B1 (Official Form 1)(1/08)

United States Bankruptcy Court Eastern District of North Carolina						Volui	ntary Petition	
Name of Debtor (if individual, enter Last, First, Middle): Twiford, William Brantley Sr.				Name of Joint Debtor (Spouse) (Last, First, Middle): Twiford, Sandra Kay				
All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names):			All Ot (inclue	her Names le married,	used by the J maiden, and	loint Debtor trade names	in the last 8 ye ):	ars
Last four digits of Soc. Sec. or Individual-Taxpa (if more than one, state all) <b>xxx-xx-7833</b>	yer I.D. (ITIN) No./C	Complete EIN	(if mor	our digits o e than one, s	tate all)	Individual-	Гахрауег I.D. (	(ITIN) No./Complete EIN
Street Address of Debtor (No. and Street, City, a 226 Airport Road Manteo, NC	nd State):	ZIP Code	220	Address of 6 Airport nteo, NC	Road	(No. and St	reet, City, and	State): ZIP Code
	2	27954						27954
County of Residence or of the Principal Place of <b>Dare</b>	Business:		Count Da	-	ence or of the	Principal Pla	ace of Busines	s:
Mailing Address of Debtor (if different from stre PO Box 355 Manteo, NC	et address):		PO	Box 35 nteo, NC	5	or (if differe	nt from street a	address):
Wanteo, NC		ZIP Code	IVIA	meo, NC	,			ZIP Code
	2	27954						27954
Location of Principal Assets of Business Debtor (if different from street address above):								
<b>Type of Debtor</b> (Form of Organization)		f Business one box)					otcy Code Und led (Check on	
(Check one box)	Health Care Bus	,		Chapt		retuton is ri	ieu (Check on	e box)
Individual (includes Joint Debtors)	Single Asset Re		efined	Chapt				ion for Recognition
See Exhibit D on page 2 of this form.	in 11 U.S.C. § 1 □ Railroad	01 (51B)		Chapt		_	a Foreign Ma	e
□ Corporation (includes LLC and LLP)	Stockbroker			Chapt				ion for Recognition main Proceeding
□ Partnership	Commodity Bro	ker		Chapt	er 15	01	a i oreign ivoi	iniani i rocceding
Other (If debtor is not one of the above entities,	Other					Natur	e of Debts	
check this box and state type of entity below.)	Tax-Exer	npt Entity				(Checl	c one box)	
	(Check box, Debtor is a tax-e under Title 26 o Code (the Intern	f the United	States	defined "incurr	are primarily co d in 11 U.S.C. § ed by an indivi onal, family, or	§ 101(8) as dual primarily		Debts are primarily business debts.
Filing Fee (Check on	e box)		Check	one box:		Chapter 11	Debtors	
Full Filing Fee attached								U.S.C. § 101(51D).
☐ Filing Fee to be paid in installments (application)			Check		not a small bi	usiness debto	or as defined if	n 11 U.S.C. § 101(51D).
attach signed application for the court's consi is unable to pay fee except in installments. R	ule 1006(b). See Offic	ial Form 3A.		Debtor's a to insiders	s or affiliates)			s (excluding debts owed
☐ Filing Fee waiver requested (applicable to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B.				A plan is Acceptant	ble boxes: being filed wi ces of the plan creditors, in a	n were solici		from one or more § 1126(b).
Statistical/Administrative Information						THIS	SPACE IS FOR	COURT USE ONLY
<ul> <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	administrative		es paid,				
Estimated Number of Creditors						1		
1- 50- 100- 200-	1,000-         5,001-           5,000         10,000		] 5,001- 0,000	50,001- 100,000	OVER 100,000			
\$50,000 \$100,000 \$500,000 to \$1 t	1,000,001 \$10,000,001 o \$10 to \$50 nillion million	to \$100 to	] 100,000,001 5 \$500 nillion	\$500,000,001 to \$1 billion				
Estimated Liabilities	\$1,000,001 \$10,000,001 o \$10 to \$50	\$50,000,001 \$ to \$100 to	] 100,000,001 5 \$500	\$500,000,001 to \$1 billion				
million	nillion million	million n	nillion					

## Case 09-03546-8-RDD Doc 1 Filed 04/30/09 Entered 04/30/09 15:06:59 Page 2 of 62

	y Petition	Name of Debtor(s): Twiford, William Brar	ntley Sr.
(This page mi	ust be completed and filed in every case)	Twiford, Sandra Kay	
	All Prior Bankruptcy Cases Filed Within Las		attach additional sheet)
location Where Filed:	- None -	Case Number:	Date Filed:
ocation Vhere Filed:		Case Number:	Date Filed:
Pe	ending Bankruptcy Case Filed by any Spouse, Partner, or	Affiliate of this Debtor (If n	nore than one, attach additional sheet)
ame of Deb		Case Number:	Date Filed:
Twiford, LL	-C	09-03499-8-RDD	4/29/09
District: Eastern Dis	strict North Carolina	Relationship: Sole Member	Judge: Judge Doub
	Exhibit A	(To be completed if debter is an	<b>Exhibit B</b> individual whose debts are primarily consumer debts.)
forms 10K a pursuant to and is reque	pleted 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 usting 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 S	
Exhibit 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.	-
	Information Regardir		лі.
	(Check any ap	pplicable box)	
	Debtor has been domiciled or has had a residence, princip days immediately preceding the date of this petition or for		
	There is a bankruptcy case concerning debtor's affiliate, get	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 the 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		l 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.	ourt of any rent that would be	come due during the 30-day period

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

B1 (Official Form 1)(1/08)	Page 3
Voluntary Petition	Name of Debtor(s): Twiford, William Brantley Sr.
(This page must be completed and filed in every case)	Twiford, Sandra Kay
	atures
Signature(s) of Debtor(s) (Individual/Joint)	Signature of a Foreign Representative
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 title 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. <b>X</b> /s/ William Brantley Twiford, Sr. Signature of Debtor William Brantley Twiford, Sr. <b>X</b> /s/ Sandra Kay Twiford	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 
Signature of Joint Debtor Sandra Kay Twiford	Date
Telephone Number (If not represented by attorney)	Signature of Non-Attorney Bankruptcy Petition Preparer
April 30, 2009	Signature of from Autorney Dunkruptey Feution Freparer
Date	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
Signature of Attorney*	compensation and have provided the debtor with a copy of this document
~-g,	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
X _/s/ George Mason Oliver	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
Signature of Attorney for Debtor(s)	of the maximum amount before preparing any document for filing for a
George Mason Oliver 26587 Printed Name of Attorney for Debtor(s)	debtor or accepting any fee from the debtor, as required in that section. Official Form 19 is attached.
Oliver and Friesen, PLLC	Printed Name and title, if any, of Bankruptcy Petition Preparer
Firm Name PO Box 1548 New Bern, NC 28563	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
Address	preparer.)(Required by 11 U.S.C. § 110.)
Email: gmo@oliverandfriesen.com 252-633-1930 Fax: 252-633-1950 Telephone Number	
April 30, 2009	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
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.	Signature of Bankruptcy Petition Preparer or officer, principal, responsible 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	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	
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 fines or imprisonment or both 11 U.S.C. §110; 18 U.S.C. §156.
Date	

B 1D(Official Form 1, Exhibit D) (12/08)

## United States Bankruptcy Court Eastern District of North Carolina

William Brantley Twiford, Sr. In re Sandra Kay Twiford

Debtor(s)

Case No. Chapter

11

## EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE WITH CREDIT COUNSELING REQUIREMENT

Warning: You must be able to check truthfully one of the five statements regarding credit counseling listed below. If you cannot do so, you are not eligible to file a bankruptcy case, and the court can dismiss any case you do file. If that happens, you will lose whatever filing fee you paid, and your creditors will be able to resume collection activities against you. If your case is dismissed and you file another bankruptcy case later, you may be required to pay a second filing fee and you may have to take extra steps to stop creditors' collection activities.

Every individual debtor must file this Exhibit D. If a joint petition is filed, each spouse must complete and file a separate Exhibit D. Check one of the five statements below and attach any documents as directed.

■ 1. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, and I have a certificate from the agency describing the services provided to me. *Attach a copy of the certificate and a copy of any debt repayment plan developed through the agency*.

 $\Box$  2. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, but I do not have a certificate from the agency describing the services provided to me. *You must file a copy of a certificate from the agency describing the services provided to you and a copy of any debt repayment plan developed through the agency no later than 15 days after your bankruptcy case is filed.* 

 $\Box$  3. I certify that I requested credit counseling services from an approved agency but was unable to obtain the services during the five days from the time I made my request, and the following exigent circumstances merit a temporary waiver of the credit counseling requirement so I can file my bankruptcy case now. [Summarize exigent circumstances here.]

If your certification is satisfactory to the court, you must still obtain the credit counseling briefing within the first 30 days after you file your bankruptcy petition and promptly file a certificate from the agency that provided the counseling, together with a copy of any debt management plan developed through the agency. Failure to fulfill these requirements may result in dismissal of your case. Any extension of the 30-day deadline can be granted only for cause and is limited to a maximum of 15 days. Your case may also be dismissed if the court is not satisfied with your reasons for filing your bankruptcy case without first receiving a credit counseling briefing.

B 1D(Official Form 1, Exhibit D) (12/08) - Cont.

□ 4. I am not required to receive a credit counseling briefing because of: [Check the applicable statement.] [Must be accompanied by a motion for determination by the court.]

 $\Box$  Incapacity. (Defined in 11 U.S.C. § 109(h)(4) as impaired by reason of mental illness or mental deficiency so as to be incapable of realizing and making rational decisions with respect to financial responsibilities.);

 $\Box$  Disability. (Defined in 11 U.S.C. § 109(h)(4) as physically impaired to the extent of being unable, after reasonable effort, to participate in a credit counseling briefing in person, by telephone, or through the Internet.);

□ Active military duty in a military combat zone.

□ 5. The United States trustee or bankruptcy administrator has determined that the credit counseling requirement of 11 U.S.C. § 109(h) does not apply in this district.

## I certify under penalty of perjury that the information provided above is true and correct.

Signature of Debtor: /s/ William Brantley Twiford, Sr. William Brantley Twiford, Sr.

Date: April 30, 2009

Case 09-03546-8-RDD Doc 1 Filed 04/30/09 Entered 04/30/09 15:06:59 Page 6 of 62 Hummingbird Credit Counseling and Education, Inc. CREDIT COUNSELING CERTIFICATION

Certificate Number: 156203-E173113O-03

# william twiford

I CERTIFY that on April 27, 2009, at 2:13 PM EDT, william twiford received from Hummingbird Credit Counseling and Education, Inc., an agency approved pursuant to 11 U.S.C. § 111 to provide credit counseling in North Carolina, Eastern District, an individual briefing (including a briefing conducted by telephone or on the Internet) that complied with the provisions of 11 U.S.C. §§ 109(h) and 111. A debt repayment plan was not prepared.

By: Victoria S. Wright, Esq.

Date: April 27, 2009

Title: Executive Director of Education



\*Individuals who wish to file a bankruptcy case under title 11 of the United States Bankruptcy Code are required to fite with the United States Bankruptcy Court a completed certificate of counseling from the nonprofit budget and credit counseling agency that provided the individual the counseling services and a copy of the debt repayment plan, if any, developed through the credit counseling agency. See 11 U.S.C. §§ 109(h) and 521(b).

B 1D(Official Form 1, Exhibit D) (12/08)

## United States Bankruptcy Court Eastern District of North Carolina

William Brantley Twiford, Sr. In re Sandra Kay Twiford

Debtor(s)

Case No. Chapter

11

## EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE WITH CREDIT COUNSELING REQUIREMENT

Warning: You must be able to check truthfully one of the five statements regarding credit counseling listed below. If you cannot do so, you are not eligible to file a bankruptcy case, and the court can dismiss any case you do file. If that happens, you will lose whatever filing fee you paid, and your creditors will be able to resume collection activities against you. If your case is dismissed and you file another bankruptcy case later, you may be required to pay a second filing fee and you may have to take extra steps to stop creditors' collection activities.

Every individual debtor must file this Exhibit D. If a joint petition is filed, each spouse must complete and file a separate Exhibit D. Check one of the five statements below and attach any documents as directed.

■ 1. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, and I have a certificate from the agency describing the services provided to me. *Attach a copy of the certificate and a copy of any debt repayment plan developed through the agency*.

 $\Box$  2. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, but I do not have a certificate from the agency describing the services provided to me. *You must file a copy of a certificate from the agency describing the services provided to you and a copy of any debt repayment plan developed through the agency no later than 15 days after your bankruptcy case is filed.* 

 $\Box$  3. I certify that I requested credit counseling services from an approved agency but was unable to obtain the services during the five days from the time I made my request, and the following exigent circumstances merit a temporary waiver of the credit counseling requirement so I can file my bankruptcy case now. [Summarize exigent circumstances here.]

If your certification is satisfactory to the court, you must still obtain the credit counseling briefing within the first 30 days after you file your bankruptcy petition and promptly file a certificate from the agency that provided the counseling, together with a copy of any debt management plan developed through the agency. Failure to fulfill these requirements may result in dismissal of your case. Any extension of the 30-day deadline can be granted only for cause and is limited to a maximum of 15 days. Your case may also be dismissed if the court is not satisfied with your reasons for filing your bankruptcy case without first receiving a credit counseling briefing.

B 1D(Official Form 1, Exhibit D) (12/08) - Cont.

□ 4. I am not required to receive a credit counseling briefing because of: [Check the applicable statement.] [Must be accompanied by a motion for determination by the court.]

 $\Box$  Incapacity. (Defined in 11 U.S.C. § 109(h)(4) as impaired by reason of mental illness or mental deficiency so as to be incapable of realizing and making rational decisions with respect to financial responsibilities.);

 $\Box$  Disability. (Defined in 11 U.S.C. § 109(h)(4) as physically impaired to the extent of being unable, after reasonable effort, to participate in a credit counseling briefing in person, by telephone, or through the Internet.);

□ Active military duty in a military combat zone.

□ 5. The United States trustee or bankruptcy administrator has determined that the credit counseling requirement of 11 U.S.C. § 109(h) does not apply in this district.

## I certify under penalty of perjury that the information provided above is true and correct.

Signature of Debtor: /s/ Sandra Kay Twiford Sandra Kay Twiford

Date: April 30, 2009

Case 09-03546-8-RDD Doc 1 Filed 04/30/09 Entered 04/30/09 15:06:59 Page 9 of 62 Hummingbird Credit Counseling and Education, Inc. CREDIT COUNSELING CERTIFICATION

Certificate Number: 156203-E173113O-03

# sandra twiford

I CERTIFY that on April 27, 2009, at 2:13 PM EDT, sandra twiford received from Hummingbird Credit Counseling and Education, Inc., an agency approved pursuant to 11 U.S.C. § 111 to provide credit counseling in North Carolina, Eastern District, an individual briefing (including a briefing conducted by telephone or on the Internet) that complied with the provisions of 11 U.S.C. §§ 109(h) and 111. A debt repayment plan was not prepared.

