



2.

Pursuant to an agreement entered into between Sunshine Holdings of Grady County, LLC (“Buyer”) and Debtors, Debtors are to sell their Property for the gross amount of \$200,000.00. Buyer is an unrelated, non-insider party. After expenses, Debtors expect to net \$190,000.00.

3.

Debtors are advised that the market value of the Property is approximately \$200,000.00.

4.

The Property is encumbered by a potential lien in favor of Respondent Capital City Bank (“Respondent Capital City”). Upon information and belief, Respondent Capital City holds the first priority lien. Response United States Small Business Administration (“Respondent USSBA”) has a second priority lien. All net proceeds will be paid to Respondent Capital City up to the amounts of its allowed secured claim. Any balance above Respondent Capital City’s debt will be paid to Respondent USSBA.

5.

Respondent Houston Asphalt Paving And Sealcoating, LLC holds a fi fa recorded on August 31, 2016, which is after the filing of the chapter 7 case. Its lien is in bona fide dispute.

6.

Debtors feel that the offer submitted by Buyers is fair and reasonable under the circumstances and that a sale of the Property would be beneficial to all parties in interest.

7.

Debtors will sell the estate's interest in the Property free and clear of liens, claims and encumbrances, with any liens, claim or encumbrances attaching only to the proceeds of sale.

WHEREFORE, Debtors pray that after notice to all parties as required by law, that the Court approve the sale of the Property as requested and that they have such other and further relief as is deemed just and proper.

BOYER LAW FIRM, L.L.C.

By:



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WESLEY J. BOYER

Attorney for Debtors

State Bar No. 073126

348 Cotton Avenue, Suite 200

Macon, Georgia 31201

(478) 742-6481

Wes@WesleyJBoyer.com

**CONTRACT FOR SALE OF REAL ESTATE**

STATE OF GEORGIA  
COUNTY OF GRADY:

**THIS AGREEMENT**, made and entered into this 28<sup>th</sup> day of June, 2017, by and between **FREDDIE LYLE AND MARY ANN LYLE**, hereinafter referred to as "FIRST PARTY," and **SUNSHINE HOLDINGS OF GRADY COUNTY, LLC**, hereinafter referred to as "SECOND PARTY;"

**W I T N E S S E T H :**

**WHEREAS**, First Party is the owner of real estate in Cairo, Grady County, Georgia, located at 238, 240 and 242 5th St. NE, Cairo, GA 39828, being further identified on the current Grady County Tax Assessor's Map as C27/18, and being more particularly described on the attached Exhibit "A"; and

**WHEREAS**, Second Party desires to purchase the aforesaid property from First Party.

**NOW THEREFORE**, FOR AND IN CONSIDERATION of the sum of FIVE HUNDRED and NO/100 DOLLARS (\$500.00) earnest money paid by Second Party to First Party, and the promises, covenants and agreements herein contained, First Party and Second Party agree as follows:

1. First Party agrees to sell the above-referenced property to Second Party for the sum of TWO HUNDRED THOUSAND and 00/100 DOLLARS (\$200,000.00), and Second Party agrees to purchase said property for said sum. Second Party shall pay to First Party FIVE HUNDRED and 00/100 DOLLARS (\$500.00) as earnest money, which shall be applied to the purchase price at closing. The balance of the purchase price shall be due and payable at closing.
2. The transaction shall be closed within 45 days from the date of signing this contract. Upon the payment of the purchase price, First Party shall execute and deliver to Second Party a warranty deed conveying the property, free and clear of all liens, subject only to existing easements for roads and utilities, zoning ordinances and regulations of the Grady County, protective covenants, and ad valorem taxes for the year 2017 and subsequent years.
3. The Parties agree that this transaction is contingent upon the First Party being able to obtain an Order to Sell Property Free and Clear of Liens, Claims and Encumbrances from the U.S. Bankruptcy Court for the Middle District of Georgia.
4. First Party shall be responsible for costs for releases or satisfaction of liens on the property. Second Party shall be responsible for all other costs associated with the closing, including but not limited to cost of title examination, title insurance, preparation of the warranty deed, transfer tax, intangible tax, and recording fees.

