UNITED STATES BANKRUPTCY COURT WESTERN DISTRICT OF NORTH CAROLINA

IN RE:	
RIVER OAKS LANDING DEVELOPMENT, LLC	
	, ,
DEBTOR	,

BANKRUPTCY # CHAPTER 11

CORPORATE OWNERSHIP STATEMENT

In accordance with Bankruptcy Rules of Procedure 1007(a) and 7007.1, the Debtor sets out its equity security holders as follows:

John Michael Henderson

Dale Corirossi

Dated: 7/27/09

30%

70%

Richard M. Mitchell NC State Bar #3034 Mitchell & Culp, PLLC 1001 Morehead Square Dr., Ste. 330 Charlotte, NC 28203 704-333-0630 Case 09-51073 Doc 1 Filed 07/27/09 Entered 07/27/09 11:38:14 Desc Main Document Page 2 of 13

CONSENT TO ACTION BY THE MEMBER/MANAGERS OF RIVER OAKS LANDINGS DEVELOPMENT. LLC

WE, the undersigned being all of the member/managers of River Oaks Development Landings Development, LLC, hereby authorize an appropriate representative to file a petition pursuant to Chapter 11 of Title 11 of the United States Code in the United States Bankruptcy Court for the Western District of North Carolina.

DATED this the 232 day of July, 2009.

nus

Case 09-51073 Doc 1 Filed 07/27/09 Entered 07/27/09 11:38:14 Desc Main Document Page 3 of 13 River Oaks Landing Development 2214 West Wood Avenue Richmond, VA 23230

Richard M. Mitchell Mitchell & Culp PLLC 1001 Morehead Square Drive, St Charlotte, NC 28203

Bank of Granite P.O. Box 578 Hickory, Nc 28603

NC Dept. of Revenue P.O. Box 1168 Raleigh, NC 27602-1168

Internal Revenue Service P.O. Box 21126 Philadelphia, PA 19114-0326

Iredell County Tax Coll. County Office Building 200 S. Center St. Statesville, Nc 28677

Kenneth B & Cora S. Crump 1636 Oakmont Dr. Lenoir, NC 28645

River Oaks Golf Course Mgmt. c/o Jack Grace P.O. Box 11083 Richmond, VA 23230

Rufus F. Walker, Trustee 110 Third Street, NE Hickory, NC 28601

Case 09-51073 Doc 1 Filed 07/27/09 Entered 07/27/09 11:38:14 Desc Main Document Page 4 of 13 Southern Community Bank & Tr. P.O. Box 26134

Winston-Salem, NC 27114-6134

William Walt Pettit Kellam & Pettit, PA 2701 Coltgate Rd., 300 Charlotte, NC 28211

Wynn Guild, Inc. c/o Jack Grace P.O. Box 11083 Richmond, VA 28230

Wynn Residential Asset Mgmt. c/o Jack Grace P.O. Box 11083 Richmond, VA 23230 Case 09-51073 Doc 1 Filed 07/27/09 Entered 07/27/09 11:38:14 Desc Main Document Page 5 of 13

UNITED STATES BANKRUPTCY COURT WESTERN DISTRICT OF NORTH CAROLINA WILKESBORO DIVISION

In re: River Oaks Landing Development, LLC

Case No.	
-	

Debtor

Chapter 11

VERIFICATION OF CREDITOR MATRIX

The above named debtor(s), or debtor's attorney if applicable, do hereby certify under penalty of perjury that the attached Master Mailing List of creditors, consisting of **2** sheet(s) is complete, correct and consistent with the debtor's schedules pursuant to Local Bankruptcy Rules and I/we assume all responsibility for errors and omissions.

Dated: 7/27/2009

Signed: s/ John Michael Henderson John Michael Henderson

Signed:

Richard M. MitchellAttorney for Debtor(s)Bar no.:3034Mitchell & Culp PLLC1001 Morehead Square Drive, Ste. 330Charlotte, NC 28203Telephone No.:(704) 333-0630Fax No.:(704) 333-4975E-mail address:

B 1 (Official Foreste (09851073 Do	c 1 Filed 07/27/0	9 Entered	d 07/27/09	11:38:14 Desc I	Main		
United Stat Western Dist Wilkes	es Bankr DptynCent rict of North Caroli boro Division	rt Page 6 ina	of 13	Voluntary 1	Petition		
Name of Debtor (if individual, enter Last, First, Midd River Oaks Landing Development, LLC	e):	Name of Joint D	bebtor (Spouse) (Las	t, First, Middle):			
All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names):			s used by the Joint I I, maiden, and trade	Debtor in the last 8 years names):			
Last four digits of Soc. Sec. or Indvidual-Taxpayer I.D. (ITIN) No./Complete EIN(if more than one, state all): 26-1283868		Last four digits than one, state a		idual-Taxpayer I.D. (ITIN) No.	/Complete EIN(if more		
Street Address of Debtor (No. & Street, City, and Stat 2214 West Wood Avenue Richmond, VA	2):	Street Address of	of Joint Debtor (No.	& Street, City, and State):			
Kichmonu, VA	ZIP CODE 23230			ZIP CO	DE		
County of Residence or of the Principal Place of Busi Iredell	ness:	County of Resid	ence or of the Princ	ipal Place of Business:			
Mailing Address of Debtor (if different from street ad 2214 West Wood Avenue	lress):	Mailing Address	s of Joint Debtor (if	different from street address):			
Richmond, VA	ZIP CODE 23230	┫		ZIP CO	DE		
Location of Principal Assets of Business Debtor (if diff Rt. 70, Statesville, NC	erent from street address above):			ZIP CO	DE 37477		
Type of Debtor	Nature of B	usiness	Chap	pter of Bankruptcy Code Un	21011		
(Form of Organization) (Check one box.)	(Check one box) Health Care Business	c	_ ~ ~	the Petition is Filed (Check o	,		
Individual (includes Joint Debtors)	Single Asset Real Es		Chapter 7	Recogniti	5 Petition for on of a Foreign		
See Exhibit D on page 2 of this form. Corporation (includes LLC and LLP)	U.S.C. § 101(51B) Railroad		Chapter 11	Main Pro	0		
Partnership	StockbrokerCommodity Broker		Chapter 12	Recogniti	5 Petition for on of a Foreign		
Other (If debtor is not one of the above entities, check this box and state type of entity below.)	Commodity Broker		Chapter 13		Proceeding		
	Other			Nature of Debts (Check one box)			
	Tax-Exempt (Check box, if a			rimarily consumer 🗹 I	Debts are primarily pusiness debts.		
	× · · · ·	· · · ·	§ 101(8) as "incurred by an				
	Debtor is a tax-exem under Title 26 of the Code (the Internal Re	United States					
Filing Fee (Check one	box)	Check one	box:	Chapter 11 Debtors			
✓ Full Filing Fee attached		Debtor	is a small business	debtor as defined in 11 U.S.C.	§ 101(51D).		
Filing Fee to be paid in installments (applicable to signed application for the court's consideration cert			is not a small busin	ess debtor as defined in 11 U.S	.C. § 101(51D).		
unable to pay fee except in installments. Rule 100		Check if: Debtor	's aggregate noncon	tingent liquidated debts (exclud	ling debts owed to		
Filing Fee waiver requested (applicable to chapte	7 individuals only) Must			ess than \$2,190,000.			
attach signed application for the court's considera			applicable boxes				
		Accept		ere solicited prepetition from o	ne or more classes		
Statistical/Administrative Information		of cred	litors, in accordance	with 11 U.S.C. § 1126(b).	THIS SPACE IS FOR		
 Debtor estimates that funds will be available for a Debtor estimates that, after any exempt property expenses paid, there will be no funds available for 	s excluded and administrative				COURT USE ONLY		
Estimated Number of Creditors					1		
Image: Constraint of the state of	- 5,001- 10,001- 2:	1 1 5 ,001- 5 ,001-	Over				
49 99 199 999 5,000		0,000 100,000	100,000				
Estimated Assets							
\$50,000 \$100,000 \$500,000 \$1 to	,000,001 \$10,000,001 \$50,00 \$10 to \$50 to \$10 illion million million		01 \$500,000,001 to \$1 billion	More than \$1 billion			
Estimated Liabilities					T		
\$0 to \$50,001 to \$100,001 to \$500,001 to \$		00,001 \$100,000,00		More than \$1			
	llion million million		to \$1 billion	billion			

