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|---|---------------------------|-------------------------------|-----------------------------------|---|--|--------------------------------------|---|--------------------------------------|-------------------|----------------------|-------------------------------|
|   |                           | United<br>Wester              |                                   | Bankı<br>Fict of No                             |  |                                      |   |                                      |                   | Volur                | ntary Petition                |
| Name of Debtor (if indiv<br>Metrolina Propert   |                           |                               | · /                               |   |  | Name                                 | of Joint De   | ebtor (Spouse                        | e) (Last, First,  | Middle):             |                               |
| All Other Names used by the Debtor in the last 8 years<br>(include married, maiden, and trade names): |                           |                               |                                   | All Ot<br>(includ                               | All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names): |                                      |   |                                      |                   |                      |                               |
| Last four digits of Soc. S<br>(if more than one, state all)<br><b>56-1278680</b>                      | ec. or Indi               | vidual-Taxp                   | ayer I.D. (                       | ITIN) No./C                                     | Complete E   | IN Last fo                           | our digits o<br>than one, state   | of Soc. Sec. or<br>all)              | r Individual-Ta   | axpayer I.D. (       | ITIN) No./Complete EI         |
| Street Address of Debtor<br>1341 E. Moreheac<br>Charlotte, NC   |                           |                               |                                   | :   | ZIP Code   |                                      | Address of  | f Joint Debtor                       | r (No. and Stre   | et, City, and S      | State):<br>ZIP Code           |
|   |                           |                               |                                   |   | 28204  |                                      |   |                                      |                   |                      |                               |
| County of Residence or of <b>Mecklenburg</b>  |                           | 1                             |                                   |   |  |                                      | -   |                                      | Principal Plac    |                      |                               |
| Mailing Address of Debt   | or (if diffe              | rent from str                 | eet addres                        | s):   |  | Mailin                               | ig Address  | of Joint Debt                        | tor (if differen  | t from street a      | ddress):                      |
|   |                           |                               |                                   | _   | ZIP Code   |                                      |   |                                      |                   |                      | ZIP Code                      |
|   |                           | - D.I.                        |                                   | aaklanhi  |  | the North                            | Carolin   | -                                    |                   |                      |                               |
| Location of Principal As:<br>(if different from street a  |                           |                               | r IV                              | ecklenbu  | irg Coun   | ity, Nortr                           | Carolin   | a                                    |                   |                      |                               |
| Type of   | Debtor                    |                               |                                   | Nature o  | of Business  |                                      |   | Chapter                              | of Bankrup        | cy Code Und          | ler Which                     |
| (Form of Or   |                           |                               |                                   |   | one box)   |                                      |   |                                      | Petition is File  | ed (Check one        | e box)                        |
| (Check o  |                           |                               |                                   | th Care Bu<br>le Asset Re                       |  | defined                              | Chapt   |                                      | □ Ch              | anter 15 Petiti      | ion for Recognition           |
| Individual (includes J  |                           | ,                             | in 1                              | 1 U.S.C. § 1                                    |  | dernied                              | □ Chapter 11       □ Chapter 12       □ Chapter 15 Petition for Recognition |                                      |                   |                      |                               |
| See Exhibit D on pag  |                           | -                             | Rail                              | road<br>kbroker                                 |  |                                      |   |                                      |                   |                      |                               |
| Corporation (include:   | s LLC and                 | LLP)                          | _                                 | modity Bro                                      | oker   |                                      | Chapt   | ter 13                               | of a              | Foreign Non          | nmain Proceeding              |
| Partnership   | 6.1 1                     |                               |                                   | ring Bank                                       |  |                                      | Nature of Debts   |                                      |                   |                      |                               |
| Other (If debtor is not o check this box and state  | type of the at            | ty below.)                    | Othe                              |   |  |                                      |   |                                      |                   | of Debts<br>one box) |                               |
|   |                           |                               |                                   |   | mpt Entity<br>, if applicabl   |                                      | Debts are primarily consumer debts, Debts are primarily                     |                                      |                   |                      |                               |
|   |                           |                               | und                               | tor is a tax-<br>er Title 26 c<br>e (the Intern | exempt org   | anization<br>d States                | defined<br>"incurr  | d in 11 U.S.C. §<br>red by an indivi |                   | or                   | business debts.               |
| Fili  | ng Fee (Cl                | heck one box                  | x)                                |   | Check  | one box:                             | 1   | Chap                                 | oter 11 Debto     | rs                   |                               |
| Full Filing Fee attached  |                           |                               |                                   |   |  | Debtor is a sr                       |   |                                      | ned in 11 U.S.C   | ° ( )                |                               |
| ☐ Filing Fee to be paid in  |                           |                               |                                   |   | Check  |                                      | a small busi  | ness debtor as                       | defined in 11 U.  | S.C. § 101(51D       | )).                           |
| attach signed application<br>debtor is unable to pay t  |                           |                               |                                   |   | ial 🛛 I  | Debtor's aggi                        |   |                                      |                   |                      | ed to insiders or affiliates) |
| Form 3A.  | - incopt in               | annointo.                     |                                   |   |  |                                      | . , , ,   | amount subject                       | t to adjustment o | on 4/01/13 and       | every three years thereafte   |
| ☐ Filing Fee waiver reque   |                           |                               |                                   |   | st 🗖   | all applicable<br>A plan is beir     |   | this petition.                       |                   |                      |                               |
| attach signed application   | n for the cou             | irt's considerat              | 10n. See Of                       | ticial Form 3                                   | <sup>B.</sup> D  | Acceptances                          | of the plan v   | •                                    |                   | one or more cla      | sses of creditors,            |
| Statistical/Administrati  | ve Inform                 | ation                         |                                   |   |  | n accordance                         | ; with 11 U.S   | э.с. § 1126(b).                      |                   | SPACE IS FOR         | COURT USE ONLY                |
| Debtor estimates that   |                           |                               | e for distri                      | bution to ur                                    | nsecured cre   | editors.                             |   |                                      |                   | MACE IS FOR          | COURT USE ONLI                |
| Debtor estimates that<br>there will be no funds   | s available               |                               |                                   |   |  | ive expense                          | es paid,  |                                      |                   |                      |                               |
| Estimated Number of Cro   | editors                   |                               |                                   |   |  |                                      |   |                                      |                   |                      |                               |
| $ \begin{array}{cccccccccccccccccccccccccccccccccccc$   | 100-<br>199               | 200-<br>999                   | 1,000-<br>5,000                   | 5,001-<br>10,000                                | 10,001-<br>25,000  | 25,001-<br>50,000                    | 50,001-<br>100,000  | OVER<br>100,000                      |                   |                      |                               |
| Estimated Assets  |                           |                               |                                   |   |  |                                      |   |                                      | 1                 |                      |                               |
| \$0 to \$50,001 to<br>\$50,000 \$100,000  | \$100,001 to<br>\$500,000 | 500,001<br>to \$1<br>million  | \$1,000,001<br>to \$10<br>million | \$10,000,001<br>to \$50<br>million              | 50,000,001<br>to \$100<br>million  | \$100,000,001<br>to \$500<br>million | \$500,000,001<br>to \$1 billion   |                                      |                   |                      |                               |
| Estimated Liabilities   | \$100,001 to<br>\$500,000 | 5500,001<br>to \$1<br>million | \$1,000,001<br>to \$10<br>million | \$10,000,001<br>to \$50<br>million              | 50,000,001<br>to \$100<br>million  | \$100,000,001<br>to \$500<br>million | 500,000,001<br>to \$1 billion   |                                      |                   |                      |                               |
|   |                           |                               |                                   |   |  |                                      |   |                                      |                   |                      |                               |