By: Victoria S. Wright, Esq.

Date: April 27, 2009

Title: Executive Director of Education



\*Individuals who wish to file a bankruptcy case under title 11 of the United States Bankruptcy Code are required to fite with the United States Bankruptcy Court a completed certificate of counseling from the nonprofit budget and credit counseling agency that provided the individual the counseling services and a copy of the debt repayment plan, if any, developed through the credit counseling agency. See 11 U.S.C. §§ 109(h) and 521(b).

Case 09-03546-8-RDD Doc 1 Filed 04/30/09 Entered 04/30/09 15:06:59 Page 10 of 62

B4 (Official Form 4) (12/07)

## **United States Bankruptcy Court Eastern District of North Carolina**

	William Brantley Twiford, Sr.
In re	Sandra Kay Twiford

Debtor(s)

Case No. 11 Chapter

### 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).

(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]
AGCO Attn: Manager or Agent PO Box 9263	AGCO Attn: Manager or Agent PO Box 9263	2006 Challenger Tractor, Loader w/Bucket and		22,407.00 (10,000.00
Des Moines, IA 50306 Bank of America Attn: Manager or Agent	Des Moines, IA 50306 Bank of America Attn: Manager or Agent	trailer		secured) 48,800.00
PO Box 37291 Baltimore, MD 21297-3291 Calfree Engineering	PO Box 37291 Baltimore, MD 21297-3291 Calfree Engineering			23,817.62
Attn: Manager or Agent 3048 Martins Point Road Kitty Hawk, NC 27949-3816	Attn: Manager or Agent 3048 Martins Point Road Kitty Hawk, NC 27949-3816			
Chase Card Services Attn: Manager or Agent PO Box 15153 Wilmington, DE 19886-5153	Chase Card Services Attn: Manager or Agent PO Box 15153 Wilmington, DE 19886-5153			20,141.00
Dare County Tax Dept. Attn: Manager or Agent PO Box 1000 Manteo, NC 27954	Dare County Tax Dept. Attn: Manager or Agent PO Box 1000 Manteo, NC 27954	2007 & 2008 taxes		12,038.00
First South Bank Attn: Manager or Agent 1311 Carolina Ave. Washington, NC 27889	First South Bank Attn: Manager or Agent 1311 Carolina Ave. Washington, NC 27889	Guarantee for Twiford, LLC (Sandpit)		713,452.00
First South Bank Attn: Manager or Agent 1311 Carolina Ave. Washington, NC 27889	First South Bank Attn: Manager or Agent 1311 Carolina Ave. Washington, NC 27889			27,669.00
GMAC Attn: Manager or Agent PO Box 9001951	GMAC Attn: Manager or Agent PO Box 9001951	2007 GMC Silverado Truck (VIN2GCEK13M871		20,132.00 (20,000.00
Louisville, KY 40290-1951 GMAC Mortgages, LLC Attn: Manager or Agent	Louisville, KY 40290-1951 GMAC Mortgages, LLC Attn: Manager or Agent	542935) 284 Bayview Drive, Stumpy Point, NC		secured) 156,388.00
PO Box 9001719 Louisville, KY 40290-1719	PO Box 9001719 Louisville, KY 40290-1719			(150,000.00 secured)

Software Copyright (c) 1996-2009 Best Case Solutions - Evanston, IL - (800) 492-8037

B4 (Official Form 4) (12/07) - Cont. William Brantley Twiford, Sr. Sandra Kay Twiford In re

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]
Indymac Bank Attn: Manager or Agent PO Box 78826	Indymac Bank Attn: Manager or Agent PO Box 78826	282 Bayview Drive, Stumpy Point, NC		163,228.00 (150,000.00
Phoenix, AZ 85062-8826 Indymac Bank Attn: Manager or Agent PO Box 78826 Phoenix, AZ 85062-8826	Phoenix, AZ 85062-8826 Indymac Bank Attn: Manager or Agent PO Box 78826 Phoenix, AZ 85062-8826	105 Driftwood Court, Manteo, NC		secured) 117,952.91 (100,000.00 secured)
Internal Revenue Service Attn: Insolvency I 320 Federal Place Greensboro, NC 27402	Internal Revenue Service Attn: Insolvency I 320 Federal Place Greensboro, NC 27402			31,265.00
John Deere Credit Attn: Manager or Agent PO Box 6630 Johnston, IA 50131	John Deere Credit Attn: Manager or Agent PO Box 6630 Johnston, IA 50131	Guarantee for CC of the Outer Banks, LLC (John Deere 200 Excavator)		17,350.00
Dan Ottavio 404 S Virginia Dar Trail Kill Devil Hills, NC 27948	Dan Ottavio 404 S Virginia Dar Trail Kill Devil Hills, NC 27948			800.00
RBC Bank Attn: Manager or Agent PO Box 1070 Charlotte, NC 28201-1070	RBC Bank Attn: Manager or Agent PO Box 1070 Charlotte, NC 28201-1070	226 Airport Road, Manteo, NC		115,678.65 (325,000.00 secured) (262,034.00 senior lien)
Southern Bank Attn: Manager or Agent PO Box 2037 Kill Devil Hills, NC 27948	Southern Bank Attn: Manager or Agent PO Box 2037 Kill Devil Hills, NC 27948	Guarantee for First Colony Cottage, LLC (1989 Colington Road, Kill Devil Hills, NC)		34,822.00
Stubbs & Perdue, P.A. Attn: Manager or Agent PO 1654 New Bern, NC 28562	Stubbs & Perdue, P.A. Attn: Manager or Agent PO 1654 New Bern, NC 28562			1,397.55
WilcoHess, LLC c/o Danny Harrington, Esq PO Box 1726 Greenville, NC 27835	WilcoHess, LLC c/o Danny Harrington, Esq PO Box 1726 Greenville, NC 27835			2,028.73

B4 (Official Form 4) (12/07) - Cont. William Brantley Twiford, Sr. Sandra Kay Twiford In re

Debtor(s)

Case No.

## LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

(Continuation Sheet)

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

We, William Brantley Twiford, Sr. and Sandra Kay Twiford, the debtors in this case, declare under penalty of perjury that we have read the foregoing list and that it is true and correct to the best of our information and belief.

Date April 30, 2009

/s/ William Brantley Twiford, Sr. Signature William Brantley Twiford, Sr.

Debtor

Date April 30, 2009

Signature /s/ Sandra Kay Twiford Sandra Kay Twiford Joint Debtor

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.

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

## **United States Bankruptcy Court Eastern District of North Carolina**

In re ۷ •, S

Case No.

11

Chapter\_\_\_\_\_

Debtors

## **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	2	4,420,000.00		
B - Personal Property	Yes	4	4,861,933.08		
C - Property Claimed as Exempt	Yes	4			
D - Creditors Holding Secured Claims	Yes	5		2,172,133.71	
E - Creditors Holding Unsecured Priority Claims (Total of Claims on Schedule E)	Yes	2		43,303.00	
F - Creditors Holding Unsecured Nonpriority Claims	Yes	3		890,277.90	
G - Executory Contracts and Unexpired Leases	Yes	3			
H - Codebtors	Yes	1			
I - Current Income of Individual Debtor(s)	Yes	1			20,918.33
J - Current Expenditures of Individual Debtor(s)	Yes	3			32,632.86
Total Number of Sheets of ALL Schedu	ıles	28			
	T	otal Assets	9,281,933.08		
			Total Liabilities	3,105,714.61	

Case 09-03546-8-RDD Doc 1 Filed 04/30/09 Entered 04/30/09 15:06:59 Page 13 of

62

.

Villiam	Brantley Twiford,	Sr.
Sandra	Kay Twiford	

Sr.,

Case No.

Chapter\_

## **United States Bankruptcy Court Eastern District of North Carolina**

In re William	Brantley	Twiford,
---------------	----------	----------

Sandra Kay Twiford

Debtors

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)	

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

.

In re William Brantley Twiford, Sr.,

Case	Ma		
Case	INO.		

Sandra Kay Twiford

Debtors

## **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
117 Etheridge Road, Manteo, NC 125 Etheridge Road, Manteo, NC (valued at \$750,000.00)		J	1,045,000.00	431,182.99
118 Driftwood Court, Manteo, NC (valued at \$150,000.00)				
161 Bayview Drive, Stumpy Point, NC (valued at \$145,000.00)				
101 Driftwood Court, Manteo, NC		J	100,000.00	0.00
105 Driftwood Court, Manteo, NC		J	100,000.00	117,952.91
109 Driftwood Court, Manteo, NC		J	125,000.00	57,483.71
113 Driftwood Court, Manteo, NC		J	125,000.00	41,580.97
117 Driftwood Court, Manteo, NC		J	150,000.00	41,581.93
119 Driftwood Court, Manteo, NC		J	125,000.00	0.00
121 Driftwood Court, Manteo, NC		J	150,000.00	40,566.35
120 Driftwood Court, Manteo, NC		J	150,000.00	0.00
116 Driftwood Court, Manteo, NC		J	100,000.00	0.00
114 Driftwood Court, Manteo, NC		J	175,000.00	24,782.47
977 Sir Walter Raleigh Street, Manteo, NC		J	150,000.00	0.00
Lot located at 111 Scarborough Street, Manteo, NC		J	35,000.00	27,814.51
Lot located at 821 Jackson Street, Manteo, NC		J	69,000.00	0.00
282 Bayview Drive, Stumpy Point, NC		J	150,000.00	163,228.00
		Sub-Total	> 2,749,000.00	(Total of this page)

1 continuation sheets attached to the Schedule of Real Property

B6A (Official Form 6A) (12/07) - Cont.

## In re William Brantley Twiford, Sr.,

Sandra Kay Twiford

Case	No.	

### Debtors

## **SCHEDULE A - REAL PROPERTY**

(Continuation Sheet)

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
284 Bayview Drive, Stumpy Point, NC		J	150,000.00	156,388.00
Lot located on South Virginia Dare, Nags Head, NC		J	250,000.00	105,323.00
226 Airport Road, Manteo, NC		J	325,000.00	377,712.65
2/3 interest 150 acres of swampland located at Kitty Hawk Bay Island, Kitty Hawk, NC		J	50,000.00	0.00
1/2 interest in 234 Bayview Drive, Stumpy Point, NC		н	2,500.00	0.00
232A Bayview Drive, Stumpy Point, NC		н	50,000.00	0.00
Bayview Drive, Stumpy Point, NC (PIN 977200068687)		J	10,000.00	0.00
Bayview Drive, Stumpy Point, NC (PIN 976212853695)		J	1,500.00	0.00
1 acre located off of HWY 64 Columbia, NC		J	2,000.00	0.00
4711 South Croatan HWY, Ste 2 & 3, Nags Head, NC		J	450,000.00	317,947.22
Lot 52 located at Section Q Colington Harbor, 202 East Sir Richard, Kill Devil Hills, NC		J	100,000.00	98,374.00
Lot 10 located at Pocosin Farms, Hyde County, NC		J	50,000.00	0.00
220 Airport Road, Manteo, NC		н	225,000.00	92,854.00
Lot 13 located off of Francis Drake Street, Manteo, NC		J	5,000.00	0.00

Sub-Total > **1,671,000.00** (Total of this page)

4,420,000.00

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

(Report also on Summary of Schedules)

Total >

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

William Brantley Twiford, Sr.,

Case No.	
Case no.	

In re

Sandra Kay Twiford

Debtors

## **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	Cash on Hand	J	1,000.00
2.	Checking, savings or other financial accounts, certificates of deposit, or shares in banks, savings and loan,	East Carolina Bank Checking account (ending in 6148)	J	1,487.13
	thrift, building and loan, and homestead associations, or credit unions, brokerage houses, or	State Employee Credit Union Checking account (ending in 224)	J	7,572.55
	cooperatives.	RBC Bank Checking Account ending in 1436	J	342.43
3.	Security deposits with public utilities, telephone companies, landlords, and others.	x		
4.	Household goods and furnishings, including audio, video, and computer equipment.	Misc. furnishings	J	1,000.00
5.	Books, pictures and other art objects, antiques, stamp, coin, record, tape, compact disc, and other collections or collectibles.	Coin Collection	J	1,000.00
6.	Wearing apparel.	Clothing	J	200.00
7.	Furs and jewelry.	x		
8.	Firearms and sports, photographic, and other hobby equipment.	Shotgun	н	500.00
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		

13,102.11

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

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

In re William Brantley Twiford, Sr., Case No. Sandra Kay Twiford Debtors **SCHEDULE B - PERSONAL PROPERTY** (Continuation Sheet) Current Value of Husband, N O N E Wife, Debtor's Interest in Property, Type of Property Description and Location of Property Joint, or without Deducting any Secured Claim or Exemption Community 11. Interests in an education IRA as Х 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).) 12. Interests in IRA, ERISA, Keogh, or Х other pension or profit sharing plans. Give particulars. 100% - Twiford, LLC 4,183,870.10 н 13. Stock and interests in incorporated and unincorporated businesses. 100% - Twiford Bayside, LLC 490,000.00 Itemize. н 50 % - Ocean Breeze, Inc. W 500.00 50% - Ocean Breeze, Inc. н 500.00 50% - Coastal Contractors of the Outer Banks, Inc. 0.00 н 100% - First Colony Cottage, LLC н 15,118.00 14. Interests in partnerships or joint Х ventures. Itemize. Х 15. Government and corporate bonds and other negotiable and nonnegotiable instruments. John Carlo (April Rent Due) J 2,700.00 16. Accounts receivable. Twiford, LLC н 88,742.87 17. Alimony, maintenance, support, and Х property settlements to which the debtor is or may be entitled. Give particulars. Insurance proceeds for 111 Scarborough Street, J 27,000.00 18. Other liquidated debts owed to debtor Manteo, NĊ including tax refunds. Give particulars. Х 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.

