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| United States Bankruptcy Court Western District of North Carolina | | | | | | Voluntary Petition | | | |
|--|--|---|---|--|---|--|---|---|--|
| Name of Debtor (if individual, en West End Property Mana | | | | | Name | of Joint De | ebtor (Spouse) |) (Last, First | t, Middle): |
| All Other Names used by the Deb (include married, maiden, and trac | | 3 years | | | All Of (inclu- | ther Names de married, | used by the J maiden, and | oint Debtor trade names | in the last 8 years): |
| Last four digits of Soc. Sec. or Inc (if more than one, state all) 26-0128690 | lividual-Taxpa | yer I.D. (| ITIN) No./0 | Complete E | IN Last for | our digits o than one, state | f Soc. Sec. or | Individual- | Taxpayer I.D. (ITIN) No/Complete EIN |
| Street Address of Debtor (No. and Street, City, and State): 2952 Highway 70 Black Mountain, NC ZIP Code | | | | Address of | Joint Debtor | (No. and St | reet, City, and State): ZIP Code | | |
| | | | | 28711 | | | | | |
| County of Residence or of the Principal Place of Business: Buncombe Mailing Address of Debtor (if different from street address): | | | | Count | y of Reside | ence or of the | Principal Pl | ace of Business: | |
| Mailing Address of Debtor (if diff | erent from stre | eet addres | s): | | Mailir | ng Address | of Joint Debte | or (if differe | ent from street address): |
| | | | Г | ZIP Code | _ | | | | ZIP Code |
| Location of Principal Assets of Bu (if different from street address ab | | | • | | | | | | · |
| Type of Debtor (Form of Organization (Check one box) Individual (includes Joint Deb See Exhibit D on page 2 of thi Corporation (includes LLC and | tors) s form. | Sing in 11 Rails | (Check th Care Bu le Asset Re U.S.C. § 3 road kbroker amodity Bro | eal Estate as 101 (51B) | | ☐ Chapt ☐ Chapt ☐ Chapt ☐ Chapt ☐ Chapt | the F er 7 er 9 er 11 er 12 | Petition is F | ptcy Code Under Which iled (Check one box) hapter 15 Petition for Recognition f a Foreign Main Proceeding hapter 15 Petition for Recognition f a Foreign Nonmain Proceeding |
| Other (If debtor is not one of the check this box and state type of en | above entities, tity below.) | ☐ Othe | Tax-Exe (Check box for is a tax- er Title 26 of | mpt Entity , if applicable exempt org of the Unite | e) anization d States | defined "incurr | are primarily co 1 in 11 U.S.C. § red by an indivi- onal, family, or l | (Checonsumer debts 101(8) as dual primarily | business debts. |
| Filing Fee (d Full Filing Fee attached Filing Fee to be paid in installmen attach signed application for the condebtor is unable to pay fee except Form 3A. Filing Fee waiver requested (applicattach signed application for the condebtor is unable to pay fee except form 3A. | ourt's considerati in installments. | individuals on certifyii Rule 1006(i 7 individua | ng that the b). See Office als only). Mu | Check : A Check : A Check : A Check : A Check : A | Debtor is not if: Debtor's aggure less than all applicable A plan is beit Acceptances | a small busing regate nonco \$2,343,300 (e) to boxes: any filed with of the plan w | debtor as defininess debtor as dentingent liquida amount subject this petition. | efined in 11 lated debts (exacto adjustment | |
| Statistical/Administrative Inform ☐ Debtor estimates that funds wi ☐ Debtor estimates that, after any there will be no funds available | ll be available exempt prop | erty is exc | cluded and | nsecured cre administrati | editors. | | S.C. § 1126(b). | THIS | S SPACE IS FOR COURT USE ONLY |
| Estimated Number of Creditors | □ 200- | 1,000- 5,000 | 5,001- 10,000 | 10,001- 25,000 | 25,001- 50,000 | 50,001- 100,000 | OVER 100,000 | | |
| Estimated Assets | \$500,001 to \$1 | \$1,000,001 to \$10 million | \$10,000,001 to \$50 million | \$50,000,001 to \$100 million | \$100,000,001 to \$500 million | \$500,000,001 to \$1 billion | | | |
| Estimated Liabilities | \$500,001 to \$1 | \$1,000,001 to \$10 | \$10,000,001 to \$50 | \$50,000,001 to \$100 | \$100,000,001 to \$500 | \$500,000,001 to \$1 billion | | | |

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B1 (Official Form 1)(4/10) Page 2 Name of Debtor(s): Voluntary Petition West End Property Management, LLC (This page must be completed and filed in every case) All Prior Bankruptcy Cases Filed Within Last 8 Years (If more than two, attach additional sheet) Case Number: Location Date Filed: Where Filed: - None -Date Filed: Location Case Number: Where Filed: Pending Bankruptcy Case Filed by any Spouse, Partner, or Affiliate of this Debtor (If more than one, attach additional sheet) Name of Debtor: Case Number: Date Filed: - None -District: Relationship: Judge: Exhibit B Exhibit A (To be completed if debtor is an individual whose debts are primarily consumer debts.) (To be completed if debtor is required to file periodic reports (e.g., I, the attorney for the petitioner named in the foregoing petition, declare that I forms 10K and 10Q) with the Securities and Exchange Commission have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 under each such chapter. I further certify that I delivered to the debtor the notice required by 11 U.S.C. §342(b). and is requesting relief under chapter 11.) ☐ Exhibit A is attached and made a part of this petition. Signature of Attorney for Debtor(s) (Date) **Exhibit C** Does the debtor own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health or safety? Yes, and Exhibit C is attached and made a part of this petition. No. Exhibit D (To be completed by every individual debtor. If a joint petition is filed, each spouse must complete and attach a separate Exhibit D.) ☐ Exhibit D completed and signed by the debtor is attached and made a part of this petition. If this is a joint petition: ☐ Exhibit D also completed and signed by the joint debtor is attached and made a part of this petition. Information Regarding the Debtor - Venue (Check any applicable box) Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District. There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District. Debtor is a debtor in a foreign proceeding and has its principal place of business or principal assets in the United States in this District, or has no principal place of business or assets in the United States but is a defendant in an action or proceeding [in a federal or state court] in this District, or the interests of the parties will be served in regard to the relief sought in this District. Certification by a Debtor Who Resides as a Tenant of Residential Property (Check all applicable boxes) Landlord has a judgment against the debtor for possession of debtor'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 circumstances under which the debtor would be permitted to cure the entire monetary default that gave rise to the judgment for possession, after the judgment for possession was entered, and Debtor has included in this petition the deposit with the court of any rent that would become due during the 30-day period after the filing of the petition. Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(l)).

