

**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF INDIANA  
SOUTH BEND DIVISION**

In re:	)	Chapter 11
	)	
COLDWATER PORTFOLIO	)	Case No. 12-31182
PARTNERS LLC,	)	
	)	Honorable Harry C. Dees, Jr.
Debtor.	)	

**ORDER GRANTING DEBTOR’S MOTION PURSUANT TO  
11 U.S.C. §§ 361 AND 363 AND FED. R. BANKR. P. 4001(b)  
TO AUTHORIZE EXPANDED USE OF CASH COLLATERAL**

At South Bend, Indiana, on \_\_\_\_\_.

Upon the motion (the “Motion”)<sup>1</sup> of Coldwater Portfolio Partners LLC, debtor and debtor-in-possession in the above-captioned case (the “Debtor”), for the entry of an order authorizing the expanded use of Cash Collateral; the Court having determined that the relief requested in the Motion is in the best interests of the Debtor, its estate, its creditors and other parties-in-interest; it appearing that notice of the Motion was good and sufficient under the particular circumstances and that no other or further notice need be given; any objection to the Motion having been withdrawn or overruled; and upon the record herein, after due deliberation thereon, and good and sufficient cause appearing therefor, it is hereby

**FOUND, DETERMINED, ORDERED AND ADJUDGED THAT:**

1. The Motion is GRANTED.
2. The Debtor is authorized to use Cash Collateral pursuant to the attached budget (the “Operating Budget”).
3. The Debtor may exceed the amount set forth in the Operating Budget for any month by no more than ten percent (10%).

<sup>1</sup> Capitalized terms not otherwise defined herein shall have their respective meanings in the Motion.

4. Amounts set forth in the Operating Budget for months or parts of months prior to the entry of this Order are retroactively approved and may be used for the specific purposes set forth in the Operating Budget.

5. The provisions of the *Agreed Final Order Authorizing Debtor to Use Cash Collateral and Providing 362(d)(3) Payments to Lender* [Dkt. No. 72] are incorporated herein and remain in full force and effect; provided, however, that to the extent any such provisions limit the Debtor's use of Cash Collateral inconsistent with the Operating Budget or this Order, the Operating Budget and this Order shall control.

6. Nothing herein or in the Motion shall prejudice the Debtor's right to seek other or further use of Cash Collateral.

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Harry C. Dees, Jr.  
United States Bankruptcy Judge

## COLDWATER PORTFOLIO PARTNERS

## BUDGET - NEEDED USE OF CASH

## SEPTEMBER - JANUARY

DESCRIPTION	September	October	November	December	January	Total
<b>CASH RECEIVED FROM OPERATIONS</b>						
Base Rent	408,333	408,333	408,333	408,333	408,333	1,225,000
Partial Sales Loss	(11,417)	(11,417)	(11,417)	(11,417)	(11,417)	(34,250)
Common Area Maintenance	25,554	25,554	25,554	25,554	25,554	76,661
Real Estate Taxes	84,414	84,414	84,414	84,414	84,414	253,241
Insurance	20,533	20,533	20,533	20,533	20,533	61,599
Administrative Fees	3,059	3,059	3,059	3,059	3,059	9,177
Reconciliation	9,357	9,357	9,357	9,357	9,357	28,072
<b>GROSS RECEIPTS</b>	<b>539,833</b>	<b>539,833</b>	<b>539,833</b>	<b>539,833</b>	<b>539,833</b>	<b>2,699,167</b>
<b>USES OF CASH FOR OPERATIONS</b>						
CAM: Cleaning	-	-	-	-	-	-
CAM: Fire & Security	700	700	700	700	700	3,500
CAM: Grounds Maintenance	11,000	10,000	10,000	8,000	8,000	47,000
CAM: Snow Removal	-	-	18,000	30,000	40,000	88,000
CAM: Trash	2,400	2,400	2,400	2,400	2,400	12,000
CAM: Utilities/Gas	-	-	-	-	-	-
CAM: Utilities/Water/Sewer	6,000	6,000	6,000	6,000	6,000	30,000
CAM: Utilities/Electric	5,000	5,000	5,000	5,000	5,000	25,000
CAM: Parking Lot Repair	25,000	25,000	20,000	6,000	-	76,000
CAM: Repairs & Maintenance	8,500	8,500	8,500	8,500	8,500	42,500
Tenant Repairs & Maintenance	2,100	2,100	2,100	2,100	2,100	10,500
Repairs	7,000	7,000	7,000	7,000	7,000	35,000
Cleaning	307	307	307	307	307	1,535
Electric Utilities	1,633	1,633	1,633	1,633	1,633	8,165
Gas	525	600	700	800	850	3,475
Finance Charges	51	51	51	51	51	255
Water/Sewer	487	487	487	487	487	2,435
Leasing Commissions on new tenants	8,000	8,000	8,000	8,000	8,000	40,000
Management Fees	18,375	18,375	18,375	18,375	18,375	91,875
Bankruptcy Trustee Fees	-	4,875	-	-	4,875	9,750
Ordinary course professional - CPA accrued	5,000	-	-	-	-	5,000
State income tax	22,770	-	-	-	-	22,770
Debtor legal counsel MPS accrued	199,653	-	-	-	-	199,653
Debtor legal counsel MPS	40,000	40,000	40,000	40,000	40,000	200,000
State court litigation - Radio Shack leases	2,500	2,500	2,500	2,500	-	10,000
Directors Fees	10,000	10,000	10,000	10,000	10,000	50,000
Bank Fees	2,279	2,279	2,279	2,279	2,279	11,395
General Office Expense	169	169	169	169	169	845
Utilities - Security Deposits	-	-	-	-	-	-
Deferred Maintenance	44,000	44,000	44,000	44,000	44,000	220,000
Tenant Buildouts & Improvements	80,000	80,000	80,000	80,000	53,310	373,310
<b>TOTAL CASH USED FOR OPERATIONS</b>	<b>503,449</b>	<b>279,976</b>	<b>288,201</b>	<b>284,301</b>	<b>264,036</b>	<b>1,619,963</b>
<b>NET CASH FROM OPERATIONS</b>	<b>36,384</b>	<b>259,857</b>	<b>251,632</b>	<b>255,532</b>	<b>275,797</b>	<b>1,079,204</b>
<b>USES OF CASH TO BE PAID BY LENDER</b>						
Real Estate Taxes	159,836	83,058	218,533	163,280	96,711	721,418
Insurance	-	-	-	-	-	-