Sheet <u>1</u> of <u>3</u> continuation sheets attached to the Schedule of Personal Property

Sub-Total > **4,808** (Total of this page)

4,808,430.97

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

In	re William Brantley Twiford Sandra Kay Twiford	l, Sr.,	C	Case No	
		SCHED	Debtors <b>DULE B - PERSONAL PROPER</b> (Continuation Sheet)	ГҮ	
	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
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.	Variou	us rental judgments (defaults on rentals)	J	0.00
22.	Patents, copyrights, and other intellectual property. Give particulars.	X			
23.	Licenses, franchises, and other general intangibles. Give particulars.	X			
24.	Customer lists or other compilations 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 the debtor primarily for personal, family, or household purposes.				
25.	Automobiles, trucks, trailers, and other vehicles and accessories.		GMC Silverado Truck GCEK13M871542935)	н	20,000.00
		1999 I	Mercury Sable (VIN 1MEFM5359XA638436)	W	3,000.00
		1981 \$	SAFE mobile home (VIN 14561467802)	н	2,000.00
		1986 1	FITA mobile home (VIN 4969290702)	н	2,000.00
26.	Boats, motors, and accessories.	<b>1975</b> 1	16' Privateer (NC5803BH)	н	1,000.00
		<b>1975</b> 1	19' Privateer (NC6898AU)	н	2,000.00
27.	Aircraft and accessories.	х			
28.	Office equipment, furnishings, and supplies.	Comp	uter, desk and safe	н	400.00
29.	Machinery, fixtures, equipment, and supplies used in business.	X			
30.	Inventory.	x			

Sheet **2** of **3** continuation sheets attached to the Schedule of Personal Property

30,400.00

Sub-Total >

(Total of this page)

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

### In re William Brantley Twiford, Sr., Case No. Sandra Kay Twiford Debtors **SCHEDULE B - PERSONAL PROPERTY** (Continuation Sheet) Husband, Current Value of Debtor's Interest in Property, N O N E Wife, Type of Property Description and Location of Property Joint, or without Deducting any Secured Claim or Exemption Community 31. Animals. Х Х 32. Crops - growing or harvested. Give particulars. 2006 Challenger Tractor, Loader w/Bucket and н 10,000.00 33. Farming equipment and trailer implements. 34. Farm supplies, chemicals, and feed. Х 35. Other personal property of any kind Х not already listed. Itemize.

10,000.00

4,861,933.08

(Report also on Summary of Schedules)

Sheet <u>3</u> of <u>3</u> continuation sheets attached to the Schedule of Personal Property

Case 09-03546-8-RDD Doc 1		tered 04/30/09 15:06:59	Page 21 of
B6C (Official Form 6C) (12/07)	62		
In re William Brantley Twiford, Sr., Sandra Kay Twiford		Case No	
	Debtors	,	
SCHEDULE C -	PROPERTY CLA	IMED AS EXEMPT	
Debtor claims the exemptions to which debtor is entitled up (Check one box) ☐ 11 U.S.C. §522(b)(2) ■ 11 U.S.C. §522(b)(3)		Check if debtor claims a homestead ex 136,875.	emption that exceeds
Description of Property	Specify Law Providin Each Exemption	ng Value of Claimed Exemption	Current Value of Property Without Deducting Exemption
<u>Real Property</u> 220 Airport Road, Manteo, NC	N.C. Gen. Stat. § 1C-160	1(a)(1) 37,000.00	225,000.00
Household Goods and Furnishings Misc. furnishings	N.C. Gen. Stat. § 1C-160	1(a)(4) 1,000.00	1,000.00
Books, Pictures and Other Art Objects; Collectibles Coin Collection	N.C. Gen. Stat. § 1C-160	1(a)(4) 1,000.00	1,000.00
<u>Wearing Apparel</u> Clothing	N.C. Gen. Stat. § 1C-160	1(a)(4) 200.00	200.00
Firearms and Sports, Photographic and Other Hobb Shotgun	oy Equipment N.C. Gen. Stat. § 1C-160	1(a)(4) 500.00	500.00
<u>Automobiles, Trucks, Trailers, and Other Vehicles</u> 2007 GMC Silverado Truck (VIN2GCEK13M871542935)	N.C. Gen. Stat. § 1C-160	1(a)(3) 4,000.00	20,000.00
1999 Mercury Sable (VIN 1MEFM5359XA638436)	N.C. Gen. Stat. § 1C-160	1(a)(3) 3,000.00	3,000.00
Office Equipment, Furnishings and Supplies Computer, desk and safe	N.C. Gen. Stat. § 1C-160	1(a)(5) 400.00	400.00

Rev. 4/2006

### UNITED STATES BANKRUPTCY COURT EASTERN DISTRICT OF NORTH CAROLINA

IN THE MATTER OF: William Brantley Twiford, Sr. Sandra Kay Twiford Debtor(s). CASE NUMBER:

### SCHEDULE C-1 - PROPERTY CLAIMED AS EXEMPT

We, <u>William Brantley Twiford, Sr. and Sandra Kay Twiford</u>, claim the following property as exempt pursuant to 11 U.S.C. § 522 and the laws of the State of North Carolina, and nonbankruptcy Federal law: (Attach additional sheets if necessary).

1. NCGS 1C-1601(a)(1) (NC Const., Article X, Section 2) REAL OR PERSONAL PROPERTY USED AS A RESIDENCE OR BURIAL PLOT (The exemption is not to exceed \$18,500; however, an unmarried debtor who is 65 years of age or older is entitled to retain an aggregate interest in the property not to exceed \$37,000 in value so long as the property was previously owned by the debtor as a tenant by the entireties or as a joint tenant with rights of survivorship and the former co-owner of the property is deceased, in which case the debtor must specify his/her age and the name of the former co-owner, if a child use initials only, of the property below).

Description of Property and Address	Market <u>Value</u>	<u>(J)Joint</u>	Mortgage Holder <u>or Lien Holder</u>	Amount of Mortgage <u>or Lien</u>	Net <u>Value</u>	Pursuant to NCGS 1C-1601(a)(1)
220 Airport Road, Manteo, NC	225,000.00	н	SECU	92,854.00	132,146.00	37,000.00

Debtor's Age:

Name of former co-owner:

### VALUE OF REAL ESTATE CLAIMED AS EXEMPT PURSUANT TO NCGS 1C-1601(a)(1): \$ 37,000.00

2. NCGS 1C-1601(a)(3) MOTOR VEHICLE (The exemption in one vehicle is not to exceed \$3,500).

Model, Year <u>Style of Auto</u>		Owner (H)Husband (W)Wife (J)Joint	Lien Holder	Amount of <u>Lien</u>	Net <u>Value</u>	Value Claimed as Exempt Pursuant to NCGS 1C-1601(a)(3)
1999 Mercury Sable (VIN 1MEFM5359XA638 436)	3,000.00	W			3,000.00	3,000.00
2007 GMC Silverado Truck (VIN2GCEK13M871 542935)	20,000.00	Н	GMAC	20,132.00	0.00	4,000.00

### VALUE OF MOTOR VEHICLE CLAIMED AS EXEMPT PURSUANT TO NCGS 1C-1601(a)(3): \$ 7,000.00

3. NCGS 1C-1601(a)(4) (NC Const., Article X, Section 1) PERSONAL OR HOUSEHOLD GOODS (The debtor's aggregate interest is not to exceed \$5,000 plus \$1,000 for each dependent of the debtor, not to exceed \$4,000 total for dependents). The number of dependents for exemption purposes is <u>0</u>.

Description of Property	Market	Owner (H)Husband (W)Wife <u>(J)Joint</u>	Lien <u>Holder</u>	Amount <u>of Lien</u>	Net <u>Value</u>	Claimed as Exempt Pursuant to NCGS <u>1C-1601(a)(4)</u>
Clothing	200.00	J			200.00	200.00
Coin Collection	1,000.00	J			1,000.00	1,000.00
Misc. furnishings	1,000.00	J			1,000.00	1,000.00
Shotgun	500.00	Н			500.00	500.00

VALUE CLAIMED AS EXEMPT PURSUANT TO NCGS 1C-1601(a)(4): \$ 2,700.00

4. NCGS 1C-1601(a)(5) TOOLS OF TRADE (The debtor's aggregate interest is not to exceed \$2,000 in value).

	Market	Owner (H)Husband (W)Wife	Lien	Amount of		
Description	<u>Value</u>	(J)Joint	<u>Holder</u>	<u>Lien</u>	<u>Value</u>	Pursuant to NCGS 1C-1601(a)(5)
Computer, desk	400.00	н			400.00	400.00
and safe						

### VALUE CLAIMED AS EXEMPT PURSUANT TO NCGS 1C-1601(a)(5): \$ 400.00

### 5. NCGS 1C-1601(a)(6) LIFE INSURANCE (NC Const., Article X, Section 5).

Description/Insured/Last Four Digits of Policy Number/Beneficiary(if child, initials only)	Cash Value
Description (insured Last 1 our Digits of 1 oncy Number Denenciary (in china, initials only)	value
-NONE-	

6. NCGS 1C-1601(a)(7) PROFESSIONALLY PRESCRIBED HEALTH AIDS (For Debtor or Debtor's Dependents, no limit on value).

### Description -NONE-

7. NCGS 1C-1601(a)(8) COMPENSATION FOR PERSONAL INJURY, INCLUDING COMPENSATION FROM PRIVATE DISABILITY POLICIES OR ANNUITIES, OR COMPENSATION FOR DEATH OF A PERSON UPON WHOM THE DEBTOR WAS DEPENDENT FOR SUPPORT. COMPENSATION NOT EXEMPT FROM RELATED LEGAL, HEALTH OR FUNERAL EXPENSE.

Description AND Source of Compensation, Including Name (If child, initials only) & Last Four Digits of Account Number of any Disability Policy/Annuity -NONE-

8. NCGS 1C-1601(a)(2) ANY PROPERTY (Debtor's aggregate interest in any property is not to exceed \$5,000 in value of any unused exemption amount to which the debtor is entitled under NCGS 1C-1601(a)(1)).

		Owner (H)Husband				
Description of Property	Market	(Ŵ)Wife	Lien	Amount	Net	Value Claimed as Exempt
and Address	<u>Value</u>	(J)Joint	<u>Holder</u>	<u>of Lien</u>	<u>Value</u>	Pursuant to NCGS 1C-1601(a)(2)
-NONE-						

### VALUE CLAIMED AS EXEMPT PURSUANT TO NCGS 1C-1601(a)(2): \$ 0.00

9. NCGS 1C-1601(a)(9) and 11 U.S.C. § 522 INDIVIDUAL RETIREMENT PLANS & RETIREMENT FUNDS, as defined in the Internal Revenue Code, and any plan treated in the same manner as an individual retirement plan, including individual retirement accounts and Roth retirement accounts as described in §§ 408(a) and 408A of the Internal Revenue Code, individual retirement annuities as described in § 408(b) of the Internal Revenue Code, accounts established as part of a trust described in § 408(c) of the Internal Revenue Code, and funds in an account exempt from taxation under § 401, 403, 408, 408A, 414, 457, or 510(a) of the Internal Revenue Code. For purposes of this subdivision, "Internal Revenue Code" means Code as defined in G.S. 105-228.90.

Type of Account\Location of Account\Last Four Digits of Account Number
-NONE-

10. NCGS 1C-1601(a)(10) FUNDS IN A COLLEGE SAVINGS PLAN, as qualified under § 529 of the Internal Revenue Code, and that are not otherwise excluded from the estate pursuant to 11 U.S.C. §§ 541(b)(5)-(6), (e), not to exceed a cumulative limit of \$25,000. If funds were placed in a college savings plan within the 12 months prior to filing, the contributions must have been made in the ordinary course of the debtor's financial affairs and must have been consistent with the debtor's past pattern of contributions. The exemption applies to funds for a child of the debtor that will actually be used for the child's college or university expenses.

College Savings Plan\Last Four Digits of Account Number\Value\Initials of Child Beneficiary
-NONE-

# Case 09-03546-8-RDD Doc 1 Filed 04/30/09 Entered 04/30/09 15:06:59 Page 24 of 62

11. NCGS 1C-1601(a)(11) RETIREMENT BENEFITS UNDER THE RETIREMENT PLANS OF OTHER STATES AND GOVERNMENTAL UNITS OF OTHER STATES (The debtor's interest is exempt only to the extent that these benefits are exempt under the laws of the state or governmental unit under which the benefit plan is established).

Name of Retirement Plan\State Governmental Unit\Last Four Digits of Identifying Number	
-NONE-	

12. NCGS 1C-1601(a)(12) ALIMONY, SUPPORT, SEPARATE MAINTENANCE, AND CHILD SUPPORT PAYMENTS OR FUNDS THAT HAVE BEEN RECEIVED OR TO WHICH THE DEBTOR IS ENTITLED (The debtor's interest is exempt to the extent the payments or funds are reasonably necessary for the support of the debtor or any dependent of the debtor).

Type of Support/Amount/Location of Funds	
-NONE-	

13. TENANCY BY THE ENTIRETY. The following property is claimed as exempt pursuant to 11 U.S.C. § 522 and the law of the State of North Carolina pertaining to property held as tenants by the entirety.

Description of	Market	Lien	Amount	Net
Property and Address	<u>Value</u>	Holder	<u>of Lien</u>	Value
-NONE-				

### VALUE CLAIMED AS EXEMPT: \$

0.00

### 14. NORTH CAROLINA PENSION FUND EXEMPTIONS

-NONE-

15. OTHER EXEMPTIONS CLAIMED UNDER LAWS OF THE STATE OF NORTH CAROLINA

-NONE-

16. FEDERAL PENSION FUND EXEMPTIONS

-NONE-

17. OTHER EXEMPTIONS CLAIMED UNDER NONBANKRUPTCY FEDERAL LAW

-NONE-

18. RECENT PURCHASES

(a). List tangible personal property purchased by the debtor within ninety (90) days of the filing of the bankruptcy petition.

	Market	Lien	Amount	Net
Description	<u>Value</u>	Holder	<u>of Lien</u>	<u>Value</u>
-NONE-				

(b). List any tangible personal property from 18(a) that is directly traceable to the liquidation or conversion of property that may be exempt and that was not acquired by transferring or using additional property.

Description of Replacement Property	Description of Property Liquidated or Converted that May Be Exempt

19. The debtor's property is subject to the following claims:

- a. Of the United States or its agencies as provided by federal law.
- b. Of the State of North Carolina or its subdivisions for taxes, appearance bonds or fiduciary bonds;
- c. Of a lien by a laborer for work done and performed for the person claiming the exemption, but only as to the specific property affected.
- d. Of a lien by a mechanic for work done on the premises, but only as to the specific property affected.
- e. For payment of obligations contracted for the purchase of specific real property affected.
- f. For contractual security interests in specific property affected; provided, that the exemptions shall apply to the debtor's household goods notwithstanding any contract for a nonpossessory, nonpurchase money security interest in any such goods.
- g. For statutory liens, on the specific property affected, other than judicial liens.
- h. For child support, alimony or distributive award order pursuant to Chapter 50 of the General Statutes of North Carolina.
- i. For criminal restitution orders docketed as civil judgments pursuant to G.S. 15A-1340.38.
- j. Debts of a kind specified in 11 U.S.C. § 523(a)(1) (certain taxes), (5) (domestic support obligations).
- k. Debts of a kind specified in 11 U.S.C. § 522(c).

None of the property listed in paragraph 18(a), except qualified replacement property under 18(b), has been included in this claim of exemptions.

None of the claims listed in paragraph 19 is subject to this claim of exemptions.