Page 3 of 31 Document B1 (Official Form 1)(4/10)

Voluntary Petition

(This page must be completed and filed in every case)

Name of Debtor(s):

West End Property Management, LLC

Signatures Signature(s) of Debtor(s) (Individual/Joint)

I declare under penalty of perjury that the information provided in this petition is true and correct.

If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12, or 13 of 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.

| T 7 | |
|------------|---|
| X | |
| ∠ 🕦 | _ |

Signature of Debtor

Signature of Joint Debtor

Telephone Number (If not represented by attorney)

Date

Signature of Attorney*

X /s/ Edward Hay

Signature of Attorney for Debtor(s)

Edward Hay 7149

Printed Name of Attorney for Debtor(s)

Pitts, Hay, Hugenschmidt

Firm Name

137 Biltmore Ave. Asheville, NC 28801

Address

828-255-8085 Fax: 828-251-2760

Telephone Number

November 10, 2010

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.

Signature of Debtor (Corporation/Partnership)

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.

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

X /s/ Robert Allen Burpeau, Sr.

Signature of Authorized Individual

Robert Allen Burpeau, Sr.

Printed Name of Authorized Individual

Member/Manager

Title of Authorized Individual

November 10, 2010

Date

Signature of a Foreign Representative

Page 3

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.

| 7 | v |
|---|---|
| 2 | ١ |

Signature of Foreign Representative

Printed Name of Foreign Representative

Date

Signature of Non-Attorney Bankruptcy Petition Preparer

I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h), and 342(b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required in that section. Official Form 19 is attached.

Printed Name and title, if any, of Bankruptcy Petition Preparer

Social-Security number (If the bankrutpcy petition preparer is not an individual, state the Social Security number of the officer, principal, responsible person or partner of the bankruptcy petition preparer.)(Required by 11 U.S.C. § 110.)

| | _ | | | |
|---|----|---|---|--|
| ٩ | ٧ | v | • | |
| | ١, | 8 | | |

Date

Address

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 not an individual:

If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.

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.

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B4 (Official Form 4) (12/07)

United States Bankruptcy Court Western District of North Carolina

| In re | West End Property Management, LLC | | Case No. | |
|-------|-----------------------------------|-----------|----------|----|
| | | Debtor(s) | Chapter | 11 |

LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

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

| (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] |
| Carolina First TD Bank N.A. P. O. Box 100201 Columbia, SC 29202-2201 | Carolina First TD Bank N.A. P. O. Box 100201 Columbia, SC 29202-2201 | | | 261,989.00 |
| Carolina First TD Bank N.A. P. O. Box 100201 Columbia, SC 29202-2201 | Carolina First TD Bank N.A. P. O. Box 100201 Columbia, SC 29202-2201 | | | 178,588.00 |
| Gabler Molis & Co. 32 Orange St. Asheville, NC 28801 | Gabler Molis & Co. 32 Orange St. Asheville, NC 28801 | | | 2,337.42 |
| | | | | |
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| B4 (Offic | cial Form 4) (12/07) - Cont. | | |
|-----------|-----------------------------------|----------|--|
| In re | West End Property Management, LLC | Case No. | |
| | Debtor(s) | _ | |

LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

(Continuation Sheet)

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

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

I, the Member/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 | November 10, 2010 | Signature | /s/ Robert Allen Burpeau, Sr. | |
|------|-------------------|-----------|-------------------------------|--|
| | | | Robert Allen Burpeau, Sr. | |
| | | | Member/Manager | |

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

United States Bankruptcy Court Western District of North Carolina

| In re | West End Property Management, LLC | | Case No | | |
|-------|-----------------------------------|--------|---------|----|--|
| • | | Debtor | | | |
| | | | Chapter | 11 | |
| | | | | | |

SUMMARY OF SCHEDULES

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

| NAME OF SCHEDULE | ATTACHED (YES/NO) | NO. OF SHEETS | ASSETS | LIABILITIES | OTHER |
|--|----------------------|------------------|-------------------|--------------|-------|
| A - Real Property | Yes | 1 | 950,000.00 | | |
| B - Personal Property | Yes | 3 | 0.00 | | |
| C - Property Claimed as Exempt | No | 0 | | | |
| D - Creditors Holding Secured Claims | Yes | 1 | | 915,543.00 | |
| E - Creditors Holding Unsecured Priority Claims (Total of Claims on Schedule E) | Yes | 1 | | 0.00 | |
| F - Creditors Holding Unsecured Nonpriority Claims | Yes | 2 | | 442,914.42 | |
| G - Executory Contracts and Unexpired Leases | Yes | 1 | | | |
| H - Codebtors | Yes | 1 | | | |
| I - Current Income of Individual Debtor(s) | No | 0 | | | N/A |
| J - Current Expenditures of Individual Debtor(s) | No | 0 | | | N/A |
| Total Number of Sheets of ALL Schedu | ıles | 10 | | | |
| | Т | otal Assets | 950,000.00 | | |
| | | | Total Liabilities | 1,358,457.42 | |

