



IT IS HEREBY ADJUDGED and DECREED that the below described is SO ORDERED.

Dated: April 24, 2017.

Craig A. Gargotta

**CRAIG A. GARGOTTA
UNITED STATES BANKRUPTCY JUDGE**

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

IN RE	X	
	X	CASE NO. 16-52554-CAG
RANDY BENAVIDES BALDERAS	X	
	X	
DEBTOR	X	CHAPTER 11

ORDER GRANTING RANDY BENAVIDES BALDERAS AUTHORITY TO SELL EQUIPMENT FREE AND CLEAR OF ALL LIENS, CLAIMS AND ENCUMBRANCES AT MINIMUM PRICES

On this day, came on to be considered the Motion of Advanced Solids Control, LLC for Authorization to Sell Equipment Free and Clear of All Liens, Claims and Encumbrances at Minimum Prices, and it appearing to the Court that proper notice has been given to all parties and that no objections to the proposed sale have been filed, and further that such sale is in the best interest of the Debtor and his creditors, and accordingly, the Motion should be granted; it is therefore

ORDERED, ADJUDGED and DECREED that the Debtor is hereby granted authority to sell the following equipment for the minimum sales prices as set forth on Exhibit "A" attached hereto; it is further

ORDERED, ADJUDGED and DECREED that the sale of the equipment for the minimum cash sales prices set forth herein are free and clear of all liens, claims and encumbrances pursuant to §363 of the U.S. Bankruptcy Code; it is further

ORDERED, ADJUDGED and DECREED that the net proceeds from the sale of the above-described equipment is to be paid to the respective lienholders in partial satisfaction of the respective outstanding debts, with the exception of the nine (9) light towers which are not subject to the liens of creditors, with those proceeds to be used by the Debtor in his reorganization efforts; and it is further

ORDERED, ADJUDGED and DECREED that the Atascosa County and Charlotte ISD ad valorem tax liens shall attach to the sale proceeds and from said sale proceeds Debtor shall pay to Atascosa County the sum of Seven Thousand Two Hundred Nine and 03/100 Dollars (\$7,209.03), plus applicable statutory interest incident to Atascosa County Tax Account No. 20630140 and 163525 for 2016 and prior ad valorem taxes. Additionally, Debtor shall pay to Charlotte ISD in the amount of Nine Thousand One Hundred Fifteen and 38/100 Dollars (\$9,115.38), plus applicable statutory interest incident to Charlotte ISD Tax Account No. 163525 and 76505 for 2016 and prior ad valorem taxes. Said payments shall be made on a pro-rata basis as items of equipment are sold within fifteen (15) days of receipt of the net sales proceeds and prior to disbursement of these sale proceeds to any other person or

entity. Atascosa County and Charlotte ISD shall retain their ad valorem tax liens against the business personal property remaining in the possession of the Debtor to secure the year 2017 ad valorem taxes.

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Submitted by:

William R. Davis, Jr.
Langley & Banack, Inc.
745 E. Mulberry, Suite 900
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Equipment List for Sale

Light Towers

	<u>Brand</u>	<u>Model</u>	<u>Year</u>	<u>Serial/VIN</u>	<u>Hours</u>
Light Towers	Terex	RL4000	2011	RL411-4797	8586.9 Hrs
Light Towers	Terex	RL4000	2011	RL411-4770 ¹	1440.7 Hrs
Light Towers	Terex	RL4000	2011	RL411-3209 ¹	1169.7 Hrs
Light Towers	Terex	RL4000	2011	RL411-5066 ¹	8942.1 Hrs
Light Towers	Terex	RL4000	2011	RL411-2984	6618.0 Hrs
Light Towers	Terex	RL4000	2011	RL411-3004	4432.4 Hrs
Light Towers	Terex	RL4000	2011	RL411-2986	9139.9 Hrs
Light Towers	Terex	RL4000	2011	RL411-3005	5568.6 Hrs
Light Towers	Terex	RL4000	2011	RL411-4769	5856.3 Hrs
Light Towers	Terex	RL4000	2011	RL411-4706 ¹	8388.3 Hrs
Light Towers	Terex	RL4000	2011	RL411-2983	6736.4 Hrs
Light Towers	Terex	RL4000	2011	RL411-3328 ¹	5841.6 Hrs
Light Towers	Terex	RL4000	2011	RL411-3089	7527.41 Hrs
Light Towers	Terex	RL4000	2011	RL411-4771 ¹	8768.6 Hrs
Light Towers	Terex	RL4000	2011	RL411-3215 ¹	8631.8 Hrs
Light Towers	Terex	RL4000	2011	RL411-5065 ¹	1063.7 Hrs
Light Towers	Terex	RL4000	2011	RL411-5058 ¹	1113.9 Hrs
Light Towers	Terex	RL4000	2011	RL411-3208 ¹	5617.6 Hrs
Light Towers	Terex	RL4000	2011	RL411-3330 ¹	5819.8 Hrs
Light Towers	Terex	RL4000	2011	RL411-3087	7182 Hrs

Excavators

Excavator	John Deere	160D		1FF160DXCBD051027	Loan/ Capital One
Excavator	John Deere	160D		FF160DX050307	Loan/Capital One

Loaders

Loader	John Deere	624K		1DW624KZKBD640235	Loan/ Capital One
Loader	John Deere	624K		1DW624KZTCE646352	loan/Capital One

THESE ARE THE LOWEST PRICES THAT THE DEBTOR WILL ACCEPT

¹The light towers are pledged to Capital One; all additional light towers are free and clear of liens and the claims of creditors herein.

Sale Price

#27	\$ 2,000.00
#23	\$ 2,000.00
#4	\$ 2,000.00
#39	\$ 2,000.00
#10	\$ 2,000.00
#14	\$ 2,000.00
#21	\$ 2,000.00
#13	\$ 2,000.00
#24	\$ 2,000.00
	\$ 2,000.00
#12	\$ 2,000.00
#18	\$ 2,000.00
#11	\$ 2,000.00
#20	\$ 2,000.00
#7	\$ 2,000.00
#38	\$ 2,000.00
#32	\$ 2,000.00
#5	\$ 2,000.00
#9	\$ 2,000.00
#15	\$ 2,000.00

\$ 85,000.00
\$ 85,000.00

\$ 150,000.00
\$ 135,000.00