I declare that to the extent any exemptions I have claimed appear on its face to exceed the amount allowed by the applicable statute, I claim only the maximum amount allowed by statute.

UNSWORN DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF INDIVIDUAL TO SCHEDULE C-1 - PROPERTY CLAIMED AS EXEMPT

We, <u>William Brantley Twiford, Sr. and Sandra Kay Twiford</u>, declare under penalty of perjury that I have read the foregoing Schedule C-1 - Property Claimed as Exempt, consisting of 4 sheets, and that they are true and correct to the best of my knowledge, information and belief.

Executed on: April 30, 2009

/s/ William Brantley Twiford, Sr. William Brantley Twiford, Sr.

/s/ Sandra Kay Twiford

Sandra Kay Twiford

Joint Debtor

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

#### In re William Brantley Twiford, Sr.,

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

Sandra Kay Twiford

Debtors

## SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS

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.

Husband, Wife, Joint, or Community AMOUNT OF UNLIQUIDATED DISPUTED CODEBTOR CONTINGENT CREDITOR'S NAME CLAIM DATE CLAIM WAS INCURRED, Н **UNSECURED** AND MAILING ADDRESS WITHOUT NATURE OF LIEN, AND DESCRIPTION AND VALUE W PORTION, IF INCLUDING ZIP CODE, DEDUCTING J J ANY AND ACCOUNT NUMBER VALUE OF OF PROPERTY (See instructions above.) COLLATERAL SUBJECT TO LIEN 2006 Challenger Tractor, Loader Account No. w/Bucket and trailer AGCO Attn: Manager or Agent PO Box 9263 J Des Moines, IA 50306 Value \$ 10,000.00 12,407.00 22,407.00 Deed of Trust Account No. xxxxxxxxxxxx0010 117 Etheridge Road, Manteo, NC 125 Etheridge Road, Manteo, NC (valued at \$750,000.00) 118 Driftwood Court, Manteo, NC (valued at \$150,000.00) BB&T Attn: Manager or Agent PO Box 580003 Х J 161 Bayview Drive, Stumpy Point, NC Charlotte, NC 28258 (valued at \$145,000.00) Value \$ 1,045,000.00 431,182.99 0.00 Account No. xxxxxxxx x0004 Deed of Trust 113 Driftwood Court, Manteo, NC BB&T Attn: Manager or Agent PO Box 580003 X J Charlotte, NC 28258 Value \$ 125,000.00 41,580.97 0.00 Account No. xxxxxxxx x0003 Deed of Trust 117 Driftwood Court, Manteo, NC **BB&T** Attn: Manager or Agent PO Box 580003 XJ Charlotte, NC 28258 Value \$ 150.000.00 0.00 41,581.93 Subtotal 536,752.89 12,407.00

(Total of this page)

continuation sheets attached

Copyright (c) 1996-2009 - Best Case Solutions - Evanston, IL - (800) 492-8037

B6D (Official Form 6D) (12/07) - Cont.

In re William Brantley Twiford, Sr.,

Sandra Kay Twiford

Debtors

## **SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS**

(Continuation Sheet)

Sheet <u>1</u> of <u>4</u> continuation sheets at Schedule of Creditors Holding Secured Claim		ed t	o (Total of	Sub this			355,197.33	0.00
			Value \$ 35,000.00				27,814.51	0.00
Gateway Bamk & Trust, Co. Attn: Manager or Agent PO Box 1908 Elizabeth City, NC 27906-1908		J	Lot located at 111 Scarborough Street, Manteo, NC					
Account No. Loan #x0726			Deed of Trust					
BB&T Attn: Manager or Agent PO Box 1255 Winston Salem, NC 27102	x	J	120 Driftwood Court, Manteo, NC     Value \$     150,000.00				0.00	0.00
Account No.	+		Deed of Trust					
PO Box 580506 Charlotte, NC 27258-0506		J	Value \$ 325,000.00				262,034.00	0.00
BB&T Attn: Manager or Agent			226 Airport Road, Manteo, NC					
Account No. xxxxx0079		T	Deed of Trust				·	
BB&T Attn: Manager or Agent PO Box 580003 Charlotte, NC 28258	×	J	Value \$ 175,000.00				24,782.47	0.00
Account No. XXXXXXXX X0007	+		Deed of Trust 114 Driftwood Court, Manteo, NC					
A	╉	_	Value \$ 150,000.00	+			40,566.35	0.00
BB&T Attn: Manager or Agent PO Box 580003 Charlotte, NC 28258		J	121 Driftwood Court, Manteo, NC		D			
(See instructions.) Account No. <b>xxxxxxxx x0005</b>	O R	c	OF PROPERTY SUBJECT TO LIEN Deed of Trust	N G E N T	D A T E	D	COLLATERAL	
CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER	CO D E B T	H V J	NATURE OF LIEN, AND DESCRIPTION AND VALUE			S P	AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF	UNSECURED PORTION, IF ANY

Copyright (c) 1996-2009 - Best Case Solutions - Evanston, IL - (800) 492-8037

B6D (Official Form 6D) (12/07) - Cont.

In re William Brantley Twiford, Sr.,

Sandra Kay Twiford

Case No.	

Debtors

## SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS

(Continuation Sheet)

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions.)		H V J C	band, Wife, Joint, or Community DATE CLAIM WAS INCURRED, NATURE OF LIEN, AND DESCRIPTION AND VALUE OF PROPERTY SUBJECT TO LIEN	CONT INGENT	UNLLQULDATE	E	AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL	UNSECURED PORTION, IF ANY
Account No. Gateway Bank & Trust Co. Attn: Manager or Agent PO Box 3010 Kitty Hawk, NC 27949			Deed of Trust Lot 13 located off of Francis Drake Street, Manteo, NC		E D			
	┥┼	_	Value \$ 5,000.00				0.00	0.00
Account No. Loan #4350 Gateway Bank & Trust, Co. Attn: Manager or Agent PO Box 1908 Elizabeth City, NC 27906-1908			Deed of Trust 109 Driftwood Court, Manteo, NC Value \$ 125,000.00				57,483.71	0.00
Account No. Loan #x5414	┫┼	-	Deed of Trust				57,403.71	0.00
Gateway Bank & Trust, Co. Attn: Manager or Agent PO Box 1908 Elizabeth City, NC 27906-1908			4711 South Croatan HWY, Ste 2 & 3, Nags Head, NC					
		ľ	Value \$ 450,000.00				317,947.22	0.00
Account No. xxx-xxxx-x8713 GMAC Attn: Manager or Agent PO Box 9001951 Louisville, KY 40290-1951			2007 GMC Silverado Truck (VIN2GCEK13M871542935) Value \$ 20,000.00				20,132.00	132.00
Account No. xxxxx6705	┫┼		Deed of Trust	$\square$				
GMAC Mortgages, LLC Attn: Manager or Agent PO Box 9001719 Louisville, KY 40290-1719			284 Bayview Drive, Stumpy Point, NC					
			Value \$ 150,000.00				156,388.00	6,388.00
Sheet <u>2</u> of <u>4</u> continuation sheets att Schedule of Creditors Holding Secured Clair		l to	S (Total of t	Subt his j			551,950.93	6,520.00

B6D (Official Form 6D) (12/07) - Cont.

In re William Brantley Twiford, Sr.,

Sandra Kay Twiford

Case No.	

Debtors

## **SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS**

(Continuation Sheet)

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions.)	C O D E B T O R			COZH-ZGUZH	UNLLQULDAH	D I S P U T E D	AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL	UNSECURED PORTION, IF ANY
Account No. xxxxx2669 Indymac Bank Attn: Manager or Agent PO Box 78826 Phoenix, AZ 85062-8826		J	Deed of Trust 105 Driftwood Court, Manteo, NC Value \$ 100,000.00		- E D		117,952.91	17,952.91
Account No. xxxxx2719 Indymac Bank Attn: Manager or Agent PO Box 78826 Phoenix, AZ 85062-8826		J	Deed of Trust 282 Bayview Drive, Stumpy Point, NC				117,952.91	17,952.91
Account No. xxxxx5174 RBC Bank Attn: Manager or Agent PO Box 1070 Charlotte, NC 28201-1070		J	Value \$150,000.00Deed of TrustLot located on South Virginia Dare, NagsHead, NCValue \$250.000.00				163,228.00	13,228.00
Account No. xxxxx1622 RBC Bank Attn: Manager or Agent PO Box 1070 Charlotte, NC 28201-1070		J	Value \$       250,000.00         Line of Credit       226 Airport Road, Manteo, NC         Value \$       325,000.00				105,323.00	<u>0.00</u> 52,712.65
Account No. xxxxx3843 RBC Centura Attn: Manager or Agent PO Box 1070 Charlotte, NC 28201-1070		J	Deed of Trust Lot 52 located at Section Q Colington Harbor, 202 East Sir Richard, Kill Devil Hills, NC					,
Sheet <u>3</u> of <u>4</u> continuation sheets atta	<u> </u>		Value \$ 100,000.00	ubt	ota		98,374.00	0.00

B6D (Official Form 6D) (12/07) - Cont.

In re William Brantley Twiford, Sr.,

Sandra Kay Twiford

Debtors

## **SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS**

(Continuation Sheet)

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions.)		Hu H J C	sband, Wife, Joint, or Community DATE CLAIM WAS INCURRED, NATURE OF LIEN, AND DESCRIPTION AND VALUE OF PROPERTY SUBJECT TO LIEN	CONT I NGEN		D I S P U T E D	AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL	UNSECURED PORTION, IF ANY
Account No.			Deed of Trust	Ť	D A T E D			
SECU Attn: Manager or Agent PO Box 1030 Manteo, NC 27954		J	220 Airport Road, Manteo, NC Value \$ 225,000.00		D		02 954 00	0.00
Account No. xxxxxx8898	$\square$		Deed of Trust				92,854.00	0.00
Southern Bank Attn: Manager or Agent PO Box 2037 Kill Devil Hills, NC 27948		J	1989 Colington Road, Kill Devil Hills, NC					
			Value \$ 90,000.00	1			34,822.00	0.00
			Value \$	-				
Account No.			Value \$	-				
Account No.			Value \$					
Sheet <u>4</u> of <u>4</u> continuation sheets attac		to	) (Total of t	ubt			127,676.00	0.00
Schedule of Creditors Holding Secured Claims			(Report on Summary of Sc	Т	ota	1	2,172,133.71	102,820.56

B6E (Official Form 6E) (12/07)

In re William Brantley Twiford, Sr.,

Sandra Kay Twiford

Case No.

Debtors

## **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 not 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 \$10,950\* 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 \$5,400\* 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 \$2,425\* 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).

\* Amounts are subject to adjustment on April 1, 2010, and every three years thereafter with respect to cases commenced on or after the date of adjustment.

continuation sheets attached

Case 09-03546-8-RDD Doc 1 Filed 04/30/09 Entered 04/30/09 15:06:59 Page 32 of

62

B6E (Official Form 6E) (12/07) - Cont.

## In re William Brantley Twiford, Sr.,

Case No.

## Debtors SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS

(Continuation Sheet)

Taxes and Certain Other Debts Owed to Governmental Units

TYPE OF PRIORITY

							I TPE OF PRIORITY		
CREDITOR'S NAME, AND MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions.)	CODEBTOR	Hu H J C	sband, Wife, Joint, or Community DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM		UNLLQULDATE	E	AMOUNT OF CLAIM	PRIORI	NT NOT LED TO TY, IF ANY AMOUNT ENTITLED TO PRIORITY
Account No.			2007 & 2008 taxes		E D				
Dare County Tax Dept. Attn: Manager or Agent PO Box 1000 Manteo, NC 27954		J			D			0.00	
							12,038.00		12,038.00
Account No.			Notice Purposes Only						
Hyde Co. Tax Dept. Attn: Manager or Agent PO Box 279 Swanquarter, NC 27885-0279		J					0.00	0.00	0.00
Account No.	$\vdash$	$\vdash$		$\square$		$\left  \right $	0.00		0.00
Internal Revenue Service Attn: Insolvency I 320 Federal Place Greensboro, NC 27402		J						0.00	
							31,265.00		31,265.00
Account No.									
Account No.									
Sheet <u>1</u> of <u>1</u> continuation sheets atta	che	d te	<u> </u>	Subt	ota	.1		0.00	
Schedule of Creditors Holding Unsecured Price				his j	pag	ge)	43,303.00		43,303.00
-	Total 0.00								
			(Report on Summary of Sc	hed	ule	es)	43,303.00		43,303.00

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

In re

William Brantley Twiford, Sr., Sandra Kay Twiford Case No.

## SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

Debtors

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.)	CO D E B T O R	Hu H W J C	CONT INGEN		S P U T E D	
Account No. <b>xxxx-xxxx-3596</b>			T	E		
Bank of America Attn: Manager or Agent PO Box 37291 Baltimore, MD 21297-3291		J		D		48,800.00
Account No.		┢				
Calfree Engineering Attn: Manager or Agent 3048 Martins Point Road Kitty Hawk, NC 27949-3816		J				23,817.62
Account No. xxxx-xxxx-3819		$\vdash$				
Chase Card Services Attn: Manager or Agent PO Box 15153 Wilmington, DE 19886-5153		J				20,141.00
Account No. A/C xxxxx4858		$\vdash$				
First South Bank Attn: Manager or Agent 1311 Carolina Ave. Washington, NC 27889		J				
						27,669.00
<b>2</b> continuation sheets attached			Sub	otot	al	120,427.62

**2** continuation sheets attached

(Total of this page)

#### William Brantley Twiford, Sr., In re

Sandra Kay Twiford

Case No.

Debtors

# SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS (Continuation Sheet)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E B T O R	Hu H W J C	sband, Wife, Joint, or Community DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.		UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM
Account No. xxxxx2202			Guarantee for Twiford, LLC	T	E		
First South Bank Attn: Manager or Agent 1311 Carolina Ave. Washington, NC 27889	x	н	(Sandpit)				713,452.00
Account No.			Guarantee for CC of the Outer Banks, LLC	+			
John Deere Credit Attn: Manager or Agent PO Box 6630 Johnston, IA 50131	x	J	(John Deere 200 Excavator)				17,350.00
Account No.	┨─			+	$\vdash$		
Dan Ottavio 404 S Virginia Dar Trail Kill Devil Hills, NC 27948		J					800.00
Account No. xxxxxx8898			Guarantee for First Colony Cottage, LLC	_			
Southern Bank Attn: Manager or Agent PO Box 2037 Kill Devil Hills, NC 27948	x	н	(1989 Colington Road, Kill Devil Hills, NC)				34,822.00
Account No.	┢			+	$\vdash$		
Stubbs & Perdue, P.A. Attn: Manager or Agent PO 1654 New Bern, NC 28562		J					1,397.55
Sheet no. <u>1</u> of <u>2</u> sheets attached to Schedule of		<b>I</b>		Sub	tota	1	767,821.55

### In re William Brantley Twiford, Sr.,

Sandra Kay Twiford

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

Debtors

# SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS (Continuation Sheet)

· · · · · · · · · · · · · · · · · · ·		1	ushand Wife Isiat as Community	1	15	1
CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E B T O R	Hu H J C	ISBAND, Wife, Joint, or Community DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.	U N L I Q U I D A T	D I S P U T E D	AMOUNT OF CLAIM
WilcoHess, LLC c/o Danny Harrington, Esq PO Box 1726 Greenville, NC 27835		н		ED		2,028.73
Account No.						
Account No.						
Account No.						
Account No.						
Sheet no. <b>2</b> of <b>2</b> sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims			(Total of	pa	ge)	2,028.73
			(Report on Summary of S	Tota dule		890,277.90

.

