Case 12-77423	Doc 1	Filed 11/02/12	Entered 11/02/12 15:40:02	Desc Main
m 1)(12/11)		Document	Page 1 of 30	

<u>B1</u>	(Official	Form	1)(12/1	1)	

United States Bankruptcy Court Northern District of Georgia						Voluntary	Petition	
Name of Debtor (if individual, enter Last, First, Middle): Fort Lamar Properties, LLC				of Joint De	btor (Spouse	) (Last, First	, Middle):	
All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names):					used by the J maiden, and		in the last 8 years ):	
Last four digits of Soc. Sec. or Individual-Taxpa (if more than one, state all) 27-0504348	yer I.D. (ITIN) No./C	omplete EIN	Last fo	our digits of than one, state	f Soc. Sec. or all)	Individual-7	Гахрауег I.D. (ITIN) N	o./Complete EIN
Street Address of Debtor (No. and Street, City, a 5755 Northpoint Parkway #900 Alpharetta, GA	nd State):		Street	Address of	Joint Debtor	(No. and Str	reet, City, and State):	
		ZIP Code	_					ZIP Code
County of Residence or of the Principal Place of <b>Fulton</b>		0022	Count	y of Reside	nce or of the	Principal Pla	ace of Business:	
Mailing Address of Debtor (if different from stre P.O. Box 85 Carnesville, GA	et address):		Mailin	g Address	of Joint Debt	or (if differen	nt from street address):	
		ZIP Code 0521	-					ZIP Code
Location of Principal Assets of Business Debtor (if different from street address above): Bishop Carey Road Tax PCL#0022-056, Danielsville, GA 30633 Roberts Road Tax PCL#011-070, Carnesville, GA 30521								
Type of Debtor		f Business					otcy Code Under Whi	ch
<ul> <li>(Form of Organization) (Check one box)</li> <li>Individual (includes Joint Debtors) See Exhibit D on page 2 of this form.</li> <li>Corporation (includes LLC and LLP)</li> <li>Partnership</li> <li>Other (If debtor is not one of the above entities, check this box and state type of entity below.)</li> </ul>	Check Check Health Care Bus Single Asset Rei in 11 U.S.C. § 10 Railroad Stockbroker Commodity Bro Clearing Bank	al Estate as d 01 (51B)	lefined	<ul> <li>Chapte</li> <li>Chapte</li> <li>Chapte</li> <li>Chapte</li> <li>Chapte</li> <li>Chapte</li> </ul>	er 7 er 9 er 11 er 12		led (Check one box) hapter 15 Petition for F a Foreign Main Proce hapter 15 Petition for F a Foreign Nonmain Pr	eding Recognition
Chapter 15 Debtors	Other						e of Debts	
Chapter 15 Debtors         Tax-Exempt Entity         Country of debtor's center of main interests:         Each country in which a foreign proceeding by, regarding, or against debtor is pending:         Debtor is a tax-exempt organizatio under Title 26 of the United States Code (the Internal Revenue Code).			es	defined "incurre	re primarily co in 11 U.S.C. § ed by an indivi nal, family, or	onsumer debts, § 101(8) as idual primarily	busin	s are primarily ess debts.
Filing Fee (Check one box	)	Check or	e box:		Chap	ter 11 Debt	ors	
<ul> <li>Filing Fee to be paid in installments (applicable to individuals only). Must attach signed application for the court's consideration certifying that the debtor is unable to pay fee except in installments. Rule 1006(b). See Official Form 3A.</li> <li>Filing Fee waiver requested (applicable to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B.</li> </ul>				a small busin egate noncon \$2,343,300 ( <i>d</i> boxes: ag filed with of the plan w	ness debtor as o ntingent liquida <i>amount subject</i> this petition.	defined in 11 U ated debts (exc t to adjustment	C. § 101(51D). J.S.C. § 101(51D). cluding debts owed to insi on 4/01/13 and every three one or more classes of cr	ee years thereafter).
<ul> <li>Statistical/Administrative Information</li> <li>■ Debtor estimates that funds will be available</li> <li>□ Debtor estimates that, after any exempt properties will be no funds available for distribution</li> </ul>	erty is excluded and a	dministrativ		es paid,		THIS	SPACE IS FOR COURT	USE ONLY
1- 50- 100- 200- 49 99 199 999	□ □ 1,000- 5,001- 5,000 10,000	10,001- 2	25,001- 50,000	50,001- 100,000	OVER 100,000			
\$50,000 \$100,000 \$500,000 to \$1 to	\$1,000,001 \$10,000,001 \$10 to \$50 million million	\$50,000,001 \$ to \$100 t	] 6100,000,001 o \$500 nillion	5500,000,001 to \$1 billion	More than \$1 billion			
\$50,000 \$100,000 \$500,000 to \$1 t	\$1,000,001 \$10,000,001 o \$10 to \$50 nillion million	\$50,000,001 \$ to \$100 t	] 6100,000,001 o \$500 nillion	\$500,000,001 to \$1 billion				

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B1 (Official For	m 1)(12/11) Document	Page 2 01 30	Page 2
Voluntar	y Petition	Name of Debtor(s):	
(This page m	• ust be completed and filed in every case)	Fort Lamar Propertie	es, LLC
This page mi	All Prior Bankruptcy Cases Filed Within Las	<b>8 Vears</b> (If more than two	attach additional sheet)
Location	An Thor Danki upicy Cases Filed Within Las	Case Number:	Date Filed:
Where Filed:	- None -		
Location Where Filed:		Case Number:	Date Filed:
Pe	nding Bankruptcy Case Filed by any Spouse, Partner, or	Affiliate of this Debtor (If a	more than one, attach additional sheet)
Name of Deb - None -	or:	Case Number:	Date Filed:
District:		Relationship:	Judge:
	Exhibit A	(To be completed if debtor is ar	Exhibit B n individual whose debts are primarily consumer debts.)
forms 10K a pursuant to a and is reque	bleted if debtor is required to file periodic reports (e.g., and 10Q) with the Securities and Exchange Commission Section 13 or 15(d) of the Securities Exchange Act of 1934 sting relief under chapter 11.) A is attached and made a part of this petition.	have informed the petitioner 12, or 13 of title 11, United	
		ibit C	
Exhibit If this is a jo	leted by every individual debtor. If a joint petition is filed, ea D completed and signed by the debtor is attached and made	a part of this petition.	
	<b>Information Regardi</b> r (Check any ag	-	
	Debtor has been domiciled or has had a residence, princip days immediately preceding the date of this petition or for	al place of business, or princ	
	There is a bankruptcy case concerning debtor's affiliate, go	eneral partner, or partnership	pending in this District.
	Debtor is a debtor in a foreign proceeding and has its print this District, or has no principal place of business or assets proceeding [in a federal or state court] in this District, or th sought in this District.	in the United States but is a	defendant in an action or
	Certification by a Debtor Who Reside (Check all app		al Property
	Landlord has a judgment against the debtor for possession		checked, complete the following.)
	(Name of landlord that obtained judgment)		
	(Address of landlord)		
	Debtor claims that under applicable nonbankruptcy law, the entire monetary default that gave rise to the judgment		
	Debtor has included in this petition the deposit with the co after the filing of the petition.		-

Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(l)).

