

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

IN RE:

Alfred Howard Agnew and Renadeane Thomas  
Agnew,

Debtors.

Case No. 03-01333-W

**NOTICE AND APPLICATION FOR  
SALE OF PROPERTY FREE AND  
CLEAR OF LIENS, AND OF  
OPPORTUNITY FOR HEARING**

Chapter 7

**YOU ARE NOTIFIED** that the trustee is applying for approval to sell the property of the debtor's estate below described free and clear of liens and encumbrances according to the terms and conditions stated below. A copy of the proposed Order accompanies this Notice.

**TAKE FURTHER NOTICE** that any response, return and/or objection to this Notice and Application should be filed with the Clerk of the Bankruptcy Court no later than twenty (20) days from service of the Notice and Application, and a copy simultaneously served on the Chapter 7 Trustee and the U.S. Trustee.

**TAKE FURTHER NOTICE** that no hearing will be held on this Notice and Application for Sale unless a response, return and/or objection is timely filed and served, in which case, the Court will conduct a hearing on **November 2, 2004, at 9:00 a.m.**, at the J. Bratton Davis United States Bankruptcy Courthouse, 1100 Laurel Street, Columbia, SC 29201. No further notice of this hearing will be given.

**TYPE OF SALE:** Private Sale

**PROPERTY TO BE SOLD:** Lot 7 of Rainbow Drive Subdivision, Marion County TMS #56-00-00-13, fronting on the West side of Rainbow Drive near the City of Mullins, South Carolina.

This lot, among other real property, is co-owned by the debtor Alfred Howard Agnew and Lorraine Williams-Garrett. The Trustee brought an action (Adv. No. 04-80005-W) to sell property free and clear of co-owner's interest pursuant to 11 U.S.C. §363(h), and has submitted a consent order in said adversary proceeding, seeking authority to sell said lot and equally divide the proceeds. Said order provides that Lorraine Williams-Garrett shall have the right of first refusal at the price of \$9,500.00.

**PRICE:** \$9,500.00

**APPRAISAL VALUE:** No appraisal conducted

**NAME OF BUYER:** Lawrence B. Floyd and Joan Floyd

**PLACE / TIME OF SALE:** Upon receipt of order for sale

**SALES AGENT:** Jackson L. Cobb, employed 11/17/03

**COMPENSATION TO SALES AGENT:** \$950.00 (10%)

**NET BEFORE PAYMENT TO CO-OWNER:** \$8,550.00

**LIENS/MORTGAGES:** None; the Trustee shall pay \$4,275.00 to Lorraine Williams-Garrett.

**ESTIMATED TRUSTEE'S COMPENSATION ON SALE:** \$237.50 (5% of \$4,750)

**DEBTOR'S EXEMPTION:** None

**PROCEEDS ESTIMATED TO BE PAID TO ESTATE:** \$4,037.50

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 any hearing that the property be sold to another party on equivalent or more favorable terms.

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 the sale of said property, and for such other and further relief as may be proper.

September 21, 2004

/s/H. Flynn Griffin, III  
H. Flynn Griffin, III, Attorney for Trustee  
District Court ID #2466  
P.O. Box 76, Columbia, SC 29202-0076  
(803) 252-8600

Address of Court:  
J. Bratton Davis United States  
Bankruptcy Courthouse  
P.O. Box 1448, 1100 Laurel Street  
Columbia, SC 29202

Address of U.S. Trustee:  
United States Trustee  
1835 Assembly Street  
Suite 953  
Columbia, SC 29201

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**CERTIFICATE OF SERVICE**

Chapter 7

The undersigned, Elke Watkins, hereby states that she mailed the within Notice and Application for Sale Free and Clear of Liens and Opportunity for Hearing and the proposed Order Authorizing Sale of Assets to the parties as shown in the attachment hereto, by depositing same in the Post Office, postage prepaid, at Columbia, South Carolina, where there is regular communication by mail, and that same was mailed postage prepaid on September 21, 2004.