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|---|--|---|--|--|
| Voluntary   | y Petition   | Name of Debtor(s):<br>Metrolina Properties Limited Partnership  |  |  |
| (This page mu   | st be completed and filed in every case)   | Metrolina Properties Limited  | Partnersnip  |  |
| 1.0   | All Prior Bankruptcy Cases Filed Within Last   | <b>8 Years</b> (If more than two, attach ad   | ditional sheet)  |  |
| Location<br>Where Filed:                                  | - None -   | Case Number:  | Date Filed:  |  |
| Location<br>Where Filed:                                  |  | Case Number:  | Date Filed:  |  |
| Per   | nding Bankruptcy Case Filed by any Spouse, Partner, or   | Affiliate of this Debtor (If more than  | n one, attach additional sheet)  |  |
| Name of Debte<br>- None -                                 | )r:  | Case Number:  | Date Filed:  |  |
| District:   |  | Relationship:   | Judge:   |  |
|   | Exhibit A  |   | hibit B<br>whose debts are primarily consumer debts.)  |  |
| forms 10K and<br>pursuant to S<br>and is reques           | leted if debtor is required to file periodic reports (e.g.,<br>nd 10Q) with the Securities and Exchange Commission<br>ection 13 or 15(d) of the Securities Exchange Act of 1934<br>ting relief under chapter 11.)<br>A is attached and made a part of this petition. | I, the attorney for the petitioner named<br>have informed the petitioner that [he o<br>12, or 13 of title 11, United States Cod | in the foregoing petition, declare that I<br>r she] may proceed under chapter 7, 11,<br>le, and have explained the relief available<br>ify that I delivered to the debtor the notice |  |
|   |  |   |  |  |
| ■ No.<br>(To be compl<br>□ Exhibit 1<br>If this is a join | eted by every individual debtor. If a joint petition is filed, ea<br>D completed and signed by the debtor is attached and made   | a part of this petition.  | . separate Exhibit D.)   |  |
|   | Information Regardin   | g the Debtor - Venue  |  |  |
| -   | (Check any ap<br>Debtor has been domiciled or has had a residence, principa<br>days immediately preceding the date of this petition or for   | al place of business, or principal asset  | s in this District for 180<br>a any other District.  |  |
|   | There is a bankruptcy case concerning debtor's affiliate, ge   | eneral partner, or partnership pending  | in this District.  |  |
|   | Debtor is a debtor in a foreign proceeding and has its princ<br>this District, or has no principal place of business or assets<br>proceeding [in a federal or state court] in this District, or the<br>sought in this District.                                      | in the United States but is a defendat  | nt in an action or   |  |
|   | Certification by a Debtor Who Reside<br>(Check all app   |   | ty   |  |
|   | Landlord has a judgment against the debtor for possession  |   | complete the following.)   |  |
|   | (Name of landlord that obtained judgment)  |   |  |  |
| _   | (Address of landlord)  |   |  |  |
|   | Debtor claims that under applicable nonbankruptcy law, the<br>the entire monetary default that gave rise to the judgment f   | for possession, after the judgment for  | possession was entered, and  |  |
|   | Debtor has included in this petition the deposit with the co<br>after the filing of the petition.  | urt of any rent that would become due   | e during the 30-day period   |  |

