



Order Filed on November 8, 2017
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY Timothy P. Neumann, Esq. [TN6429] Broege, Neumann, Fischer & Shaver, LLC 25 Abe Voorhees Drive Manasquan, New Jersey 08736 (732) 223-8484 tneumann@bnfsbankruptcy.com <i>Attorneys for Debtors-in-Possession</i>	
In Re: LEVI KATZ AND TIRTZA KATZ Debtors.	Case No.: 17-10063 Chapter 11 Judge: Christine M. Gravelle Hearing Date: 11/7/2017

ORDER AUTHORIZING THE SALE OF REAL PROPERTY KNOWN AS319 SOUTH PARK AVENUE, LAKEWOOD,, OCEAN COUNTY, NEW JERSEY FREE AND CLEAR OF LIENS WITH VALID LIENS TO ATTACH TO PROCEEDS OF SALE

Recommended Local Form: Followed Modified

The relief set forth on the following pages, numbered two (2) through five (5) is hereby **ORDERED.**

DATED: November 8, 2017



 Honorable Christine M. Gravelle
 United States Bankruptcy Judge

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Debtor: Levi Katz and Tirtza Katz

Case No.: 17-10063

Caption of Order: Order Approving Sale of Real Property

Upon consideration of the application/motion of the Debtors (the “**Motion**”), for an order authorizing the sale of **319 SOUTH PARK AVENUE, LAKEWOOD,, OCEAN COUNTY, NEW JERSEY** (the “**Property**”), and good cause appearing therefore, it is hereby ORDERED as follows:

1. Pursuant to 11 U.S.C. §§363(b) and 1303, the Debtor is authorized to sell the Property on the terms and conditions of the contract of sale as modified.
2. The proceeds of sale must be used to satisfy the lien(s) for real estate taxes and other municipal liens. Until such satisfaction the real property is not free and clear of those liens. The sale is free and clear of the liens set forth on Schedule A annexed hereto and the tax liens of the United States of America, which liens shall attach to the proceeds of sale.
3. In accordance with D.N.J. LBR 6004-5, the Motion and the *Notice of Proposed Private Sale* included a request to pay the real estate broker(s) identified below at closing. Therefore the following professional(s) may be paid at closing.

Name of professional:	Amount to be paid:	Services rendered:
Partners Realty Group	4%	Listed and marketed property
Partners Realty Group	2%	Produced buyer

4. Other closing fees payable by the Debtor may be satisfied from the proceeds of sale and adjustments to the price as provided for in the contract of sale may be made at closing.
5. The amount of \$ -0- claimed as exempt may be paid to the Debtor, provided that all liens are first satisfied or avoided by an order of this court.
6. This Court shall retain jurisdiction to enforce and implement the provision of this Order and to resolve any dispute concerning the sale of the Property, or the rights and duties of all interested parties.
7. This Order may be recorded with the County Clerk to evidence that the Property was authorized to be sold.

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8. Proper, timely, adequate and sufficient notice of the sale has been provided in accordance with 11 U.S.C. §§ 102, 105(a) and 363 and Rules 2002, 6004 and 9014 of the Bankruptcy, such notice was good and sufficient, and appropriate under the particular circumstances, and no other or further notice of the Sale shall be required
9. The 14-day stay of Bankr. Rule 6004(h) does not apply and the sale of the Property can be consummated upon entry of this Order.
10. Pursuant to 11 U.S.C. §§ 105(a) and 363(f), the Property shall be transferred to the Purchaser free and clear of all liens, claims, encumbrances or interests, with all such interests of any kind or nature whatsoever to attach to the net proceeds of the sale in the order of their priority, with the same validity, force and effect which they now have as against the Property, subject to any claims and defenses the Debtor or estates may possess with respect thereto; and it is further
11. The transfer of the Real Property to the purchaser pursuant to the terms herein constitutes a legal, valid, and effective transfer of the Real Property, and shall vest the purchaser with all right, title, and interest of the Debtor and Debtor-in-Possession in and to the Real Property free and clear of all liens, claims, encumbrances and interests of any kind or nature whatsoever, including without limitation the liens, claims and encumbrances set forth on Schedule A annexed hereto:
12. The reversal or modification on appeal of the authorization provided herein to consummate the sale shall not affect the validity of the sale to the Purchaser, unless such authorization is duly stayed pending such appeal. The Purchaser is a buyer in good faith of the Real Property and is entitled to all of the protections afforded by section 363(m) of the Bankruptcy Code;