5. First Party is selling said property in "AS-IS" condition, and Second Party accepts said property as-is.
6. Second Party shall have the right and option to select the date and location of closing of this transaction. The closing shall take place at Chason Law Firm LLC, 17 1<sup>st</sup> Ave NE, Cairo, GA 39828.
7. In the event Second Party should fail to close this transaction for any reason excepting the failure of First Party to deliver good and marketable title free and clear of all encumbrances except as stated herein, First Party shall be entitled to retain the earnest money as liquidated damages. In the event First Party fails to close this transaction for any reason, then Second Party shall be entitled to obtain a return of the earnest money paid.
8. 2017 ad valorem taxes shall be prorated.
9. Any notice required to be given to First Party shall be given at P.O. Box 744, Cairo, GA 39828. Any notice required to be given to Second Party shall be given at P.O. Box 1344, Cairo, GA 39828.
10. Time is of the essence of this agreement.
11. Possession of the subject property shall be given to Second Party on the day of closing.
12. Special Stipulations: \_\_\_\_\_  
\_\_\_\_\_
13. First Party and Second Party have this day executed duplicate originals of this contract.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals on the day and year first above-written.

{Signatures on the next Page}

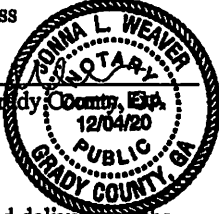
"FIRST PARTY"

Freddie Lyle (SEAL)  
FREDDIE LYLE

Signed, sealed and delivered in the presence of:

m. Clear Chen  
Unofficial Witness

Jonna L. Weaver  
Notary Public: Grady County, GA  
(AFFIX SEAL)

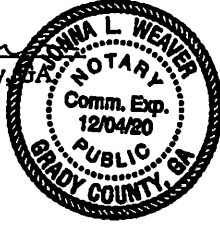


Mary Ann Lyle (SEAL)  
MARY ANN LYLE

Signed, sealed and delivered in the presence of:

m. Clear Chen  
Unofficial Witness

Jonna L. Weaver  
Notary Public: Grady County, GA  
(AFFIX SEAL)



"SECOND PARTY"

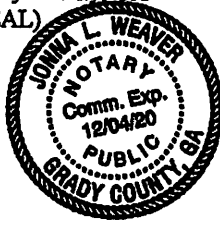
SUNSHINE HOLDINGS OF GRADY COUNTY, LLC

Robert H. Bearden (SEAL)  
ROBERT H. BEARDEN,  
MEMBER/MANAGER

Signed, sealed and delivered in the presence of:

Timothy S. Maxwell  
Unofficial Witness

Jonna L. Weaver  
Notary Public: Grady County, GA  
(AFFIX SEAL)



**EXHIBIT "A"**

A certain lot, together with all improvements thereon, located in the City of Cairo, Grady County, Georgia, described as follows: Commencing at a point on the east margin of the right-of-way of State Highway No. 93, which is also known as the Overpass Highway, said point being the northwest corner of a lot now or formerly owned by H.E. Prince, and from said point of beginning running thence North along the right-of-way of said Highway a distance of 128 feet; running thence East a distance of 350 feet to the street; running thence south along said Street a distance of 121 feet to the line of lot now or formerly owned by H. E. Prince; and running thence West along the Prince line for a distance of 350 feet to the point of beginning.

Being the same property conveyed to Mrs. Jocelyn Dollar by warranty deed dated August 15, 1950, and recorded in Deed Book 61, Page 463, Grady County Records.