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DI (Official Form 1)(12/11)	Page 3 Name of Debtor(s):
Voluntary Petition	Fort Lamar Properties, LLC
(This page must be completed and filed in every case)	
Signature(s) of Debtor(s) (Individual/Joint)         I declare under penalty of perjury that the information provided in this petition is true and correct.         [If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12, or 13 of tile 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7.         [If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by 11 U.S.C. §342(b).         I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.	Signature of a Foreign Representative         I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition.         (Check only one box.)       I request relief in accordance with chapter 15 of title 11. United States Code. Certified copies of the documents required by 11 U.S.C. §1515 are attached.         Pursuant to 11 U.S.C. §1511, I request relief in accordance with the chapter of title 11 specified in this petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.
	X
X	X
X	Printed Name of Foreign Representative
Signature of Joint Debior	Date
Telephone Number (If not represented by attorney)	Signature of Non-Attorney Bankruptcy Petition Preparer
Date Signature of Attorney*	I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document
X /s/ Jared Mitnick Signature of Attorney for Debtor(s) Jared Mitnick 477022 Printed Name of Attorney for Debtor(s) Daniel Mitnick & Associates, P.C.	and the notices and information required under 11 U.S.C. §§ 110(b), 110(h), and 342(b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required in that section. Official Form 19 is attached.
Firm Name 3780 Mansell Rd. Suite 450 Alpharetta, GA 30022 Address	Social-Security number (If the bankrutpcy petition preparer is not an individual, state the Social Security number of the officer, principal, responsible person or partner of the bankruptcy petition preparer.)(Required by 11 U.S.C. § 110.)
Email: thefirm@mitnicklaw.com 770-408-7000 Fax: 770-408-7001	
Telephone Number	
November 2, 2012	Address
Date *In a case in which § 707(b)(4)(D) applies, this signature also constitutes a certification that the attorney has no knowledge after an inquiry that the information in the schedules is incorrect.	X
Signature of Debtor (Corporation/Partnership)	Date Signature of bankruptcy petition preparer or officer, principal, responsible
I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.	person,or partner whose Social Security number is provided above. Names and Social-Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is
The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.	not an individual:
X /s/ Therrell Murphy, Jr.	
Signature of Authorized Individual	
Therrell Murphy, Jr.	If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.
Printed Name of Authorized Individual	
Managing Member Title of Authorized Individual	A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in
November 2, 2012	fines or imprisonment or both. 11 U.S.C. §110; 18 U.S.C. §156.
Date	

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B7 (Official Form 7) (04/10)

# **United States Bankruptcy Court** Northern District of Georgia

Fort Lamar Properties, LLC In re

Debtor(s)

Case No. Chapter

11

# STATEMENT OF FINANCIAL AFFAIRS

This statement is to be completed by every debtor. Spouses filing a joint petition may file a single statement on which the information for both spouses is combined. If the case is filed under chapter 12 or chapter 13, a married debtor must furnish information for both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. An individual debtor engaged in business as a sole proprietor, partner, family farmer, or self-employed professional, should provide the information requested on this statement concerning all such activities as well as the individual's personal affairs. To indicate payments, transfers and the like to minor children, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. § 112; Fed. R. Bankr. P. 1007(m).

Questions 1 - 18 are to be completed by all debtors. Debtors that are or have been in business, as defined below, also must complete Questions 19 - 25. If the answer to an applicable question is "None," mark the box labeled "None." If additional space is needed for the answer to any question, use and attach a separate sheet properly identified with the case name, case number (if known), and the number of the question.

#### DEFINITIONS

"In business." A debtor is "in business" for the purpose of this form if the debtor is a corporation or partnership. An individual debtor is "in business" for the purpose of this form if the debtor is or has been, within six years immediately preceding the filing of this bankruptcy case, any of the following: an officer, director, managing executive, or owner of 5 percent or more of the voting or equity securities of a corporation; a partner, other than a limited partner, of a partnership; a sole proprietor or self-employed full-time or part-time. An individual debtor also may be "in business" for the purpose of this form if the debtor engages in a trade, business, or other activity, other than as an employee, to supplement income from the debtor's primary employment.

"Insider." The term "insider" includes but is not limited to: relatives of the debtor; general partners of the debtor and their relatives; corporations of which the debtor is an officer, director, or person in control; officers, directors, and any owner of 5 percent or more of the voting or equity securities of a corporate debtor and their relatives; affiliates of the debtor and insiders of such affiliates; any managing agent of the debtor. 11 U.S.C. § 101.

### 1. Income from employment or operation of business

None State the gross amount of income the debtor has received from employment, trade, or profession, or from operation of the debtor's business, including part-time activities either as an employee or in independent trade or business, from the beginning of this calendar year to the date this case was commenced. State also the gross amounts received during the two years immediately preceding this calendar year. (A debtor that maintains, or has maintained, financial records on the basis of a fiscal rather than a calendar year may report fiscal year income. Identify the beginning and ending dates of the debtor's fiscal year.) If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income of both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

> AMOUNT SOURCE

#### 2. Income other than from employment or operation of business

None State the amount of income received by the debtor other than from employment, trade, profession, or operation of the debtor's business during the two years immediately preceding the commencement of this case. Give particulars. If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income for each spouse whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

> AMOUNT SOURCE

#### 3. Payments to creditors

None Complete a. or b., as appropriate, and c.

a. *Individual or joint debtor(s) with primarily consumer debts.* List all payments on loans, installment purchases of goods or services, and other debts to any creditor made within **90 days** immediately preceding the commencement of this case unless the aggregate value of all property that constitutes or is affected by such transfer is less than \$600. Indicate with an (\*) any payments that were made to a creditor on account of a domestic support obligation or as part of an alternative repayment schedule under a plan by an approved nonprofit budgeting and credit counseling agency. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS	DATES OF		AMOUNT STILL
OF CREDITOR	PAYMENTS	AMOUNT PAID	OWING

None b. Debtor whose debts are not primarily consumer debts: List each payment or other transfer to any creditor made within **90 days** immediately preceding the commencement of the case unless the aggregate value of all property that constitutes or is affected by such transfer is less than \$5,850<sup>\*</sup>. If the debtor is an individual, indicate with an asterisk (\*) any payments that were made to a creditor on account of a domestic support obligation or as part of an alternative repayment schedule under a plan by an approved nonprofit budgeting and credit counseling agency. (Married debtors filing under chapter 12 or chapter 13 must include payments and other transfers by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

	DATES OF PAYMENTS/	AMOUNI PAID OR VALUE OF	AMOUNT STILL
NAME AND ADDRESS OF CREDITOR	TRANSFERS	TRANSFERS	OWING

None c. *All debtors:* List all payments made within **one year** immediately preceding the commencement of this case to or for the benefit of creditors who are or were insiders. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR AND RELATIONSHIP TO DEBTOR

DATE OF PAYMENT

AMOUNT PAID

A MOLINIT

AMOUNT STILL OWING

2

#### 4. Suits and administrative proceedings, executions, garnishments and attachments

None a. List all suits and administrative proceedings to which the debtor is or was a party within **one year** immediately preceding the filing of this bankruptcy case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

CAPTION OF SUIT AND CASE NUMBER Renasant Bank, successor in interest to Crescent Bank & Trust Company v. Fort Lamar Properties, LLC NATURE OF PROCEEDING Power of Sale contained in a certain Deed to Secure Debt COURT OR AGENCY AND LOCATION Franklin County, GA STATUS OR DISPOSITION Pending

None b. Describe all property that has been attached, garnished or seized under any legal or equitable process within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF PERSON FOR WHOSE BENEFIT PROPERTY WAS SEIZED

DATE OF SEIZURE

DESCRIPTION AND VALUE OF PROPERTY

\* Amount subject to adjustment on 4/01/13, and every three years thereafter with respect to cases commenced on or after the date of adjustment.

