



**IT IS ORDERED as set forth below:**

**Date: October 11, 2016**

*Wendy L. Hagenau*

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**Wendy L. Hagenau**  
**U.S. Bankruptcy Court Judge**

**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

**IN RE:** ) **CHAPTER 11**  
 )  
**BELIEVERS BIBLE CHRISTIAN** )  
**CHURCH, INC.** ) **CASE NO: 16-65531-WLH**  
 )  
**Debtor.** )  
\_\_\_\_\_ )

**FINAL ORDER AUTHORIZING DEBTOR  
TO USE CASH COLLATERAL AND GRANTING ADEQUATE PROTECTION**

This matter came before the Court on October 6, 2016, for a final hearing on the Believers Bible Christian Church, Inc. (“Debtor” or “Debtor in Possession”)’s Motion for Authority to Use Cash Collateral [Doc. No. 3](the “Motion”). Present at the hearing were counsel for Debtor, Frank Wilensky and counsel for the U.S. Trustee, Thomas W. Dworschak.

A. Debtor filed its petition for relief under Chapter 11, Title 11 U.S.C. (the “Bankruptcy

Code”) on September, 2 2016 (the “Petition Date”). Pursuant to Sections 1107 and 1108 of the Bankruptcy Code, the Debtor remains in possession of its assets and has continued the operation and management of its business in this reorganization case.

B. Debtor owns and operates a church located at 3685 and 3715 Campbellton Rd S.W. Atlanta, GA 30331 (the “Church”). Debtor also owns a rental property located at 2288 Fairburn Road, Atlanta, GA 30331, as well as two vacant parcels and one parcel with an unexpired billboard lease.

C. Aztec Financial (the “Noteholder”) holds a claim in the approximate amount of \$1,300,000.00 (the “Claim”). Noteholder asserts that its Claim is secured by the Church and all revenues generated therefrom.

D. Debtor generates substantially all of its revenue from the operation and use of the Church.

E. Debtor’s cash revenue generated from the Church may constitute the cash collateral of Noteholder (the “Cash Collateral”) within the meaning of Section 363(a) of the Bankruptcy Code.

F. Debtor has provided actual notice, by electronic mail, facsimile and/or overnight mail, of the Motion and the relief requested therein to all entities claiming an interest in the Church and/or the Cash Collateral, to each of the Debtor’s Twenty Largest Unsecured Creditors, and the United States Trustee.

G. This Court has jurisdiction over the Motion pursuant to 28 U.S.C. § 1334. This is a core proceeding pursuant to 28 U.S.C. §§ 157(b)(2)(A), (M), and (O), involving matters under 11 U.S.C. §§ 361 and 363. Venue is proper in this district pursuant to 28 U.S.C. § 1408.

H. An immediate need exists for the Debtor to obtain use of the Cash Collateral to fund critical business operations. A schedule of the Debtor's revenues and cash requirements is set forth in the budget (the "Budget") attached hereto as Exhibit "A" and incorporated herein by reference.

I. In order to continue the Debtor's business operations and to preserve the value of the Debtor's assets, the Debtor requires the use of the Cash Collateral in accordance with this Order; the Debtor shall be allowed a ten percent (10%) variance in each payment and expense listed in Exhibits "A".

J. Good cause has been shown for the entry of this Order. Among other things, entry of this Order will minimize the disruption of the Debtor's existing business, will increase the possibility for a successful reorganization, sale or orderly liquidation of the Debtor and its assets, and is in the best interests of the Debtor, its creditors and other parties-in-interest. Accordingly, it is hereby

**ORDERED AND NOTICE IS HEREBY GIVEN THAT:**

The Debtor shall be authorized to use Cash Collateral immediately beginning October 6, 2016. It is

**FURTHER ORDERED, ADJUDGED AND DECREED:**

Initial Findings. The Court finds that (a) adequate notice of the Motion and an opportunity for a hearing have been given in accordance with the provisions of 11 U.S.C. §§ 102, 105, 361, and 363, the Federal Rules of Bankruptcy Procedure and the Local Rules of this Court; and (b) with respect to the authorization given hereunder pursuant to Federal Rule of Bankruptcy Procedure 4001(b), no further notice relating to this proceeding is necessary or required.

