

UNITED STATES BANKRUPTCY COURT
For the Northern District of Alabama
Southern Division

RE: Kenneth M. Byrne

CASE NUMBER: 02-00909-BGC

I, RICHARD K. MAUK, ACTING CLERK of Bankruptcy Court in and for said District, do hereby certify that the attached copy of ORDER ON SALE OF REAL PROPERTY in the case of Kenneth M. Byrne debtors, Case No. 02-00909 has been compared with the original thereof and that it is a complete and correct copy of such original as it appears of record and on file in my office.

In testimony whereof I have hereunto set my hand at Birmingham, Alabama in said District, this 6th day of November, 2002.

RICHARD K. MAUK
Acting Clerk of Bankruptcy Court

By: Randy W. Hebert
Deputy Clerk

[Seal of the U.S. Bankruptcy Court]
Date of issuance: 11-6-02

EXHIBIT A

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

IN RE:

KENNETH M. BYRNE,

DEBTOR.

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CASE NO. 02-00909-BGC

ORDER
ON SALE OF REAL PROPERTY

This matter having come before the Court for hearing on November 4, 2002, to consider the Trustee's Notice of Intent to Sell and Motion to Sell Real Property Located at 3917 Cannock Drive Free and Clear of All Liens, Interests or Other Encumbrances, proper notice having been given, and no objections having been filed; appearing were Steven D. Altmann, attorney for the Trustee and Stephen P. Leara, attorney for Edwin West. The Court, having considered the pleadings and arguments of counsel has determined that the Motion is due to be **GRANTED**; now therefore,

It is hereby **ORDERED, ADJUDGED and DECREED** that the Trustee is authorized to sell the real property located at 3917 Cannock Drive, Birmingham, Alabama 35242 by private sale to Steven J. Stelk and Marilyn J. Stelk for the purchase price of \$275,000.00, free and clear of any and all interests in such property of an entity other than the estate, in accordance with the following:

(1) The Closing Attorney is authorized to pay the Mortgage held by Chase Manhattan Mortgage Corporation in full;

(2) The Closing Attorney is authorized to pay the Mortgage held by CitiFinancial in full;

(3) The Closing Attorney is authorized to pay \$3,945.28 to J.R. Prewitt & Associates in full satisfaction of its judgment lien;

(3) The Closing Attorney is authorized to pay \$23,500.00 to Edwin L. West in full satisfaction of its judgment lien pursuant to the Consent Order entered in A.P. No. 02-224, Andre' M. Toffel, Trustee v. Edwin L. West;

(4) The Closing Attorney is authorized to pay \$695.00 to Brook Highland Homeowner's Association, Inc. in full satisfaction of its lien;


(5) The Closing Attorney is authorized to pay \$10,000.00 to Lauren Byrne, representing her share of her 1/2 interest in the property pursuant to the Consent Order entered in A.P. No. 02-223, Andre' M. Toffel, Trustee v. Lauren Byrne;

(6) The Closing Attorney is authorized to pay \$5,000.00 to Kenneth Byrne representing his homestead exemption;

(7) The Closing Attorney is authorized to pay all ordinary and necessary costs associated with the sale of the aforementioned property;

(8) Any and all remaining funds are to be disbursed to the Trustee for payment of administrative and unsecured claims in this case.

It is so ORDERED this 5th day of November, 2002.


BENJAMIN COHEN
United States Bankruptcy Judge

xc: Debtor
Lauren Byrne
Andre' M. Toffel, Trustee
Steven D. Altmann, Esq.
Stephen P. Leara, Esq.
Bankruptcy Administrator

This Order prepared by:
Steven D. Altmann, TOFFEL & ALTMANN, P.C.
1929 Third Avenue North, Fourth Floor Farley Building
Birmingham, AL 35203 (205) 252-7115

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

ENTERED

NOV 05 2002

Clerk, U.S. Bankruptcy Court
Northern District of Alabama
By: _____

IN RE:

KENNETH M. BYRNE,

DEBTOR.

CASE NO. 02-00909-BGC

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United States Bankruptcy Judge

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Andre' M. Toffel, Trustee
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