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Form 6 - Statistical Summary (12/07)

United States Bankruptcy Court Western District of North Carolina

| _ | West End Property Management, LLC | | Case No. | | |
|-------------|---|---|----------------------------|------------------------|--|
| | | Debtor | Chapter | 11 | |
| | STATISTICAL SUMMARY OF CERTAIN | LIABILITIES AN | ND RELATED DA | TA (28 U.S.C. § 1 | |
| If y a c | you are an individual debtor whose debts are primarily consumase under chapter 7, 11 or 13, you must report all information | ner debts, as defined in § requested below. | 101(8) of the Bankruptcy | Code (11 U.S.C.§ 101(8 | |
| | ☐ Check this box if you are an individual debtor whose debts report any information here. | s are NOT primarily cons | umer debts. You are not re | equired to | |
| Th | is information is for statistical purposes only under 28 U.S | .C. 8 159. | | | |
| | mmarize the following types of liabilities, as reported in the | | em. | | |
| Т | ype of Liability | Amount | | | |
| D | omestic Support Obligations (from Schedule E) | | | | |
| | axes and Certain Other Debts Owed to Governmental Units from Schedule E) | | | | |
| | laims for Death or Personal Injury While Debtor Was Intoxicated from Schedule E) (whether disputed or undisputed) | | | | |
| s | tudent Loan Obligations (from Schedule F) | | | | |
| D | omestic Support, Separation Agreement, and Divorce Decree bligations Not Reported on Schedule E | | | | |
| C (f | bligations to Pension or Profit-Sharing, and Other Similar Obligations from Schedule F) | 5 | | | |
| | TOTAL | | | | |
| s | tate the following: | | | | |
| Α | verage Income (from Schedule I, Line 16) | | | | |
| Α | verage Expenses (from Schedule J, Line 18) | | | | |
| | urrent Monthly Income (from Form 22A Line 12; OR, orm 22B Line 11; OR, Form 22C Line 20) | | | | |
| S | tate the following: | | | | |
| | 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) | | | | |

101(8)), filing

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

| In re | West End Property Management, LLC | | Case No. | |
|-------|-----------------------------------|--------|----------|--|
| _ | | Debtor | , | |

SCHEDULE A - REAL PROPERTY

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

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

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

| Commercial Building, 2952 Highway 70, Black Mountain, NC | - 950,000.00 915,543 | 3.00 |
|---|----------------------|------|
| Description and Location of Property Nature of Det Interest in Pro | Property without | m |

Sub-Total > **950,000.00** (Total of this page)

Total > **950,000.00**

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

| In re | West End Property Management, LLC | | Case No. | |
|-------|-----------------------------------|--------|----------------|--|
| _ | | Debtor | - / | |

SCHEDULE B - PERSONAL PROPERTY

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

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

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

| n hand ng, savings or other financial s, certificates of deposit, or | X | | | | Secured Claim or Exemption |
|--|---|---|---|---|---|
| s, certificates of deposit, or | | | | | |
| n banks, savings and loan, uilding and loan, and ead associations, or credit brokerage houses, or tives. | X | | | | |
| deposits with public telephone companies, ls, and others. | X | | | | |
| old goods and furnishings, ag audio, video, and er equipment. | X | | | | |
| pictures and other art antiques, stamp, coin, tape, compact disc, and ollections or collectibles. | X | | | | |
| g apparel. | X | | | | |
| d jewelry. | X | | | | |
| s and sports, photographic, er hobby equipment. | X | | | | |
| s in insurance policies. nsurance company of each and itemize surrender or value of each. | X | | | | |
| es. Itemize and name each | X | | | | |
| 1 | surance company of each nd itemize surrender or alue of each. | surance company of each nd itemize surrender or alue of each. | surance company of each nd itemize surrender or alue of each. | surance company of each nd itemize surrender or alue of each. | surance company of each nd itemize surrender or alue of each. |

2 continuation sheets attached to the Schedule of Personal Property

0.00

Sub-Total >

(Total of this page)

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

| In re | West End Property Management, LLC | | Case No. |
|-------|-----------------------------------|--------|----------|
| - | | Debtor | |

SCHEDULE B - PERSONAL PROPERTY

(Continuation Sheet)

| | Type of Property | N O N E | Description and Location of Property | Husband, Wife, Joint, or Community | Current Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption |
|-----|---|------------------|--------------------------------------|---|---|
| 11. | Interests in an education IRA as defined in 26 U.S.C. § 530(b)(1) or under a qualified State tuition plan as defined in 26 U.S.C. § 529(b)(1). Give particulars. (File separately the record(s) of any such interest(s). 11 U.S.C. § 521(c).) | Х | | | |
| 12. | Interests in IRA, ERISA, Keogh, or other pension or profit sharing plans. Give particulars. | X | | | |
| 13. | Stock and interests in incorporated and unincorporated businesses. Itemize. | X | | | |
| 14. | Interests in partnerships or joint ventures. Itemize. | X | | | |
| 15. | Government and corporate bonds and other negotiable and nonnegotiable instruments. | X | | | |
| 16. | Accounts receivable. | X | | | |
| 17. | Alimony, maintenance, support, and property settlements to which the debtor is or may be entitled. Give particulars. | X | | | |
| 18. | Other liquidated debts owed to debtor including tax refunds. Give particulars. | X | | | |
| 19. | Equitable or future interests, life estates, and rights or powers exercisable for the benefit of the debtor other than those listed in Schedule A - Real Property. | X | | | |
| 20. | Contingent and noncontingent interests in estate of a decedent, death benefit plan, life insurance policy, or trust. | X | | | |
| 21. | Other contingent and unliquidated claims of every nature, including tax refunds, counterclaims of the debtor, and rights to setoff claims. Give estimated value of each. | X | | | |
| | | | (То | Sub-Tota tal of this page) | al > 0.00 |

