

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF SOUTH CAROLINA

IN RE: )  
 )  
DAVID ANDREW JONES and ) B/K Case No. 03-14732-W  
NANCY GAUTHIER JONES, ) Chapter 7  
 )  
Debtors. )  
\_\_\_\_\_ )

**TO: All Creditors and Parties in Interest**

**NOTICE AND APPLICATION FOR SALE OF PROPERTY  
FREE AND CLEAR OF LIENS**

YOU ARE HEREBY NOTIFIED that the Trustee in this case is applying for approval to sell the property of the debtors' estate described below according to the terms and conditions stated below.

TAKE FURTHER NOTICE that any response, return and/or objection to this application, should be filed with the Clerk of the Bankruptcy Court no later than 20 days from service of the motion/application and a copy simultaneously served on all parties in interest.

TAKE FURTHER NOTICE that no hearing will be held on this application unless a response, return and/or objection is timely filed and served, in which case, the Court will conduct a hearing on **October 28, 2004 at 10:00 o'clock a.m.** in the United States Bankruptcy Court, 145 King Street, Room 225, Charleston, South Carolina. No further notice of this hearing will be given.

TYPE OF SALE: Private Sale

PROPERTY TO BE SOLD: Estate's interest in Debtors' household goods

PRICE: \$1,600 and waiver of exemption in the proceeds from the sale.

**NOTICE: THE TRUSTEE IS SELLING THE ABOVE-REFERENCED PROPERTY "AS IS," WITH NO WARRANTIES WHATSOEVER. THE BUYERS AGREE TO RECEIVE THE PROPERTY WITH ALL FAULTS. THE TRUSTEE MAKES NO WARRANTY, EXPRESS OR IMPLIED, REGARDING THE PROPERTY, AND SPECIFICALLY EXCLUDES ANY IMPLIED WARRANTY OF MERCHANTABILITY AND ANY IMPLIED WARRANTY OF FITNESS FOR A PARTICULAR USE. PROPERTY TO BE CONVEYED BY QUIT CLAIM DEED OR BILL OF SALE.**

**THE BUYERS HAVE BEEN GIVEN THE OPPORTUNITY TO EXAMINE THE PROPERTY BEFORE SIGNING ANY CONTRACT OR SUBMITTING A BID TO PURCHASE THE PROPERTY, AND TO PERFORM SUCH TESTING, IF APPLICABLE, TO DETECT POSSIBLE LATENT DEFECTS.**

APPRAISAL VALUE: \$10,910.00 per Trustee's appraiser

BUYERS: David Andrew Jones and Nancy Gautier Jones  
8 Legacy Court  
Hilton Head, SC 29926

(The Buyers are the Debtors in this case)

PLACE, DATE AND TIME OF SALE: This sale shall take place within ten (10) days following the entry of the Order Approving the Sale by the U. S. Bankruptcy Court.

SALES AGENT/AUCTIONEER/BROKER/ETC.: None

EXPENSES OF SALE: \$573.50 to AMC Appraisal Co. for appraisal in case. AMC was appointed as Appraiser in this case on September 8, 2004. However, if the property had been sold by public auction, the anticipated expenses would have been \$1,750.00.

COMPENSATION TO SALES AGENT/AUCTIONEER/BROKER/ETC.: None. However, if the property had been sold by public auction, commission would have been \$1,636.50.

ESTIMATED TRUSTEE'S COMPENSATION: Reasonable compensation to be determined by the Court (but not to exceed the limits set in 11 U.S.C. §326(a)), estimated to be \$400.00.

LIENS/MORTGAGES/SECURITY INTERESTS ENCUMBERING PROPERTY: None known.

DEBTOR'S EXEMPTION: In this situation, the household goods are being sold back to the Debtors. Therefore, the Debtors are utilizing their exemption of \$4,600.00 towards the purchase price of the equity in the household goods by waiving their right to receive any exemption in the proceeds.

PROCEEDS ESTIMATED TO BE PAID TO ESTATE: \$1,026.50

Applicant is informed and believes that it would be in the best interest of the estate to sell said property by private sale. Applicant also believes that the funds to be recovered for the estate from the sale of said property justify its sale and the filing of this application.

The Court may consider additional offers at any hearing held on this notice and application for sale. The Court may order at the hearing that the property be sold to another party on equivalent or more favorable terms.

Applicant requests that the ten (10) day stay pursuant to Fed.R.Bankr.P. 6004(g) be waived in this matter and that upon the entry of the Order the Trustee be allowed to immediately enforce and implement the terms of said Order.

The Trustee may seek appropriate sanctions or other similar relief against any party filing a spurious objection to this notice and application.

WHEREFORE, applicant requests the court issue an order authorizing sale of said property and such other and further relief as may be proper.

