

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ALABAMA
WESTERN DIVISION

IN RE:

RICHARD L. SMITH

DEBTOR.

ROBERT A. MORGAN, TRUSTEE

PLAINTIFF

VS.

RICHARD L. SMITH, LAWRENCE
SHORES, EAST COAST FUELS, INC.
and WILLIAM AND JOYCE SHORES

DEFENDANT.

CHAPTER 7

CASE NO. 96-72347-CMS-7

AP NO. 97-70196

ORDER APPROVING SALE OF ASSETS
FREE AND CLEAR OF LIENS

The Trustee, having filed his adversary proceeding to sell assets free and clear of liens and notice of sale on May 14, 1997, and July 24, 1997, at 9 a.m., having been set for the time of said sale, the Court finds as follows:

1. The motion and notice was duly prepared and filed with this Court on May 14, 1997. The notice of sale and the terms therein complied with Federal Rules of Bankruptcy Procedure 2002(c) and 6004. The Court finds that the notice filed by the Trustee was properly distributed to all parties in interest.

2. That no objections were filed to the sale of assets, said assets consisting of a one-half interest in commercial property as described in exhibit A attached hereto.

7-7-97

Cindy Miller on vacation.
Docketed 7-3-97.

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3. Prior to the conducting of the sale of assets forming the subject matter of said notice, the Trustee responded to all inquiries and questions regarding the procedure of the bidding process and thereafter the Trustee initiated the bidding process.


4. That said sale was conducted by the Trustee at room 358, Federal Building, Tuscaloosa, Alabama. Said sale was opened at the bid price of \$160,000 as bid by James Waid. Mr. Waid was the only bidder.

IT IS, THEREFORE, ORDERED, ADJUDGED, AND DECREED AS FOLLOWS:

A. That at the request of the Trustee, the Court has and does hereby approve the sale of the one-half interest in commercial property without representations or warranties of any kind or nature except as provided in this order.

B. That upon payment of proceeds from the sale of said real property, the Trustee will deliver to said James Waid a trustee's deed transferring the bankrupt estate's interest in the subject property mentioned above.

ORDERED this the 26th day of June, 1997.


C. Michael Stilson
U.S. Bankruptcy Judge

96-72347

EXHIBIT A

A part of the West $\frac{1}{2}$ of SEction 31, Township 20 South, Range 2 East, more particularly described as follows: From the Southeast corner of the Northeast $\frac{1}{2}$ of the Southwest $\frac{1}{2}$ of Section 31, Township 20 South, Range 2 East, run Northerly along the East boundary line of the Northeast $\frac{1}{2}$ of the Southwest $\frac{1}{2}$ of Section 31, Township 20 South, Range 2 East, for 512.64 feet to the point of beginning of the land herein described; thence continue Northerly along the East boundary line of said Northeast $\frac{1}{2}$ of the Southwest $\frac{1}{2}$ of said SEction 31 for 834.35 feet, more or less, to the point of intersection of the East boundary line of the Southeast $\frac{1}{2}$ of the Northwest $\frac{1}{2}$ of said Section 31, and the Southeast right of way line of Alabama State Highway No. 25; thence turn an angle of 142 deg. 17 min. to the left and run Southwesterly along the Southeast right of way line of said Highway for 100.00 feet; thence turn an angle of 00 deg. 12 min. to the left and continue Southwesterly along the Southeast right of way line of said Highway for 100.0 feet; thence turn an angle of 02 deg. 03 min. to the left and continue along the Southeast right of way line of said Highway for 100.0 feet; thence turn an angle of 01 deg. 52 min. to the left and continue Southwesterly along the Southeast right of way line of said Highway for 100.0 feet; thence ~~turn an angle of 03 deg. 18 min. to the left and continue along the Southeast right of way line of said Highway for 100.0 feet; thence turn an angle of 02 deg. 04 min. to the left~~ and continue Southwesterly along the Southeast right of way line of said Highway for 100.0 feet; thence turn an angle of 02 deg. 17 min. to the left and continue along the Southeast right of way line of said Highway for 100.0 feet; thence turn an angle of 01 deg. 39 min. to the left and continue Southwesterly along the Southeast right of way line of said Alabama State Highway No. 25 for 83.93 feet; thence turn an angle of 91 deg. 49 min. to the left and run Southeasterly 445.36 feet, more or less, to the point of beginning; being situated in Shelby County, Alabama.

THE PROPERTY DESCRIBED ABOVE IS NOT THE HOMESTEAD OF THE GRANTOR.

STATE OF ALABAMA
I CERTIFY THIS
INSTRUMENT WAS FILED

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JUDGE OF PROBATE

Recording Fee \$
Deed Tax \$

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HARRISON, CONNELL, HARRIS

P. O. Box 567

Columbiana, Alabama 35051

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