				, et al.				
	5. Repossessions, foreclosures an	d returns						
None	List all property that has been repossessed by a creditor, sold at a foreclosure sale, transferred through a deed in lieu of foreclosure or returned to the seller, within <b>one year</b> immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)							
	AND ADDRESS OF FOR OR SELLER	DATE OF REPOSSESSION, FORECLOSURE SALE, TRANSFER OR RETURN	DESCRIPTION AN PROPE					
	6. Assignments and receiverships	8						
None	this case. (Married debtors filing un	erty for the benefit of creditors made with nder chapter 12 or chapter 13 must include buses are separated and a joint petition is r	e any assignment by e					
NAME A	ND ADDRESS OF ASSIGNEE	DATE OF ASSIGNMENT	TERMS OF ASSIC	INMENT OR SETTLEMENT				
None	preceding the commencement of th	in the hands of a custodian, receiver, or co is case. (Married debtors filing under chap whether or not a joint petition is filed, unle	oter 12 or chapter 13	must include information concerning				
		NAME AND LOCATION						
	ND ADDRESS USTODIAN	OF COURT CASE TITLE & NUMBER	DATE OF ORDER	DESCRIPTION AND VALUE OF PROPERTY				
	7. Gifts							
None	and usual gifts to family members a aggregating less than \$100 per recip	ions made within <b>one year</b> immediately p aggregating less than \$200 in value per inc pient. (Married debtors filing under chapte ot a joint petition is filed, unless the spour	dividual family memb er 12 or chapter 13 m	er and charitable contributions ust include gifts or contributions by				
	E AND ADDRESS OF OR ORGANIZATION	RELATIONSHIP TO DEBTOR, IF ANY	DATE OF GIFT	DESCRIPTION AND VALUE OF GIFT				
	8. Losses							
None	since the commencement of this c	casualty or gambling within <b>one year</b> im <b>ase.</b> (Married debtors filing under chapter ion is filed, unless the spouses are separat	12 or chapter 13 mus	st include losses by either or both				
	PTION AND VALUE PROPERTY	DESCRIPTION OF C LOSS WAS COVERE BY INSURANCE,		PART DATE OF LOSS				
	9. Payments related to debt coun	seling or bankruptcy						
None		transferred by or on behalf of the debtor t ef under the bankruptcy law or preparation is case.						
	ND ADDRESS PAYEE	DATE OF PAYMENT NAME OF PAYOR IF OT THAN DEBTOR	·	AMOUNT OF MONEY OR DESCRIPTION AND VALUE OF PROPERTY				
Daniel M 3780 Ma Suite 45	/litnick & Associates, P.C. ansell Rd.	November 2, 2012		\$1,000.00				

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				4
	<b>10.</b> Other transfers			
None	transferred either absolutely or as	an property transferred in the ordinary security within <b>two years</b> immediately 13 must include transfers by either or petition is not filed.)	y preceding the commenceme	ent of this case. (Married debtors
	ND ADDRESS OF TRANSFEREE ELATIONSHIP TO DEBTOR	DATE	DESCRIBE PROPER AND VALU	TY TRANSFERRED JE RECEIVED
None	b. List all property transferred by trust or similar device of which th	the debtor within <b>ten years</b> immediate e debtor is a beneficiary.	ely preceding the commencer	nent of this case to a self-settled
NAME O	F TRUST OR OTHER	DATE(S) OF TRANSFER(S)		EY OR DESCRIPTION AND TY OR DEBTOR'S INTEREST
	11. Closed financial accounts			
None	otherwise transferred within <b>one</b> y financial accounts, certificates of cooperatives, associations, broker	truments held in the name of the debto year immediately preceding the commu- deposit, or other instruments; shares and age houses and other financial institution counts or instruments held by or for e and a joint petition is not filed.)	encement of this case. Includ nd share accounts held in bar ons. (Married debtors filing	e checking, savings, or other iks, credit unions, pension funds, under chapter 12 or chapter 13 must
NAME A	ND ADDRESS OF INSTITUTION	TYPE OF ACCOU DIGITS OF ACCO AND AMOUNT OF	UNT NUMBER,	AMOUNT AND DATE OF SALE OR CLOSING
	12. Safe deposit boxes			
None	immediately preceding the comme	a or depository in which the debtor has encement of this case. (Married debtor uses whether or not a joint petition is fi	s filing under chapter 12 or c	hapter 13 must include boxes or
	ND ADDRESS OF BANK HER DEPOSITORY	NAMES AND ADDRESSES OF THOSE WITH ACCESS TO BOX OR DEPOSITORY	DESCRIPTION OF CONTENTS	DATE OF TRANSFER OR SURRENDER, IF ANY
	13. Setoffs			
None	commencement of this case. (Mar	or, including a bank, against a debt or ried debtors filing under chapter 12 or ition is filed, unless the spouses are se	chapter 13 must include info	ormation concerning either or both
NAME A	ND ADDRESS OF CREDITOR	DATE OF SETOFF		AMOUNT OF SETOFF
	14. Property held for another p	erson		
None	List all property owned by anothe	r person that the debtor holds or contro	ols.	
NAME A	ND ADDRESS OF OWNER	DESCRIPTION AND VALUE OF P	ROPERTY LOCATION	OF PROPERTY
	15. Prior address of debtor			
None		ree years immediately preceding the c acated prior to the commencement of t		
ADDRES	S	NAME USED		DATES OF OCCUPANCY

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#### 16. Spouses and Former Spouses

None

If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within **eight years** immediately preceding the commencement of the case, identify the name of the debtor's spouse and of any former spouse who resides or resided with the debtor in the community property state.

#### NAME

#### 17. Environmental Information.

For the purpose of this question, the following definitions apply:

"Environmental Law" means any federal, state, or local statute or regulation regulating pollution, contamination, releases of hazardous or toxic substances, wastes or material into the air, land, soil, surface water, groundwater, or other medium, including, but not limited to, statutes or regulations regulating the cleanup of these substances, wastes, or material.

"Site" means any location, facility, or property as defined under any Environmental Law, whether or not presently or formerly owned or operated by the debtor, including, but not limited to, disposal sites.

"Hazardous Material" means anything defined as a hazardous waste, hazardous substance, toxic substance, hazardous material, pollutant, or contaminant or similar term under an Environmental Law

None a. List the name and address of every site for which the debtor has received notice in writing by a governmental unit that it may be liable or potentially liable under or in violation of an Environmental Law. Indicate the governmental unit, the date of the notice, and, if known, the Environmental Law:

	NAME AND ADDRESS OF	DATE OF	ENVIRONMENTAL
SITE NAME AND ADDRESS	GOVERNMENTAL UNIT	NOTICE	LAW

None b. List the name and address of every site for which the debtor provided notice to a governmental unit of a release of Hazardous Material. Indicate the governmental unit to which the notice was sent and the date of the notice.

	NAME AND ADDRESS OF	DATE OF	ENVIRONMENTAL
SITE NAME AND ADDRESS	GOVERNMENTAL UNIT	NOTICE	LAW

None c. List all judicial or administrative proceedings, including settlements or orders, under any Environmental Law with respect to which the debtor is or was a party. Indicate the name and address of the governmental unit that is or was a party to the proceeding, and the docket number.

