

Fill in this information to identify your case:

United States Bankruptcy Court for the:

EASTERN DISTRICT OF CALIFORNIA

Case number (if known)

Chapter 11

Check if this an amended filing

Official Form 201

Voluntary Petition for Non-Individuals Filing for Bankruptcy

4/16

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and case number (if known). For more information, a separate document, Instructions for Bankruptcy Forms for Non-Individuals, is available.

1. Debtor's name KDK Homes LLC

2. All other names debtor used in the last 8 years Include any assumed names, trade names and doing business as names

3. Debtor's federal Employer Identification Number (EIN) 46-5551571

4. Debtor's address Principal place of business Mailing address, if different from principal place of business 24150 Highway 108 Twain Harte, CA 95383 P.O. Box 97 Twain Harte, CA 95383 Number, Street, City, State & ZIP Code P.O. Box, Number, Street, City, State & ZIP Code Tuolumne County Location of principal assets, if different from principal place of business 48 rental units Albany, GA 31701 Number, Street, City, State & ZIP Code

5. Debtor's website (URL)

6. Type of debtor [X] Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP)) [ ] Partnership (excluding LLP) [ ] Other. Specify:

Debtor **KDK Homes LLC**  
Name

Case number (if known)

7. Describe debtor's business
- A. Check one:
- Health Care Business (as defined in 11 U.S.C. § 101(27A))
  - Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
  - Railroad (as defined in 11 U.S.C. § 101(44))
  - Stockbroker (as defined in 11 U.S.C. § 101(53A))
  - Commodity Broker (as defined in 11 U.S.C. § 101(6))
  - Clearing Bank (as defined in 11 U.S.C. § 781(3))
  - None of the above
- B. Check all that apply
- Tax-exempt entity (as described in 26 U.S.C. §501)
  - Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. §80a-3)
  - Investment advisor (as defined in 15 U.S.C. §80b-2(a)(11))
- C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor.  
See <http://www.uscourts.gov/four-digit-national-association-naics-codes>.

8. Under which chapter of the Bankruptcy Code is the debtor filing?
- Check one:
- Chapter 7
  - Chapter 9
  - Chapter 11. Check all that apply:
    - Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,566,050 (amount subject to adjustment on 4/01/19 and every 3 years after that).
    - The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). If the debtor is a small business debtor, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if all of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
    - A plan is being filed with this petition.
    - Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
    - The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11 (Official Form 201A) with this form.
    - The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.
  - Chapter 12

9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years?
- No.  
 Yes.
- If more than 2 cases, attach a separate list.
- |          |       |             |
|----------|-------|-------------|
| District | When  | Case number |
| _____    | _____ | _____       |
| District | When  | Case number |
| _____    | _____ | _____       |

10. Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor?
- No.  
 Yes.
- List all cases. If more than 1, attach a separate list
- |          |              |                       |
|----------|--------------|-----------------------|
| Debtor   | Relationship |                       |
| _____    | _____        |                       |
| District | When         | Case number, if known |
| _____    | _____        | _____                 |

Debtor **KDK Homes LLC**  
Name

Case number (if known)

11. Why is the case filed in this district? *Check all that apply:*
- Debtor has had its domicile, principal place of business, or principal assets in this district for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other district.
  - A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.

12. Does the debtor own or have possession of any real property or personal property that needs immediate attention?
- No
  - Yes. Answer below for each property that needs immediate attention. Attach additional sheets if needed.
- Why does the property need immediate attention? (Check all that apply.)**
- It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety.  
What is the hazard? \_\_\_\_\_
  - It needs to be physically secured or protected from the weather.
  - It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options).
  - Other \_\_\_\_\_
- Where is the property?** \_\_\_\_\_  
Number, Street, City, State & ZIP Code
- Is the property insured?**
- No
  - Yes. Insurance agency \_\_\_\_\_  
Contact name \_\_\_\_\_  
Phone \_\_\_\_\_