	Base (0/9851073 Doc 1 Filed 07/27/0		Desc Mark B1, Page
Voluntary Pet	ition Document t be completed and filed in every case)	Name 9 Debtor(s).	
Time page mus	· · · ·	River Oaks Landing Development, LLC	
T .*	All Prior Bankruptcy Cases Filed Within La	ast 8 Years (If more than two, attach additional sheet.)	Dete Filed
	NONE	Case Number:	Date Filed:
Location Where Filed:		Case Number:	Date Filed:
	Pending Bankruptcy Case Filed by any Spouse, Partner of	or Affiliate of this Debtor (If more than one, attach ad	lditional sheet)
Name of Debtor: NONE		Case Number:	Date Filed:
District:		Relationship:	Judge:
10Q) with the Secu	Exhibit A f debtor is required to file periodic reports (e.g., forms 10K and irities and Exchange Commission pursuant to Section 13 or 15(d) cchange Act of 1934 and is requesting relief under chapter 11.)	Exhibit B (To be completed if debtor is whose debts are primarily cor I, the attorney for the petitioner named in the forego have informed the petitioner that [he or she] may pro 12, or 13 of title 11, United States Code, and have e available under each such chapter. I further certify the debtor the notice required by 11 U.S.C. § 342(b).	nsumer debts) ing petition, declare that I xceed under chapter 7, 11, xplained the relief
Exhibit A is a	attached and made a part of this petition.	X Not Applicable Signature of Attorney for Debtor(s)	Date
	Fy	chibit C	
	n or have possession of any property that poses or is alleged to pose a ibit C is attached and made a part of this petition.		th or safety?
	Exi	hibit D	
(To be completed b	by every individual debtor. If a joint petition is filed, each spouse mus	st complete and attach a separate Exhibit D.)	
		•	
Exhibit D	D completed and signed by the debtor is attached and made a part of t	this petition.	
If this is a joint peti	ition:		
Exhibit D	D also completed and signed by the joint debtor is attached and made	a part of this petition.	
		tion the Debtor - Venue y applicable box)	
V	Debtor has been domiciled or has had a residence, principal place preceding the date of this petition or for a longer part of such 180	of business, or principal assets in this District for 180 d	ays immediately
	There is a bankruptcy case concerning debtor's affiliate. general p	artner, or partnership pending in this District.	
	Debtor is a debtor in a foreign proceeding and has its principal pla has no principal place of business or assets in the United States bu this District, or the interests of the parties will be served in regard	tt is a defendant in an action or proceeding [in a federal	
		des as a Tenant of Residential Property pplicable boxes.)	
	Landlord has a judgment against the debtor for possession of debto	or's residence. (If box checked, complete the following).	
		(Name of landlord that obtained judgment)	
		(Address of landlord)	
	Debtor claims that under applicable nonbankruptcy law, there are entire monetary default that gave rise to the judgment for possessi	circumstances under which the debtor would be permitt	ed to cure the
	Debtor has included in this petition the deposit with the court of a filing of the petition.	ny rent that would become due during the 30-day period	l after the
	Debtor certifies that he/she has served the Landlord with this certi	ification. (11 U.S.C. § 362(1)).	

B 1 (Official Formse (09851073 Doc 1 Filed 07/27/09	Entered 07/27/09 11:38:14 Desc Mar B1, Page 3				
Voluntary Petition Document	Name General States and Name General States and States				
(This page must be completed and filed in every case)	River Oaks Landing Development, LLC				
Sign	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	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.)				
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 chapter 15 of Title 11, United States Code. Certified Copies of the documents required by § 1515 of title 11 are attached.				
I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.	Pursuant to 11 U.S.C. § 1511, I request relief in accordance with the Chapter of title 11 specified in the petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.				
X Not Applicable	X Not Applicable				
Signature of Debtor	(Signature of Foreign Representative)				
X Not Applicable					
Signature of Joint Debtor	(Printed Name of Foreign Representative)				
Telephone Number (If not represented by attorney)					
Date	Date				
Signature of Attorney	Signature of Non-Attorney Petition Preparer				
X					
Signature of Attorney for Debtor(s)	I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and have provided the				
Richard M. Mitchell Bar No. 3034	debtor with a copy of this document 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				
Printed Name of Attorney for Debtor(s) / Bar No.	promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable				
Mitchell & Culp PLLC	by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor,				
Firm Name	as required in that section. Official Form 19 is attached.				
1001 Morehead Square Drive, Ste. 330 Charlotte, NC 28203					
Address	Not Applicable				
	Printed Name and title, if any, of Bankruptcy Petition Preparer				
(704) 333-0630 (704) 333-4975	Social-Security number (If the bankruptcy petition preparer is not an individual, state				
Telephone Number	the Social-Security number of the officer, principal, responsible person or partner of				
7/27/2009	the bankruptcy petition preparer.) (Required by 11 U.S.C. § 110.)				
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.	Address				
Signature of Debtor (Corporation/Partnership)	X Not Applicable				
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	Date				
debtor. The debtor requests the relief in accordance with the chapter of title 11, United States	Signature of bankruptcy petition preparer or officer, principal, responsible person, or partner whose Social-Security number is provided above.				
Code, specified in this petition. X s/ John Michael Henderson	Names and Social-Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is not an individual.				
Signature of Authorized Individual	If more than one person prepared this document, attach to the appropriate official form				
John Michael Henderson	for each person.				
Printed Name 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				
Manager	the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both. 11 U.S.C. § 110; 18 U.S.C. § 156.				
Title of Authorized Individual					
7/27/2009 Date					

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4 (Official Form 4) (12/07)		Document	Page 9 of 13		
			ankruptcy Court		
	v	Western District Wilkesbor	of North Carolina o Division	3	
in re River Oaks Landing Dev	elopment, LLC		, Ca:	se No	
		Debtor	Ch	apter <u>11</u>	
	DITORS F			· <u>··</u>	RED CLAIMS
	Name, telephone complete mailing including zip cod employee, agent of creditor familia claim who may b	(2) e number and g address, ie, of t, or department ar with	0 LARGEST	UNSECU	(5) Amount of claim [if secured also state value of security]

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

I, John Michael Henderson, Manager of the Corporation named as the debtor in this case, declare under penalty of perjury that I have read the foregoing list and that it is true and correct to the best of my information and belief.