# NAME AND ADDRESS OF GOVERNMENTAL UNIT

DOCKET NUMBER

STATUS OR DISPOSITION

#### 18. Nature, location and name of business

None a. *If the debtor is an individual*, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was an officer, director, partner, or managing executive of a corporation, partner in a partnership, sole proprietor, or was self-employed in a trade, profession, or other activity either full- or part-time within **six years** immediately preceding the commencement of this case, or in which the debtor owned 5 percent or more of the voting or equity securities within **six years** immediately preceding the commencement of this case.

*If the debtor is a partnership*, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities, within **six years** immediately preceding the commencement of this case.

*If the debtor is a corporation*, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities within **six years** immediately preceding the commencement of this case.

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					6
NAME Fort Lar Properti		LAST FOUR DIGITS OF SOCIAL-SECURITY OR OTHER INDIVIDUAL TAXPAYER-I.D. NO. (ITIN)/ COMPLETE EIN <b>27-0504348</b>	ADDRESS Registered Agent Lisa Shippel 5755 Northpoint Pkwy, #9 Alpharetta, GA 30022	NATURE OF BUSINESS Real Estate Development 00	BEGINNING AND ENDING DATES <b>7/14/2004 - Current</b>
None	b. Identify any l	ousiness listed in response to	subdivision a., above, that is "	single asset real estate" as defined	in 11 U.S.C. § 101.
NAME			ADDRESS		
been, with owner of r proprietor (An in within six	nin <b>six years</b> imme more than 5 percer , or self-employed <i>ndividual or joint</i>	ediately preceding the comm nt of the voting or equity sec l in a trade, profession, or ot debtor should complete this y preceding the commencem	nencement of this case, any of the curities of a corporation; a partne her activity, either full- or part- te portion of the statement <b>only</b> is	or partnership and by any individu ne following: an officer, director, n er, other than a limited partner, of time. <i>f the debtor is or has been in busi</i> <i>tas not been in business within the</i>	nanaging executive, or E a partnership, a sole ness, as defined above,
	19. Books, reco	rds and financial statemen	ıts		
None		ceepers and accountants who ceeping of books of account		preceding the filing of this bankr	uptcy case kept or
Sterling 3500 Pa Suite 50	AND ADDRESS Farms, LLC Irkway Lane 00 is, GA 30092			DATES SERVICES 07/14/2004 - Pres	
None		or individuals who within th ecords, or prepared a financ		ding the filing of this bankruptcy	case have audited the books
NAME		ADDRESS		DATES SERVICES	RENDERED
None			ne of the commencement of this t and records are not available, of	case were in possession of the bo explain.	ooks of account and records
NAME			ADD	RESS	
None			d other parties, including merca ediately preceding the commence	ntile and trade agencies, to whom rement of this case.	a financial statement was
NAME A	AND ADDRESS			DATE ISSUED	
	20. Inventories				
None		of the last two inventories to mount and basis of each inve		e of the person who supervised the	e taking of each inventory,
DATE O	F INVENTORY	INVENTORY	(SUPERVISOR	DOLLAR AMOUN (Specify cost, marke	

None	b. List the name and address of the p	person having possession of the records of each of t	7 the two inventories reported in a., above.
DATE O	FINVENTORY	NAME AND ADDRESSES RECORDS	OF CUSTODIAN OF INVENTORY
	21 . Current Partners, Officers, Di	irectors and Shareholders	
None	a. If the debtor is a partnership, list t	he nature and percentage of partnership interest of	each member of the partnership.
NAME A	ND ADDRESS	NATURE OF INTEREST	PERCENTAGE OF INTEREST
None		all officers and directors of the corporation, and ear of the voting or equity securities of the corporation	
Sterling 3500 Pa Suite 50	ND ADDRESS Farms, LLC rkway Lane 0 s, GA 30092	TITLE Sole Member	NATURE AND PERCENTAGE OF STOCK OWNERSHIP 100% Ownership
3500 Pa Suite 50	Murphy, Jr. rkway Lane 0 s, GA 30092	Managing Member of Sterling Farms, LLC	100% Ownership
	22 . Former partners, officers, dire	ectors and shareholders	
None	a. If the debtor is a partnership, list e commencement of this case.	each member who withdrew from the partnership w	within <b>one year</b> immediately preceding the
NAME		ADDRESS	DATE OF WITHDRAWAL
None	b. If the debtor is a corporation, list a immediately preceding the comment	all officers, or directors whose relationship with the cement of this case.	e corporation terminated within <b>one year</b>
NAME A	ND ADDRESS	TITLE	DATE OF TERMINATION
	23 . Withdrawals from a partnersh	nip or distributions by a corporation	
None		oration, list all withdrawals or distributions credite edemptions, options exercised and any other perqui	
OF RECI	: ADDRESS PIENT, DNSHIP TO DEBTOR	DATE AND PURPOSE OF WITHDRAWAL	AMOUNT OF MONEY OR DESCRIPTION AND VALUE OF PROPERTY
None		e name and federal taxpayer identification number of debtor has been a member at any time within <b>six y</b> o	

### NAME OF PARENT CORPORATION

TAXPAYER IDENTIFICATION NUMBER (EIN)

# Case 12-77423 Doc 1 Filed 11/02/12 Entered 11/02/12 15:40:02 Desc Main Document Page 11 of 30

25. Pension Funds.

None If the debtor is not an individual, list the name and federal taxpayer-identification number of any pension fund to which the debtor, as an employer, has been responsible for contributing at any time within **six years** immediately preceding the commencement of the case.

NAME OF PENSION FUND

TAXPAYER IDENTIFICATION NUMBER (EIN)

### DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF CORPORATION OR PARTNERSHIP

I declare under penalty of perjury that I have read the answers contained in the foregoing statement of financial affairs and any attachments thereto and that they are true and correct to the best of my knowledge, information and belief.

Date November 2, 2012

S

Signature /s/ Therrell Murphy, Jr. Therrell Murphy, Jr. Managing Member

[An individual signing on behalf of a partnership or corporation must indicate position or relationship to debtor.]

Penalty for making a false statement: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. \$\$ 152 and 3571

Case 12-77423 Doc 1

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B4 (Official Form 4) (12/07)

# United States Bankruptcy Court Northern District of Georgia

In re Fort Lamar Properties, LLC

Debtor(s)

Case No. Chapter 11

# LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

Following is the list of the debtor's creditors holding the 20 largest unsecured claims. The list is prepared in accordance with Fed. R. Bankr. P. 1007(d) for filing in this chapter 11 [*or* chapter 9] case. The list does not include (1) persons who come within the definition of "insider" set forth in 11 U.S.C. § 101, or (2) secured creditors unless the value of the collateral is such that the unsecured deficiency places the creditor among the holders of the 20 largest unsecured claims. If a minor child is one of the creditors holding the 20 largest unsecured claims, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See 11 U.S.C. § 112; Fed. R. Bankr. P. 1007(m).