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

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| B1 (Official Form 1)(4/10) Docume  | ent Page 3 of 12 Page 3  |
| Voluntary Petition   | Name of Debtor(s):   |
|  | Metrolina Properties Limited Partnership   |
| (This page must be completed and filed in every case)  | Signatures   |
| 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.<br>[If petitioner is an individual whose debts are primarily consumer debts 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 re available under each such chapter, and choose to proceed under chapter [If no attorney represents me and no bankruptcy petition preparer signs I petition] I have obtained and read the notice required by 11 U.S.C. §342<br>I request relief in accordance with the chapter of title 11, United States C specified in this petition. | <ul> <li>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.</li> <li>(Check only one box.)</li> <li>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.</li> <li>Pursuant to 11 U.S.C. §1511, I request relief in accordance with the chapter</li> </ul>   |
|  | X  |
| X  | X  |
| Signature of Debtor  |  |
| X  | Printed Name of Foreign Representative   |
| Signature of Joint Debtor  |  |
|  | Date   |
| Telephone Number (If not represented by attorney)  | Signature of Non-Attorney Bankruptcy Petition Preparer   |
| Date   | I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for   |
| Signature of Attorney*   | compensation and have provided the debtor with a copy of this document<br>and the notices and information required under 11 U.S.C. §§ 110(b),  |
| X       /s/ Andrew T. Houston         Signature of Attorney for Debtor(s)         Andrew T. Houston 36208         Printed Name of Attorney for Debtor(s)         Hamilton Moon Stephens Steele & Martin, PLLC         Firm Name         201 South College Street         Suite 2020         Charlotte, NC 28244         Address  | <ul> <li>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.</li> <li>Printed Name and title, if any, of Bankruptcy Petition Preparer</li> <li>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.)</li> </ul> |
| 704-344-1117 Fax: 704-344-1483<br>Telephone Number<br>April 8, 2011  |  |
| Date   | Address  |
| *In a case in which § 707(b)(4)(D) applies, this signature also constitute certification that the attorney has no knowledge after an inquiry that the information in the schedules is incorrect.   |  |
| Signature of Debtor (Corporation/Partnership)  | Date   |
| I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this per on behalf of the debtor.<br>The debtor requests relief in accordance with the chapter of title 11, Uni States Code, specified in this petition.  | Names and Social-Security numbers of all other individuals who prepared or<br>assisted in preparing this document unless the bankruptcy petition preparer is   |
|  | l Parthor  |
| X /s/ by Withrow Capital Investments, LLC as its General<br>Signature of Authorized Individual   |  |
| by Withrow Capital Investments, LLC as its General Pa  | artner If more than one person prepared this document, attach additional sheets  |
| Printed Name of Authorized Individual  | conforming to the appropriate official form for each person.   |
| Ronald J. Withrow, Manager Withrow Capital Investme  | ents, LC A bankruptcy petition preparer's failure to comply with the provisions of   |
| Title of Authorized Individual   | 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.   |
| April 8, 2011  |  |
| Date   |  |

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### **CORPORATE RESOLUTION**