2

In re William Brantley Twiford, Sr.,

Case No.

## Sandra Kay Twiford

Debtors

## 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).

A-1 Auto Repair Att:: Manager or Agent 2301 N. Croatan HWY Kill Devil Hills, NC 2301 N. Croatan HWY Kill Devil Hills, NC 2303 Rernice Ave. 903 Bernice Ave. 904 Barcenas 905 Lease of mobile home Month to Month 905 Bernice Ave. 905 Bernice Ave. 905 Bernice Ave. 905 Bernice Ave. 906 Barcenas 907 Bernice Ave. 908 Bernice Ave. 908 Bernice Ave. 908 Bernice Ave. 908 Bernice Ave. 909 Bernice Ave. 909 Bernice Ave. 909 Bernice Ave. 909 Bernice Ave. 909 Bernice Ave. 909 Bernice Ave. 900 Bernice Ave.<	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.
903 Bernice Ave. Manteo, NC 27954Month to Month \$650.00 per monthCarl Clever 114 Driftwood Court Manteo, NC 27954Lease of 114 Driftwood Court, Manteo, NC Month to Month \$1,050.00 per monthWendy Cockerham 117 Etheridge Road, Lot #5 Manteo, NC 27954Lease of 117 Etheridge Road, Lot #5, Manteo, NC Month to Month 	Attn: Manager or Agent 2301 N Croatan HWY	HWY, Kill Devil Hills, NC Expires July 30, 2009
114 Driftwood Court Manteo, NC 27954Month to Month \$1,050.00 per monthWendy Cockerham 117 Etheridge Road, Lot #5 Manteo, NC 27954Lease of 117 Etheridge Road, Lot #5, Manteo, NC Month to Month \$600.00 per monthCooperative Bank 	903 Bernice Ave.	Month to Month
117 Etheridge Road, Lot #5 Manteo, NC 27954Month to Month \$600.00 per monthCooperative Bank Attn: Manager or Agent 4711 S. Croatan HWY, Ste 3, Nags Head, NC 4711 S. Croatan HWY, Ste 3 Nags Head, NC 27959Lease of 4711 S. Croatan HWY, Ste. 3, Nags Head, NC Expires May 31, 2009 \$1,800.00 per monthDennis & Amalia Cowell 117 Etheridge Rd, Lot #6 Manteo, NC 27954Lease of 117 Etheridge Rd., Lot #6, Manteo, NC Month to Month \$300.00 per monthKelly Gail Creef 977 Sir Walter Raleigh #4 Manteo, NC 27954Lease of 977 Sir Walter Raleigh #4, Manteo, NC Expires August 31, 2009 \$300.00 per monthCarolos DeLeon 121 Driftwood Court Manteo, NC 27954Lease of 121 Driftwood Court, Manteo, NC Expires October 31, 2009 \$1,100.00 per monthMartha M. Ramirez Diaz 116 Driftwood Court Manteo, NC 27954Lease of lot located at 116 Driftwood Court, Manteo, NC Manteo, NC 27954Anna Dominquez 117 Etheridge Road, Lot #1Lease of 117 Etheridge Road, Lot #1, Manteo, NC Expires July 31, 2009	114 Driftwood Court	Month to Month
Attn: Manager or AgentNC4711 S. Croatan HWY, Ste 3Expires May 31, 2009Nags Head, NC 27959\$1,800.00 per monthDennis & Amalia CowellLease of 117 Etheridge Rd., Lot #6, Manteo, NC117 Etheridge Rd, Lot #6Month to MonthManteo, NC 27954\$300.00 per monthKelly Gail CreefLease of 977 Sir Walter Raleigh #4, Manteo, NC977 Sir Walter Raleigh #4Expires August 31, 2009Manteo, NC 27954Lease of 121 Driftwood Court, Manteo, NCCarolos DeLeonLease of 121 Driftwood Court, Manteo, NC121 Driftwood CourtExpires October 31, 2009Manteo, NC 27954Lease of lot located at 116 Driftwood Court,Martha M. Ramirez DiazLease of lot located at 116 Driftwood Court,116 Driftwood CourtManteo, NCManteo, NC 27954Month to MonthMartha M. Ramirez DiazLease of 117 Etheridge Road, Lot #1, Manteo, NC116 Driftwood CourtManteo, NC117 Etheridge Road, Lot #1Lease of 117 Etheridge Road, Lot #1, Manteo, NC217 Etheridge Road, Lot #1Expires July 31, 2009	117 Etheridge Road, Lot #5	Month to Month
117 Etheridge Rd, Lot #6 Manteo, NC 27954Month to Month \$300.00 per monthKelly Gail Creef 977 Sir Walter Raleigh #4 Manteo, NC 27954Lease of 977 Sir Walter Raleigh #4, Manteo, NC Expires August 31, 2009 \$300.00 per monthCarolos DeLeon 121 Driftwood Court Manteo, NC 27954Lease of 121 Driftwood Court, Manteo, NC Expires October 31, 2009 \$1,100.00 per monthMartha M. Ramirez Diaz 116 Driftwood Court Manteo, NC 27954Lease of lot located at 116 Driftwood Court, Manteo, NC \$1,100.00 per monthMartha M. Ramirez Diaz 116 Driftwood Court Manteo, NC 27954Lease of lot located at 116 Driftwood Court, Manteo, NC \$1,100.00 per monthMartha M. Ramirez Diaz 117 Etheridge Road, Lot #1Lease of 117 Etheridge Road, Lot #1, Manteo, NC Expires July 31, 2009	Attn: Manager or Agent 4711 S. Croatan HWY, Ste 3	NC Expires May 31, 2009
977 Sir Walter Raleigh #4 Manteo, NC 27954Expires August 31, 2009 \$300.00 per monthCarolos DeLeon 121 Driftwood Court Manteo, NC 27954Lease of 121 Driftwood Court, Manteo, NC Expires October 31, 2009 \$1,100.00 per monthMartha M. Ramirez Diaz 	117 Etheridge Rd, Lot #6	Month to Month
121 Driftwood Court Manteo, NC 27954Expires October 31, 2009 \$1,100.00 per monthMartha M. Ramirez Diaz 116 Driftwood Court Manteo, NC 27954Lease of lot located at 116 Driftwood Court, Manteo, NC Month to Month \$300.00 per monthAnna Dominquez 117 Etheridge Road, Lot #1Lease of 117 Etheridge Road, Lot #1, Manteo, NC Expires July 31, 2009	977 Sir Walter Raleigh #4	Expires August 31, 2009
116 Driftwood Court       Manteo, NC         Manteo, NC 27954       Month to Month         Anna Dominquez       Lease of 117 Etheridge Road, Lot #1, Manteo, NC         117 Etheridge Road, Lot #1       Expires July 31, 2009	121 Driftwood Court	Expires October 31, 2009
117 Etheridge Road, Lot #1 Expires July 31, 2009	116 Driftwood Court	Manteo, NC Month to Month
	117 Etheridge Road, Lot #1	Expires July 31, 2009
Saturnino EscalanteLease of 117 Etherige Rd, Lot #8, Manteo, NC117 Etheridge Rd, Lot #8Expires October 31, 2009Manteo, NC 27954\$650.00 per month	117 Etheridge Rd, Lot #8	Expires October 31, 2009

In re

William Brantley Twiford, Sr.,

Sandra Kay Twiford

## Debtors SCHEDULE G - EXECUTORY CONTRACTS AND UNEXPIRED LEASES

(Continuation Sheet)

Name and Mailing Address, Including Zip Code, of Other Parties to Lease or Contract

Arlyn Esther 117 Etheridge Road, Lot #3 Manteo, NC 27954

Elvia Hernandez 814 Jackson Street Manteo, NC 27954

Martha Luvz 117 Etheridge Rd, Lot #2 Manteo, NC 27954

Marisol Martinez 117 Etheridge Rd, Lot #10 Manteo, NC 27954

Abner Perez Mejia 120 Driftwood Court, Lot #8 Manteo, NC 27954

German Mejia 117 Etheridge Rd, Lot #12 Manteo, NC 27954

Ocean Breeze, Inc. Attn: Manager or Agent PO Box 355 Manteo, NC 27954

Jose Oveido 117 Etheridge Rd, Lot #9 Manteo, NC 27954

Natia S. Patterson 977 Sir Walter Raleigh, #1 Manteo, NC 27954

Tanita Patterson 977 Sir Walter Raleigh, #3 Manteo, NC 27954

Jose Mata Perez 113 Driftwood Court Manteo, NC 27954

Seahorse Realty Attn: Manager or Agent PO Box 2410 Kill Devil Hills, NC 27948 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.

Case No.

Lease of 117 Etheridge Road, Lot #3, Manteo, NC Expires October 31, 2009 \$300.00 per month

Lease of mobile home Expires August 31, 2009 \$650.00 per month

Lease of 117 Etheridge Rd, Lot # 2, Manteo, NC Verbal contract \$500.00 per month

Lease of lot located at 117 Etheridge Rd, Lot #10, Manteo, NC 27954 Month to Month \$300.00 per month

Lease of lot located at 120 Driftwood Court, Lot #8, Manteo, NC Month to Month \$750.00 per month

Lease of 117 Etheridge Rd, Lot #12, Manteo, NC Month to Month \$300.00 per month

**Rental Management** 

Lease of lot located at 117 Etheridge Rd, Lot #9, Manteo, NC Expires November 30, 2009 \$300.00 per month

Rental of 977 Sir Walter Raleigh, #1, Manteo, NC Expires April 30, 2009 \$300.00 per month

Rental of 977 Sir Walter Raleigh, #3, Manteo, NC Expires January 31, 2010 \$600 per month

Lease of 113 Driftwood Court, Manteo, NC Expires February 28, 2010 \$800.00 per month

Lease of 4711 S Croatan HWY, Ste #2, Nags Head, NC Month to Month \$1,100.00 per month

Sheet <u>1</u> of <u>2</u> continuation sheets attached to the Schedule of Executory Contracts and Unexpired Leases

In re William Brantley Twiford, Sr.,

Sandra Kay Twiford

Case No.

Debtors

## SCHEDULE G - EXECUTORY CONTRACTS AND UNEXPIRED LEASES

(Continuation Sheet)

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.

**Michael Taylor** 1989 Colington Road Kill Devil Hills, NC 27948

Magdaleno Torres 117 Etheridge Rd, Lot #7 Manteo, NC 27954

Rudy Vasquez 117 Etheridge Road, Lot #4 Manteo, NC 27954

Vziel Velazque 101 Driftwood Court. Lot #1 Manteo, NC 27954

Lease of 1989 Colington Road, Kill Devil Hills, NC Expires August 31, 2009 \$500.00 per month

Lease of lot located at 117 Etheridge Rd., Lot #7, Manteo, NC Month to Month \$300.00 per month

Lease of 117 Etheridge Road, Lot # 4, Manteo, NC Month to Month \$600.00 per month

Lease 101 Driftwood Court, Lot #1, Manteo, NC Expires December 31, 2009 \$800.00 per month

Sheet **2** of **2** continuation sheets attached to the Schedule of Executory Contracts and Unexpired Leases

62

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

In re

William Brantley Twiford, Sr., Sandra Kay Twiford

Case No.	
----------	--

#### Debtors 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).

 $\Box$  Check this box if debtor has no codebtors.

NAME AND ADDRESS OF CODEBTOR

CC of the OBX, LLC Attn: Manager or Agent PO Box 1119 Manteo, NC 27954

CC of the OBX, LLC Attn: Manager or Agent PO Box 1119 Manteo, NC 27954

First Colony Cottage, LLC Attn: Manager or Agent PO Box 355 Manteo, NC 27954

Twiford, LLC Attn: Manager or Agent PO Box 355 Manteo, NC 27954

Twiford, LLC Attn: Manager or Agent PO Box 355 Manteo, NC 27954

Twiford, LLC Attn: Manager or Agent PO Box 355 Manteo, NC 27954

Twiford, LLC Attn: Manager or Agent PO Box 355 Manteo, NC 27954

Twiford, LLC Attn: Manager or Agent PO Box 355 Manteo, NC 27954 NAME AND ADDRESS OF CREDITOR

BB&T Attn: Manager or Agent PO Box 580003 Charlotte, NC 28258

John Deere Credit Attn: Manager or Agent PO Box 6630 Johnston, IA 50131

Southern Bank Attn: Manager or Agent PO Box 2037 Kill Devil Hills, NC 27948

BB&T Attn: Manager or Agent PO Box 580003 Charlotte, NC 28258

BB&T Attn: Manager or Agent PO Box 580003 Charlotte, NC 28258

BB&T Attn: Manager or Agent PO Box 580003 Charlotte, NC 28258

BB&T Attn: Manager or Agent PO Box 1255 Winston Salem, NC 27102

First South Bank Attn: Manager or Agent 1311 Carolina Ave. Washington, NC 27889

62

Case 09-03546-8-RDD Doc 1 Filed 04/30/09 Entered 04/30/09 15:06:59 Page 40 of

**B6I (Official Form 6I) (12/07)** 

William Brantley Twiford, Sr.

In re

Sandra Kay Twiford

Debtor(s)

Case No.

## SCHEDULE I - CURRENT INCOME OF INDIVIDUAL DEBTOR(S)

The column labeled "Spouse" must be completed in all cases filed by joint debtors and by every married debtor, whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. Do not state the name of any minor child. The average monthly income calculated on this form may differ from the current monthly income calculated on Form 22A, 22B, or 22C.

