROVED: HENRY C. GREGORY
 FILE NO.: 18-11-009



Town of Burke, VT Received for Record

RECORDED BY: _____ A.D. _____
 BOOK: _____ PAGE: _____
 FILED: _____

Hole

Young + Es

Boyer