(2)	(3)	(4)	(5)
Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted	Nature of claim (trade debt, bank loan, government contract, etc.)	Indicate if claim is contingent, unliquidated, disputed, or subject to setoff	Amount of claim [if secured, also state value of security]
Sterling Farms, LLC 3500 Parkway Lane Suite 500 Norcross, GA 30092	Mechanic's Invoice for Labor, Services, Supply of Materials for listed property in Schedule A		602,910.00
Sterling Farms, LLC 3500 Parkway Lane Suite 500 Norcross, GA 30092	Debt incurred to pay interest on loans and property taxes		60,785.98
	Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted Sterling Farms, LLC 3500 Parkway Lane Suite 500 Norcross, GA 30092 Sterling Farms, LLC 3500 Parkway Lane Suite 500	Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contactedNature of claim (trade debt, bank loan, government contract, etc.)Sterling Farms, LLC 3500 Parkway Lane Suite 500 Norcross, GA 30092Mechanic's Invoice for Labor, Services, Supply of Materials for listed property in Schedule ASterling Farms, LLC 3500 Parkway Lane Suite 500Debt incurred to pay interest on loans and property	Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contactedNature of claim (trade debt, bank loan, government contract, etc.)Indicate if claim is contingent, unliquidated, disputed, or subject to setoffSterling Farms, LLC 3500 Parkway Lane Suite 500 Norcross, GA 30092Mechanic's Invoice for Labor, Services, Supply of Materials for listed property in Schedule AMechanic's Invoice for Labor, Services, Supply of Materials for listed property in Schedule A

Case 12-77423 Doc 1

### Filed 11/02/12 Entered 11/02/12 15:40:02 Desc Main Document Page 13 of 30

B4 (Official Form 4) (12/07) - Cont. In re Fort Lamar Properties, LLC

Debtor(s)

Case No.

# LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

(Continuation Sheet)

(1)	(2)	(3)	(4)	(5)
Name of creditor and complete mailing address including zip code	Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted	Nature of claim (trade debt, bank loan, government contract, etc.)	Indicate if claim is contingent, unliquidated, disputed, or subject to setoff	Amount of claim [if secured, also state value of security]

# DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF A CORPORATION OR PARTNERSHIP

I, the Managing Member of the corporation named as the debtor in this case, declare under penalty of perjury that I have read the foregoing list and that it is true and correct to the best of my information and belief.

Date November 2, 2012

Signature /s/ Therrell Murphy, Jr. Therrell Murphy, Jr. Managing Member

Penalty for making a false statement or concealing property: Fine of up to \$500,000 or imprisonment for up to 5 years or both. 18 U.S.C. §§ 152 and 3571.

### Doc 1 Filed 11/02/12 Entered 11/02/12 15:40:02 Desc Main Document Page 14 of 30

B6A (Official Form 6A) (12/07)

In re

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### Fort Lamar Properties, LLC

Case No.

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Debtor

# **SCHEDULE A - REAL PROPERTY**

Except as directed below, list all real property in which the debtor has any legal, equitable, or future interest, including all property owned as a cotenant, community property, or in which the debtor has a life estate. Include any property in which the debtor holds rights and powers exercisable for the debtor's own benefit. If the debtor is married, state whether husband, wife, both, or the marital community own the property by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the debtor holds no interest in real property, write "None" under "Description and Location of Property."

Do not include interests in executory contracts and unexpired leases on this schedule. List them in Schedule G - Executory Contracts and Unexpired Leases.

If an entity claims to have a lien or hold a secured interest in any property, state the amount of the secured claim. See Schedule D. If no entity claims to hold a secured interest in the property, write "None" in the column labeled "Amount of Secured Claim." If the debtor is an individual or if a joint petition is filed, state the amount of any exemption claimed in the property only in Schedule C - Property Claimed as Exempt.

Description and Location of Property	Nature of Debtor's Interest in Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption	Amount of Secured Claim
Single Family Dwelling (1,211 Square Feet w/ 1,211 Partially Finished Basement), Wood Frame with Lap Siding, with a Wood Pole Barn, Metal Utility Barn, Storage Building, Storage Shed, with 127 acres of fenced pasture on a total of 142.56 acres; Location: 1899 Bishop Carey Road, Daniesville, Madison County, GA 30633 Tax Parcel # 0022-056 Deed Book 724, Page 20, 262nd GMD FMV of \$790,000 listed from appraisal conducted by Renasant Bank on March 2012	Fee simple	-	1,085,000.00	684,782.54
Vacant Land (47.81 acres) located at Roberts Road, Carnesville, Franklin County, GA 30521; Tax Parcel 011-070 FMV of \$295,000 listed from appraisal conducted by Renasant Bank on March 2012 Deed Book 905, Page 12 Plat Book 26, Page 900 812th GMD				

Sub-Total > 1,085,000.00

(Total of this page)

## Doc 1 Filed 11/02/12 Entered 11/02/12 15:40:02 Desc Main Document Page 15 of 30

B6B (Official Form 6B) (12/07)

In re

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Fort Lamar	Properties,	LLC
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Case No.

Debtor

# **SCHEDULE B - PERSONAL PROPERTY**

Except as directed below, list all personal property of the debtor of whatever kind. If the debtor has no property in one or more of the categories, place an "x" in the appropriate position in the column labeled "None." If additional space is needed in any category, attach a separate sheet properly identified with the case name, case number, and the number of the category. If the debtor is married, state whether husband, wife, both, or the marital community own the property by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the debtor is an individual or a joint petition is filed, state the amount of any exemptions claimed only in Schedule C - Property Claimed as Exempt.

Do not list interests in executory contracts and unexpired leases on this schedule. List them in Schedule G - Executory Contracts and Unexpired Leases.

If the property is being held for the debtor by someone else, state that person's name and address under "Description and Location of Property." If the property is being held for a minor child, simply state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

	Type of Property	N O N E	Description and Location of Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption
1.	Cash on hand	x			
2.	Checking, savings or other financial accounts, certificates of deposit, or shares in banks, savings and loan, thrift, building and loan, and homestead associations, or credit unions, brokerage houses, or cooperatives.	X			
3.	Security deposits with public utilities, telephone companies, landlords, and others.	X			
4.	Household goods and furnishings, including audio, video, and computer equipment.	X			
5.	Books, pictures and other art objects, antiques, stamp, coin, record, tape, compact disc, and other collections or collectibles.	x			
6.	Wearing apparel.	x			
7.	Furs and jewelry.	х			
8.	Firearms and sports, photographic, and other hobby equipment.	X			
9.	Interests in insurance policies. Name insurance company of each policy and itemize surrender or refund value of each.	x			
10.	Annuities. Itemize and name each issuer.	X			

0.00

**2** continuation sheets attached to the Schedule of Personal Property

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B6B (Official Form 6B) (12/07) - Cont.

In re

Fort Lamar Properties, LLC

Case No.

# **SCHEDULE B - PERSONAL PROPERTY**

(Continuation Sheet)

Debtor

	Type of Property	N O N E	Description and Location of Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption
11.	Interests in an education IRA as defined in 26 U.S.C. § 530(b)(1) or under a qualified State tuition plan as defined in 26 U.S.C. § 529(b)(1). Give particulars. (File separately the record(s) of any such interest(s). 11 U.S.C. § 521(c).)	X			
12.	Interests in IRA, ERISA, Keogh, or other pension or profit sharing plans. Give particulars.	x			
13.	Stock and interests in incorporated and unincorporated businesses. Itemize.	x			
14.	Interests in partnerships or joint ventures. Itemize.	X			
15.	Government and corporate bonds and other negotiable and nonnegotiable instruments.	X			
16.	Accounts receivable.	х			
17.	Alimony, maintenance, support, and property settlements to which the debtor is or may be entitled. Give particulars.	x			
18.	Other liquidated debts owed to debtor including tax refunds. Give particulars.	X			
19.	Equitable or future interests, life estates, and rights or powers exercisable for the benefit of the debtor other than those listed in Schedule A - Real Property.	x			
20.	Contingent and noncontingent interests in estate of a decedent, death benefit plan, life insurance policy, or trust.	x			
21.	Other contingent and unliquidated claims of every nature, including tax refunds, counterclaims of the debtor, and rights to setoff claims. Give estimated value of each.	x			

Sheet <u>1</u> of <u>2</u> continuation sheets attached to the Schedule of Personal Property

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**B6B** (Official Form 6B) (12/07) - Cont.