Debtor's Marital Status:	DEPENDENTS OF DEBTOR AND SPOUSE				
Married	RELATIONSHIP(S): None.	AGE(S):			
Employment:	DEBTOR		SPOUSE		
Occupation Re	etired	Retired			
Name of Employer					
How long employed					
Address of Employer					
INCOME: (Estimate of average or pro	jected monthly income at time case filed)		DEBTOR		SPOUSE
	mmissions (Prorate if not paid monthly)	\$	0.00	\$	0.00
2. Estimate monthly overtime		\$ _	0.00	\$	0.00
3. SUBTOTAL		\$	0.00	\$	0.00
4. LESS PAYROLL DEDUCTIONS a. Payroll taxes and social securit	у	\$	0.00	\$	0.00
b. Insurance		\$	0.00	\$	0.00
c. Union dues		\$	0.00	\$	0.00
d. Other (Specify):		\$	0.00	\$	0.00
		\$	0.00	\$	0.00
5. SUBTOTAL OF PAYROLL DEDU	CTIONS	\$	0.00	\$	0.00
6. TOTAL NET MONTHLY TAKE H	OME PAY	\$	0.00	\$	0.00
7. Regular income from operation of bu	usiness or profession or farm (Attach detailed state	ement) \$	0.00	\$	0.00
8. Income from real property		\$	17,995.00	\$	0.00
9. Interest and dividends		\$	0.00	\$	8.33
dependents listed above	payments payable to the debtor for the debtor's use	or that of \$	0.00	\$ _	0.00
11. Social security or government assis (Specify): <b>Social Security</b>	tance	\$	1,100.00	\$	675.00
<u></u>		\$	0.00	\$	0.00
12. Pension or retirement income		\$	0.00	\$	1,140.00
13. Other monthly income		<i>.</i>		٩	
(Specify):		\$	0.00	<u></u> *_	0.00
		\$	0.00	\$	0.00
14. SUBTOTAL OF LINES 7 THROU	JGH 13	\$	19,095.00	\$	1,823.33
15. AVERAGE MONTHLY INCOME	E (Add amounts shown on lines 6 and 14)	\$_	19,095.00	\$	1,823.33
16. COMBINED AVERAGE MONTH	ILY INCOME: (Combine column totals from line	15)	\$	20,91	8.33

(Report also on Summary of Schedules and, if applicable, on Statistical Summary of Certain Liabilities and Related Data)

17. Describe any increase or decrease in income reasonably anticipated to occur within the year following the filing of this document: Potential change in rental occupancy

Case 09-03546-8-RDD	DOC 1 FI	led 04/30/09	Entered 04/30/09	15:06:59	Page 41 of
		62			-

**B6J (Official Form 6J) (12/07)** 

William Brantley Twiford, Sr.

In re

Sandra Kay Twiford

Debtor(s)

Case No.

## SCHEDULE J - CURRENT EXPENDITURES OF INDIVIDUAL DEBTOR(S)

Complete this schedule by estimating the average or projected monthly expenses of the debtor and the debtor's family at time case filed. Prorate any payments made bi-weekly, quarterly, semi-annually, or annually to show monthly rate. The average monthly expenses calculated on this form may differ from the deductions from income allowed on Form 22A or 22C.

□ Check this box if a joint petition is filed and debtor's spouse maintains a separate household. Complete a separate schedule of expenditures labeled "Spouse."

1. Rent or home mortgage payment (include lot rented for mobile home)         a. Are real estate taxes included?       Yes X         No	\$1,972.00
b. Is property insurance included? Yes X No	
2. Utilities: a. Electricity and heating fuel	\$ 250.00
b. Water and sewer	\$ 30.00
c. Telephone	\$ 40.00
d. Other See Detailed Expense Attachment	\$ 170.00
3. Home maintenance (repairs and upkeep)	\$ 200.00
4. Food	\$ 800.00
5. Clothing	\$ 200.00
6. Laundry and dry cleaning	\$ 0.00
7. Medical and dental expenses	\$ 125.00
8. Transportation (not including car payments)	\$ 450.00
9. Recreation, clubs and entertainment, newspapers, magazines, etc.	\$0.00
10. Charitable contributions	\$ 120.00
11. Insurance (not deducted from wages or included in home mortgage payments)	
a. Homeowner's or renter's	\$ 220.00
b. Life	\$180.00
c. Health	\$0.00
d. Auto	\$ 115.00
e. Other AD &D	\$ 40.00
12. Taxes (not deducted from wages or included in home mortgage payments)	
(Specify)	\$ 0.00
13. Installment payments: (In chapter 11, 12, and 13 cases, do not list payments to be included in the plan)	
a. Auto	\$ 454.00
	\$ <u>0.00</u>
b. Other	\$ <u>0.00</u>
	φ
14. Alimony, maintenance, and support paid to others	\$ 0.00
15. Payments for support of additional dependents not living at your home	\$ 0.00
16. Regular expenses from operation of business, profession, or farm (attach detailed statement)	\$ <u>26,441.86</u>
17. Other Interest/finance charges	\$ <u>825.00</u>
Other	\$0.00
<ul> <li>18. AVERAGE MONTHLY EXPENSES (Total lines 1-17. Report also on Summary of Schedules and, if applicable, on the Statistical Summary of Certain Liabilities and Related Data.)</li> <li>19. Describe any increase or decrease in expenditures reasonably anticipated to occur within the year following the filing of this document:</li> <li>None</li> </ul>	\$32,632.86

20. STATEMENT OF MONTHLY NET INCOMEa. Average monthly income from Line 15 of Schedule Ib. Average monthly expenses from Line 18 abovec. Monthly net income (a. minus b.)s-11,714.53

Case	09-03546-8-RDD	
------	----------------	--

62

Doc 1 Filed 04/30/09 Entered 04/30/09 15:06:59 Page 42 of

B6J (Official Form 6J) (12/07)

William Brantley Twiford, Sr.In reSandra Kay Twiford

Debtor(s)

Case No.

## SCHEDULE J - CURRENT EXPENDITURES OF INDIVIDUAL DEBTOR(S) Detailed Expense Attachment

**Other Utility Expenditures:** 

Internet/Cable	\$ 120.00
Gas	\$ 50.00
Total Other Utility Expenditures	\$ 170.00

Profit & Loss

January through December 2008

#### **Rental Expenses**

Monthly (Grand Total/12)

Rental Expenses	
Farm Expense-Tilling/Planting/Harvest	1,379.22
Rental Expenses	-
Electric	29.42
Insurance	1,507.15
Interest-Rental/Investment Prop	13,889.59
Labor	157.72
Lawn Service/Mowing	24.17
Lot Rent	500.00
Owners Assoc Dues	606.42
Permits/License	431.67
Real Estate Taxes	279.86
Repairs	3,510.84
Security Service	30.95
Site Work	1,081.87
Survey Expense	2,738.25
Water/Utilities	274.73
Total Rental Expenses	26,441.86

Case 09-03546-8-RDD Doc

Doc 1 Filed 04/30/09 Entered 04/30/09 15:06:59 Page 44 of 62

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

In re

United States Bankruptcy Court Eastern District of North Carolina

William Brantley Twiford, Sr. Sandra Kay Twiford

Debtor(s)

Case No. Chapter

11

### DECLARATION CONCERNING DEBTOR'S SCHEDULES

DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR

I declare under penalty of perjury that I have read the foregoing summary and schedules, consisting of **30** sheets, and that they are true and correct to the best of my knowledge, information, and belief.

Date April 30, 2009	Signature	<b>/s/ William Brantley Twiford, Sr.</b> <b>William Brantley Twiford, Sr.</b> Debtor
Date April 30, 2009	Signature	/s/ Sandra Kay Twiford Sandra Kay Twiford
		Joint Debtor Fine of up to \$500,000 or imprisonment for up to 5 years or both

*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 09-03546-8-RDD Doc 1 Filed 04/30/09 Entered 04/30/09 15:06:59 Page 45 of

62

B7 (Official Form 7) (12/07)

# United States Bankruptcy Court

**Eastern District of North Carolina** 

	William Brantley Twiford, Sr
In re	Sandra Kay Twiford

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 <b>\$59,627.50</b>	SOURCE January 2009 - April 27, 2009 (est)
\$208,954.39	2008
\$241,548.02	2007

#### 2

#### 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
\$11,660.00	2009 - Social Security/Retirement
\$34,980.00	2008 - Social Security/Retirement
\$34,980.00	2007 - Social Security/Retirement

#### 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 creditor 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 \$5,475. 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 creditor 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.)

Dan Ottavio	04/16/09	\$18,000.00	\$800.00
3048 Martins Point Road Kitty Hawk, NC 27949-3816		<i><b>7,475.10</b></i>	\$23,617.02
NAME AND ADDRESS OF CREDITOR Calfree Engineering	TRANSFERS	TRANSFERS <b>\$7.479.10</b>	OWING <b>\$23.817.62</b>
NAME AND ADDRESS OF OPEDITOR	PAYMENTS/	VALUE OF	AMOUNT STILL
	DATES OF	PAID OR	
		AMOUNT	

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

AMOUNT STILL

OWING

#### 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 WilcoHess, LLC vs CC of the Outerbanks, LLC and W. Brantley Twiford 09 CVD 1171	NATURE OF PROCEEDING Money Owed	COURT OR AGENCY AND LOCATION District Court Pitt County	STATUS OR DISPOSITION <b>Pending</b>
Branch Banking and Trust Company vs W. Brantley Twiford, Sr. and Sandra K. Twiford 09 SP 159	Foreclosure (161 Bayview Dr., 117/125 Etheride Rd, Lot 9 Driftwood)	Superior Court Dare County	Pending
GMAC Mortgage, LLC vs William Brantley Twiford, Sr. and Sandra Kay Twiford 09 SP 132	Foreclosure (284 Bayview Dr.)	Superior Court Dare County	Pending
Branch Banking and Trust Company vs Twiford, LLC, William B. Twiford and Sandra Twiford 09 SP 160	Foreclosure (Lot 5 Driftwood)	Superior Court Dare County	Pending
Branch Banking and Trust Company vs. William B. Twiford and Sandra K. Twiford 09 SP 157	Foreclosure (Lot 7 Driftwood)	Superior Court Dare County	Pending
Branch Banking and Trust Company vs Twiford, LLC, William B. Twiford and Sandra K. Twiford 09 SP 161	Foreclosure (Lot 8 Driftwood)	Superior Court Dare County	Pending
Branch Banking and Trust Company vs Twiford, LLC, William B. Twiford and Sandra K. Twiford 09 SP 158	Foreclosure (Lot 11 Driftwood)	Superior Court Dare County	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

#### 5. Repossessions, foreclosures and 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 **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.)

	DATE OF REPOSSESSION,	
NAME AND ADDRESS OF	FORECLOSURE SALE,	DESCRIPTION AND VALUE OF
CREDITOR OR SELLER	TRANSFER OR RETURN	PROPERTY

	Case 09-03546-8-RDD	Doc 1	Filed 04/30/09 62	Entered 04/30/09	15:06:59	Page 48 of
	6. Assignments and receivers	hips				4
None	a. Describe any assignment of p this case. (Married debtors filin joint petition is filed, unless the	g under chap	oter 12 or chapter 13 mu	st include any assignment by		
NAME	E AND ADDRESS OF ASSIGNEE		ATE OF SSIGNMENT	TERMS OF ASSI	GNMENT OF	R SETTLEMENT
None	b. List all property which has b preceding the commencement of property of either or both spous filed.)	of this case. (	Married debtors filing un	nder chapter 12 or chapter 13	8 must include	information concerning
	E AND ADDRESS CUSTODIAN		IE AND LOCATION OF COURT E TITLE & NUMBER	DATE OF ORDER		ION AND VALUE OF OPERTY
	7. Gifts					
None	List all gifts or charitable contriand usual gifts to family membraggregating less than \$100 per either or both spouses whether	ers aggregati recipient. (M	ng less than \$200 in valu arried debtors filing und	te per individual family mem ler chapter 12 or chapter 13 r	ber and charit nust include g	able contributions ifts or contributions by
PERSO Mt. Ca	ME AND ADDRESS OF DN OR ORGANIZATION armel Methodist Church s Harbor, NC		ATIONSHIP TO 3tor, if any <b>9</b>	DATE OF GIFT Various		PTION AND OF GIFT <b>0</b>
	n Methodist Church by Point, NC	None	e	Various	\$1,000.0	0
	8. Losses					
None	List all losses from fire, theft, o					

List all losses from fire, theft, other casualty or gambling within **one year** immediately preceding the commencement of this case or since the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include losses 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.)

DESCRIPTION AND VALUE OF PROPERTY DESCRIPTION OF CIRCUMSTANCES AND, IF LOSS WAS COVERED IN WHOLE OR IN PART BY INSURANCE, GIVE PARTICULARS DATE OF LOSS

#### 9. Payments related to debt counseling or bankruptcy

None List all payments made or property transferred by or on behalf of the debtor to any persons, including attorneys, for consultation concerning debt consolidation, relief under the bankruptcy law or preparation of the petition in bankruptcy within **one year** immediately preceding the commencement of this case.

NAME AND ADDRESS OF PAYEE Oliver & Friesen, PLLC 415 Broad St. P.O. Box 1548 New Bern, NC 28563 DATE OF PAYMENT, NAME OF PAYOR IF OTHER THAN DEBTOR 04/23/09 AMOUNT OF MONEY OR DESCRIPTION AND VALUE OF PROPERTY \$4,539.00 (which includes the \$1,039.00 filing fee)

The Debtors executed a Promissory Note and Future AdvanceDT giving attorney liens on: 101, 116, 118, 119, and 120 Driftwood Court, Manteo, North Carolina, 977 Sir Walter Raleigh Street, Manteo, North Carolina, 821 Jackson Street, Manteo, North Carolina, and 0 Bayview Drive, Stumpy Point, North Carolina (Dare Co. PINS 024098000 and 024105001); 118, 119, and 120 Driftwood Court, Manteo, NC

for attorney's fees for this Chapter 11 proceeding. \$39.00

#### **Hummingbird Credit Counseling**

April 2009

#### 10. Other transfers

None a. List all other property, other than property transferred in the ordinary course of the business or financial affairs of the debtor, transferred either absolutely or as security within **two years** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include 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.)

NAME AND ADDRESS OF TRANSFEREE, RELATIONSHIP TO DEBTOR Starco Realty & Construction, Inc. 817 HWY 64 Manteo, NC 27954	DATE <b>01/04/07</b>	DESCRIBE PROPERTY TRANSFERRED AND VALUE RECEIVED 7 lots located on George Howe Street, Manteo, NC \$600,000.00
Timothy J. Williams Cynthia Williams 1012 West Main St. Elizabeth City, NC 27909	02/29/08	4508 Virgina Dare Trail, Kitty Hawk, NC \$430,000.00
Wysocking Wildlife Sanctuary, Inc. NCSR 1120 Manteo, NC 27954	09/26/08	27.49 acres located in Hyde County, NC \$165,000.00
John J. Moscato Mary Moscato 532 Roxie Reese Road Plymouth, NC 27962	04/15/09	Lot 24 located in Hyde County, NC \$37,000.00

None

b. List all property transferred by the debtor within **ten years** immediately preceding the commencement of this case to a self-settled trust or similar device of which the debtor is a beneficiary.