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

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

| In re | West End Property Management, LLC | Case No. |
|-------|-----------------------------------|----------|
| _ | | • |

Debtor

SCHEDULE B - PERSONAL PROPERTY

(Continuation Sheet)

| | 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 |
|-----|---|------------------|--------------------------------------|---|---|
| 22. | Patents, copyrights, and other intellectual property. Give particulars. | Х | | | |
| 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. | X | | | |
| 25. | Automobiles, trucks, trailers, and other vehicles and accessories. | X | | | |
| 26. | Boats, motors, and accessories. | X | | | |
| 27. | Aircraft and accessories. | X | | | |
| 28. | Office equipment, furnishings, and supplies. | X | | | |
| 29. | Machinery, fixtures, equipment, and supplies used in business. | X | | | |
| 30. | Inventory. | X | | | |
| 31. | Animals. | X | | | |
| 32. | Crops - growing or harvested. Give particulars. | X | | | |
| 33. | Farming equipment and implements. | X | | | |
| 34. | Farm supplies, chemicals, and feed. | X | | | |
| 35. | Other personal property of any kind not already listed. Itemize. | X | | | |

| Sub-Total > | 0.00 | | (Total of this page) | Total > | 0.00 | Case 10-11317 Doc 1 Filed 11/10/10 Entered 11/10/10 16:28:46 Desc Main Page 12 of 31 Document

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

| In re | West End Property Management, LLC | | Case No. | |
|-------|-----------------------------------|--------|----------|--|
| | | Debtor | , | |

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 "Unsecured Portion" on the Statistical 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.

| | С | Husband, Wife, Joint, or Community | CO | U | D | AMOUNT OF | |
|--|--|--|----|----------------------|----------|---|---------------------------------|
| CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.) | | DATE CLAIM WAS INCURRED, NATURE OF LIEN, AND DESCRIPTION AND VALUE OF PROPERTY SUBJECT TO LIEN | | UZ L Q U L D A F H D | I SPUTED | CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL | UNSECURED PORTION, IF ANY |
| Account No. | | First Mortgage | T | E | | | |
| Carolina First TD Bank N.A. P. O. Box 100201 Columbia, SC 29202-2201 | x . | Commercial Building, 2952 Highway 70, Black Mountain, NC | | D | | | |
| | | Value \$ 950,000.00 | | | | 576,868.00 | 0.00 |
| Account No. |] | Second Mortgage | | | | | |
| Carolina First TD Bank N.A. P. O. Box 100201 Columbia, SC 29202-2201 | x | Commercial Building, 2952 Highway 70, Black Mountain, NC | | | | | |
| | | Value \$ 950,000.00 | | | | 338,675.00 | 0.00 |
| Account No. | | Value \$ | | | | | |
| Account No. | 1 | | | | | | |
| | | Value \$ | | | | | |
| _0 continuation sheets attached | Subtotal (Total of this page) | | | | | 915,543.00 | 0.00 |
| | Total (Report on Summary of Schedules) | | | | | 915,543.00 | 0.00 |

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B6E (Official Form 6E) (4/10)

| In re | West End Property Management, LLC | | Case No | |
|-------|-----------------------------------|--------|---------|--|
| - | | Debtor | | |

SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS

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

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

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

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

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

Report the total of amounts 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

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

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

| In re | West End Property Management, LLC | | Case No. | |
|-------|-----------------------------------|--------|----------|--|
| • | | Debtor | -7 | |

SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

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.

| (See instructions above.) | C O D E B T O R | Hu H W J C | DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE. | CONTINGENT | UNLIQUIDAT | 1 | U T F | AMOUNT OF CLAIM |
|--|-----------------|------------------------|---|-----------------|------------|---|-------------|-----------------|
| Account No. Buncombe County Tax Department 60 Court Plaza, Third Floor Room 320 Asheville, NC 28801 | | _ | Notice purposes only | | E D | | | 0.00 |
| Account No. Carolina First TD Bank N.A. P. O. Box 100201 Columbia, SC 29202-2201 | x | _ | | | | | | 261,989.00 |
| Account No. Carolina First TD Bank N.A. P. O. Box 100201 Columbia, SC 29202-2201 | x | _ | | | | | | 178,588.00 |
| Account No. 56-1904022 Equifax Information Service LLC P. O. Box 4472 Atlanta, GA 30302 | | _ | Notice purposes only | | | | | 0.00 |
| continuation sheets attached | Ш | | (Total of t | Subt his | | | ;) | 440,577.00 |

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

| In re | West End Property Management, LLC | | Case No. | |
|-------|-----------------------------------|--------|----------|--|
| _ | | Debtor | | |

