UNITED STATES BANKRUPTCY COURT
DISTRICT OF SOUTH CAROLINA

FILED

02 JUL 12 PM 1:12

BANKRUPTCY COURT
DISTRICT OF SOUTH CAROLINA

IN RE:	)	Case No: 01-00646W
	)	
BETTY R. BENNETT	)	Chapter 13
SS# 249-50-0645	)	
	)	
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 debtor is applying for approval to sell the property of the debtor's estate described below free and clear of all 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 the Bankruptcy Court no later than 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 **August 20, 2002**, at **9:00 a.m., at the J. Bratton Davis United States Bankruptcy Courthouse, 1100 Laurel Street, Columbia, South Carolina**. No further notice of this hearing will be given.

TYPE OF SALE: **private**

PROPERTY TO BE SOLD: (specific legal description, includes identification numbers on all property where obtainable, vehicle ID numbers, serial numbers, tax ID numbers, lot and block number, street address including zip code, county, acreage, etc.) **house and apartment located at 800 B. Avenue, West Columbia, SC 29169.**

PRICE: (gross sales price, terms of sale, or highest bid and with or without reserve if public auction) **$195,000 or best offer.**

APPRAISAL VALUE: (state value and source of appraisal; if no formal appraisal, put the trustee's estimated value) **$220,000 – 2001 appraisal; $152,210 - Tax value**.

BUYER: (full name, address, relationship to debtor and interest in the case, if any, or state if public auction) **To be determined.**

PLACE AND TIME OF SALE: (street address and mailing address, if different, time if public sale) **As soon as possible after court approval.**

SALES AGENT/AUCTIONEER/BROKER: (name, mailing address, phone number to call with questions concerning the property or the sale) **Laura Lippard, Century 21/Bob Capes, 2132 Devine Street, Columbia, SC 29205.**

COMPENSATION TO SALES AGENT/AUCTIONEER/BROKER/ETC.: (amount of commission, method of computation, and $ cap placed on expenses {if applicable} for this sale) **6% or if agent sell home herself, agent will receive 5%.**

30
31

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)) **None beyond statutory authority**.

LIENS/MORTGAGES/SECURITY INTERESTS ENCUMBERING PROPERTY: (name of each lienholder, lien position, estimated amount due, whether lienholder consents to sale, whether lien attaches to proceeds of sale or whether lien is to be satisfied upon sale) **First Federal of Charleston -- approximately $102,000; Lienholder consents to sale if paid in full.**

DEBTOR'S EXEMPTION: (amount, type or not applicable) **$5,000**.

PROCEEDS ESTIMATED TO BE PAID TO ESTATE: (net to estate after costs of sale, including all commissions and expenses, and payment of liens encumbering property) **Debtor will pay off bankruptcy in full.**

STAY OF ORDER: (if appropriate, a request that the automatic 10-day stay not apply to the final order may be included here)

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 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.

Date: July 12, 2002

Jane H. Downey
I.D. No. 5242
JANE H. DOWNEY, P.A.
P.O. Box 11874
Columbia, SC 29211
(803) 929-0030

Attorney for Debtor in Possesion