DATE(S) OF

TRANSFER(S)

NAME OF TRUST OR OTHER DEVICE

AMOUNT OF MONEY OR DESCRIPTION AND VALUE OF PROPERTY OR DEBTOR'S INTEREST IN PROPERTY

#### 11. Closed financial accounts

None

List all financial accounts and instruments held in the name of the debtor or for the benefit of the debtor which were closed, sold, or otherwise transferred within **one year** immediately preceding the commencement of this case. Include checking, savings, or other financial accounts, certificates of deposit, or other instruments; shares and share accounts held in banks, credit unions, pension funds, cooperatives, associations, brokerage houses and other financial institutions. (Married debtors filing under chapter 12 or chapter 13 must include information concerning accounts or instruments held by or for either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

	TYPE OF ACCOUNT, LAST FOUR	
	DIGITS OF ACCOUNT NUMBER,	AMO
NAME AND ADDRESS OF INSTITUTION	AND AMOUNT OF FINAL BALANCE	
NAME AND ADDRESS OF INSTITUTION	,	

TO BOX OR DEPOSITORY

AMOUNT AND DATE OF SALE OR CLOSING

6

#### 12. Safe deposit boxes

None List each safe deposit or other box or depository in which the debtor has or had securities, cash, or other valuables within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include boxes or depositories 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 BANK OR OTHER DEPOSITORY

13. Setoffs

None List all setoffs made by any creditor, including a bank, against a debt or deposit of the debtor within **90 days** preceding the commencement of this 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.)

DATE OF SETOFF

NAME AND ADDRESS OF CREDITOR

#### 14. Property held for another person

None List all property owned by another person that the debtor holds or controls.

	DESCRIPTION AND VALUE OF
NAME AND ADDRESS OF OWNER	PROPERTY

#### 15. Prior address of debtor

None If the debtor has moved within **three years** immediately preceding the commencement of this case, list all premises which the debtor occupied during that period and vacated prior to the commencement of this case. If a joint petition is filed, report also any separate address of either spouse.

ADDRESS 220 Airport Road, Manteo, NC NAME USED

DATES OF OCCUPANCY **1972 - 2005** 

LOCATION OF PROPERTY

AMOUNT OF SETOFF

NAMES AND ADDRESSES	
OF THOSE WITH ACCESS	D

DESCRIPTION OF CONTENTS

DATE OF T	RANSFI	ER OR
SURREN	DER, IF	ANY

#### 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

7

#### 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.

NAME Ocean Breeze, Inc.	LAST FOUR DIGITS OF SOCIAL-SECURITY OR OTHER INDIVIDUAL TAXPAYER-I.D. NO. (ITIN)/ COMPLETE EIN 6498	ADDRESS <b>PO Box 355</b> Manteo, NC 27954	NATURE OF BUSINESS <b>Real Estate Rentals</b>	BEGINNING AND ENDING DATES <b>2001 - Present</b>
Twiford Bayside, LLC	7459	PO Box 355 Manteo, NC 27954	Real Estate Investments	2005 - Present
Twiford, LLC	5923	PO Box 255 Manteo, NC 27954	Sand Pit	2001 - Present
Coastal Contractors of the OBX, Inc	8577	PO Box 1119 Manteo, NC 27954	Construction	2005 - Present
Beach Hair	9433	PO Box 355 Manteo, NC 27954	Hair & Tanning Salon	January 2007 - June 2007
First Colony Cottage, LLC		PO Box 355 Manteo, NC 27954	Real Estate Rental	December 2000 - Present

None b. Identify any business listed in response to subdivision a., above, that is "single asset real estate" as defined in 11 U.S.C. § 101.

#### NAME

ADDRESS

The following questions are to be completed by every debtor that is a corporation or partnership and by any individual debtor who is or has been, within **six years** immediately preceding the commencement of this case, any of the following: an officer, director, managing executive, or owner of more than 5 percent 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 in a trade, profession, or other activity, either full- or part-time.

(An individual or joint debtor should complete this portion of the statement **only** if the debtor is or has been in business, as defined above, within six years immediately preceding the commencement of this case. A debtor who has not been in business within those six years should go directly to the signature page.)

#### 19. Books, records and financial statements

None  $\square$  a. List all bookkeepers and accountants who within **two years** immediately preceding the filing of this bankruptcy case kept or supervised the keeping of books of account and records of the debtor.

NAME AND ADDRESS Debra Zimmerman PO Box 31 Coinjock, NC 27923 DATES SERVICES RENDERED July 2007 - Present

				9	
Bernard Attn: Je 1501 Hig	ND ADDRESS I Robinson & Co. an Riddle ghwoods Blvd. poro, NC 27410		DATES SE <b>2005 - Pr</b> e	ERVICES RENDERED esent	
None		als who within the <b>two years</b> immedia prepared a financial statement of the de		nkruptcy case have audited the books	
NAME Debra Z	immerman	ADDRESS PO Box 31 Coinjock, NC 27923		ERVICES RENDERED 7 - Present	
None		als who at the time of the commenceme books of account and records are not a		of the books of account and records	
NAME <b>Debra Z</b>	immerman		ADDRESS PO Box 31 Coinjock, NC 27923		
Bernard	Robinson & Co.		Attn: Jean Riddle 1501 Highwoods Blvd. Greensboro, NC 27410		
Debtors					
None		ions, creditors and other parties, includ a <b>two years</b> immediately preceding the		to whom a financial statement was	
NAME A BB&T	ND ADDRESS		DATE ISSUED Annually		
Gateway	y		Annually		
First So	uth Bank		Annually		
RBC Ce	ntura		Annually		
	20. Inventories				
None	a. List the dates of the last and the dollar amount and	two inventories taken of your property, basis of each inventory.	the name of the person who super	rvised the taking of each inventory,	
DATE O	FINVENTORY	INVENTORY SUPERVISOR		AMOUNT OF INVENTORY ost, market or other basis)	
None	b. List the name and addre	ss of the person having possession of th	e records of each of the two inver	ntories reported in a., above.	
DATE O	FINVENTORY	NAME RECO	AND ADDRESSES OF CUSTO RDS	DIAN OF INVENTORY	
	21 . Current Partners, O	fficers, Directors and Shareholders			
None	a. If the debtor is a partner	ship, list the nature and percentage of p	artnership interest of each membe	r of the partnership.	
NAME A	ND ADDRESS	NATURE OF IN	TEREST	PERCENTAGE OF INTEREST	
Software Cop	yright (c) 1996-2009 Best Case Solutio	ons, Inc Evanston, IL - (800) 492-8037		Best Case Bankruptcy	

Case 09-03546-8-RDD Doc 1 Filed 04/30/09 Entered 04/30/09 15:06:59 Page 53 of 62

#### Case 09-03546-8-RDD Doc 1 Filed 04/30/09 Entered 04/30/09 15:06:59 Page 54 of 62 None b. If the debtor is a corporation, list all officers and directors of the corporation, and each stockholder who directly or indirectly owns, controls, or holds 5 percent or more of the voting or equity securities of the corporation. NATURE AND PERCENTAGE NAME AND ADDRESS TITLE OF STOCK OWNERSHIP 22. Former partners, officers, directors and shareholders None a. If the debtor is a partnership, list each member who withdrew from the partnership within **one year** immediately preceding the commencement of this case. ADDRESS NAME DATE OF WITHDRAWAL None b. If the debtor is a corporation, list all officers, or directors whose relationship with the corporation terminated within one year immediately preceding the commencement of this case. NAME AND ADDRESS TITLE DATE OF TERMINATION 23. Withdrawals from a partnership or distributions by a corporation None If the debtor is a partnership or corporation, list all withdrawals or distributions credited or given to an insider, including compensation in any form, bonuses, loans, stock redemptions, options exercised and any other perquisite during one year immediately preceding the commencement of this case. NAME & ADDRESS AMOUNT OF MONEY DATE AND PURPOSE OF RECIPIENT. OR DESCRIPTION AND **RELATIONSHIP TO DEBTOR** OF WITHDRAWAL VALUE OF PROPERTY 24. Tax Consolidation Group. None If the debtor is a corporation, list the name and federal taxpayer identification number of the parent corporation of any consolidated group for tax purposes of which the debtor has been a member at any time within six years immediately preceding the commencement of the case. NAME OF PARENT CORPORATION TAXPAYER IDENTIFICATION NUMBER (EIN) 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 BY INDIVIDUAL DEBTOR 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. Date April 30, 2009 Signature /s/ William Brantley Twiford, Sr. William Brantley Twiford, Sr. Debtor Date April 30, 2009 Signature /s/ Sandra Kay Twiford Sandra Kay Twiford Joint 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

10

## UNITED STATES BANKRUPTCY COURT EASTERN DISTRICT OF NORTH CAROLINA

## NOTICE TO CONSUMER DEBTOR(S) UNDER § 342(b) OF THE BANKRUPTCY CODE

In accordance with § 342(b) of the Bankruptcy Code, this notice to individuals with primarily consumer debts: (1) Describes briefly the services available from credit counseling services; (2) Describes briefly the purposes, benefits and costs of the four types of bankruptcy proceedings you may commence; and (3) Informs you about bankruptcy crimes and notifies you that the Attorney General may examine all information you supply in connection with a bankruptcy case.

You are cautioned that bankruptcy law is complicated and not easily described. Thus, you may wish to seek the advice of an attorney to learn of your rights and responsibilities should you decide to file a petition. Court employees cannot give you legal advice.

Notices from the bankruptcy court are sent to the mailing address you list on your bankruptcy petition. In order to ensure that you receive information about events concerning your case, Bankruptcy Rule 4002 requires that you notify the court of any changes in your address. If you are filing a **joint case** (a single bankruptcy case for two individuals married to each other), and each spouse lists the same mailing address on the bankruptcy petition, you and your spouse will generally receive a single copy of each notice mailed from the bankruptcy court in a jointly-addressed envelope, unless you file a statement with the court requesting that each spouse receive a separate copy of all notices.

#### 1. Services Available from Credit Counseling Agencies

With limited exceptions, § 109(h) of the Bankruptcy Code requires that all individual debtors who file for bankruptcy relief on or after October 17, 2005, receive a briefing that outlines the available opportunities for credit counseling and provides assistance in performing a budget analysis. The briefing must be given within 180 days <u>before</u> the bankruptcy filing. The briefing may be provided individually or in a group (including briefings conducted by telephone or on the Internet) and must be provided by a nonprofit budget and credit counseling agency approved by the United States trustee or bankruptcy administrator. The clerk of the bankruptcy court has a list that you may consult of the approved budget and credit counseling agencies. Each debtor in a joint case must complete the briefing.

In addition, after filing a bankruptcy case, an individual debtor generally must complete a financial management instructional course before he or she can receive a discharge. The clerk also has a list of approved financial management instructional courses. Each debtor in a joint case must complete the course.

#### 2. The Four Chapters of the Bankruptcy Code Available to Individual Consumer Debtors

#### **<u>Chapter 7</u>**: Liquidation (\$245 filing fee, \$39 administrative fee, \$15 trustee surcharge: Total Fee \$299)

1. Chapter 7 is designed for debtors in financial difficulty who do not have the ability to pay their existing debts. Debtors whose debts are primarily consumer debts are subject to a "means test" designed to determine whether the case should be permitted to proceed under chapter 7. If your income is greater than the median income for your state of residence and family size, in some cases, creditors have the right to file a motion requesting that the court dismiss your case under § 707(b) of the Code. It is up to the court to decide whether the case should be dismissed.

2. Under chapter 7, you may claim certain of your property as exempt under governing law. A trustee may have the right to take possession of and sell the remaining property that is not exempt and use the sale proceeds to pay your creditors.

3. The purpose of filing a chapter 7 case is to obtain a discharge of your existing debts. If, however, you are found to have committed certain kinds of improper conduct described in the Bankruptcy Code, the court may deny your discharge and, if it does, the purpose for which you filed the bankruptcy petition will be defeated.

4. Even if you receive a general discharge, some particular debts are not discharged under the law. Therefore, you may still be responsible for most taxes and student loans; debts incurred to pay nondischargeable taxes; domestic support and property settlement obligations; most fines, penalties, forfeitures, and criminal restitution obligations; certain debts which are not properly listed in your bankruptcy papers; and debts for death or personal injury caused by operating a motor vehicle, vessel, or aircraft while intoxicated from alcohol or drugs. Also, if a creditor can prove that a debt arose from fraud, breach of fiduciary duty, or theft, or from a willful and malicious injury, the bankruptcy court may determine that the debt is not discharged.

# <u>Chapter 13</u>: Repayment of All or Part of the Debts of an Individual with Regular Income (\$235 filing fee, \$39 administrative fee: Total fee \$274)

1. Chapter 13 is designed for individuals with regular income who would like to pay all or part of their debts in installments

over a period of time. You are only eligible for chapter 13 if your debts do not exceed certain dollar amounts set forth in the Bankruptcy Code.

2. Under chapter 13, you must file with the court a plan to repay your creditors all or part of the money that you owe them, using your future earnings. The period allowed by the court to repay your debts may be three years or five years, depending upon your income and other factors. The court must approve your plan before it can take effect.

3. After completing the payments under your plan, your debts are generally discharged except for domestic support obligations; most student loans; certain taxes; most criminal fines and restitution obligations; certain debts which are not properly listed in your bankruptcy papers; certain debts for acts that caused death or personal injury; and certain long term secured obligations.

#### **<u>Chapter 11</u>**: Reorganization (\$1000 filing fee, \$39 administrative fee: Total fee \$1039)

Chapter 11 is designed for the reorganization of a business but is also available to consumer debtors. Its provisions are quite complicated, and any decision by an individual to file a chapter 11 petition should be reviewed with an attorney.

#### Chapter 12: Family Farmer or Fisherman (\$200 filing fee, \$39 administrative fee: Total fee \$239)

Chapter 12 is designed to permit family farmers and fishermen to repay their debts over a period of time from future earnings and is similar to chapter 13. The eligibility requirements are restrictive, limiting its use to those whose income arises primarily from a family-owned farm or commercial fishing operation.

#### 3. Bankruptcy Crimes and Availability of Bankruptcy Papers to Law Enforcement Officials

A person who knowingly and fraudulently conceals assets or makes a false oath or statement under penalty of perjury, either orally or in writing, in connection with a bankruptcy case is subject to a fine, imprisonment, or both. All information supplied by a debtor in connection with a bankruptcy case is subject to examination by the Attorney General acting through the Office of the United States Attorney, and other components and employees of the Department of Justice.

**WARNING:** Section 521(a)(1) of the Bankruptcy Code requires that you promptly file detailed information regarding your creditors, assets, liabilities, income, expenses and general financial condition. Your bankruptcy case may be dismissed if this information is not filed with the court within the time deadlines set by the Bankruptcy Code, the Bankruptcy Rules, and the local rules of the court.