In re Fort Lamar Properties, LLC Case No. Debtor **SCHEDULE B - PERSONAL PROPERTY** (Continuation Sheet) Current Value of Debtor's Interest in Property, Husband, N O N E Wife, Type of Property Description and Location of Property Joint, or without Deducting any Community Secured Claim or Exemption 22. Patents, copyrights, and other Х intellectual property. Give particulars. 23. Licenses, franchises, and other Х general intangibles. Give particulars. 24. Customer lists or other compilations Х containing personally identifiable information (as defined in 11 U.S.C. § 101(41A)) provided to the debtor by individuals in connection with obtaining a product or service from

25. Automobiles, trucks, trailers, and other vehicles and accessories.

Х

Х

x x

Х

Х

Х

the debtor primarily for personal, family, or household purposes.

- 26. Boats, motors, and accessories.
- 27. Aircraft and accessories.
- 28. Office equipment, furnishings, and supplies.
- 29. Machinery, fixtures, equipment, and supplies used in business.
- 30. Inventory. X
- 32. Crops growing or harvested. Give **X** particulars.

31. Animals.

- 33. Farming equipment and **X** implements.
- 34. Farm supplies, chemicals, and feed.
- 35. Other personal property of any kind **X** not already listed. Itemize.

Doc 1

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B6D (Official Form 6D) (12/07)

In re

Fort Lamar Properties, LLC

Case No.

# SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS

Debtor

State the name, mailing address, including zip code, and last four digits of any account number of all entities holding claims secured by property of the debtor as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. List creditors holding all types of secured interests such as judgment liens, garnishments, statutory liens, mortgages, deeds of trust, and other security interests.

other security interests. List creditors in alphabetical order to the extent practicable. If a minor child is a creditor, the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m). If all secured creditors will not fit on this page, use the continuation sheet provided. If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor", include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H", "W", "J", or "C" in the column labeled "Husband, Wife, Joint, or Community". If the claim is contingent, place an "X" in the column labeled "Contingent". If the claim is unliquidated, place an "X" in the column labeled "Unliquidated". If the claim is disputed, place an "X" in the column labeled "Disputed". (You may need to place an "X" in more than one of these three columns.) Total the columns labeled "Amount of Claim Without Deducting Value of Collateral" and "Unsecured Portion, if Any" in the boxes labeled "Total(s)" on the last sheet of the completed schedule. Report the total from the column labeled "Amount of Claim" also on the Summary of Schedules and, if the debtor is an individual with primarily consumer debts, report the total from the column labeled "Unsecured Portion" on the Statistical Summary of Certain Liabilities and Related Data. Check this box if debtor has no creditors holding secured claims to report on this Schedule D. Check this box if debtor has no creditors holding secured claims to report on this Schedule D. П

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.) Account No. xxxx0703 Renasant Bank 145 Reinhardt College Pkwy Canton, GA 30114		L C	Isband, Wife, Joint, or Community DATE CLAIM WAS INCURRED, NATURE OF LIEN, AND DESCRIPTION AND VALUE OF PROPERTY SUBJECT TO LIEN 2008 Deed to Secure Debt Single Family Dwelling (1,211 Square Feet w/ 1,211 Partially Finished Basement), Wood Frame with Lap Siding, with a Wood Pole Barn, Metal Utility Barn, Storage Building, Storage Shed, with 127 acres of fenced pasture	CONTINGENT	UNLLQULDATED	DISPUTED	AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL	UNSECURED PORTION, IF ANY
			Value \$ 1,085,000.00				177,069.30	0.00
Account No. xxxxx0701 Renasant Bank 145 Reinhardt College Pkwy Canton, GA 30114	x	-	2008 Deed to Secure Debt Single Family Dwelling (1,211 Square Feet w/ 1,211 Partially Finished Basement), Wood Frame with Lap Siding, with a Wood Pole Barn, Metal Utility Barn, Storage Building, Storage Shed, with 127 acres of fenced pasture Value \$ 1,085,000.00				507,713.24	0.00
Account No.			Value \$					
Account No.			Value \$					
<b>0</b> continuation sheets attached			S (Total of th	ubto nis p			684,782.54	0.00
				Т	otal	1	684,782.54	0.00

(Report on Summary of Schedules)

In re

#### Fort Lamar Properties, LLC

Case No.

#### Debtor

# SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS

A complete list of claims entitled to priority, listed separately by type of priority, is to be set forth on the sheets provided. Only holders of unsecured claims entitled to priority should be listed in this schedule. In the boxes provided on the attached sheets, state the name, mailing address, including zip code, and last four digits of the account number, if any, of all entities holding priority claims against the debtor or the property of the debtor, as of the date of the filing of the petition. Use a separate continuation sheet for each type of priority and label each with the type of priority.

The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. If a minor child is a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H-Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of claims listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all claims listed on this Schedule E in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules.

Report the total of amounts entitled to priority listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all amounts entitled to priority listed on this Schedule E in the box labeled "Totals" on the last sheet of the completed schedule. Individual debtors with primarily consumer debts report this total also on the Statistical Summary of Certain Liabilities and Related Data.

Report the total of amounts <u>not</u> entitled to priority listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all amounts not entitled to priority listed on this Schedule E in the box labeled "Totals" on the last sheet of the completed schedule. Individual debtors with primarily consumer debts report this total also on the Statistical Summary of Certain Liabilities and Related Data.

Check this box if debtor has no creditors holding unsecured priority claims to report on this Schedule E.

TYPES OF PRIORITY CLAIMS (Check the appropriate box(es) below if claims in that category are listed on the attached sheets)

#### □ Domestic support obligations

Claims for domestic support that are owed to or recoverable by a spouse, former spouse, or child of the debtor, or the parent, legal guardian, or responsible relative of such a child, or a governmental unit to whom such a domestic support claim has been assigned to the extent provided in 11 U.S.C. § 507(a)(1).

#### **Extensions of credit in an involuntary case**

Claims arising in the ordinary course of the debtor's business or financial affairs after the commencement of the case but before the earlier of the appointment of a trustee or the order for relief. 11 U.S.C. § 507(a)(3).

#### □ Wages, salaries, and commissions

Wages, salaries, and commissions, including vacation, severance, and sick leave pay owing to employees and commissions owing to qualifying independent sales representatives up to \$11,725\* per person earned within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(4).

#### **Contributions to employee benefit plans**

Money owed to employee benefit plans for services rendered within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(5).

#### □ Certain farmers and fishermen

Claims of certain farmers and fishermen, up to \$5,775\* per farmer or fisherman, against the debtor, as provided in 11 U.S.C. § 507(a)(6).

#### Deposits by individuals

Claims of individuals up to \$2,600\* for deposits for the purchase, lease, or rental of property or services for personal, family, or household use, that were not delivered or provided. 11 U.S.C. § 507(a)(7).

