

Fill in this information to identify your case:

United States Bankruptcy Court for the:

EASTERN DISTRICT OF KENTUCKY

Case number (if known)

Chapter you are filing under:

- Chapter 7
- Chapter 11
- Chapter 12
- Chapter 13

Check if this an amended filing

Official Form 201

Voluntary Petition for Non-Individuals Filing for Bankruptcy

12/15

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 DS Realty, 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) 26-4699990

4. Debtor's address Principal place of business Mailing address, if different from principal place of business
1681 Georgetown Road Paris, KY 40361
Bourbon County
Location of principal assets, if different from principal place of business

5. Debtor's website (URL)

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

Debtor **DS Realty, 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(53AB))
- 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. §80a-3)

C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor.
See <http://www.naics.com/search/>.

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 \$2,490,925 (amount subject to adjustment on 4/01/16 and every three 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 operation, 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 to you _____
 District _____ When _____ Case number, if known _____

Debtor **DS Realty, 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

1-49

50-99

100-199

200-999

1,000-5,000

5001-10,000

10,001-25,000

25,001-50,000

50,001-100,000

More than 100,000

15. Estimated Assets

\$0 - \$50,000

\$50,001 - \$100,000

\$100,001 - \$500,000

\$500,001 - \$1 million

\$1,000,001 - \$10 million

\$10,000,001 - \$50 million

\$50,000,001 - \$100 million

\$100,000,001 - \$500 million

\$500,000,001 - \$1 billion

\$1,000,000,001 - \$10 billion

\$10,000,000,001 - \$50 billion

More than \$50 billion

16. Estimated liabilities

\$0 - \$50,000

\$50,001 - \$100,000

\$100,001 - \$500,000

\$500,001 - \$1 million

\$1,000,001 - \$10 million

\$10,000,001 - \$50 million

\$50,000,001 - \$100 million

\$100,000,001 - \$500 million

\$500,000,001 - \$1 billion

\$1,000,000,001 - \$10 billion

\$10,000,000,001 - \$50 billion

More than \$50 billion

Debtor **DS Realty, LLC**
Name

Case number (if known)

Request for Relief, Declaration, and Signature

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 January 11, 2016
MM / DD / YYYY

X /s/ Daniel E. Sexton
Signature of authorized representative of debtor

Title Member

Daniel E. Sexton
Printed name

18. Signature of attorney

X /s/ Michael W. McClain
Signature of attorney for debtor

Date January 11, 2016
MM / DD / YYYY

Michael W. McClain
Printed name

McClain DeWees, PLLC
Firm name

**6008 Brownsboro Park Boulevard
Suite H
Louisville, KY 40207**
Number, Street, City, State & ZIP Code

Contact phone 502.749.2388 Email address mmclain@mcclaindewees.com

89396
Bar number and State

Fill in this information to identify the case:

Debtor name DS Realty, LLC

United States Bankruptcy Court for the: EASTERN DISTRICT OF KENTUCKY

Case number (if known): _____

Check if this is an amended filing

Official Form 204

Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders 12/15

A list of creditors holding the 20 largest unsecured claims must be filed in a Chapter 11 or Chapter 9 case. Include claims which the debtor disputes. Do not include claims by any person or entity who is an insider, as defined in 11 U.S.C. § 101(31). Also, do not include claims by secured creditors, unless the unsecured claim resulting from inadequate collateral value places the creditor among the holders of the 20 largest unsecured claims.

