March 5, 2007

NOTICE TO INTERESTED PERSONS

1. You are hereby notified that a written submission has been filed on behalf of Individual Retirement Account #1474 (the IRA) with the United States Department of Labor (the Department) seeking authorization, pursuant to class exemption 96-62 (PTCE 96-62), 61 FR 39988, July 31, 1996, as amended by 67 FR 44622, July 3, 2002, for an exemption from the sanctions resulting from the application of section 4975 of the Internal Revenue Code of 1986, as amended (the Code) to the proposed transaction (the Proposed Transaction), as described below.

2. The submission has met the requirements for tentative authorization under PTCE 96-62.

3. If authorized by the Department, pursuant to PTCE 96-62, the sanctions resulting from the application of 4975 of the Code by reason of section 4975(c)(1)(A) through (E) of the Code shall not apply to the sale by the IRA of a parcel of improved real property (the Property) to Randy Aulick (Mr. Aulick), a disqualified person with respect to the IRA.

4. The authorization, if granted, will not provide relief from the general fiduciary provisions of the Act or the Code with regard to the acquisition and holding of the Property by the IRA or the sale of the Property by the IRA to Mr. Aulick, nor will such authorization constitute an endorsement by the Department of the Proposed Transaction that is the subject of this submission.

Background

5. The IRA is an individual retirement account, as described in section 408(a) of the Code, as amended. The IRA was established by Mr. Aulick on May 13, 2005. Mr. Aulick is the sole participant in the IRA. Mr. Aulick's wife, Lou Aulick, is the beneficiary of the IRA. The IRA has assets totaling $309,133, as of May, 2006. It is represented that Mr. Aulick has sole investment discretion over the assets of the IRA. Entrust of Tampa Bay, LLC, located in Tampa Bay, Florida, is the custodian of the IRA.

6. On July 19, 2005, the IRA deposited $5,000 into an escrow account in connection with the acquisition of the Property which was credited at purchase. On September 1, 2005, the IRA purchased the Property from an unrelated third party. The total amount expended by the IRA to acquire the Property, including the closing costs, was $409,915. Of this $409,915 amount the IRA paid $143,615 in cash at closing plus the $5,000 previously paid into the escrow account. The IRA obtained a non-recourse first mortgage in the amount of approximately $261,000 from North America Savings Bank. As of December 31, 2006, the remaining mortgage on the Property was $257,422.33. It is represented that the Property is not subject to any other mortgages.

7. The legal description of the Property is Section 14, Township 28, Range 26, Parcel 000730, Polk County, Florida. The address of the Property is 2815 Country Club Road, Winter Haven Florida. The Property consists of 1.5 acres of land which has been improved by a single family residence built in 1962. The Property has three bedrooms, two baths, and a covered entry. The Property includes double paned windows throughout, garage door openers, a cedar walk-in closet in the master bedroom, a storage/workroom with an air conditioner, a screened porch, a screened pool, a new dock, and an attached two car garage. It is represented that the IRA purchased the Property intending to renovate and resell it for profit.

8. The fair market value of the Property has been determined to be $358,000, pursuant to an appraisal prepared, on June 5, 2006, by Holly Ann Williams (Ms. Williams) and Oswald P. Carrerou (Mr. Carrerou) with A.R.E.A. Real Estate Appraisers, Inc. Mr. Carrerou, the President of A.R.E.A. Real Estate Appraisers, Inc., is a state certified general real estate appraiser. Mr. Carrerou is qualified, in that since 1982 he has specialized in appraising commercial, industrial, agricultural, residential, and special purpose properties. Ms. Williams, a state registered trainee appraiser, assisted Mr. Carrerou in completing the appraisal of the Property. Both Mr. Carrerou and Ms. Williams are independent in that they have no present or prospective interest in the Property and have no bias with respect to the participants in the Proposed Transaction. In addition, the appraisers' assignment and compensation were not contingent upon developing or reporting a predetermined value or direction in value. This appraisal utilized the cost and market comparison approaches to value. The appraisal of the Property was based on an "as is" estimate of value under the assumption that completion of the renovations, repairs, or alterations of the Property will be performed in a professional manner. In this regard, the Property was being renovated at the time of the inspection with a number of items still incomplete. The appraisers estimate that the cost to complete the renovations is approximately $80,000. It is represented that the fair market value of the Property will be updated by an independent, qualified appraiser, as of the date the Proposed Transaction is entered.

