

**United States Bankruptcy Court**

**District of South Carolina**

In Re:

Shirley Jean Parrish

Case No.: 04-03143/WB

Chapter: 13

Debtor

**Notice/Motion of Sale of Property Free and Clear of Liens**

YOU ARE HEREBY NOTIFIED that Shirley Jean Parrish, proposes to sell the property herein described free and clear of liens and encumbrances 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 Bankruptcy Court no later than 20 Days from service of Notice/Motion/Application and 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 November 9, 2004 At 1:30 p.m., at 145 King Street, Room 225, Charleston, SC 29401  
No Further notice will be given.

TYPE OF SALE: Private

PROPERTY TO BE SOLD: 212 Weber Road, Summerville, SC 29483, Lot 17. Subdivision Palmetto Park, TMS#130-11-07-031, Dorchester County.

PRICE: \$62,000.00, Sixty-Two Thousand Dollars.

APPRAISAL VALUE: County Assessed value \$56,600.00.

BUYER: Vince Perna  
1264 Hampshire  
James Island, SC 29412

PLACE AND TIME OF SALE: This sale shall take place as soon as possible following the entry of the Order Approving the Sale by the U.S. Bankruptcy Court at a date, place and time to agreed upon by the parties.

SALES AGENT/AUCTIONEER/BROKER: None

COMPENSATION TO SALES/AUCTIONEER/BROKER/ECT.: none

ESTIMATED TRUSTEE S COMMISSION ON SALE: none

LIENS MORTGAGES/SECURITY INTERESTS ENCUMBERING PROPERTY: The sale is free and clear of all liens, encumbrances and judgments. There is a valid first mortgage lien held against this real property by United States Department of Agriculture Centralized Servicing, which is owed approximately \$44,926.30. This obligation shall be paid in full at closing.

Debtor had listed Harold A. Holliday Sr, as second lien holder. Title work shows no second lien on property.

DEBTOR S EXEMPTION: \$5,000.00

PROCEEDS ESTIMATED TO BE PAID TO ESTATE: \$12,073.70

SPECIAL STIPULATIONS: none

The applicant is informed and believes that it would be in the best interest of the estate to sell said property by private sale. The applicant also believes that the funds to be recovered fro the estate from the sale of property justify its sale and 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 any hearing that the property be sold to another party on equivalent or more favorable terms.

The Trustee or debtor in possession, as applicable, may seek appropriate sanctions or other similar relief against any party filing a spurious objection to this notice and application.

Wherefore, applicant request the court issue a order authorizing sale of said property and such other and further relief as may be proper.

Date: October 11, 2004

/s/ Felix B. Clayton

Felix B. Clayton, ID 167

P.O. Box 62529

N. Charleston, SC 29419-2529

(843) 569-0230/569-1347 fax

### **Certification of Mailing**

I, Felix B. Clayton, hereby certify that I have mailed the Notice/Motion to Sale of Property Free and Clear of Liens, on all interested parties:

James M. Wyman, Trustee  
P.O. Box 997  
Mt. Pleasant, SC 29465

United States Department of  
Agriculture Centralized Servicing  
P.O. Box 66879  
St. Louis, MO 63166-0190

Harold A. Holliday, Sr.  
3 Brampton Circle  
Columbia, SC 29423

Shirley Parrish  
212 Weber Road  
Summerville, SC 29483

/s/ Felix B. Clayton  
Felix B. Clayton  
Attorney for Debtor  
P.O. Box 62529  
N. Charleston, SC 29419-2529  
843-569-0230