

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF COLORADO

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|------------------|---|-----------------------|
| IN RE: |) | |
| |) | Case No. 18-12660-JGR |
| ARBORSCAPE, INC. |) | |
| EIN: 38-3727380 |) | Chapter 11 |
| |) | |
| Debtor. |) | |

ORDER AUTHORIZING CONTINUED USE OF CASH COLLATERAL

UPON CONSIDERATION of the Motion of the Debtor and Debtor in Possession for entry of an order authorizing the use of cash collateral on a final basis (“Motion”); and having heard the arguments of counsel, if any; and having considered any evidence presented; and due and proper notice of the Motion having been provided; and for good cause shown:

IT IS HEREBY ORDERED THAT:

1. The Motion is GRANTED;
2. The Debtor is authorized to use cash collateral in which the Internal Revenue Service (“IRS”), the Colorado Department of Revenue (“CDR”), and J.P. Morgan Chase Bank, N.A. (“Chase” and collectively, “Secured Creditors”) through and including December 31, 2018.
3. That adequate protection of the interests of the Secured Creditors in cash collateral proposed to be used by the Debtor in accordance with the Budget that accompanies the Motion is approved as follows:
 - a. The Debtor will provide the Secured Creditors with a post-petition lien on all post-petition inventory and income derived from the operation of the business and assets, to the extent that the use of the cash results in a decrease in the value of the Secured Creditors’ interests in the collateral pursuant to 11 U.S.C. § 361(2). All replacement liens will hold the same relative priority to assets as did the pre-petition liens;
 - b. The Debtor will only use cash collateral in accordance with the Budget attached to this Motion as Exhibit A subject to a deviation on line item expenses not to exceed 15% without the prior agreement of the Secured Creditors or an order of the Court;
 - c. On or before the 15th of each month, the Debtor will pay the IRS adequate Protection in the amount of \$2,564.81 and will pay the CDR adequate protection in the amount of \$345.60;
 - d. The Debtor will keep all of the Secured Creditors’ collateral fully insured;

- e. The Debtor will provide the Secured Creditors with a complete accounting, on a monthly basis, of all revenue, expenditures, and collections through the filing of the Debtor's Monthly Operating Reports; and
 - f. The Debtor will maintain in good repair all of the Secured Creditors' collateral.
4. The Debtor's use of cash collateral pursuant to this Order is authorized with a complete reservation of rights of secured creditors to their various claims and lien positions in and to the Debtor's assets.

Dated: October 5, 2018



Honorable Joseph G. Rosania, Jr.
United States Bankruptcy Judge