/s/ Kevin Campbell  
KEVIN CAMPBELL, TRUSTEE  
Post Office Box 684  
Mt. Pleasant, SC 29465  
(843) 884-6874/884-0997(fax)  
District Court ID No. 30

Dated: September 17, 2004

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF SOUTH CAROLINA

IN RE: )  
 ) B/K Case No. 03-14732-W  
DAVID ANDREW JONES and )  
NANCY GAUTHIER JONES, ) Chapter 7  
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**CERTIFICATE OF MAILING**

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I, Stefanie E. Charles, Legal Assistant to Kevin Campbell, Chapter 7 Bankruptcy Trustee, hereby certify that I have this day mailed a true and correct copy of the following:

**NOTICE AND APPLICATION FOR SALE OF PROPERTY  
FREE AND CLEAR OF LIENS and proposed ORDER  
(Household goods)**

by mailing said copies by United States mail, with proper postage affixed thereto and addressed to the parties on the attached mailing matrix:

/s/ Stefanie E. Charles  
STEFANIE E. CHARLES, Legal Assistant  
Kevin Campbell, Trustee  
Post Office Box 684  
Mt. Pleasant, SC 29465  
(843) 884-6874/ (843) 884-0997 fax

Mt. Pleasant, South Carolina  
Dated: September 17, 2004

American Express  
POB 360001  
Fort Lauderdale FL 33336-0001

American Express Travel Related Svcs Co Inc Corp C  
Becket and Lee LLP, Attorneys/Agent  
P.O. Box 3001  
Malvern, PA 19355-0701

Bank of America  
POB 5270  
Carol Stream IL 60197

BANK OF AMERICA, N.A. (USA)  
PO BOX 2278  
NORFOLK, VA 23501-2278

Bank South  
6130 E. 81st Street  
Tulsa OK 74137

Bankcard Services  
POB 15019  
Wilmington DE 19886

Bankcard Services  
POB 15137  
Wilmington DE 19886

BEAUFORT TAX COLLECTOR  
PO BOX 1228  
BEAUFORT SC 29901

Capital One  
POB 85147  
Richmond VA 23276

Chase  
POB 17202  
Wilmington DE 19886

CHASE MANHATTAN BANK USA, N.A.  
C/O CHASE BANKCARD SERVICES, INC.  
PO BOX 52176  
PHOENIX, AZ 85072-2176

CITIBANK (SOUTH DAKOTA) NA  
ASSOC BP AMOCO PAYMENT CENTER  
4300 WESTOWN PARKWAY  
WEST DES MOINES IA 50266

David Andrew Jones  
8 Legacy Ct  
Hilton Head Island, SC 29926

Fairfield Acceptance Corp.  
POB 98940  
Las Vegas NV 89193

First North American National Bank  
POB 830008  
Baltimore MD 21283

Fleet Credit Card Service  
POB 15368  
Wilmington DE 19886-5368

FLEET CREDIT CARD SERVICES LP  
PO BOX 1016  
HORSHAM PA 19044

Healthcare Business Services  
POB 420740  
Atlanta GA 30342

Hilton Head Gastroenterology  
25 Hospital Center Blvd Ste 103  
Hilton Head SC 29926

HILTON HEAD ISLAND TAX COLLECTOR  
ONE TOWN CENTER COURT  
HILTON HEAD ISLAND SC 29926

Lowe's  
POB 105980  
Dept. 79  
Atlanta GA 30353

MBNA America  
POB 15137  
Wilmington DE 19886

MBNA AMERICA BANK NA  
PO BOX 15168 MS 1423  
WILMINGTON DE 19850

MINIBUS MOTORS CREDIT OF AMERICA INC  
PO BOX 829009  
DALLAS TX 75382-9009

Mitsubishi Motors Credit of America, Inc  
POB 0574  
Carol Stream IL 60132

MMCA  
POST OFFICE BOX 2624  
CAROL STREAM, ILLINOIS 60134-2624

MONOGRAM CREDIT CARD BANK OF GEORGIA  
DBA LOWES/RETAIL  
25 SE 2ND AVENUE, SUITE 1120  
MIAMI, FLORIDA 33131

Nancy Gautier Jones  
8 Legacy Ct  
Hilton Head Island, SC 29926

NCO Financial Services  
POB 41448  
Philadelphia PA 19101

Pathology One  
POB 30309  
Charleston SC 29417

Processing Center  
Des Moines IA 50360

R. Michael Drose  
3955 Faber Place Drive  
Suite 103  
North Charleston, SC 29405

SC DEPT OF REVENUE AND TAXATION  
PO BOX 125  
COLUMBIA SC 29214

SC EMPLOYMENT SECURITY COMM  
PO BOX 995  
COLUMBIA SC 29202

Union 76  
POB 85680  
Louisville KY 40285