

UNITED STATES BANKRUPTCY COURT
DISTRICT OF SOUTH CAROLINA

IN RE:

(Set forth here all names including married, maiden, and trade names used by debtor within the last 8 years.)

DEBTOR(S)

Address: _____

Last four digits of Social-Security or Individual Tax-Payer-Identification (ITIN) No(s)., (if any): _____

CASE NO:

CHAPTER: 11

NOTICE AND APPLICATION FOR SALE OF
PROPERTY FREE AND CLEAR OF LIENS
PURSUANT TO 11 U.S.C. § 363(f)

TO: All Creditors and Parties in Interest

(Name of filer) has filed papers with the court to obtain 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.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the court to ~~relief sought in application~~ approve the sale, or you want the court to consider your views on the application, then within twenty-one (21) days of service of this notice, you or your attorney must:

File with the court a written response, return, or objection at:

1100 Laurel Street
Columbia, SC 29201

Responses, returns, or objections filed by an attorney must be electronically filed in ecf.scb.uscourts.gov.

If you mail your response, return, or objection to the court for filing, you must mail it early enough so the court will **receive** it on or before the date stated above.

You must also send a copy to:

{Movant's attorney's name and address}

{names and addresses of others to be served}

Attend the hearing scheduled to be heard on (date), (year), at ____ a.m./p.m. at the United States Bankruptcy Court, {address}.

~~———— If no response, return, and/or objection is timely filed and served, no hearing will be held on this application, except at the direction of the judge.~~

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the application and may enter an order granting that relief prior to the scheduled hearing date, if determined to be appropriate.

TYPE OF SALE: (public, 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.)

PRICE: (gross sales price, terms of sale, or highest bid and with or without reserve if public auction)

APPRAISAL VALUE: (state value and source of appraisal; if no formal appraisal, put the trustee's estimated value)

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

PLACE AND TIME OF SALE: (street address and mailing address, if different, time if public sale)

SALES AGENT/AUCTIONEER/BROKER: (name, mailing address, phone number to call with questions concerning the property or the sale)

COMPENSATION TO SALES AGENT/AUCTIONEER/BROKER/ETC.: (amount of commission, method of computation, and \$ _____ cap placed on expenses {if applicable} for this sale)

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) or 28 U.S.C. § 586(e)(1)(B)(i), as applicable).

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)

DEBTOR'S EXEMPTION: (amount, type or not applicable)

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)

AUTHORITY FOR SALE FREE AND CLEAR: (subparagraph of 11 U.S.C. § 363(f) supporting sale free and clear)

STAY OF ORDER: (If appropriate, a request that the stay provided by Fed. R. Bankr. P. 6004 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 (public or 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.

Appropriate sanctions or other similar relief may be imposed 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 free and clear of liens pursuant to 11 U.S.C. § 363(f) and such other and further relief as may be proper.

Date: _____

Signature of Applicant

Typed Printed Name

Address/Telephone/Facsimile/E-mail

District Court I.D. Number