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

| | 1. | 1 | 1 | 1 | | T 5 | 1 |
|--|--------|----|---|-------------|------------------|-------|-----------------|
| CREDITOR'S NAME, | Ö | Hu | sband, Wife, Joint, or Community | - 6 | N | D | |
| MAILING ADDRESS | CODEBT | H | DATE CLAIM WAS INCURRED AND | CONTI | UNLI | SPUTE | |
| INCLUDING ZIP CODE, AND ACCOUNT NUMBER | В | W | CONSIDERATION FOR CLAIM. IF CLAIM | I N | Q | Ų | AMOUNT OF CLAIM |
| (See instructions above.) | 0 | c | IS SUBJECT TO SETOFF, SO STATE. | Ğ | Ĭ | Ė | AMOUNT OF CLAIM |
| , , , , , , , , , , , , , , , , , , , | R | _ | | G E N | D A T E | ١٦ | |
| Account No. 56-1904022 | | | Notice purposes only | T | Ė | | |
| | | | | | D | L | _ |
| Experian | | | | | | | |
| P. O. Box 72774 | | - | | | | | |
| Chicago, IL 60673-7774 | | | | | | | |
| | | | | | | | |
| | | | | | | | 0.00 |
| | ╀ | ╁ | | + | ⊢ | ┾ | |
| Account No. 6371 | 1 | | | | | | |
| | | | | | | | |
| Gabler Molis & Co. | | | | | | | |
| 32 Orange St. | | - | | | | | |
| Asheville, NC 28801 | | | | | | | |
| | | | | | | | |
| | | | | | | | 2,337.42 |
| Account No. 56-1904022 | ┪ | + | Notice purposes only | ╁ | H | t | |
| 71000dilt 110. 30 1304022 | 1 | | Trouble purposes only | | | | |
| Internal Revenue Service | | | | | | | |
| P. O. Box 21126 | | l_ | | | | | |
| Philadelphia, PA 19114 | | | | | | | |
| Filliadelpilla, FA 19114 | | | | | | | |
| | | | | | | | 0.00 |
| | | | | | | | 0.00 |
| Account No. 56-1904022 | | | Notice purposes only | | | | |
| | 1 | | | | | | |
| N. C. Department of Revenue | | | | | | | |
| P. O. Box 1168 | | - | | | | | |
| Raleigh, NC 27602 | | | | | | | |
| | | | | | | | |
| | | | | | | | 0.00 |
| | ╄ | ╄ | | + | | ┡ | |
| Account No. 56-1904022 | 1 | | Notice purposes only | | | | |
| L | 1 | | | | | | |
| TransUnion | | | | | | | |
| 1561 E. Orangethorpe Ave. | | - | | | | | |
| Fullerton, CA 92831-5207 | | | | | | | |
| | | | | | | | |
| | | | | | | | 0.00 |
| Sheet no1 of _1 sheets attached to Schedule of | _ | _ | 1 | Sub | tota | 1 | |
| | | | | | | | 2,337.42 |
| Creditors Holding Unsecured Nonpriority Claims | | | (Total of t | 111S | pag | ge) | |
| | | | | 7 | Ota | al | |
| | | | (Report on Summary of So | chec | lule | es) | 442,914.42 |

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

| In re | West End Property Management, LLC | | Case No | |
|-------|-----------------------------------|--------|----------|--|
| _ | | | <u>-</u> | |
| | | Debtor | | |

SCHEDULE G - EXECUTORY CONTRACTS AND UNEXPIRED LEASES

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

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

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. Case 10-11317 Doc 1 Filed 11/10/10 Entered 11/10/10 16:28:46 Desc Main Document Page 17 of 31

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

| In re | West End Property Management, LLC | | Case No. |
|-------|-----------------------------------|---------|----------|
| - | | Debtor, | |

SCHEDULE H - CODEBTORS

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

☐ Check this box if debtor has no codebtors.

NAME AND ADDRESS OF CODEBTOR NAME AND ADDRESS OF CREDITOR Robert Allen and Jan H. Burpeau **Carolina First** P. O. Box 1281 TD Bank N.A. Black Mountain, NC 28711 P. O. Box 100201 Columbia, SC 29202-2201 Robert Allen and Jan H. Burpeau Carolina First P. O. Box 1281 TD Bank N.A. Black Mountain, NC 28711 P. O. Box 100201 Columbia, SC 29202-2201 Robert Allen and Jan H. Burpeau Carolina First P. O. Box 1281 TD Bank N.A. Black Mountain, NC 28711 P. O. Box 100201 Columbia, SC 29202-2201 Robert Allen and Jan H. Burpeau **Carolina First** P. O. Box 1281 TD Bank N.A. Black Mountain, NC 28711 P. O. Box 100201 Columbia, SC 29202-2201

Case 10-11317 Doc 1

Document

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

United States Bankruptcy Court Western District of North Carolina

| In re | West End Property Management, LLC | | | Case No. | |
|-------|--|---------|-------------------------|---------------|---------------------------|
| | | I | Debtor(s) | Chapter | 11 |
| | | | | | |
| | | | | | |
| | DECLARATION CONC | CERN | ING DEBTOR'S SC | HEDULI | ES |
| | | **** | | D . FT.O.V. O | D. D. I. D. T. VED G. VVD |
| | DECLARATION UNDER PENALTY OF PER. | JURY | ON BEHALF OF CORPO | RATION O | R PARTNERSHIP |
| | | | | | |
| | | | | | |
| | I, the Member/Manager of the corporation that I have read the foregoing summary and scheduler. | | | | |
| | to the best of my knowledge, information, and beli | | isisting of sneets, | and that the | y are true and correct |
| | | | | | |
| | | | | | |
| Date | November 10, 2010 Sign. | ature _ | /s/ Robert Allen Burpea | ı, Sr. | |
| | | | Robert Allen Burpeau, S | Sr. | |
| | | | Member/Manager | | |