**Grady County Tax Assessor's Map C27/18**

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**CERTIFICATE OF SERVICE**

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This is to certify that I have this day served a copy of the

**DEBTORS' MOTION TO SELL PROPERTY OTHER THAN IN THE ORDINARY COURSE OF BUSINESS FREE AND CLEAR OF LIENS, CLAIMS AND ENCUMBRANCES**

upon the following:

Kenneth Abele, Esq. Ausley & McMullen, P.A. P.O. Box 391 Tallahassee, FL 32302 Attorney for Capital City Bank	Capital City Bank c/o Registered Agent, David Sandra 325 5 <sup>th</sup> Street Macon, GA 31201
Kevin Andrew Forsthoefel, Esq. Ausley McMullen 123 South Calhoun Street Tallahassee, FL 32301 Attorney for Capital City Bank	Jeff Sessions, Attorney General U.S. Department of Justice 950 Pennsylvania Avenue, NW Washington DC 20530-0001
Carlissa Carson, Esq. 233 Peachtree Street, NE, Suite 300 Atlanta, GA 30303 Attorney for U S Small Business Administration	U.S. Small Business Administration 409 3 <sup>rd</sup> Street, SW Washington, DC 20416
Joseph E. Williams, Jr., Esq. 637 Cherry Street Macon, GA 31201-2623 Attorney for Houston Asphalt Paving & Sealcoating, LLC	Houston Asphalt Paving and Sealcoating, LLC Attn: Registered Agent, Mark Buckland 10 Old Popes Ferry Road Juliette, GA 31046
all creditors and parties-in-interest as listed on the attached mailing matrix	

by depositing a copy of the same in the United States mail, first class, in a properly addressed envelope with sufficient postage affixed thereto this 7<sup>th</sup> day of July, 2017.



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WESLEY J. BOYER



Label Matrix for local noticing  
113G-1  
Case 15-11575  
Middle District of Georgia  
Albany  
Wed Jul 5 16:05:19 EDT 2017

Ameris Bank  
P O Box 870  
Vidalia, GA 30475-0870

Capital City Bank  
Post Office Box 900  
Tallahassee, FL 32302-0900

Chatham County Tax Commissioner  
Attn Theresa C Harrelson  
PO Box 8324  
Savannah, GA 31412-8324

Katz, Flatau & Boyer LLP  
355 Cotton Avenue  
Macon, GA 31201-2636

United National Bank  
P. O. Box 150  
Cairo, GA 39828-0150

1  
433 Cherry Street  
P.O. Box 1957  
Macon, GA 31202-1957

AMB Client Services, LLC  
PO Box 1307  
Thomasville, GA 31799-1307

Air Condition Supply  
167 Ernest Varnadoe Lane  
Lumber City, GA 31549-2513

Aladdin Metal Products, Inc.  
82 Kennedy Drive  
Forest Park, GA 30297-2536

(p)AMERICAN HONDA FINANCE  
P O BOX 168088  
IRVING TX 75016-8088

Amerigas  
PO Box 660288  
Dallas, TX 75266-0288

Ameris Bank  
Loan Department  
PO Box 240  
Cairo, GA 39828-0240

Ameris Bank  
P.O. Box 870  
Vidalia, Georgia 30475-0870

Ameris Bank  
PO Box 240  
Cairo, GA 39828-0240

Ameris Bank  
c/o Karl E. Osmus  
1010 Williams Street  
Valdosta, Georgia 31601-4039

Avaya, Inc.  
PO Box 5125  
Carol Stream, IL 60197-5125

BB&T Bank  
110 N. Camellia Boulevard  
Fort Valley, GA 31030-3078

Bank of America  
PO Box 15796  
Wilmington, DE 19886-5796

Birch Communications  
PO Box 105066  
Atlanta, GA 30348-5066

Blanton & Griffin Insurance Agency  
PO Box 1689  
Valdosta, GA 31603-1689

Blough Tech  
PO Box 709  
Cairo, GA 39828-0709

Braeburn Systems  
8006 Solutions Center  
Chicago, IL 60677-8000

Business Card BOA  
PO Box 15796  
Wilmington, DE 19886-5796

Cairo-Grady County Chamber of Commerce  
PO Box 387  
Cairo, GA 39828-0387

Capital City Bank  
PO Box 58  
Cairo, GA 39828-0058

Capital City Bank  
c/o Ken Abele  
Post Office Box 391  
Tallahassee, Florida 32302-0391

