UNITED STATES BANKRUPTCY COURT

FOR THE DISTRICT OF SOUTH CAROLINA

FILED
01 MAY 25 PM 12:18
U.S. BANKRUPTCY COURT
DISTRICT OF SOUTH CAROLINA

IN RE:

KENNETH L. BEITER and
GLORIA P. BEITER,

Debtors.

Bankruptcy Case No.: 01-00071-W

Chapter 7

TO: All Creditors and Parties in Interest

NOTICE AND APPLICATION FOR SALE OF ASSETS
FREE AND CLEAR OF LIENS

YOU ARE HEREBY NOTIFIED that the Trustee in this case proposes to sell the property herein described 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 twenty (20) days from service of 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 **July 12, 2001 at 1:30 p.m.**, at the United States Bankruptcy Court, 145 King Street, Suite 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.

NOTICE: THE TRUSTEE IS SELLING THE ABOVE-REFERENCED PROPERTY "AS IS," WITH NO WARRANTIES WHATSOEVER. THE BUYER AGREES 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.

THE BUYER HAS BEEN GIVEN THE OPPORTUNITY TO EXAMINE THE PROPERTY <u>BEFORE</u> SIGNING ANY CONTRACT OR SUBMITTING A BID TO PURCHASE THE PROPERTY, AND TO PERFORM SUCH TESTING, IF APPLICABLE, TO DETECT POSSIBLE LATENT DEFECTS.

PRICE: $3,000.00 and return of fire logs in good working order.

APPRAISAL VALUE: $11,500.00 per Trustee's appraiser

BUYER: Kenneth L. Beiter and Gloria P. Beiter
415 Jardenere Walk
Mt. Pleasant, SC 29464

(The Buyers are the Debtors in this case.)

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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 at a date, place and time to be agreed upon by the parties.

SALES AGENT/AUCTIONEER/BROKER/ETC.: Not applicable

COMPENSATION TO SALES AGENT/AUCTIONEER/BROKER/ETC.: Not applicable but estimated to be $1,150.00 if the property sold in ordinary manner.

EXPENSES OF SALE: Not applicable but estimated to be $250.00 if sold in ordinary manner.

COMPENSATION TO TRUSTEE ON SALE: 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 $750.00.

LIEN(S) ENCUMBERING PROPERTY: No known liens.

DEBTORS' EXEMPTION: Waived but would be $5,000 if not waived.

PROCEEDS ESTIMATED TO BE PAID TO ESTATE: $3,000.00

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

KEVIN CAMPBELL, Trustee
Post Office Box 684
Mt. Pleasant, South Carolina 29465
(843) 884-6874 / 884-0997 (fax)
District Court I.D. 30

MT. PLEASANT, SOUTH CAROLINA
23 day of May, 2001.