9. Mr. Aulick desires to purchase the Property from the IRA in order to provide a safe home for his ailing father. It is represented that Mr. Aulick does not own any real estate adjacent to the Property which is the subject of this submission. The real estate market in Winter Haven, Florida has softened since the IRA purchased the Property. It is also represented that unforeseen electrical, structural, and septic conditions have been discovered on the Property. These conditions currently render the Property uninhabitable. It is estimated that the repairs will take approximately six (6) months to complete. The cost of unforeseen repairs to the Property coupled with the mortgage payments on the Property is depleting the IRA of its remaining cash resources. It is represented that the total repairs made on the Property since the application was submitted to the Department are approximately $53,000. As Mr. Aulick is a disqualified person with respect to the IRA, the purchase of the Property by Mr. Aulick would be a prohibited transaction which is not permitted under the Code, unless the Proposed Transaction is authorized by the Department.

10. Mr. Aulick has applied to the Department in order to obtain authorization for the sale of the Property by the IRA to Mr. Aulick. It is represented that the sale of the Property will increase the liquidity and diversification of the IRA's portfolio. It is represented that the proposed sale will benefit the IRA by relieving it of substantial obligations with respect to the Property. Even though

the IRA may suffer a loss in connection with the Proposed Transaction, it is represented that the sale of the Property to a third party would likely result in an even more significant loss. If the authorization is granted by the Department, the Proposed Transaction will be subject to the following conditions: (1) the transaction will be a one-time transaction for cash; (2) Mr. Aulick will purchase the Property for a purchase price which is the greater of $358,000 or the fair market value of such Property; (3) the fair market value of the Property will be determined by an independent qualified appraiser, as of the date the Proposed Transaction is entered; and (4) the IRA will not be responsible for any of the fees or commissions associated with the sale of the Property.

11. If the authorization is granted, the Proposed Transaction will take place within thirty (30) days after the date of the final authorization of the Proposed Transaction by the Department.

12. It is represented that the Proposed Transaction poses little, if any, risk of abuse or loss to the IRA. The Proposed Transaction will be a one-time cash transaction. The Plan will receive the greater of the current fair market value or the fair market value of the Property at the date of the sale as determined by an independent, qualified appraiser.

13. Relying on PTCE 96-62, the applicant has identified as substantially similar to the Proposed Transaction the following two (2) individual exemptions granted by the Department within the past 60 months:

- Prohibited Transaction Exemption 2001-29, issued to Gooch Enterprises, Inc. Money Purchase Pension Plan , 66 FR 45341 (August 28, 2001). This exemption permitted the cash sale of two tracts of land by the plan to the shareholders of the plan sponsor and trustees of the plan.

- Prohibited Transaction Exemption 2000-20 issued to Taylor M. Cole IRA Rollover, 65 FR 25953 (May 4, 2000). This exemption permitted the cash sale by a plan of unimproved property by the plan to the participant of the plan.

14. It is represented that the only persons who may be affected by the Proposed Transaction are Mr. Aulick, his spouse, and his two children. As a person who may be affected by the Proposed Transaction, you have the right to comment on the Proposed Transaction. Written comments should be addressed to:

Office of Exemption Determinations
Employee Benefits Security Administration
U.S. Department of Labor
200 Constitution Ave, NW
Room N-5700
Washington, D.C. 20210
Attention Submission No. E-00542

Comments may also be submitted by facsimile to 202-219-0204, and by e-mail to leblanc.angelena@dol.gov.

15. The comment period will close on April 2, 2007, 25 days following completion of the distribution of this Notice to Interested Persons. Final Authorization of the Proposed Transaction will not occur until the Department reviews all comments received in response to this Notice to Interested Persons.

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