Date: 7/27/2009

County Office Building 200 S. Center St. Statesville, Nc 28677

Signature: <u>Si</u>

ure: s/ John Michael Henderson

John Michael Henderson , Manager

(Print Name and Title)

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

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Document	Page 10 of 13	

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

In re	River Oaks Landing Development, LLC	
	Debt	or

Case No.

(If known)

SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

lule F.
lι

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	CODEBTOR	HUSBAND, WIFE, JOINT OR COMMUNITY	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM
ACCOUNT NO.	Х					х	SECURED
Bank of Granite P.O. Box 578 Hickory, Nc 28603			DISPUTE				
ACCOUNT NO.							NPO
Internal Revenue Service P.O. Box 21126 Philadelphia, PA 19114-0326							
ACCOUNT NO.							100.00
Iredell County Tax Coll. County Office Building 200 S. Center St. Statesville, Nc 28677							
ACCOUNT NO.							SECURED
Kenneth B & Cora S. Crump 1636 Oakmont Dr. Lenoir, NC 28645							
ACCOUNT NO.							NPO
NC Dept. of Revenue P.O. Box 1168 Raleigh, NC 27602-1168							

2 Continuation sheets attached

Subtotal	>	\$	100.00
		\$	
Total	۶		
dule F.)			

(Use only on last page of the completed Schedule F.) (Report also on Summary of Schedules and, if applicable on the Statistical Summary of Certain Liabilities and Related Data.)

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ocument	Page 11 of 13	

B6F (Official Form 6F) (12/07) - Cont.

In re

River Oaks Landing Development, LLC Debtor Case No.

(If known)

SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

____,

			(Continuation Sheet)				
CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	CODEBTOR	HUSBAND, WIFE, JOINT OR COMMUNITY	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM
ACCOUNT NO.							2,191.95
River Oaks Golf Course Mgmt. c/o Jack Grace P.O. Box 11083 Richmond, VA 23230			Insider				
ACCOUNT NO.							NPO
Rufus F. Walker, Trustee 110 Third Street, NE Hickory, NC 28601							
ACCOUNT NO.							SECURED
Southern Community Bank & Tr. P.O. Box 26134 Winston-Salem, NC 27114-6134							
ACCOUNT NO.							NPO
William Walt Pettit Kellam & Pettit, PA 2701 Coltgate Rd., 300 Charlotte, NC 28211							
ACCOUNT NO.							40,636.56
Wynn Guild, Inc. c/o Jack Grace P.O. Box 11083 Richmond, VA 28230			Insider				

Sheet no. $\underline{1}$ of $\underline{2}$ continuation sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims	Subtotal >		\$ 42,828.5	1
	Total → (Use only on last page of the completed Schedule F.)		\$	
	(Report also on Summary of Schedules and, if applicable on the Statistical Summary of Certain Liabilities and Related Data.)	Ţ	<u> </u>	

Case 09-51073 Doc 1

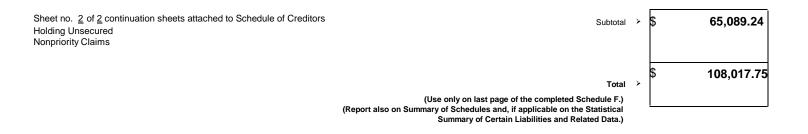
B6F (Official Form 6F) (12/07) - Cont.

In re **River Oaks Landing Development, LLC** Debtor Case No.

(If known)

SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

			(Continuation Sheet)				
CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	CODEBTOR	HUSBAND, WIFE, JOINT OR COMMUNITY	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM
ACCOUNT NO.							65,089.24
Wynn Residential Asset Mgmt. c/o Jack Grace P.O. Box 11083 Richmond, VA 23230			Insider				



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

In re River Oaks Landing Development, LLC

Debtor

Case No.

DECLARATION CONCERNING DEBTOR'S SCHEDULES

DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR

(NOT APPLICABLE)

DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF CORPORATION OR PARTNERSHIP

I John Michael Henderson, the Manager of the Corporation named as debtor in this case, declare under penalty of

5 perjury that I have read the foregoing summary and schedules, consisting of _____ sheets (Total shown on summary page plus 1), and that they are true and correct to the best of my knowledge, information, and belief.

Date 7/27/2009

Signature:

s/ John Michael Henderson

John Michael Henderson Manager [Print or type name of individual signing on behalf of debtor.]

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

(If known)

Case 09-51073