Authorization to Use Cash Collateral. The Motion is granted. Debtor is authorized to use Cash Collateral until further order of this Court.

Adequate Protection. In order to provide adequate protection to Noteholder for the Debtor's use of the Cash Collateral authorized hereunder, on or before the tenth (10<sup>th</sup>) day of each month beginning October 10, 2016, the Debtor shall pay to Noteholder an adequate protection payment equal to the monthly interest payment at the non-default rate under the pre-petition promissory note, in the amount of \$5,000.00 per month.

No Prejudice. This Order is entered without prejudice to the rights of either Noteholder or the Debtor to seek a modification of the terms hereof after notice and a hearing.

**END OF DOCUMENT**

***Prepared and Presented By:***

Macey, Wilensky & Hennings, LLC

/s/ William A. Rountree

William A. Rountree  
Georgia Bar No. 616503  
Macey, Wilensky, & Hennings, LLC  
303 Peachtree Street, N.E., Suite 4420  
Atlanta, GA 30308  
Tel.: (404) 584-1200  
Fax: (404) 681-4355  
wrountree@macecywilensky.com  
*Attorneys for Debtor*

***No Opposition:***

Guy G. Gebhardt  
Acting United States Trustee  
Region 21

/s/ Thomas W. Dworschak

Thomas W. Dworschak  
Trial Attorney  
Georgia Bar No. 236380  
United States Department of Justice  
Office of the United States Trustee  
Suite 362 Richard Russell Building  
75 Ted Turner Drive SW  
Atlanta, GA 30303  
Tel.: (404) 331-4437, ext. 145  
Fax: (404) 331-4464  
Thomas.w.dworschak@usdoj.gov

**DISTRIBUTION LIST**

William A. Rountree  
Macey, Wilensky, & Hennings, LLC  
303 Peachtree Street, N.E., Suite 4420  
Atlanta, GA 30308

Thomas W. Dworschak  
Office of the United States Trustee  
362 Richard Russell Bldg.  
75 Ted Turner Drive SW  
Atlanta, GA 30303

Aztec Financial  
ATTN: Bankruptcy Department  
2624 West Magnolia Blvd.  
Burbank, CA 91505





Grand Total	41,418.83	40,911.93	38,437.08	37,653.86	40,139.02	39,829.84	238,390.96
Profit/Loss	71.17	778.07	1,552.52	336.14	850.98	960.16	4,549.04



In re:  
Believers Bible Christian Church, Inc.  
Debtor

Case No. 16-65531-wlh  
Chapter 11

**CERTIFICATE OF NOTICE**

District/off: 113E-9

User: ramos  
Form ID: pdf422

Page 1 of 1  
Total Noticed: 3

Date Rcvd: Oct 11, 2016

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Oct 13, 2016.

db +Believers Bible Christian Church, Inc., 3689 Campbellton RD SW, Atlanta, GA 30331-5249  
aty +William A. Rountree, Macey, Wilensky & Hennings LLC, Suite 4420, 303 Peachtree Street, NE, Atlanta, GA 30308-3264  
+Aztec Financial, Attn: Bankruptcy Department, 2624 West Magnolia Blvd., Burbank, CA 91505-3031

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
NONE. TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Oct 13, 2016

Signature: /s/Joseph Speetjens

**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on October 11, 2016 at the address(es) listed below:

Thomas Wayne Dworschak on behalf of U.S. Trustee Guy G. Gebhardt thomas.w.dworschak@usdoj.gov,  
lisa.maness@usdoj.gov  
William A. Rountree on behalf of Debtor Believers Bible Christian Church, Inc.  
swenger@maceywilensky.com,  
kfurlong@maceywilensky.com;smcconnell@maceywilensky.com;receptionist@maceywilensky.com  
TOTAL: 2