Capital City Bank  
c/o Kevin A. Forsthoefel  
Post Office Box 391  
Tallahassee, Florida 32302-0391

Carlisle Coatings & Waterproofing  
2723 Network Place  
Chicago, IL 60673-1227

Chase  
Attn: Bankruptcy Dept  
PO Box 15298  
Wilmington, DE 19850-5298

Chase Home Finance  
PO Box 9001871  
Louisville, KY 40290-1871

Chatham County Tax Commissioner  
PO Box 9827  
133 Montgomery Street, 1st Floor  
Savannah, GA 31401-3230

Cisco, Inc.  
PO Box 801088  
Houston, TX 77280-1088

Citizens Bank  
PO Box 180  
Cairo, GA 39828-0180

City of Cairo  
Tax Department  
PO Box 29  
Cairo, GA 39828-0029

Comcast  
PO Box 105184  
Atlanta, GA 30348-5184

Comdoc Monthly Lease  
PO Box 22728  
Savannah, GA 31403-2728

Cool Gas  
1100 Hasking Road  
Bowling Green, OH 43402-9363

Crown Products Company  
6390 Phillips Highway  
Jacksonville, FL 32216-6092

Diversitech Corporation  
6650 Sugarloaf Parkway  
Duluth, GA 30097-4365

Florida Department of Revenue  
5050 W. Tennessee Street  
Mail Stop 3-2000  
Tallahassee, FL 32399-0112

GE Capital  
PO Box 740441  
Atlanta, GA 30374-0441

GE Capital  
c/o Ricoh USA Program  
PO Box 740540  
Atlanta, GA 30374-0540

(p)GEORGIA DEPARTMENT OF REVENUE  
COMPLIANCE DIVISION  
ARCS BANKRUPTCY  
1800 CENTURY BLVD NE SUITE 9100  
ATLANTA GA 30345-3202

Georgia Power  
96 Annex  
Atlanta, GA 30396-0001

Grady County Tax Commissioner  
114 First Street, NE  
Cairo, GA 39828-2291

Houston Asphalt Paving and Seal Coating  
Industrial Hwy. at Hwy. 41  
Byron, GA 31008

Houston Asphalt Paving and Seal Coating  
c/o Joseph E. Williams, Jr.  
637 Cherry Street  
Macon, GA 31201-2623

ICP, LLC  
21630 Network Place  
Chicago, IL 60673-1216

IRS  
PO Box 7346  
Philadelphia, Pa 19101-7346

JPMorgan Chase Bank, National Association  
c/o McCalla Raymer, LLC  
Bankruptcy Department  
1544 Old Alabama Road  
Roswell, GA 30076-2102

Macon Water Authority  
PO Box 108  
Macon, GA 31202-0108

Macon-Bibb County Planning and  
Zoning Commisison  
Macon, GA 31201

Marlin Business Bank Lease  
PO Box 13604  
Philadelphia, PA 19101-3604

McCall's Supply  
9 Westgate Boulevard  
Savannah, GA 31405-1474

Miles Heating & Air  
1407 West Hill Avenue, Suite 0  
Valdosta, GA 31601-5547

NC Filtration  
c/o Magnolia Financial, Inc.  
8470 Lazy Oaks Court  
Atlanta, GA 30350-3532

OTT Distributors, Inc.  
1024 Aragon Avenue  
North Charleston, SC 29405-4904

Office of U.S. Trustee  
c/o Robert G. Fenimore  
Trial Attorney  
440 MLK Jr. Blvd Ste 302  
Macon, GA 31201-7987