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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B7 (Official Form 7) (04/10)

United States Bankruptcy Court Western District of North Carolina

| In re | West End Property Management, LLC | | Case No. | |
|-------|-----------------------------------|-----------|----------|----|
| | | Debtor(s) | Chapter | 11 |

STATEMENT OF FINANCIAL AFFAIRS

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

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

DEFINITIONS

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

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

1. Income from employment or operation of business

None

State the gross amount of income the debtor has received from employment, trade, or profession, or from operation of the debtor's business, including part-time activities either as an employee or in independent trade or business, from the beginning of this calendar year to the date this case was commenced. State also the gross amounts received during the **two years** immediately preceding this calendar year. (A debtor that maintains, or has maintained, financial records on the basis of a fiscal rather than a calendar year may report fiscal year income. Identify the beginning and ending dates of the debtor's fiscal year.) If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income of both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

AMOUNT SOURCE

\$-14,397.00 2008 - West End Property Management, LLC \$-3,121.00 2009 - West End Property Management, LLC \$24,996.04 2010 - West End Property Management, LLC

2. Income other than from employment or operation of business

None

State the amount of income received by the debtor other than from employment, trade, profession, or operation of the debtor's business during the **two years** immediately preceding the commencement of this case. Give particulars. If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income for each spouse whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

AMOUNT SOURCE

3. Payments to creditors

None

Complete a. or b., as appropriate, and c.

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

NAME AND ADDRESS OF CREDITOR DATES OF PAYMENTS

AMOUNT PAID

AMOUNT STILL OWING

None

b. Debtor whose debts are not primarily consumer debts: List each payment or other transfer to any creditor made within **90 days** immediately preceding the commencement of the case unless the aggregate value of all property that constitutes or is affected by such transfer is less than \$5,850*. If the debtor is an individual, indicate with an asterisk (*) any payments that were made to a creditor on account of a domestic support obligation or as part of an alternative repayment schedule under a plan by an approved nonprofit budgeting and credit counseling agency. (Married debtors filing under chapter 12 or chapter 13 must include payments and other transfers by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

DATES OF PAYMENTS/ TRANSFERS AMOUNT PAID OR VALUE OF TRANSFERS

AMOUNT STILL OWING

NAME AND ADDRESS OF CREDITOR

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 NATURE OF PROCEEDING

COURT OR AGENCY AND LOCATION STATUS OR DISPOSITION

b. Describe all property that has been attached, garnished or seized under any legal or equitable process within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF PERSON FOR WHOSE BENEFIT PROPERTY WAS SEIZED

DATE OF SEIZURE

DESCRIPTION AND VALUE OF PROPERTY

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

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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.)

NAME AND ADDRESS OF CREDITOR OR SELLER **Carolina First** TD Bank N.A. P. O. Box 100201

Columbia, SC 29202-2201

DATE OF REPOSSESSION, FORECLOSURE SALE, TRANSFER OR RETURN

DESCRIPTION AND VALUE OF **PROPERTY**

Commercial Building, 2952 Highway 70, Black Mountain, NC \$950.000.00 - to be staved

3

6. Assignments and receiverships

None

a. Describe any assignment of property for the benefit of creditors made within 120 days immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include any assignment 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 ASSIGNEE

DATE OF ASSIGNMENT

TERMS OF ASSIGNMENT OR SETTLEMENT

None b. List all property which has been in the hands of a custodian, receiver, or court-appointed official 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 CUSTODIAN

NAME AND LOCATION OF COURT CASE TITLE & NUMBER

DATE OF ORDER

DESCRIPTION AND VALUE OF

PROPERTY

7. Gifts

None

List all gifts or charitable contributions made within one year immediately preceding the commencement of this case except ordinary and usual gifts to family members aggregating less than \$200 in value per individual family member and charitable contributions aggregating less than \$100 per recipient. (Married debtors filing under chapter 12 or chapter 13 must include gifts or contributions 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 PERSON OR ORGANIZATION RELATIONSHIP TO DEBTOR, IF ANY

DATE OF GIFT

DESCRIPTION AND VALUE OF GIFT

8. Losses

None

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

Edward C. Hay, Jr. 137 Biltmore Ave. Asheville, NC 28801 DATE OF PAYMENT, NAME OF PAYOR IF OTHER THAN DEBTOR 11/2010 AMOUNT OF MONEY
OR DESCRIPTION AND VALUE
OF PROPERTY
\$7,500.00 (\$2,500.00
pre=petition, balance held in
trust)

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

DATE

DESCRIBE PROPERTY TRANSFERRED AND VALUE RECEIVED

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.

NAME OF TRUST OR OTHER

DEVICE

DATE(S) OF TRANSFER(S)

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.)

NAME AND ADDRESS OF INSTITUTION

TYPE OF ACCOUNT, LAST FOUR DIGITS OF ACCOUNT NUMBER, AND AMOUNT OF FINAL BALANCE

AMOUNT AND DATE OF SALE OR CLOSING

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 NAMES AND ADDRESSES OF THOSE WITH ACCESS TO BOX OR DEPOSITORY

DESCRIPTION OF CONTENTS

DATE OF TRANSFER OR SURRENDER, IF ANY

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.)

NAME AND ADDRESS OF CREDITOR

DATE OF SETOFF

AMOUNT OF SETOFF

None

List all property owned by another person that the debtor holds or controls.