#### **Taxes and certain other debts owed to governmental units**

Taxes, customs duties, and penalties owing to federal, state, and local governmental units as set forth in 11 U.S.C. § 507(a)(8).

#### Commitments to maintain the capital of an insured depository institution

Claims based on commitments to the FDIC, RTC, Director of the Office of Thrift Supervision, Comptroller of the Currency, or Board of Governors of the Federal Reserve System, or their predecessors or successors, to maintain the capital of an insured depository institution. 11 U.S.C. § 507 (a)(9).

#### □ Claims for death or personal injury while debtor was intoxicated

Claims for death or personal injury resulting from the operation of a motor vehicle or vessel while the debtor was intoxicated from using alcohol, a drug, or another substance. 11 U.S.C. § 507(a)(10).

\* Amount subject to adjustment on 4/01/13, and every three years thereafter with respect to cases commenced on or after the date of adjustment.

#### **0** continuation sheets attached

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B6F (Official Form 6F) (12/07)

In re

Fort Lamar Properties, LLC

Case No.\_\_\_\_\_

# SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

Debtor

State the name, mailing address, including zip code, and last four digits of any account number, of all entities holding unsecured claims without priority against the debtor or the property of the debtor, as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. If a minor child is a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m). Do not include claims listed in Schedules D and E. If all creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community."

If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of all claims listed on this schedule in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules and, if the debtor is an individual with primarily consumer debts, report this total also on the Statistical Summary of Certain Liabilities and Related Data.

Check this box if debtor has no creditors holding unsecured claims to report on this Schedule F.

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E B T O R	Hu H V J C		CONT INGENT	Q U	D I S P U T E D	AMOUNT OF CLAIM
Account No. xx-xxx4348 Sterling Farms, LLC 3500 Parkway Lane Suite 500 Norcross, GA 30092		-	2006-2012 Debt incurred to pay interest on loans and property taxes	T	DATED		60,785.98
Account No. xx-xxx4348 Sterling Farms, LLC 3500 Parkway Lane Suite 500 Norcross, GA 30092		-	2010 - 2012 Mechanic's Invoice for Labor, Services, Supply of Materials for listed property in Schedule A				602,910.00
Account No.							
Account No.							
<b>_0</b> continuation sheets attached		1	(Total of t	L Sub his		-	663,695.98
			(Report on Summary of So		Fota dule	-	663,695.98

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B6G (Official Form 6G) (12/07)

In re

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#### Fort Lamar Properties, LLC

Case No.

Debtor

# SCHEDULE G - EXECUTORY CONTRACTS AND UNEXPIRED LEASES

Describe all executory contracts of any nature and all unexpired leases of real or personal property. Include any timeshare interests. State nature of debtor's interest in contract, i.e., "Purchaser", "Agent", etc. State whether debtor is the lessor or lessee of a lease. Provide the names and complete mailing addresses of all other parties to each lease or contract described. If a minor child is a party to one of the leases or contracts, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

Check this box if debtor has no executory contracts or unexpired leases.

Doc 1

Name and Mailing Address, Including Zip Code, of Other Parties to Lease or Contract Description of Contract or Lease and Nature of Debtor's Interest. State whether lease is for nonresidential real property. State contract number of any government contract. Doc 1

Filed 11/02/12 Entered 11/02/12 15:40:02 Desc Main Document Page 22 of 30

B6H (Official Form 6H) (12/07)

In re

Fort Lamar Prop	perties, L	LC
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Case No.

#### Debtor

# **SCHEDULE H - CODEBTORS**

Provide the information requested concerning any person or entity, other than a spouse in a joint case, that is also liable on any debts listed by debtor in the schedules of creditors. Include all guarantors and co-signers. If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within the eight year period immediately preceding the commencement of the case, identify the name of the debtor's spouse and of any former spouse who resides or resided with the debtor in the community property state, commonwealth, or territory. Include all names used by the nondebtor spouse during the eight years immediately preceding the commencement of this case. If a minor child is a codebtor or a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

□ Check this box if debtor has no codebtors.

NAME AND ADDRESS OF CODEBTOR

Charles C. Dinsmore 1818 Bishop Carey Road Danielsville, GA 30633

Charles C. Dinsmore 1818 Bishop Carey Road Danielsville, GA 30633 NAME AND ADDRESS OF CREDITOR

Renasant Bank 145 Reinhardt College Pkwy Canton, GA 30114

Renasant Bank 145 Reinhardt College Pkwy Canton, GA 30114 Case 12-77423 Doc 1 Filed 11/02/12 Entered 11/02/12 15:40:02 Desc Main Document Page 23 of 30

> United States Bankruptcy Court Northern District of Georgia

Lamar Properties, LLC		Case No.	
	Debtor(s)	Chapter	11

### DISCLOSURE OF COMPENSATION OF ATTORNEY FOR DEBTOR(S)

1. Pursuant to 11 U.S.C. § 329(a) and Bankruptcy Rule 2016(b), I certify that I am the attorney for the above-named debtor and that compensation paid to me within one year before the filing of the petition in bankruptcy, or agreed to be paid to me, for services rendered or to be rendered on behalf of the debtor(s) in contemplation of or in connection with the bankruptcy case is as follows:

For legal services, I have agreed to accept	\$ 2,500.00
Prior to the filing of this statement I have received	\$ 1,000.00
Balance Due	\$ 1,500.00

2. The source of the compensation paid to me was:

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In re

**Debtor Debtor** Other (specify):

3. The source of compensation to be paid to me is:

- Debtor □ Other (specify):
- 4. I have not agreed to share the above-disclosed compensation with any other person unless they are members and associates of my law firm.
  - □ I have agreed to share the above-disclosed compensation with a person or persons who are not members or associates of my law firm. A copy of the agreement, together with a list of the names of the people sharing in the compensation is attached.

5. In return for the above-disclosed fee, I have agreed to render legal service for all aspects of the bankruptcy case, including:

- a. Analysis of the debtor's financial situation, and rendering advice to the debtor in determining whether to file a petition in bankruptcy;
- b. Preparation and filing of any petition, schedules, statement of affairs and plan which may be required;
- c. Representation of the debtor at the meeting of creditors and confirmation hearing, and any adjourned hearings thereof;
- d. [Other provisions as needed]

Negotiations with secured creditors to reduce to market value; exemption planning; preparation and filing of reaffirmation agreements and applications as needed; preparation and filing of motions pursuant to 11 USC 522(f)(2)(A) for avoidance of liens on household goods.

- 6. By agreement with the debtor(s), the above-disclosed fee does not include the following service:
  - Representation of the debtors in any dischargeability actions, judicial lien avoidances, relief from stay actions or any other adversary proceeding.

## CERTIFICATION

I certify that the foregoing is a complete statement of any agreement or arrangement for payment to me for representation of the debtor(s) in this bankruptcy proceeding.

Dated:	November 2, 2012	/s/ Jared Mitnick
		Jared Mitnick 477022
		Daniel Mitnick & Associates, P.C.
		3780 Mansell Rd.
		Suite 450
		Alpharetta, GA 30022
		770-408-7000 Fax: 770-408-7001
		thefirm@mitnicklaw.com

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B6 Summary (Official Form 6 - Summary) (12/07)

# **United States Bankruptcy Court** Northern District of Georgia

In re

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Fort Lamar Properties, LLC

Debtor

Chapter\_\_\_\_\_11

# SUMMARY OF SCHEDULES

Indicate as to each schedule whether that schedule is attached and state the number of pages in each. Report the totals from Schedules A, B, D, E, F, I, and J in the boxes provided. Add the amounts from Schedules A and B to determine the total amount of the debtor's assets. Add the amounts of all claims from Schedules D, E, and F to determine the total amount of the debtor's liabilities. Individual debtors must also complete the "Statistical Summary of Certain Liabilities and Related Data" if they file a case under chapter 7, 11, or 13.

