

1 **LANE & NACH, P.C.**  
2001 East Campbell Avenue  
2 Suite 103  
Phoenix AZ 85016  
3 Telephone No.: (602) 258-6000  
Facsimile No.: (602) 258-6003  
4

5 Michael P. Lane – 007435  
Email: michael.lane@lane-nach.com

6 *Attorneys for Lothar Goernitz, Trustee*

7 **IN THE UNITED STATES BANKRUPTCY COURT**  
8 **FOR THE DISTRICT OF ARIZONA**

9 In re:  
10 RICKEY HENRY HINES,  
11 Debtor

(Chapter 7 Case)

No. 2:21-bk-05668-DPC

**NOTICE OF HEARING ON  
TRUSTEE'S APPLICATION TO SELL  
REAL PROPERTY OF THE ESTATE  
FREE AND CLEAR OF LIENS AND  
COMPENSATE REAL ESTATE  
BROKER AND OPPORTUNITY TO  
BID**

Hearing Date/Time: 12/15/22 @ 11:00  
a.m.

16  
17 TO: The creditors and parties in interest:

18 **PLEASE TAKE NOTICE** that Lothar Goernitz, Trustee, (“Trustee”) has filed an  
19 *Application to Sell Real Property of the Estate Free and Clear of Liens and Compensate Real Estate*  
20 *Broker*, (“Application”). A complete copy of same is on file with the Clerk of the Court and  
available for inspection.

21 Property to be Sold:	Residential property located in Fulton County, Georgia, and more particularly described as follows: 1447 Westridge Road SW, Atlanta, Georgia 30311, Parcel No. 14-0169-0008-026-5 (hereinafter the “Property”).
22 23 24 25 26 27 28 General Sale Information:	Based on the Broker’s marketing efforts and familiarity with the Property and the area surrounding the Property, Trustee believes the proposed purchase price is fair and reasonable.  Trustee does not make any representations regarding the Property. Interested buyers must do their own due diligence to determine the extent of the Estate’s interest in the Property.  Prospective purchasers are encouraged to personally inspect/perform their own due diligence of the Property.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

	<p>Trustee seeks to effectuate a sale of the Property <b>As-Is, Where-Is, with No Representations, Guarantees, or Warranties</b>, and free and clear of all liens, claims, encumbrances, and interests in accordance with 11 U.S.C. § 363, with any valid and enforceable liens to attach to the net sale proceeds.</p> <p>The Sale is subject to Bankruptcy Court and Trustee approval, with any conveyance deed to be executed by the Trustee. Trustee is not aware of any liens, claims, encumbrances, or interests in the Property, other than real property taxes.</p> <p>Trustee may sell the Property free and clear of all liens, claims, encumbrances and interests in accordance with 11 U.S.C. § 363 because the Debtor consents to the sale and to the extent there is any lien, interest, or encumbrance, will be paid through escrow or it is the subject of a bona fide dispute.</p> <p>Trustee may sell the Real Property free and clear of any real property taxes under 11 U.S.C. § 363 because the contemplated sale proceeds will be sufficient to pay any real property taxes in full at closing.</p> <p>Trustee believes that consummation of the Sale is in the best interest of the Estate. The Sale has been negotiated at arm’s length and in good faith.</p> <p>The proposed Closing Law Firm will be Campbell &amp; Brannon.</p>
Proposed Purchaser:	<p>Anamarija Kadic (“<b>Interested Buyer</b>”) for a purchase price of One Hundred Thousand Dollars (\$100,000.00), to be paid as follows: (a) \$3,000.00 earnest money deposit; and, (ii) the balance of the purchase price to be paid in cash at the close of escrow, or the highest and best bid at sale.</p> <p>Any person interested in submitting a higher and better offer must attend the hearing. The Sale is subject to higher and better bids at a sale hearing. To the extent that other parties wish to bid on the Property, Trustee requests that interested bidders match the \$3,000.00 earnest money deposit of the Interested Buyer and should be required to deliver \$3,000.00 in certified funds, made payable to “Lothar Goernitz, Trustee” at least three (3) days prior to the hearing.</p> <p>Trustee requests that other bidders provide documentation to Trustee’s attorneys evidencing the bidder’s access immediate funds to purchase the Property.</p>

	Trustee proposes that higher and better bids be solicited in increments of \$1,000.00 (unless instructed otherwise by this Court).
Insider:	The Interested Purchaser is not an insider. Interested Buyer has no known business or other affiliation with the Debtor or the Estate. Therefore, Interested Buyer is a “good faith purchaser” and is entitled to the benefits provided by 11 U.S.C. § 363(m) and therefore 11 U.S.C. § 363(m) is applicable.
To View the Property or Obtain More information:	Contact: Trustee’s Broker, Denise Boyd 404-531-5700
Description of Interest(s) in the Property:	The Trustee is not aware of any other entities holding an interest in the Property other than the Estate.
Appraisals/Additional Information:	The Trustee is not aware of any recent appraisals on the Property. It is unoccupied and in disrepair. There have been no requests for stay relief filed as to the Property.
Compensation/Fees:	Trustee seeks to pay a real estate commission of 6% to be divided between Trustee’s Broker, Denise Mellow Boyd/Keller Williams First Atlanta and Buyer’s broker.

A hearing in said matter will be held at the U.S. Bankruptcy Court, 230 North First Avenue, Sixth Floor, Courtroom **602**, Phoenix, Arizona, on **December 15, 2022**, at the hour of **11:00 a.m.** The hearing is set as an in-person hybrid hearing. The Court prefers that the parties appear in person; however, the Court will not require an explanation if a party wishes to appear via zoom video conference. Parties attending via zoom should use the following link:

<https://www.zoomgov.com/j/1605289889?pwd=eGdIYjhhY2ViaXFvMHJXeDZoUTVQQT09>  
(link is external)

Meeting ID: 160 528 9889  
 Passcode: 479849  
 One tap mobile  
 +16692545252,,1605289889#,,,,\*479849# US  
 Meeting ID: 160 528 9889  
 Passcode: 479849

Any response to the Application should be filed in writing with the United States Bankruptcy Court, 230 North First Avenue, Suite 101, Phoenix, Arizona 85003-1706 and a copy mailed to the Trustee's attorney, Lane & Nach, P.C., at the addressed reflected above, on or before five (5) business days prior to the hearing date. If there are no timely objections, the Trustee will proceed to sell the Property without further notice or hearing.

DATED: November 10, 2022.

**LANE & NACH, P.C.**

By           /s/ MPL 007435            
 Michael P. Lane  
*Attorney for Trustee*