NAME AND ADDRESS OF OWNER

DESCRIPTION AND VALUE OF PROPERTY

LOCATION OF PROPERTY

5

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 NAME USED DATES OF OCCUPANCY

16. Spouses and Former Spouses

None

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

NAME

17. Environmental Information.

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

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

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

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

None

a. List the name and address of every site for which the debtor has received notice in writing by a governmental unit that it may be liable or potentially liable under or in violation of an Environmental Law. Indicate the governmental unit, the date of the notice, and, if known, the Environmental Law:

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

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

Material. Indicate the governmental unit to which the notice was sent and the date of the notice.

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

None c. List all judicial or administrative proceedings, including settlements or orders, under any Environmental Law with respect to which

the debtor is or was a party. Indicate the name and address of the governmental unit that is or was a party to the proceeding, and the docket number.

NAME AND ADDRESS OF GOVERNMENTAL UNIT

DOCKET NUMBER

STATUS OR DISPOSITION

18. Nature, location and name of business

None

a. *If the debtor is an individual*, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was an officer, director, partner, or managing executive of a corporation, partner in a partnership, sole proprietor, or was self-employed in a trade, profession, or other activity either full- or part-time within **six years** immediately preceding the commencement of this case, or in which the debtor owned 5 percent or more of the voting or equity securities within **six years** immediately preceding the commencement of this case.

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

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

LAST FOUR DIGITS OF SOCIAL-SECURITY OR OTHER INDIVIDUAL TAXPAYER-I.D. NO. (ITIN)/ COMPLETE EIN

ty 56-1904022

West End Property Management LLC ADDRESS P. O. Box 1281

Black Mountain, NC 28711

NATURE OF BUSINESS

created for purpose of holding ownership of real estate; Robert Allen Burpeau, Sr. Member/Manager owning 49% and Jan H. Burpeau, member owning 51% BEGINNING AND ENDING DATES

Created 11/2005

None

NAME

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

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 Gabler, Molis & Company

DATES SERVICES RENDERED

Green, Roddy & Smith

None

b. List all firms or individuals who within the **two years** immediately preceding the filing of this bankruptcy case have audited the books of account and records, or prepared a financial statement of the debtor.

NAME ADDRESS DATES SERVICES RENDERED

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| None | c. List all firms or individuals who at the time of the commencement of this case were in possession of the books of account and records of the debtor. If any of the books of account and records are not available, explain. | | | | | |
|---------------------------------|--|---|---|--|--|--|
| NAME Debtor | | AD | DRESS | | | |
| None | | itutions, creditors and other parties, including mere thin two years immediately preceding the commer | cantile and trade agencies, to whom a financial statement was neement of this case. | | | |
| NAME A | ND ADDRESS | | DATE ISSUED | | | |
| | 20. Inventories | | | | | |
| None | | ast two inventories taken of your property, the nan and basis of each inventory. | ne of the person who supervised the taking of each inventory, | | | |
| DATE OI | FINVENTORY | INVENTORY SUPERVISOR | DOLLAR AMOUNT OF INVENTORY (Specify cost, market or other basis) | | | |
| None | b. List the name and ad- | dress of the person having possession of the record | ds of each of the two inventories reported in a., above. | | | |
| DATE OF | F INVENTORY | NAME AND A RECORDS | ADDRESSES OF CUSTODIAN OF INVENTORY | | | |
| | 21 . Current Partners, | Officers, Directors and Shareholders | | | | |
| None | a. If the debtor is a part | nership, list the nature and percentage of partnersh | nip interest of each member of the partnership. | | | |
| Robert A P. O. Bo | - | NATURE OF INTERES' Member/Manager | T PERCENTAGE OF INTEREST 49% | | | |
| | ountain, NC 28711 | Mamban | F40/ | | | |
| Jan H. B P. O. Bo Black M | | Member | 51% | | | |
| None | | poration, list all officers and directors of the corpor cent or more of the voting or equity securities of the | ration, and each stockholder who directly or indirectly owns, ne corporation. | | | |
| NAME A | ND ADDRESS | TITLE | NATURE AND PERCENTAGE OF STOCK OWNERSHIP | | | |
| | 22 . Former partners, | officers, directors and shareholders | | | | |
| None | a. If the debtor is a particular commencement of this | - | partnership within one year immediately preceding the | | | |
| NAME | | ADDRESS | DATE OF WITHDRAWAL | | | |
| None | | poration, list all officers, or directors whose relation the commencement of this case. | nship with the corporation terminated within one year | | | |
| NAME A | ND ADDRESS | TITLE | DATE OF TERMINATION | | | |

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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 OF RECIPIENT, RELATIONSHIP TO DEBTOR

DATE AND PURPOSE OF WITHDRAWAL

AMOUNT OF MONEY OR DESCRIPTION AND VALUE OF PROPERTY 8

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 ON BEHALF OF CORPORATION OR PARTNERSHIP

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

Date November 10, 2010 Signature /s/ Robert Allen Burpeau, Sr.

