

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

RE:)
RANDALL CHARLES HITCHCOCK)
NANCY ANN HITCHCOCK)
330 BERRYHILL DRIVE)
BOILING SPRINGS SC 29316)
)
)
Debtors)
_____)

Case Number: 03-04654-W

Chapter 13

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

TO: ALL CREDITORS AND PARTIES OF INTEREST:

YOU ARE HEREBY NOTIFIED that the Debtors are applying for approval to sell the property of the Debtors' estate described below free and clear of all liens and encumbrances according to the terms and conditions stated below.

The property of debtors located at 330 Berryhill Drive, Boiling Springs, Spartanburg County will be sold for \$102,500.00. This amount will pay of the approximately \$76,000.00 first mortgage to Wells Fargo Mortgage, and \$14,500.00 second mortgage to Beneficial Finance. In addition, a \$6,150 real estate commission and \$5,616.10 in closing costs will be paid. The good faith estimate attached shows that the debtors will receive approximately \$233.90 at closing, this will be retained by the debtors as it is within the \$5,000.00 exemption taken in this case.

TAKE FURTHER NOTICE that any response, return and/or objection to this application should be filed with the Clerk of the United States Bankruptcy Court no later than twenty (20) days from service of motion/application and a copy simultaneously served on all parties of 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 December 2, 2004 at 9:30 am at the Donald Stuart Russell Federal Courthouse, 201 Magnolia Street, Spartanburg South Carolina.

NO FURTHER NOTICE OF THIS HEARING WILL BE GIVEN.

Case Number: 03-04654-W

TYPE OF SALE: Private/Public Sale

**PROPERTY TO:
BE SOLD**

HOUSE & .61 ACRE LOT LOCATED AT 330 BERRYHILL DRIVE, BOILING SPRINGS,
SC 29316, PURCHASED 1996 FOR \$79,900, CURRENT TAX ASSESSED VALUE \$78,400,
FORMAL APPRAISAL \$97,000. FIRST MORTGAGE TO WELLS FARGO BANK WITH AN
APPROXIMATE PRINCIPAL BALANCE OF \$76,000, AND SECOND MORTGAGE TO
BENEFICIAL FINANCIAL WITH AN APPROXIMATE BALANCE OF \$14,500.

PRICE: \$120,500.00

APPRAISAL VALUE: \$97,000.00

BUYER: Jeannie A. Mulls – not an insider

PLACE AND TIME

OF SALE: DEBTOR(S) ATTORNEYS OFFICE AS SOON AS
SALE IS APPROVED

**SALES AGENT/
AUCTIONEER/
BROKER:** Deborah Amstutz

**COMPENSATION TO
SALES AGENT/
AUCTIONEER/
BROKER:** \$6,150.00

**ESTIMATED TRUSTEES
COMMISSION ON SALE:** None

**LIENS/MORTGAGES/
SECURITY INTERESTS** WELLS FARGO MORTGAGE BENEFICIAL FINANCIAL
ENCOMBERING approximate balance \$76,000 approximate balance \$14,500
PROPERTY **None the less, the balance due on the date of closing will be paid

DEBTORS EXEMPTIONS: \$5,000.00

**PROCEEDS ESTIMATED
TO BE PAID TO ESTATE:** None

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

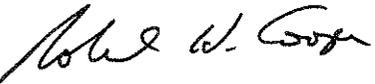
The court may consider additional offers at any hearing held on an objection to the sale. The court may order at the hearing that the property be sold to another party on equivalent or more favorable terms.

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

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

Dated October 8, 2004

In Greenville, South Carolina

/S/ ROBERT H COOPER 

Robert H. Cooper Esquire, DCID #5670

THE COOPER LAW FIRM

Attorney for Debtor(s)

2320 East North Street

Greenville South Carolina 29607

(864) 271-9911

(864) 232-5236 Fax

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BOILING SPRINGS SC 29316)	Chapter 13
)	
Debtors)	
)	

Certificate of Service

I hereby certify that under FR BP 1007(b)(2), I have faxed, mailed and or electronic mailed a true and accurate copy of the foregoing Notice and Application for Sale of Property Free and Clear of Liens to the 13 trustee and creditors attached hereto.

RANDALL CHARLES HITCHCOCK
NANCY ANN HITCHCOCK
330 BERRYHILL DRIVE
BOILING SPRINGS SC 29316

Helen Elizabeth Burris
Chapter 13 Trustee
PO Box 288
Greenville, SC 29602

Dated October 8, 2004
In Greenville, South Carolina

/S/ Mark R. Waggoner
OFFICE PERSONNEL FOR
THE COOPER LAW FIRM
2320 East North Street
Greenville South Carolina 29607
(864) 271-9911
(864) 232-5236 Fax

IN THE UNITED STATES BANKRUPTCY COURT

ARCADIA FINANCIAL
PO BOX 4367
CAROL STREAM IL 60197-5367

ARCADIA FINANCIAL LTD
PO BOX 1472
MINNEAPOLIS MN 55440 1472

ARCADIA FINANCIAL LTD
PO BOX 1472
MINNEAPOLIS MN 55440-1472

BENEFICIAL FINANCE
8664 ASHEVILLE HIGHWAY
Spartanburg SC 29316

BENEFICIAL MORTGAGE CO
961 WEIGEL DR
PO BOX 8603
ELMHURST IL 60126

BENEFICIAL SC INC
PO BOX 9055
BRANDON FL 33509 9055

ECAST SETTLEMENT CORP
GE PRIVATE LABEL LOWES
PO BOX 35480
NEWARK NJ 07193-5480

HOUSEHOLD BANK
PO BOX 7680
Carol Stream IL 60116-7680

IRS MDP 39
1835 ASSEMBLY ST RM 653
COLUMBIA SC 29201

LOWES/MONOGRAM BANK
PO BOX 103080
Roswell GA 30076

MARY BLACK MEM HOSPITAL
1700 SKYLYN DRIVE
SPARTANBURG SC 29304

RMC FINANCIAL
110 GARNER ROAD
Spartanburg SC 29303

SC DEPT OF REV. & TAX.
PO BOX 125
COLUMBIA SC 29202-0125

SEARS
PO BOX 182532
Columbus OH 43218-2532

SEARS ROEBUCK AND CO
PO BOX 3671
DES MOINES IA 50322

SPARTANBURG COUNTY TAX
COUNTY OFFICES
PO BOX 5807
Spartanburg SC 29304

SPARTANBURG REGIONAL
HEALCARE SYS
101 E. WOOD STREET
Spartanburg SC 29303

SPARTANBURG REGIONAL
MEDICAL CTR
101 E WOOD STREET
Spartanburg SC 29303

TURNER HEATING & AIR
2883 CHESNEE HWY
Spartanburg SC 29307

US ATTORNEY FOR SC FOR IRS
1441 MAIN STREET STE 500
COLUMBIA SC 29201

US ATTY GENERAL CIVIL DIV
US DEPT OF JUSTICE,
BANKRUPTCY
WASHINGTON DC 20530

Wells Fargo
3476 Stateview Boulevard
Fort Mill, SC 29715

WELLS FARGO
3476 STATEVIEW BOULEVARD
FORT MILL SC 29715

WELLS FARGO MORTGAGE
PO BOX 30120
Tampa FL 33630-3120