

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

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| In Re: | : | |
| | : | |
| CLAUDIO PABLO AVENDANO, | : | CASE NO. 15-64523-PWB |
| | : | |
| Debtor. | : | CHAPTER 7 |
| | : | |
| _____ | : | |
| | : | |
| NEIL C. GORDON, Trustee for the | : | |
| Estate of Claudio Pablo Avendano, | : | |
| | : | |
| Movant, | : | |
| | : | |
| V. | : | |
| | : | |
| DOUGLAS COUNTY TAX | : | |
| COMMISSIONER, | : | |
| RENEE TAYLOR, and | : | |
| CLAUDIO PABLO AVENDANO, | : | |
| | : | |
| Respondents. | : | |
| _____ | : | |

NOTICE OF HEARING

NOTICE IS HEREBY GIVEN, pursuant to Fed. R. Bankr.P.2002(a)(2), 6004(a), 6004(c) and 9014, that the Chapter 7 Trustee Neil C. Gordon (“Trustee”), Trustee of the bankruptcy estate (the “Estate”) of Claudio Pablo Avendano (the “Debtor”), proposes to sell the following real properties at auction or by private sale as Trustee deems appropriate: (i) 8931 Timmons Circle, Villa Rica, Douglas County, Georgia 30180 (“Timmons Circle”); and (ii) 3191 Andy Mountain Road, Villa Rica, Douglas County, Georgia 30180 (“Andy Mountain,” and collectively with Timmons Circle, the “Properties”). The Properties will be sold "as is" and "where is," free and clear of all liens, interests and encumbrances, as more particularly described in the Trustee’s Motion for Authority to (I) Sell Property of the Estate Free and Clear of Liens, Interests and

Encumbrances and (II) Disburse Certain Proceeds at Closing (the “**Sale Motion**”), pursuant to 11 U.S.C. §§ 363(b) and (f), with valid and enforceable lien(s) attaching to the proceeds of sale. The auction will occur within ninety (90) days of this Court’s order approving the sale. Upon further application to the Court, the auctioneer will be paid a ten (10%) percent buyer’s premium, plus out-of-pocket expenses not to exceed \$4,500.00.

The Motion is available for review in the Clerk’s Office, United States Bankruptcy Court, during normal business hours or online at <http://ecf.ganb.uscourts.gov> (registered users) or at <http://pacer.psc.uscourts.gov> (unregistered users).

PLEASE TAKE FURTHER NOTICE that the Court will hold a hearing on the Motion in Courtroom 1401, United States Courthouse, 75 Ted Tuner Drive, S.W. Atlanta, Georgia, (formerly known as 75 Spring Street, SW) at 10:00 A.M. on September 13, 2016.

The proposed sale of the Properties is not in the ordinary course of business as provided by 11 U.S.C. § 363(b). Trustee moves for authority to have all gross sale proceeds paid to him at closing and for authority to have paid at closing (a) any outstanding *ad valorem* real estate property taxes and the Estate’s 2016 pro-ration of *ad valorem* real property taxes, (b) any capital gains taxes (none anticipated), and (c) all other customary closings costs or all other costs necessary to close the sale of the Property. All other distributions will be pursuant to further order of this Court.

Your rights may be affected by the Court’s ruling on this pleading. You should read this pleading carefully and discuss it 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 grant the relief sought in this pleading or if you want the Court to consider your views, then you and/or your attorney must attend the hearing.

Prior to the hearing, you may also file a written response to the pleading with the Clerk at the address stated below, but you are not required to do so. If you file a written response, you must attach a certificate stating when, how and on whom (including addresses) you served the response. The address of the Clerk's Office is: Clerk, U.S. Bankruptcy Court, Suite 1340, 75 Ted Turner, S.W., Atlanta, Georgia 30303. You must also mail a copy of your response to the undersigned at the address stated below.

Dated: August 9th, 2016

ARNALL GOLDEN GREGORY LLP

/s/ Neil C. Gordon

Neil C. Gordon, State Bar No. 302387

171 17th Street, Suite 2100

Atlanta, Georgia 30363

Phone: (404) 873-8500/Fax: (404) 873-8501

Neil.Gordon@agg.com

Attorneys for Chapter 7 Trustee

Certificate of Service

I, Neil C. Gordon, certify that I am over the age of 18 and that I served a copy of this *Notice of Hearing on Motion for Authority to (I) Sell Property of the Estate Free and Clear of Liens, Interests and Encumbrances and (II) Disburse Certain Proceeds at Closing* by First Class United States Mail, with adequate postage prepaid, to those entities listed on the debtor's mailing matrix, attached hereto and marked as Exhibit "A", and upon the following persons or entities at the addresses stated:

Office of the United States Trustee
362 Richard B. Russell Bldg.
75 Ted Turner Drive, SW
Atlanta, Georgia 30303

Renee B. Taylor
34 Walnut Street
Aragon, GA 30104-2245

Claudio Pablo Avendano
P.O. Box 401
Winston, GA 30187

Douglas County Tax Commissioner
8700 Hospital Drive
Douglasville, GA 30134

Richard K. Valldejuli, Jr.
Valldejuli & Associates, LLC
Suite A
2199 Lenox Road, NE
Atlanta, GA 30324

Mark L. Manley, CAI, AARE, MPPA
Executive Vice President and CEO
Weeks Auction Group, Inc.
2186 Sylvester Highway
Moultrie, GA 31768

This 9th day of August, 2016.

/s/ Neil C. Gordon
Neil C. Gordon

Label Matrix for local noticing
113E-1
Case 15-64523-pwb
Northern District of Georgia
Atlanta
Tue Aug 9 15:43:40 EDT 2016

Office of the United States Trustee
362 Richard Russell Building
75 Ted Turner Drive, SW
Atlanta, GA 30303-3315

Weeks Auction Group, Inc
Mark L Manley, CAI, AARE, MPPA
2186 Sylvester Highway
Maultrie, GA 31768-7100

Arnall Golden Gregory LLP
Attn: Neil C. Gordon
171 17th Street NW
Suite 2100
Atlanta, GA 30363-1031

Douglas County Tax Comm.
Todd Cowan, Tax Commissioner
8700 Hospital Drive
Douglasville, GA 30134-2264

Jerry Austin
911 Marina Drive
Panama City Beach, FL 32407-5523

Jerry Austin
Harrison & Horan PC
3150 Golf Ridge Blvd, Ste 101
Douglasville, GA 30135-1930

Lawson Realty LLC
4857 Yeager Road
Douglasville, GA 30135-4839

Lawson Realty LLC
Harrison & Horan PC
3150 Golf Ridge Blvd, Ste 101
Douglasville, GA 30135-1930

Todd Cowan
Douglas County Tax Commissioner
8700 Hospital Drive
Douglasville, GA 30134-2264

Claudio Pablo Avendano
PO Box 401
Winston, GA 30187-0401

Jerry E. Austin

Mary Ida Townson
Chapter 13 Trustee
Suite 2200
191 Peachtree Street, NE
Atlanta, GA 30303-1770

Neil C. Gordon
Arnall, Golden & Gregory, LLP
Suite 2100
171 17th Street, NW
Atlanta, GA 30363-1031

Richard K. Valldejuli Jr.
Valldejuli & Associates, LLC
Suite A
2199 Lenox Road, NE
Atlanta, GA 30324-4342

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u)Lawson Realty, Inc.

End of Label Matrix
Mailable recipients 14
Bypassed recipients 1
Total 15