Robert Allen Burpeau, Sr. Member/Manager

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

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

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United States Bankruptcy Court Western District of North Carolina

| | western Di | istrict of North Card | nina | |
|------|---|--|-------------------------|---------------------------------------|
| In r | West End Property Management, LLC | | Case No. | |
| | | Debtor(s) | Chapter | |
| | DISCLOSURE OF COMPENSA | ATION OF ATTO | RNEY FOR DI | EBTOR(S) |
| 1. | Pursuant to 11 U.S.C. § 329(a) and Bankruptcy Rule 20 compensation paid to me within one year before the filing of be rendered on behalf of the debtor(s) in contemplation of or | f the petition in bankruptc | y, or agreed to be pai | id to me, for services rendered or to |
| | For legal services, I have agreed to accept | | \$ <u></u> | 7,500.00 |
| | Prior to the filing of this statement I have received | | \$ | 2,500.00 |
| | Balance Due | | | 5,000.00 |
| 2. | The source of the compensation paid to me was: | | | |
| | ■ Debtor □ Other (specify): | | | |
| 3. | The source of compensation to be paid to me is: | | | |
| | ■ Debtor □ Other (specify): | | | |
| 4. | ■ I have not agreed to share the above-disclosed compensat | tion with any other person | unless they are mem | bers and associates of my law firm. |
| | ☐ I have agreed to share the above-disclosed compensation copy of the agreement, together with a list of the names of | | | |
| 5. | In return for the above-disclosed fee, I have agreed to render | legal service for all aspect | ts of the bankruptcy of | ease, including: |
| | a. Analysis of the debtor's financial situation, and renderingb. Preparation and filing of any petition, schedules, statemenc. Representation of the debtor at the meeting of creditors andd. [Other provisions as needed] | nt of affairs and plan which | h may be required; | |
| 6. | By agreement with the debtor(s), the above-disclosed fee does Representation of the debtor(s) in adversary | | | cruptcy matters. |
| | CI | ERTIFICATION | | |
| this | I certify that the foregoing is a complete statement of any agrebankruptcy proceeding. | eement or arrangement for | payment to me for re | epresentation of the debtor(s) in |
| Date | ed: November 10, 2010 | /s/ Edward Hay | | |
| | | Edward Hay 7149 Pitts, Hay, Huger 137 Biltmore Ave Asheville, NC 286 828-255-8085 Fa | nschmidt 9. 801 | |

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| Western District of North Carolina | | | | | | |
|---|---|---|--------------------------------------|--|--|--|
| In re West End Property Management, LLC | | Case No | | | | |
| | Debtor | , Chapter | 11 | | | |
| LIST OF Following is the list of the Debtor's equity security he | EQUITY SECURITY olders which is prepared in according | | 3) for filing in this chapter 11 cas | | | |
| Name and last known address or place of business of holder | Security Class | Number of Securities | Kind of Interest | | | |
| None | | | | | | |
| DECLARATION UNDER PENALTY O I, the Member/Manager of the corpor read the foregoing List of Equity Security | ration named as the debtor in t | his case, declare under p | enalty of perjury that I have | | | |
| Date November 10, 2010 | R | s/ Robert Allen Burpea obert Allen Burpeau, S ember/Manager | | | | |
| Penalty for making a false statement or conced | aling property: Fine of up to \$ 18 U.S.C §§ 152 and 35 | - | nt for up to 5 years or both. | | | |

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United States Bankruptcy Court Western District of North Carolina

| In re | West End Property Management, LLC | | Case No. | |
|----------|---|---------------------------------------|------------------|----------------------------------|
| | | Debtor(s) | Chapter | 11 |
| | | | | |
| | | | | |
| | VERIFICAT | ION OF CREDITOR M | IATRIX | |
| I, the M | ember/Manager of the corporation named as t | he debtor in this case, hereby verify | that the attache | ed list of creditors is true and |
| correct | to the best of my knowledge. | | | |
| | | | | |
| | | | | |
| Date: | November 10, 2010 | /s/ Robert Allen Burpeau, Sr. | | |
| | | Robert Allen Burpeau, Sr./Memb | er/Manager | |
| | | Signer/Title | | |

Buncombe County Tax Department 60 Court Plaza, Third Floor Room 320 Asheville, NC 28801

Carolina First TD Bank N.A. P. O. Box 100201 Columbia, SC 29202-2201

Equifax Information Service LLC P. O. Box 4472 Atlanta, GA 30302

Experian P. O. Box 72774 Chicago, IL 60673-7774

Gabler Molis & Co. 32 Orange St. Asheville, NC 28801

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

N. C. Department of Revenue P. O. Box 1168 Raleigh, NC 27602

Robert Allen and Jan H. Burpeau P. O. Box 1281 Black Mountain, NC 28711

TransUnion 1561 E. Orangethorpe Ave. Fullerton, CA 92831-5207 Case 10-11317 Doc 1 Filed 11/10/10 Entered 11/10/10 16:28:46 Desc Main Document Page 31 of 31

United States Bankruptcy Court Western District of North Carolina

| In re West End Propert | y Management, LLC | | Case No. | | |
|---|---|---|---|--|--|
| | | Debtor(s) | Chapter 11 | | |
| | | | | | |
| | | | | | |
| | CODDODATE OUN | IEDCIIID OTATEMENI | F (DIH E 7007 1) | | |
| | CORPORATEOWN | ERSHIP STATEMENT | I (KULE /00/.1) | | |
| Pursuant to Federal Rule or recusal, the undersigne that the following is a (are 10% or more of any class 7007.1: | ed counsel for West End e) corporation(s), other th | Property Management, LL an the debtor or a govern | <u>c</u> in the above captioned mental unit, that directly of | d action, certifies or indirectly own(s) | |
| | | | | | |
| ■ None [<i>Check if applica</i> | ıble] | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| November 10, 2010 | | Edward Hay | | | |
| Date | Edv | vard Hay 7149 | | | |
| | | nature of Attorney or Liti | | | |
| | | Counsel for West End Property Management, LLC | | | |
| | | s, Hay, Hugenschmidt | | | |
| | _ | Biltmore Ave. neville, NC 28801 | | | |
| | | ieville, NC 20001 -255-8085 Fax:828-251-276 | 60 | | |