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Debtor: Levi Katz and Tirtza Katz

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SCHEDULE A

- A. MORTGAGE: Levi Katz and Tirtza Katz TO First Financial Equities, Inc., Dated 9/30/2002, Recorded 10/9/2002 in Mortgage Book 11032, Page 706. To Secure \$245,000.00
- B. Assignment of Mortgage to Hudson City Savings Bank, Recorded 10/24/2012 in Book 15350 Page 75.
- C. Notice of Lis Pendens vs. Levi and Tirtza Katz, Docket No. F-000746-14 Recorded 1/16/2014 in Book 15728 Page 1284.
- D. Mortgage: Levi Katz and Tirtza Katz, his wife TO Menachem Gutfreund, Dated 11/26/2007, Recorded 3/4/2009 in Mortgage Book 14223, Page 784. To Secure \$100,000.00.
- E. 10. MORTGAGE: Levi Katz and Tirtza Katz, his wife TO TD Bank, N.A., Dated 2/27/2009, Recorded.
- F. The Tax Collector, Township of Lakewood, Ocean County, New Jersey may have a lien on the Subject Property for unpaid municipal taxes, water and sewer charges.
- G. The Lakewood Municipal Utilities Authority, with an address of 390 New Hampshire Avenue, d, NJ 08701, has or may have a lien(s) for unpaid water and/or sewer charges.
- H. The Segula Estates IV Homeowners' Association III, Inc. may have a lien or unpaid association fees etc.

A. SUPERIOR COURT OF NEW JERSEY

JUDGMENT NUMBER: J-267477-2011

DATE DOCKETED: 09/20/2011

VENUE: CAMDEN

DEBT: \$5193,984.96 COSTS 240.00

CREDITOR(S): **TD BANK NA**

ATTORNEY: DEMBO & SALDUTTI

DEBTORS: LEVI KATZ, TIRTZA KATZ

B. SUPERIOR COURT OF NEW JERSEY

JUDGMENT NUMBER: J-032215-20125

DATE DOCKETED: 02/08/2012

VENUE: OCEAN

DEBT: \$19,750.36 COSTS: \$240.00

CREDITOR(S): **AMERICAN EXPRESS BANK FSB**

ATTORNEY: ZWICKER & ASSOCIATES P.C.

DEBTORS: LEVI KATZ,

C. SUPERIOR COURT OF NEW JERSEY

JUDGMENT NUMBER: CJ-208413-2011

DATE DOCKETED: 07/19/2011

VENUE: OCEAN

DEBT: \$8,747.18 COSTS: \$246.94 INT. 7.39 DCKG: 10.00

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Debtor: Levi Katz and Tirtza Katz

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CREDITOR(S): **CAPITAL ONE BANK (USA), N.A.**
ATTORNEY: PRESSLER & PRESSLER
DEBTORS: LEVI KATZ,

D. SUPERIOR COURT OF NEW JERSEY
JUDGMENT NUMBER: DJ-164420-2013
DATE DOCKETED: 08/22/2013
VENUE: OCEAN
DEBT: \$9,228.72 COSTS: \$263.57 DFG: 10.00
CREDITOR(S): **DISCOVER BANK**
ATTORNEY: PRESSLER & PRESSLER
DEBTORS: LEVI KATZ,

E. SUPERIOR COURT OF NEW JERSEY
JUDGMENT NUMBER: DJ-035281-2015
DATE DOCKETED: 02/15/2015 VENUE: OCEAN
DEBT: \$3,434.01 COSTS: \$165.68 INT .54 DCKG: 35.00
CREDITOR(S): **MIDLAND FUNDING LLC**
ATTORNEY: PRESSLER & PRESSLER LLC
DEBTORS: LEVI KATZ,

A. SUPERIOR COURT OF NEW JERSEY
JUDGMENT NUMBER: DJ-216772-2011
DATE DOCKETED: 08/01/11
VENUE: OCEAN
DEBT: \$8,301.39 COSTS: \$238.02 INT .54 DCKG: 10.00
CREDITOR(S): **FIA CARD SERVICES**
ATTORNEY: PRESSLER & PRESSLER LLC
DEBTORS: TIRTZA KATZ,