/s/Elke Watkins

Elke Watkins, Legal Assistant  
Anderson & Associates, P.A.  
P.O. Box 76  
Columbia, SC 29202

AMERICAN EXPRESS  
C/O PLAZA ASSOCIATES  
PO BOX 18008  
HAUPPAUGE NY 11788-8808

AMEX CENTURION BANK  
C O BECKET AND LEE LLP  
ATTORNEYS FOR CLAIMANT  
PO BOX 3001  
MALVERN PA 19355 0701

AMEX TR. REL. SVCS CO INC  
C O BECKET AND LEE LLP  
ATTORNEYS FOR CLAIMANT  
PO BOX 3001  
MALVERN PA 19355 0701

Alfred Howard Agnew  
PO Box 302  
Mullins, SC 29574

Renadeane Thomas Agnew  
PO Box 302  
Mullins, SC 29574

B FIRST LLC  
2101 FOURTH AVE STE 900  
SEATTLE WA 98121

BANK ONE DELAWARE  
PO BOX 517  
FREDERICK MD 21705 0517

CITY OF MULLINS TAX COLLECTOR  
E FRONT STREET  
MULLINS SC 29574

COLLINS FINANCIAL SVC INC  
PO BOX 740933  
DALLAS TX 75374

Capstead, Inc.  
500 Enterprise Road  
Suite 150  
Horsham, PA 19044

GMAC MORTGAGE CORPORATION  
500 ENTERPRISE RD  
STE.150  
HORSHAM PA 19044

GMAC MORTGAGE CORPORATION  
PO BOX 96063  
CHARLOTTE NC 28296-0063

Joy S. Goodwin  
PO Box 2066  
Columbia, SC 29202-2066

Suzanne T. Graham Grigg  
1441 Main Street  
Suite 1500  
PO Drawer 2426  
Columbia, SC 29202

HERITAGE BANK OF THE SOUTH  
PO BOX 50728  
ALBANY GA 31703-0728

HORRY COUNTY TREASURER  
PO BOX 1237  
CONWAY SC 29528

INTERNAL REVENUE SERVICE  
MDP 39  
1835 ASSEMBLY STREET ROOM 653  
COLUMBIA SC 29201

R. Geoffrey Levy  
2300 Wayne Street  
Columbia, SC 29201

MARION COUNTY TAX COLLECTOR  
PO BOX 389  
MARION SC 29571-0992

MIDLAND MORTGAGE  
PO BOX 26648  
OKLAHOMA CITY OK 73126-0648

Elizabeth H. McCullough  
PO Box 1799  
1201 Main Street Suite 1800  
Columbia, SC 29202

NAVY FEDERAL CREDIT UNION  
ONE SECURITY PLACE  
PO BOX 3000  
MERRIFIELD VA 22119-3000

NAVY FEDERAL CREDIT UNION  
PO BOX 3100  
MERRIFIELD VA 22119-3100

PEE DEE FEDERAL  
PO Box 350  
Mullins SC 29574

PEE DEE FEDERAL SAVINGS BANK  
SUZANNE GRAHAM GRIGG ESQUIRE  
PO DRAWER 2426  
COLUMBIA SC 29202

RECEIVABLES MANAGEMENT SERVICE  
992 S ROBERT STREET  
WEST ST PAUL MN 55118

RESURGENT CAPITAL SERVICES  
PO BOX 10587  
GREENVILLE SC 29603 0587

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

SC EMPLOYMENT SECURITY COMM  
PO BOX 995  
COLUMBIA SC 29202

SEARS ROEBUCK AND CO  
PO BOX 3671  
DES MOINES IA 50318-3671

US Trustee  
1835 Assembly  
Room 953  
Columbia, SC 29201

USAA FED SAVINGS BANK  
WEINSTEIN TREIGER AND RILEY  
2101 FOURTH AVE STE 900  
SEATTLE WA 98121

USAA FEDERAL SAVINGS BANK  
PO BOX 14050  
LAS VEGAS NV 89114-4050

Wm. Reynolds Williams  
P. O. Box 1909  
Florence, SC 29503