Name of creditor and complete mailing address, including zip code	Name, telephone number and email address of creditor contact	Nature of claim (for example, trade debts, bank loans, professional services, and government contracts)	Indicate if claim is contingent, unliquidated, or disputed	Amount of claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
				Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
Forcht Bank, NA 2404 Sir Barton Way Lexington, KY 40509		All of Tract 2 (30.774 acres) as shown on Plat for Sexton's of record in Plat Cabinet 6 Slide 2261, Scott County, Clerk's Office, reference to which		\$175,852.42	\$765,000.00	\$135,335.82

Apex Fund Services C/F Ceres Tax Receiva
c/o TLS Unlimited
P.O. Box 6845
Lincoln NE 68508

Crown Castle, PT
2000 Corporate Drive
Canonsburg PA 15317

Farmers Deposit Bank, Inc.
c/o Brian Bennett
Stites & Harbison, PLLC400 West Mark
400 West Market Street, Suite 1800
Louisville KY 40202

Forcht Bank, NA
2404 Sir Barton Way
Lexington KY 40509

Wesley R. Tipton, Esq.
Tipton & Tipton
404 Roy Kidd Avenue
P.O. Drawer 1284
Corbin KY 40702

**United States Bankruptcy Court
Eastern District of Kentucky**

In re DS Realty, LLC

Debtor(s)

Case No.
Chapter

11

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 DS Realty, 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*]

January 11, 2016
Date

/s/ Michael W. McClain
Michael W. McClain
Signature of Attorney or Litigant
Counsel for **DS Realty, LLC**
McClain DeWees, PLLC
6008 Brownsboro Park Boulevard
Suite H
Louisville, KY 40207
502.749.2388 Fax:888.779.7428
mmclain@mcclaindewees.com

**United States Bankruptcy Court
Eastern District of Kentucky**

In re DS Realty, LLC

Debtor(s)

Case No.
Chapter

11

STATEMENT REGARDING AUTHORITY TO SIGN AND FILE PETITION

I, **Daniel E. Sexton**, declare under penalty of perjury that I am the **Sole Member** of **DS Realty, LLC**, and that the following is a true and correct copy of the resolutions adopted by the Sole Member of said limited liability company at a special meeting duly called and held on the 11th day of January, 2016.

"Whereas, it is in the best interest of this limited liability company to file a voluntary petition in the United States Bankruptcy Court pursuant to Chapter 11 of Title 11 of the United States Code;

Be It Therefore Resolved, that **Daniel E. Sexton**, Sole Member of this limited liability company, is authorized and directed to execute and deliver all documents necessary to perfect the filing of a chapter 11 voluntary bankruptcy case on behalf of the limited liability company; and

Be It Further Resolved, that **Daniel E. Sexton**, Sole Member of this limited liability company is authorized and directed to appear in all bankruptcy proceedings on behalf of the limited liability company, and to otherwise do and perform all acts and deeds and to execute and deliver all necessary documents on behalf of the limited liability company in connection with such bankruptcy case, and

Be It Further Resolved, that **Daniel E. Sexton**, Sole Member of this limited liability company is authorized and directed to employ **Michael W. McClain**, attorney and the law firm of **McClain DeWees, PLLC** to represent the limited liability company in such bankruptcy case."

Date January 11, 2016

Signed /s/ Daniel E. Sexton
Daniel E. Sexton

Resolution of the Sole Member
of
DS Realty, LLC

Whereas, it is in the best interest of this corporation to file a voluntary petition in the the United States Bankruptcy Court pursuant to Chapter 11 of Title 11 of the United States Code;

Be It Therefore Resolved, that **Daniel E. Sexton**, Sole Member of this limited liability company, is authorized and directed to execute and deliver all documents necessary to perfect the filing of a chapter 11 voluntary bankruptcy case on behalf of the limited liability company; and

Be It Further Resolved, that **Daniel E. Sexton**, Sole Member of this limited liability company is authorized and directed to appear in all bankruptcy proceedings on behalf of the limited liability company, and to otherwise do and perform all acts and deeds and to execute and deliver all necessary documents on behalf of the limited liability company in connection with such bankruptcy case, and

Be It Further Resolved, that **Daniel E. Sexton**, Sole Member of this limited liability company is authorized and directed to employ **Michael W. McClain**, attorney and the law firm of **McClain DeWees, PLLC** to represent the limited liability company in such bankruptcy case.

Date January 11, 2016

Signed /s/ Daniel E. Sexton

Date January 11, 2016

Signed /s/ Daniel E. Sexton