**Statistical and administrative information**

13. Debtor's estimation of available funds *Check one:*
- Funds will be available for distribution to unsecured creditors.
  - After any administrative expenses are paid, no funds will be available to unsecured creditors.
14. Estimated number of creditors
- |  |  |  |
|--|--|--|
| <input checked="" type="checkbox"/> 1-49 | <input type="checkbox"/> 1,000-5,000   | <input type="checkbox"/> 25,001-50,000     |
| <input type="checkbox"/> 50-99           | <input type="checkbox"/> 5001-10,000   | <input type="checkbox"/> 50,001-100,000    |
| <input type="checkbox"/> 100-199         | <input type="checkbox"/> 10,001-25,000 | <input type="checkbox"/> More than 100,000 |
| <input type="checkbox"/> 200-999         |  |  |
15. Estimated Assets
- |   |  |  |
|---|--|--|
| <input type="checkbox"/> \$0 - \$50,000                   | <input type="checkbox"/> \$1,000,001 - \$10 million    | <input type="checkbox"/> \$500,000,001 - \$1 billion     |
| <input type="checkbox"/> \$50,001 - \$100,000             | <input type="checkbox"/> \$10,000,001 - \$50 million   | <input type="checkbox"/> \$1,000,000,001 - \$10 billion  |
| <input checked="" type="checkbox"/> \$100,001 - \$500,000 | <input type="checkbox"/> \$50,000,001 - \$100 million  | <input type="checkbox"/> \$10,000,000,001 - \$50 billion |
| <input type="checkbox"/> \$500,001 - \$1 million          | <input type="checkbox"/> \$100,000,001 - \$500 million | <input type="checkbox"/> More than \$50 billion          |
16. Estimated liabilities
- |   |  |  |
|---|--|--|
| <input type="checkbox"/> \$0 - \$50,000                   | <input type="checkbox"/> \$1,000,001 - \$10 million    | <input type="checkbox"/> \$500,000,001 - \$1 billion     |
| <input type="checkbox"/> \$50,001 - \$100,000             | <input type="checkbox"/> \$10,000,001 - \$50 million   | <input type="checkbox"/> \$1,000,000,001 - \$10 billion  |
| <input checked="" type="checkbox"/> \$100,001 - \$500,000 | <input type="checkbox"/> \$50,000,001 - \$100 million  | <input type="checkbox"/> \$10,000,000,001 - \$50 billion |
| <input type="checkbox"/> \$500,001 - \$1 million          | <input type="checkbox"/> \$100,000,001 - \$500 million | <input type="checkbox"/> More than \$50 billion          |

Debtor **KDK Homes LLC**  
Name

Case number (if known)

**Request for Relief, Declaration, and Signatures**

**WARNING** -- Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

**17. Declaration and signature of authorized representative of debtor**

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

I have been authorized to file this petition on behalf of the debtor.

I have examined the information in this petition and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on **March 4, 2017**  
MM / DD / YYYY

X   
Signature of authorized representative of debtor

**Kai E. Kirkle**  
Printed name

Title **Managing Member**

**18. Signature of attorney**

X   
Signature of attorney for debtor

Date **March 4, 2017**  
MM / DD / YYYY

**David C. Johnston**  
Printed name

**David C. Johnston**  
Firm name

**1600 G Street, Suite 102**  
**Modesto, CA 95354**  
Number, Street, City, State & ZIP Code

Contact phone **(209) 579-1150** Email address

**CA71367;DC388959**  
Bar number and State

United States Bankruptcy Court

Eastern District of California

In re

KDK Homes LLC,

Debtor.

Case No.

Chapter 11 Case

CERTIFICATE OF RESOLUTION AUTHORIZING CHAPTER 11 PETITION

This is to certify:

1. That the members of KDK Homes LLC (the "LLC") are Kal E. Kirkle and Deborah S. Kirkle.
2. That the members, acting at a duly called special meeting on March 3, 2017, determined that the LLC is unable to pay its debts as they mature.
3. That the members, acting at a duly called special meeting on March 3, 2017, authorized the filing by the LLC of a voluntary petition for relief under Chapter 11 of Title 11, United States Code.
4. That the members, acting at a duly called special meeting on March 3, 2017, authorized Kal E. Kirkle, as managing member, to execute any and all petitions, schedules, and other documents, and to do all other acts which are necessary to file and complete the Chapter 11 case.
5. That the members, acting at a duly called special meeting on March 3, 2017, authorized the retention of David C. Johnston as its attorney for the Chapter 11 case.

Dated: March 5, 2017.

  
\_\_\_\_\_  
Kal E. Kirkle, Member

  
\_\_\_\_\_  
Deborah S. Kirkle, Member