#### **Certificate of Attorney**

I hereby certify that I delivered to the debtor this notice required by § 342(b) of the Bankruptcy Code.

George Mason Oliver 26587	X /s/ George Mason Oliver	April 30, 2009
Printed Name of Attorney	Signature of Attorney	Date
Address:		
PO Box 1548		
New Bern, NC 28563		
252-633-1930		
gmo@oliverandfriesen.com		

#### **Certificate of Debtor**

I (We), the debtor(s), affirm that I (we) have received and read this notice.

William Brantley Twiford, Sr. Sandra Kay Twiford	X /s/ William Brantley Twiford, Sr.	April 30, 2009
Printed Name(s) of Debtor(s)	Signature of Debtor	Date
Case No. (if known)	X /s/ Sandra Kay Twiford	April 30, 2009
	Signature of Joint Debtor (if any)	Date

Case 09-03546-8-RDD	Doc 1	Filed 04/30/09	Entered 04/30/09 15:06:59	Page 57 of
		62		, in the second s

## United States Bankruptcy Court Eastern District of North Carolina

William Brantley Twiford, Sr.In reSandra Kay Twiford

Debtor(s)

Case No. Chapter

11

## **VERIFICATION OF CREDITOR MATRIX**

The above-named Debtors hereby verify that the attached list of creditors is true and correct to the best of their knowledge.

Date: April 30, 2009

/s/ William Brantley Twiford, Sr. William Brantley Twiford, Sr. Signature of Debtor

Date: April 30, 2009

/s/ Sandra Kay Twiford Sandra Kay Twiford Signature of Debtor Case 09-03546-8-RDD Doc 1 Filed 04/30/09 Entered 04/30/09 15:06:59 Page 58 of 62

WILLIAM BRANTLEY TWIFORD, SR. PO BOX 355 MANTEO, NC 27954

SECRETARY OF TREASURY ATTN: MANAGING AGENT 1500 PENNSYLVANIA AVE NW WASHINGTON, DC 20220

EMPLOYMENT SECURITY COM. ATTN: MANAGING AGENT PO BOX 25903 RALEIGH, NC 27611

A-1 AUTO REPAIR ATTN: MANAGER OR AGENT 2301 N CROATAN HWY KILL DEVIL HILLS, NC 27948

RUBEN BARCENAS 903 BERNICE AVE. MANTEO, NC 27954

BB&T ATTN: MANAGER OR AGENT PO BOX 1255 WINSTON SALEM, NC 27102

CHASE CARD SERVICES ATTN: MANAGER OR AGENT PO BOX 15153 WILMINGTON, DE 19886-5153

COOPERATIVE BANK ATTN: MANAGER OR AGENT 4711 S. CROATAN HWY, STE 3 NAGS HEAD, NC 27959

DARE COUNTY TAX DEPT. ATTN: MANAGER OR AGENT PO BOX 1000 MANTEO, NC 27954 SANDRA KAY TWIFORD PO BOX 355 MANTEO, NC 27954

BRANCH OF REORGANIZATION ATTN: MANAGING AGENT 3475 LENOX RD NE#1000 ATLANTA, GA 30326

NC DEPT OF REVENUE ATTN: MANAGING AGENT PO BOX 25000 RALEIGH, NC 27640

AGCO ATTN: MANAGER OR AGENT PO BOX 9263 DES MOINES, IA 50306

BB&T ATTN: MANAGER OR AGENT PO BOX 580003 CHARLOTTE, NC 28258

CALFREE ENGINEERING ATTN: MANAGER OR AGENT 3048 MARTINS POINT ROAD KITTY HAWK, NC 27949-3816

CARL CLEVER 114 DRIFTWOOD COURT MANTEO, NC 27954

DENNIS & AMALIA COWELL 117 ETHERIDGE RD, LOT #6 MANTEO, NC 27954

CAROLOS DELEON 121 DRIFTWOOD COURT MANTEO, NC 27954 GEORGE MASON OLIVER OLIVER AND FRIESEN, PLLC PO BOX 1548 NEW BERN, NC 28563

INTERNAL REVENUE SERVICE PO BOX 21126 PHILADELPHIA, PA 19114

UNITED STATES ATTORNEY 310 NEW BERN AVENUE FEDERAL BLDG SUITE 800 RALEIGH, NC 27601-1461

BANK OF AMERICA ATTN: MANAGER OR AGENT PO BOX 37291 BALTIMORE, MD 21297-3291

BB&T ATTN: MANAGER OR AGENT PO BOX 580506 CHARLOTTE, NC 27258-0506

CC OF THE OBX, LLC ATTN: MANAGER OR AGENT PO BOX 1119 MANTEO, NC 27954

WENDY COCKERHAM 117 ETHERIDGE ROAD, LOT #5 MANTEO, NC 27954

KELLY GAIL CREEF 977 SIR WALTER RALEIGH #4 MANTEO, NC 27954

MARTHA M. RAMIREZ DIAZ 116 DRIFTWOOD COURT MANTEO, NC 27954 Case 09-03546-8-RDD Doc 1 Filed 04/30/09 Entered 04/30/09 15:06:59 Page 59 of 62

ANNA DOMINQUEZ 117 ETHERIDGE ROAD, LOT #1 MANTEO, NC 27954

FIRST COLONY COTTAGE, LLC ATTN: MANAGER OR AGENT PO BOX 355 MANTEO, NC 27954

GATEWAY BANK & TRUST CO. ATTN: MANAGER OR AGENT PO BOX 3010 KITTY HAWK, NC 27949

GMAC MORTGAGES, LLC ATTN: MANAGER OR AGENT PO BOX 9001719 LOUISVILLE, KY 40290-1719

HYDE CO. TAX DEPT. ATTN: MANAGER OR AGENT PO BOX 279 SWANQUARTER, NC 27885-0279

JOHN DEERE CREDIT ATTN: MANAGER OR AGENT PO BOX 6630 JOHNSTON, IA 50131

MARISOL MARTINEZ 117 ETHERIDGE RD, LOT #10 MANTEO, NC 27954

GERMAN MEJIA 117 ETHERIDGE RD, LOT #12 MANTEO, NC 27954

DAN OTTAVIO 404 S VIRGINIA DAR TRAIL KILL DEVIL HILLS, NC 27948 SATURNINO ESCALANTE 117 ETHERIDGE RD, LOT #8 MANTEO, NC 27954

FIRST SOUTH BANK ATTN: MANAGER OR AGENT 1311 CAROLINA AVE. WASHINGTON, NC 27889

GATEWAY BANK & TRUST, CO. ATTN: MANAGER OR AGENT PO BOX 1908 ELIZABETH CITY, NC 27906-1908

E. CROUSE GRAY, JR. ATTY FIRST SOUTH BANK 3120 N CROATAN HWY KILL DEVIL HILLS, NC 27948

INDYMAC BANK ATTN: MANAGER OR AGENT PO BOX 78826 PHOENIX, AZ 85062-8826

KELLAM & PETTIT ATTY GMAC MORTGAGE 2701 COLTSGATE RD ST300 CHARLOTTE, NC 28211

LAURA F. MEADS ATTY GATEWAY BANK PO DRAWER 1027 KITTY HAWK, NC 27949

MICHAEL A. MYERS ATTY BB&T PO BOX 21029 WINSTON SALEM, NC 27120-1029

JOSE OVEIDO 117 ETHERIDGE RD, LOT #9 MANTEO, NC 27954 ARLYN ESTHER 117 ETHERIDGE ROAD, LOT #3 MANTEO, NC 27954

GATEWAY BAMK & TRUST, CO. ATTN: MANAGER OR AGENT PO BOX 1908 ELIZABETH CITY, NC 27906-1908

GMAC ATTN: MANAGER OR AGENT PO BOX 9001951 LOUISVILLE, KY 40290-1951

ELVIA HERNANDEZ 814 JACKSON STREET MANTEO, NC 27954

INTERNAL REVENUE SERVICE ATTN: INSOLVENCY I 320 FEDERAL PLACE GREENSBORO, NC 27402

MARTHA LUVZ 117 ETHERIDGE RD, LOT #2 MANTEO, NC 27954

ABNER PEREZ MEJIA 120 DRIFTWOOD COURT, LOT #8 MANTEO, NC 27954

OCEAN BREEZE, INC. ATTN: MANAGER OR AGENT PO BOX 355 MANTEO, NC 27954

NATIA S. PATTERSON 977 SIR WALTER RALEIGH, #1 MANTEO, NC 27954 Case 09-03546-8-RDD Doc 1 Filed 04/30/09 Entered 04/30/09 15:06:59 Page 60 of 62

TANITA PATTERSON 977 SIR WALTER RALEIGH, #3 MANTEO, NC 27954

RBC BANK ATTN: MANAGER OR AGENT PO BOX 1220 ROCKY MOUNT, NC 27802

SECU ATTN: MANAGER OR AGENT PO BOX 1030 MANTEO, NC 27954

MICHAEL TAYLOR 1989 COLINGTON ROAD KILL DEVIL HILLS, NC 27948

RUDY VASQUEZ 117 ETHERIDGE ROAD, LOT #4 MANTEO, NC 27954 JOSE MATA PEREZ 113 DRIFTWOOD COURT MANTEO, NC 27954

RBC CENTURA ATTN: MANAGER OR AGENT PO BOX 1070 CHARLOTTE, NC 28201-1070

SOUTHERN BANK ATTN: MANAGER OR AGENT PO BOX 2037 KILL DEVIL HILLS, NC 27948

MAGDALENO TORRES 117 ETHERIDGE RD, LOT #7 MANTEO, NC 27954

VZIEL VELAZQUE 101 DRIFTWOOD COURT, LOT #1 MANTEO, NC 27954 RBC BANK ATTN: MANAGER OR AGENT PO BOX 1070 CHARLOTTE, NC 28201-1070

SEAHORSE REALTY ATTN: MANAGER OR AGENT PO BOX 2410 KILL DEVIL HILLS, NC 27948

STUBBS & PERDUE, P.A. ATTN: MANAGER OR AGENT PO 1654 NEW BERN, NC 28562

TWIFORD, LLC ATTN: MANAGER OR AGENT PO BOX 355 MANTEO, NC 27954

WILCOHESS, LLC C/O DANNY HARRINGTON, ESQ PO BOX 1726 GREENVILLE, NC 27835 62

Case 09-03546-8-RDD Doc 1 Filed 04/30/09 Entered 04/30/09 15:06:59 Page 61 of

B22B (Official Form 22B) (Chapter 11) (01/08)

William Brantley Twiford, Sr.

Sandra Kay Twiford In re

Case Number:

(If known)

Debtor(s)

## **CHAPTER 11 STATEMENT OF CURRENT MONTHLY INCOME**

In addition to Schedules I and J, this statement must be completed by every individual Chapter 11 debtor, whether or not filing jointly. Joint debtors may complete one statement only.

	Part I. CALCULATION OF CURRENT MONTHLY INC	ON	ЛE		
1	Marital/filing status. Check the box that applies and complete the balance of this part of this statement as directed.       a. □ Unmarried. Complete only Column A ("Debtor's Income") for Lines 2-10.         b. □ Married, not filing jointly. Complete only column A ("Debtor's Income") for Lines 2-10.				
	c. ■ Married, filing jointly. Complete both Column A ("Debtor's Income") and Column B ("	Spo	ouse's Income'')	for	Lines 2-10.
	All figures must reflect average monthly income received from all sources, derived during the six		Column A		Column B
	calendar months prior to filing the bankruptcy case, ending on the last day of the month before the filing. If the amount of monthly income varied during the six months, you must divide the six-month total by six, and enter the result on the appropriate line.		Debtor's Income		Spouse's Income
2	Gross wages, salary, tips, bonuses, overtime, commissions.	\$	0.00	\$	0.00
	<b>Net income from the operation of a business, profession, or farm.</b> Subtract Line b from Line a and enter the difference in the appropriate column(s) of Line 3. If more than one business profession or farm, enter aggregate numbers and provide details on an attachment. Do not enter a number less than zero.				
3	Debtor Spouse				
	a. Gross receipts \$ 0.00 \$ 0.00				
	b. Ordinary and necessary business expenses \$ 0.00 \$ 0.00				
	c. Business income Subtract Line b from Line a	\$	0.00	\$	0.00
4	Net Rental and other real property income.         Subtract Line b from Line a and enter the difference in the appropriate column(s) of Line 4. Do not enter a number less than zero.           Debtor         Spouse				
4	a.         Gross receipts         \$ 17,995.00         \$ 0.00				
	b. Ordinary and necessary operating expenses \$ 0.00 \$ 0.00				
	c. Rent and other real property income Subtract Line b from Line a	\$	17,995.00	\$	0.00
5	5 Interest, dividends, and royalties.			\$	8.33
6	Pension and retirement income.	\$	0.00	\$	1,140.00
7	Any amounts paid by another person or entity, on a regular basis, for the household expenses of the debtor or the debtor's dependents, including child support paid for that purpose. Do not include alimony or separate maintenance payments or amounts paid by the debtor's spouse if Column B is completed.	\$	0.00	\$	0.00
8	Unemployment compensation. Enter the amount in the appropriate column(s) of Line 8.However, if you contend that unemployment compensation received by you or your spouse was a benefit under the Social Security Act, do not list the amount of such compensation in Column A or B, but instead state the amount in the space below:Unemployment compensation claimed to				
	be a benefit under the Social Security Act Debtor \$ 0.00 Spouse \$ 0.00	\$	0.00	\$	0.00
9	Income from all other sources. Specify source and amount. If necessary, list additional sources on a separate page. Total and enter on Line 9. Do not include alimony or separate maintenance payments paid by your spouse if Column B is completed, but include all other payments of alimony or separate maintenance. Do not include any benefits received under the Social Security Act or payments received as a victim of a war crime, crime against humanity, or as a victim of international or domestic terrorism.         Debtor       Spouse				
	a. Social Security \$ 1,100.00 \$ 675.00				
	b. \$	\$	1,100.00	\$	675.00
10	<b>Subtotal of current monthly income.</b> Add lines 2 thru 9 in Column A, and, if Column B is completed, add Lines 2 thru 9 in Column B. Enter the total(s).	\$	19.095.00	\$	1.823.33

Case 09-03546-8-RDD Doc 1 Filed 04/30/09 Entered 04/30/09 15:06:59 Page 62 of 62

## 2

B22B (Official Form 22B) (Chapter 11) (01/08)	
---	--

11	<b>Total current month</b> Line 10, Column B, a from Line 10, Column					
Part II. VERIFICATION						
12	I declare under penalt must sign.) Date: Date:	ty of perjury that the information provi April 30, 2009 April 30, 2009		rue and correct. (If this is a joint case, both debtors /s/ William Brantley Twiford, Sr. William Brantley Twiford, Sr. (Debtor) /s/ Sandra Kay Twiford Sandra Kay Twiford (Joint Debtor, if any)		