IN THE UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF ARKANSAS

IN RE: UNIQUE REALTY, LLC, Debtor — **(CH. 11) 2:25-bk-14049**

INTERIM ORDER GRANTING MOTION FOR AUTHORITY TO USE CASH COLLATERAL AND GRANT OF ADEQUATE PROTECTION TO FIRST NATURAL STATE BANK

NOW ON THIS DAY HEREINAFTER WRITTEN comes on for hearing the motion of the Debtor for authority to use cash collateral and to grant Adequate Protection ("**Motion**"). With all facts and matters before the Court it is found and concluded as follows:

1. That this court has jurisdiction over this core-proceeding matter pursuant to 28 USC §§157 and 1334, 11 USC §363 and Rules 4001 and 9014 FRBP.

2. Debtor commenced its voluntary chapter 11 case on November 19, 2025 (Doc. 1), and the Debtor remains as debtor-in-possession. Pursuant to 11 USC §§ 1107(a) and 1108, the Debtor continues to manage its business and financial affairs as debtor in possession. No creditors' committee has been appointed in the case.

3. Prior to the filing of this case, Debtor assigned to First Natural State Bank ("**FNSB**") the rents and revenues generated by certain real property ("**Property**") pursuant to the terms of the Mortgage attached to FNSB's POCs #4 & #5. All rents and revenues generated by the Property serve as collateral to FNSB under the Mortgage and Debtor requests that the Court authorize it to continue under the Mortgage and to grant FNSB a first-position lien on Debtor's post-petition rents and revenues of the Property, and all items constituting collateral under the Mortgage in order to secure its obligations to FNSB.

4. The operation of the Debtor produces revenue from the renting of the Property that is cash collateral. The secured claim of FNSB. for the Debtor's indebtedness is at the time of filing estimated to be $472,000.17.

5. The Debtor's Motion is due to be granted on an emergency and interim basis and such

use of cash collateral and grant of adequate protection to FNSB. is authorized, as set forth below, until the confirmation of a subsequently proposed Plan of Reorganization or Plan of Liquidation, or until the case is converted to a case under chapter 7, or is dismissed.

THEREFORE, THE COURT HAVING DETERMINED THAT:

(a) the Debtor is unable to obtain unsecured credit allowable under section 503(b)(1) of the Bankruptcy Code as an administrative expense;

(b) the Debtor is unable to obtain credit secured by security interests or liens junior to the existing security interests on the collateral set forth in the Mortgage, pursuant to sections 364(c)(2) or (3) of the Bankruptcy Code;

(c) the Debtor is unable to obtain secured credit on as favorable a basis, except under the terms and conditions provided in this Order;

(d) it is in the best interests of the Debtor's estate Debtor continue to use the rents and revenues pursuant to the Mortgage under the terms and conditions set forth herein, to prevent a deleterious impact on the Debtor's business, assets or opportunity to reorganize;

(e) the Debtor's continued use of the rents and revenues generated by the Property is in good faith and FNSB is entitled to the protection afforded pursuant to Bankruptcy Code §363(m);

(f) the credit and financial accommodations extended under the Mortgage were extended by FNSB in good faith and FNSB is entitled to the protection afforded pursuant to section 364(e) of the Bankruptcy Code;

(g) sufficient and adequate notice of the Motion and the hearing with respect thereto has been given in accordance with the Motion and pursuant to Bankruptcy Rule 4001(c) and section 102(1) of the Bankruptcy Code as required by section 364(d) of the Bankruptcy Code, and no further notice of, or hearing on, the relief sought in the Motion is required;

(h) consideration of the Motion constitutes a "core proceeding" as defined in 28 U.S.C.

§§157(b)(2)(A), (D), (G), (K) and (M);

(i) this Court has jurisdiction over this proceeding and the parties and property affected hereby pursuant to 28 U.S.C. §§157 and 1334;

(j) good and sufficient cause exists for the issuance of this Order; and

(k) the Debtor has transmitted the Motion and proposed form of Order to all parties- in-interest as required under the Bankruptcy Code and Rules.

IT IS HEREBY ORDERED AS FOLLOWS:

4. Because of this ongoing Chapter 11 proceeding, the Debtor is entitled to the continued and permitted use of the cash collateral, accounts and all other collateral constituting "cash collateral" as contemplated by and within the scope of 11 USC 363 *et seq.,* such use being limited in scope, namely for the purposes of day-to-day operations, payment of utilities, payment of employees, and other services essential to the operation of the Debtors' operations, and professional fees as approved by the Court.

5. The Debtor shall account monthly for the collection and expenditure of the cash collateral via the required monthly operating reporting pursuant to the regulations of the Office of the United States Trustee.

6. Debtor and FNSB are authorized to continue their relationship pursuant to the Mortgage, and to execute, deliver, and perform all other documents, instruments, and agreements necessary to effectuate and carry out the terms of this Order.

7. FNSB's claim for repayment of the amounts secured pursuant to the Mortgage shall be entitled to super priority status pursuant to Section 364(c)(1) of the Bankruptcy Code, over all administrative expense claims incurred in the Chapter 11 case.

8. All obligations and amounts owing to FNSB under the Mortgage both pre and post-petition, shall be secured by a lien on Debtor's accounts receivable, proceeds, and all other items of collateral set out in the Mortgage.

9. All liens granted by the Debtor to FNSB pursuant to the Mortgage shall be

automatically perfected without any further notice, action or filing by FNSB.

10. All collateral under the Mortgage shall be exempt from statutory charges for its preservation or disposition under Section 506(c) of the Bankruptcy Code or otherwise.

11. The terms and conditions of this Order shall be binding on the Debtor's successors, including any Trustee appointed in the case.

12. This Interim Order shall endure until the adjournment of a final hearing on the Debtor's Motion, or until the occurrence of one of the instances of default set forth hereinabove.

IT IS SO ORDERED.

Phyllis M. Jones

Phyllis M. Jones
United States Bankruptcy Judge
Dated: 05/06/2026