Pro 1  
2650 N. Westgatge, #112  
Springfield, MO 65803-7046

Quietflex/Goodman Manufacturing  
PO Box 660063  
Dallas, TX 75266-0063

Ricoh Americas Corp.  
21146 Network Place  
Chicago, IL 60673-1211

Ricoh USA, Inc.  
PO Box 532530  
Atlanta, GA 30353-2530

Sam's Club/GEMB  
PO Box 530981  
Atlanta, GA 30353-0981

Savannah Staffing  
7505 Waters Avenue, Suite D7  
Savannah, GA 31406-3818

Small Business Administration 1  
PO Box 740192  
Atlanta, GA 30374-0192

Small Business Administration 2  
PO Box 740192  
Atlanta, GA 30374-0192

Smart Electric USA  
12201 NW 107th Avenue  
Miami, FL 33178-3142

Southeast Toyota Finance  
PO Box 70832  
Charlotte, NC 28272-0832

Southeastern Freight Lines  
PO Box 100104  
Columbia, SC 29202-3104

State of Florida - Department of Revenue  
Post Office Box 6668  
Tallahassee, FL 32314-6668

Stones Cairo  
2795 Highway 84 East  
Cairo, GA 39828

Taylor Waste  
PO Box 1074  
Cairo, GA 39828-0939

Trane Company (64)  
PO Box 406469  
Atlanta, GA 30384-6469

U.S. Trustee - MAC  
440 Martin Luther King Jr. Boulevard  
Suite 302  
Macon, GA 31201-7987

UPS  
PO Box 72470244  
Philadelphia, PA 19170-0001

United National Bank  
c/o David M. Wolfson  
1010 Williams Street  
Valdosta, Georgia 31601-4039

United National Bank  
c/o Karl E. Oamus  
1010 Williams Street  
Valdosta, Georgia 31601-4039

United National Bank of Cairo  
PO Box 150  
Cairo, GA 39828-0150

Universal Premium Fleet Card  
PO Box 70995  
Charlotte, NC 28272-0995

Verizon Wireless Monthly  
PO Box 6601008  
Dallas, TX 75266-0108

Wex Bank (Global Fleet)  
PO Box 6293  
Carol Stream, IL 60197-6293

Wilson Trucking Corporation  
PO Box 200  
Fishersville, VA 22939-0200

Winair  
870 Blountstown Street  
Tallahassee, FL 32304-2766

Winair Brunswick  
5115 Habersham Street  
Brunswick, GA 31520-2774

Winroc  
6445 McDonough Drive  
Norcross, GA 30093-1210

Mary Ann Lyle  
PO Box 744  
Cairo, GA 39828-0744

Wesley J. Boyer  
Katz, Flatau, & Boyer, L.L.P.  
355 Cotton Avenue  
Macon, GA 31201-2636

William F. Lyle  
PO Box 744  
Cairo, GA 39828-0744

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g) (4).

American Honda Finance Corporation  
National Bankruptcy Center  
P.O. Box 168088  
Irving, TX 75016-8088  
866-716-6441

Georgia Department of Revenue  
PO Box 161108  
Atlanta, GA 30321

(d) Honda Finance  
PO Box 105027  
Atlanta, GA 30348-5027

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u) Citizens Bank

(u) JPMorgan Chase Bank, National Association

(d) Katz, Flatau & Boyer, L.L.P.  
355 Cotton Avenue  
Macon, GA 31201-2636

(d) Chatham County Tax Commissioner  
Attn Theresa C Harrelson  
PO Box 8324  
Savannah GA 31412-8324

(u) JPMorgan Chase Bank, N.A.

(u) Standard Trane Warranty Co  
Ingersoll Rand  
PO Box 9035

(u) Trane  
c/o Bank of America  
PO Box 403271

(u) Trane, Inc. (6)  
c/o Bank of America  
Lockbox 403271  
6000 Feldwood Road

(d) United National Bank  
PO Box 150  
Cairo, GA 39828-0150

(u) Winroc  
Superior Plus Construction Prod  
PO Box 731741

End of Label Matrix  
Mailable recipients 88  
Bypassed recipients 10  
Total 98