NAME OF SCHEDULE	ATTACHED (YES/NO)	NO. OF SHEETS	ASSETS	LIABILITIES	OTHER
A - Real Property	Yes	1	1,085,000.00		
B - Personal Property	Yes	3	0.00		
C - Property Claimed as Exempt	No	0			
D - Creditors Holding Secured Claims	Yes	1		684,782.54	
E - Creditors Holding Unsecured Priority Claims (Total of Claims on Schedule E)	Yes	1		0.00	
F - Creditors Holding Unsecured Nonpriority Claims	Yes	1		663,695.98	
G - Executory Contracts and Unexpired Leases	Yes	1			
H - Codebtors	Yes	1			
I - Current Income of Individual Debtor(s)	No	0			N/A
J - Current Expenditures of Individual Debtor(s)	No	0			N/A
Total Number of Sheets of ALL Schedu	ıles	9			
	Te	otal Assets	1,085,000.00		
			Total Liabilities	1,348,478.52	

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Form 6 - Statistical Summary (12/07)

# United States Bankruptcy Court

Northern District of Georgia

In re

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Fort Lamar Properties, LLC

Debtor

Case No.

Chapter\_\_\_\_\_11

# STATISTICAL SUMMARY OF CERTAIN LIABILITIES AND RELATED DATA (28 U.S.C. § 159)

If you are an individual debtor whose debts are primarily consumer debts, as defined in § 101(8) of the Bankruptcy Code (11 U.S.C.§ 101(8)), filing a case under chapter 7, 11 or 13, you must report all information requested below.

□ Check this box if you are an individual debtor whose debts are NOT primarily consumer debts. You are not required to report any information here.

#### This information is for statistical purposes only under 28 U.S.C. § 159.

## Summarize the following types of liabilities, as reported in the Schedules, and total them.

Type of Liability	Amount
Domestic Support Obligations (from Schedule E)	
Taxes and Certain Other Debts Owed to Governmental Units (from Schedule E)	
Claims for Death or Personal Injury While Debtor Was Intoxicated (from Schedule E) (whether disputed or undisputed)	
Student Loan Obligations (from Schedule F)	
Domestic Support, Separation Agreement, and Divorce Decree Obligations Not Reported on Schedule E	
Obligations to Pension or Profit-Sharing, and Other Similar Obligations (from Schedule F)	
TOTAL	

#### State the following:

Average Income (from Schedule I, Line 16)	
Average Expenses (from Schedule J, Line 18)	
Current Monthly Income (from Form 22A Line 12; OR, Form 22B Line 11; OR, Form 22C Line 20)	

#### State the following:

1. Total from Schedule D, "UNSECURED PORTION, IF ANY" column	
2. Total from Schedule E, "AMOUNT ENTITLED TO PRIORITY" column	
3. Total from Schedule E, "AMOUNT NOT ENTITLED TO PRIORITY, IF ANY" column	
4. Total from Schedule F	
5. Total of non-priority unsecured debt (sum of 1, 3, and 4)	

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B6 Declaration (Official Form 6 - Declaration). (12/07)

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In re Fort Lamar Properties, LLC

Debtor(s)

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11

# DECLARATION CONCERNING DEBTOR'S SCHEDULES

DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF CORPORATION OR PARTNERSHIP

I, the Managing Member of the corporation named as debtor in this case, declare under penalty of perjury that I have read the foregoing summary and schedules, consisting of 11 sheets, and that they are true and correct to the best of my knowledge, information, and belief.

Date November 2, 2012

Signature /s/ Therrell Murphy, Jr.

Therrell Murphy, Jr. Managing Member

Penalty for making a false statement or concealing property: Fine of up to \$500,000 or imprisonment for up to 5 years or both. 18 U.S.C. §§ 152 and 3571. Case 12-77423 Doc 1 Filed 11/02/12 Entered 11/02/12 15:40:02 Desc Main Page 27 of 30 Document

# **United States Bankruptcy Court** Northern District of Georgia

Fort Lamar Properties, LLC In re

Debtor

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LIST OF EQUITY SECURITY HOLDERS

Following is the list of the Debtor's equity security holders which is prepared in accordance with Rule 1007(a)(3) for filing in this chapter 11 case.

Name and last known address	Security	Number	Kind of
r place of business of holder	Class	of Securities	Interest

None

# DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF CORPORATION OR PARTNERSHIP

I, the Managing Member of the corporation named as the debtor in this case, declare under penalty of perjury that I have read the foregoing List of Equity Security Holders and that it is true and correct to the best of my information and belief.

November 2, 2012 Date

Signature /s/ Therrell Murphy, Jr. Therrell Murphy, Jr. **Managing Member** 

Penalty for making a false statement or concealing property: Fine of up to \$500,000 or imprisonment for up to 5 years or both. 18 U.S.C §§ 152 and 3571.

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# United States Bankruptcy Court Northern District of Georgia

In re Fort Lamar Properties, LLC

Debtor(s)

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11

# **VERIFICATION OF CREDITOR MATRIX**

I, the Managing Member of the corporation named as the debtor in this case, hereby verify that the attached list of creditors is true and

correct to the best of my knowledge.

Date: November 2, 2012

/s/ Therrell Murphy, Jr. Therrell Murphy, Jr./Managing Member Signer/Title

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Charles C. Dinsmore 1818 Bishop Carey Road Danielsville, GA 30633

Renasant Bank 145 Reinhardt College Pkwy Canton, GA 30114

Renasant Bank C/O Stuart Johnson CEO 209 Troy Street Tupelo, MS 38804

Renasant Bank C/O CT Corp. System 1201 Peachtree St, NE Atlanta, GA 30361

Sterling Farms, LLC 3500 Parkway Lane Suite 500 Norcross, GA 30092

Stokes, Lazarus & Carmichael 80 Peachtree Park Drive, NE Atlanta, GA 30309 Case 12-77423 Doc 1 Filed 11/02/12 Entered 11/02/12 15:40:02 Desc Main Document Page 30 of 30

# United States Bankruptcy Court Northern District of Georgia

In re Fort Lamar Properties, LLC

Debtor(s)

Case No. Chapter

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# CORPORATE OWNERSHIP STATEMENT (RULE 7007.1)

Pursuant to Federal Rule of Bankruptcy Procedure 7007.1 and to enable the Judges to evaluate possible disqualification or recusal, the undersigned counsel for **Fort Lamar Properties, LLC** in the above captioned action, certifies that the following is a (are) corporation(s), other than the debtor or a governmental unit, that directly or indirectly own(s) 10% or more of any class of the corporation's(s') equity interests, or states that there are no entities to report under FRBP 7007.1:

■ None [*Check if applicable*]

November 2, 2012

Date

/s/ Jared Mitnick Jared Mitnick 477022 Signature of Attorney or Litigant Counsel for Fort Lamar Properties, LLC Daniel Mitnick & Associates, P.C. 3780 Mansell Rd. Suite 450 Alpharetta, GA 30022 770-408-7000 Fax:770-408-7001 thefirm@mitnicklaw.com