

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW HAMPSHIRE

In re:)	Bk. #16-11445-BAH
25 Lang St, LLC)	Chapter 11
Debtor)	Hearing Date: 11/16/16
)	Hearing Time: 2:00 p.m.

ORDER ON DEBTOR'S FIRST MOTION FOR
ORDER AUTHORIZING USE OF CASH COLLATERAL AND
PROVISION OF ADEQUATE PROTECTION

Upon the First Motion Order Authorizing Use of Cash Collateral and Provision of Adequate Protection filed by the Debtor (the "Motion") and after having reviewed the pleadings filed in this case to date and having found therefrom good and sufficient cause, it is hereby ORDERED, ADJUDGED AND DECREED that:

1. Except as otherwise defined in this Order, capitalized words, terms and phrases used in the Motion shall have and be given the same meaning herein.
2. Subject to further provisions of this Order, the Debtor may use and expend the proceeds of Cash Collateral, as such term is defined in Section 363, to pay the costs and expenses incurred by the Debtor in the ordinary course of business as shown by the Cash Collateral Budget attached as Exhibit A through January 31, 2017 (the "Expiration Date") and otherwise in accordance with this Order.
3. Subject to further provisions hereof, the Debtor grants, and shall be deemed to have granted Sunrise Housing, LLC (hereinafter "Sunrise") a security interest in all of the Debtor's post-petition assets of the same kinds, nature and type as the Cash Collateral in which it held valid and enforceable, perfected security interests prior to the Petition Date (the "Pre-Petition Collateral"), as well as the proceeds thereof (the "Replacement Liens"). The Replacement Lien granted hereby

shall be deemed valid and perfected notwithstanding the requirements of non-bankruptcy law with respect to perfection. The Replacement Liens shall be supplemental and in addition to the security interests held by Sunrise on the Petition Date.

4. An immediate and ongoing need exists for the Debtor to utilize cash collateral to continue the operation of the business of the Debtor, to minimize the disruption of the Debtor as a “going concern”, and to reassure the Debtor’s creditors of the Debtor’s continued viability. Debtor has requested the use of cash necessary to operate Debtor’s business. Debtor will suffer irreparable harm if not permitted to use cash collateral.

5. This Order shall be valid, binding on the Debtor, and fully effective immediately upon entry. The term of this Order shall expire on the earlier of the close of business on January 31, 2017 or the date of any Hearing on Continued Use of Cash Collateral scheduled by the Court, except that in the event that the Debtor ceases operations on or before the expiration of this Order, the Debtor shall be allowed to meet final expenses until the date the Debtor stops operating.

6. This Order shall apply to the quarterly fees owed to the Office of the United States Trustee and the Debtor shall be allowed to pay out of the cash collateral any quarterly fees due and outstanding to the Office of the United States Trustee and said fees shall be added to and made a part hereof of the Debtor’s budget attached to the Order.

7. Upon entry of this Order, the Debtor is immediately authorized to use cash collateral and to make payments in accordance with the Budget (the “Payments”) until January 31, 2017 attached hereto as Exhibit A. As included in the Budget, the Debtor shall pay Sunrise its monthly mortgage payment of \$2,470.00 payments in each month commencing November 1, 2016. These payments will be the normal mortgage payments and loan payments going forward. Payments shall

be sent to Sunrise Housing, LLC, P.O. Box 2156, Windham, ME 04062. The November 1, 2016 payment shall be made immediately.

8. This Order is without prejudice to the right of the Debtor to seek an amendment to this Order should the Debtor require the use of cash collateral to pay deposits for utilities and credit card companies doing business with the Debtor, if applicable.

9. As adequate protection pursuant to Section 361 and Section 363 of the Bankruptcy Code for the Debtor's use, consumption, sale, collection, or other disposition of any of the Pre-Petition Collateral, the Lender is hereby granted replacement lien(s), *nunc pro tunc*, in and to all post-petition property of the estate of the same type against which the Lender held validly perfected and not avoidable liens and security interests as of the Petition Date. The replacement liens shall maintain the same priority, validity and enforceability as such liens on the cash collateral, but shall be recognized only to the extent of any diminution in the value of the collateral resulting from the use of cash collateral pursuant to the Court's Order. All of the security interests and liens referred to above and those granted and conveyed pursuant to this Order and the Loan Documents are referred to in this Order as the "Adequate Protection Liens". The Replacement Liens shall not attach to any avoidance powers set forth in Sections 544, 545, 547, 548, 549, 550, 551 and 553 of the Bankruptcy Code, or to the proceeds of any claims under or actions commenced pursuant to such powers.

10. The Debtor shall not use or expend more than proposed in its budget for the period of this Order.

11. This Order shall become effective on the date hereof.

12. The Debtor shall file and serve a Motion for Further Use of Cash Collateral by January 3, 2017.

13. Objections to the Debtor's Motion for Further Use of Cash Collateral shall be filed and served by January 11, 2017.

14. A further hearing on the Debtor's further use of cash collateral will be held on **January 18, 2017** at 1:30p.m **in Bankruptcy Courtroom #1, 11th Floor, 1000 Elm Street, Manchester, New Hampshire.**

DONE and ORDERED this 28th day of November, 2016 at Manchester, New Hampshire.

/s/ Bruce A. Harwood
Bruce A. Harwood, Chief Bankruptcy Judge

25 Lang St, LLC
Cash Flow Projection 12/01/2016 through 01/31/2017

INCOME:

	December 1, 2016 to December 31, 2016	January 1, 2017 to January 31, 2017
CASH RECEIPTS		
Rent received	\$4,014.00	\$4,014.00
TOTAL CASH RECEIPTS	\$4,014.00	\$4,014.00

EXPENSES:

Sunrise Housing Mortgage	\$2,470.00	\$2,470.00
Escrow for Taxes	\$ 500.00	\$ 500.00
Electricity/Heat	\$ 500.00	\$ 500.00
Insurance	\$ 225.00	\$ 225.00
Repairs & maintenance	\$ 100.00	\$ 100.00
State Business Enterprise Tax	\$ 19.00	\$ 19.00
Subtotal	\$ 3,814.00	\$3,814.00
Total Cash Paid Out:	\$ 3,814.00	\$3,814.00
Cash position (end of month)	\$ 200.00	\$ 200.00