

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

In Re:	:	
	:	
CLAUDIO PABLO AVENDANO,	:	CASE NO. 15-64523-PWB
	:	
Debtor.	:	CHAPTER 7
	:	
	:	

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**REPORT OF SALE**

COMES NOW Neil C. Gordon, the Chapter 7 Trustee (“Trustee”) of the bankruptcy estate (the “Estate”) of Claudio Pablo Avendano (“Debtor”) and hereby files this *Report of Sale* and shows as follows:

1. Debtor filed a voluntary petition for relief under Chapter 7 of Title 11 U.S.C. on August 3, 2015 (the “Petition Date”), thereby initiating Case No. 15-64523-PWB (the “Case”).

2. Debtor filed a Petition constituting an order for relief under 11 U.S.C. Chapter 7 on March 31, 2015 (the “Petition Date”) initiating Case No. 15-55770-MGD (the “Case”).

3. On August 4, 2015, Trustee was appointed to the Case as the interim Chapter 7 trustee, pursuant to 11 U.S.C. § 701(a)(1).

4. The original meeting of creditors was scheduled for September 8, 2015, pursuant to 11 U.S.C. § 341(a) (the “341 Meeting”), at which time, Debtor failed to appear, so the 341 Meeting was rescheduled to October 15, 2015.

5. Trustee conducted and concluded the 341 Meeting on October 15, 2015, at which time, he became the permanent Chapter 7 Trustee, pursuant to 11 U.S.C. § 702(d).

6. On the Petition Date, Debtor had sole ownership interest in the certain real property known generally as 3191 Andy Mountain Road, Villa Rica, Douglas County, Georgia 30180 (the "**Property**").

7. Pursuant to the *Amendment* [Doc. No. 137 filed November 15, 2015, Debtor amended *Schedule C – Property Claimed Exempt* to delete any claim of exemption in the Property.

8. Trustee obtained a full title examination of the Property dated August 5, 2016 and effective July 8, 2016 (the "**Title Report**"). The Title Report reflected a *Security Deed* against the Property in favor of the former owner who sold it to Debtor, Renee Taylor ("**Ms. Taylor**"), dated August 31, 2009, and recorded September 3, 2009 in the original principal amount of \$20,000.00 (the "**Taylor Deed**"). The Taylor Deed states that the final payment on the corresponding *Real Property Note* was due on January 1, 2015, at which time, the Taylor Deed was to be cancelled and surrendered pursuant thereto. Upon information and belief, Ms. Taylor was fully paid and satisfied, but she failed to cancel the Taylor Deed of record.

9. The Title Report further reflected outstanding *ad valorem* real property taxes due for 2014, and 2015 in the amounts of \$705.94 and \$525.21, respectively.

10. Trustee filed *Trustee's Application to Employ Auctioneer* (the "**Auctioneer Application**") [Doc. No. 98] on July 26, 2016, and the Court entered an *Order* [Doc. No. 99]

on July 29, 2016, authorizing the employment of Weeks Auction Group, Inc. (“Weeks”) as his auctioneer to conduct a sale by public auction or private sale, receiving a ten (10%) percent buyer’s premium of the gross purchase price for each of the Properties, plus out of pocket expenses not to exceed \$2,250.00 There would be no commission.

11. On August 9, 2016, Trustee filed pursuant to 11 U.S.C. § 363(b) and (f) a *Motion for Authority to (I) Sell Real Property of the Estate Free and Clear of Liens, Interests, and Encumbrances and (II) Disburse Certain Proceeds at Closing* [Doc. No.102] (the “**Sale Motion**”), seeking authority to sell the Property by public auction.

12. On September 15, 2016, the Court entered an *Order* [Doc. No. 110], granting the Sale Motion and approving the Contract (the “**Sale Order**”).

13. Trustee entered into a *Purchase and Sale Agreement* for the sale of the Property to Gregory S. Jordan and Kelly B. Jordan (together, the “**Purchasers**”), “as is, where is,” for a sale price of \$15,950.00, inclusive of a ten (10%) percent buyer’s premium of \$1,450.00.

14. On September 13, 2017, Trustee closed on the sale of Property. Trustee’s authorized disbursing agent made those disbursements authorized by the Sale Order. A copy of the Settlement Statement is attached hereto, marked as Exhibit “A,” and incorporated herein by reference.

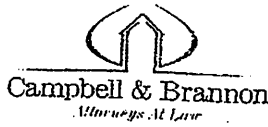
Respectfully submitted,

By: /s/ Neil C. Gordon  
Neil C. Gordon  
State Bar No. 302387  
Chapter 7 Trustee

171 17th Street, NW, Suite 2100  
Atlanta, Georgia 30363  
Ph. (404) 873-2596/neil.gordon@agg.com

**EXHIBIT "A"**

Buyer's Settlement Statement



Settlement Date: 09/13/2017  
 Disbursement Date: 09/13/2017  
 Settlement Location: 5565 Glenridge Connector, Suite 350, Atlanta, GA 30342  
 File Number: G172075D  
 Lender:  
 Loan Type: None  
 Buyer: Gregory S Jordan and Kelly B Jordan  
 Seller: Neil C Gordon, as and only as Trustee for the Bankruptcy Estate of Claudio Pablo Avendano  
 Property location: 2191 Andy Mountain Road  
 Villa Rica, GA 30180  
 Tax Parcel No: 01710250010


	Buyer	
	Debit	Credit
<b>Financial Consideration</b>		
Sale Price of Property (inclusive of buyer's premium \$1450)	15,950.00	
Earnest Money held by Neil C Gordon, as and only as Trustee for the Bankruptcy Estate of Claudio Pablo Avendano		2,500.00
<b>Prorations/Adjustments</b>		
County Taxes (\$375.59) 09/13/17 - 01/01/18	113.19	
<b>Title &amp; Settlement Charges</b>		
Title - Cash Closing Fee to Campbell & Brannon, LLC	675.00	
Title - Title Exam to Investigative Title Services	150.00	
Title - Owner's Title Insurance to Campbell & Brannon, LLC Coverage: 15,950.00                      250.00	250.00	
<b>Recording/State Charges</b>		
Recording Fees to Douglas County Clerk of Court	24.00	
Transfer Tax to Douglas County Clerk of Court	16.00	
<b>Subtotals</b>	<b>17,178.19</b>	<b>2,500.00</b>
<b>Balance Due FROM Buyer</b>		<b>14,678.19</b>

CERTIFICATE OF SERVICE

This is to certify that I have mailed a copy of the *Report of Sale* by depositing same in the United States mail a copy of same in a properly addressed envelope with adequate postage affixed thereon to assure delivery to:

Office of United States Trustee  
362 Richard B. Russell Building  
75 Ted Turner Drive, S.W.  
Atlanta, Georgia 30303

This 3rd day of October, 2017.

  
By: /s/ Neil C. Gordon  
Neil C. Gordon  
State Bar No. 302387