I, Ronald J. Withrow being the Manager of Withrow Capital Investments, the General Partner of Metrolina Properties Limited Partnership, a North Carolina limited partnership (the "Company") having a corporate headquarters located at 1341 E. Morehead Street, Suite 201, Charlotte, North Carolina, do hereby adopt the following resolutions by signing below to consent to action without holding a formal meeting of the Board of the Company:

RESOLVED, that the filing by the Company of a petition for relief under chapter 11 of title 11, United States Code (the "Bankruptcy Code"), in the United States Bankruptcy Court for the Western District of North Carolina is approved; and it is

FURTHER RESOLVED, that the officers of the Company are authorized, empowered, and directed to execute on behalf of the Company a petition for relief under chapter 11 of the Bankruptcy Code in the United States Bankruptcy Court for the Western District of North Carolina, and any affidavits, forms, schedules, application or any other pleadings or documents which are necessary or appropriate, including debtor-in-possession financing arrangements; and it is

FURTHER RESOLVED, that the retention on behalf of the Company of the law firm of Hamilton Moon Stephens Steele & Martin, PLLC, upon such terms and conditions as the officers of the Company shall approve, to render legal services to, and to represent the Company in connection with such chapter 11 proceedings and other related matters in connection therewith, is authorized and approved; and it is

FURTHER RESOLVED, that any of the officers of the Company are each severally authorized to retain on behalf of the Company such other professionals as the officers of the Company deem necessary or appropriate, upon such terms and conditions as the officers of the Company shall approve, to render services to the Company in connection with such chapter 11 proceedings and with respect to other related matters in connection therewith; and it is

FURTHER RESOLVED, that any of the officers of the Company are authorized, empowered, and directed to take any and all further action and to execute and deliver any and all such further instruments and documents and to pay all such expenses (subject to bankruptcy court approval), where necessary or appropriate in order to carry out fully the intent and accomplish the purposes of the resolutions adopted herein; and it is

FURTHER RESOLVED, that all actions taken by the officers of the Company prior to the date hereof in connection with the reorganization of the Company or any matter related thereto, or by virtue of these resolutions, are hereby in all respects ratified, confirmed, and approved.

Dated: Charlotte, North Carolina April 8, 2011

### METROLINA PROPERTIES LIMITED PARTNERSHIP, a North Carolina limited partnership

By: Withrow Capital Investments, LLC, a North Carolina limited liability company, General Partner

By: /s/ Ronald J. Withrow Ronald J. Withrow, Sole Member Case 11-30948 Doc 1

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B4 (Official Form 4) (12/07)

### United States Bankruptcy Court Western District of North Carolina

In re Metrolina Properties Limited Partnership

Debtor(s)

Case No. Chapter 11

## LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

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

| (1)  | (2)  | (3)   | (4)   | (5)  |
|--|--|---|---|--|
| Name of creditor and complete<br>mailing address including zip<br>code                         | Name, telephone number and complete<br>mailing address, including zip code, of<br>employee, agent, or department of creditor<br>familiar with claim who may be contacted | Nature of claim (trade<br>debt, bank loan,<br>government contract,<br>etc.) | Indicate if claim is<br>contingent,<br>unliquidated,<br>disputed, or subject<br>to setoff | Amount of claim [if<br>secured, also state<br>value of security] |
| American Forestry<br>Management<br>PO Box 60636<br>Charlotte, NC 28260                         | American Forestry Management<br>PO Box 60636<br>Charlotte, NC 28260  |   |   | 300.00   |
| Arrowood 77 Associates<br>1341 E. Morehead Street,<br>Suite 201<br>Charlotte, NC 28204         | Arrowood 77 Associates<br>1341 E. Morehead Street, Suite 201<br>Charlotte, NC 28204  |   |   | 116,457.00   |
| David Withrow<br>1341 E. Morehead Street,<br>Suite 201<br>Charlotte, NC 28204                  | David Withrow<br>1341 E. Morehead Street, Suite 201<br>Charlotte, NC 28204   |   |   | 439,000.00   |
| Fifth-Third Bank<br>PO Box 630337<br>Cincinnati, OH 45263                                      | Fifth-Third Bank<br>PO Box 630337<br>Cincinnati, OH 45263  |   |   | 473,901.94   |
| Fifth-Third Bank<br>PO Box 630337<br>Cincinnati, OH 45263                                      | Fifth-Third Bank<br>PO Box 630337<br>Cincinnati, OH 45263  |   |   | 3,603.63   |
| Long Creek Volunteer Fire<br>Department<br>P.O. Box 680728<br>Charlotte, NC 28216              | Long Creek Volunteer Fire<br>Department<br>P.O. Box 680728<br>Charlotte, NC 28216  |   |   | 100.00   |
| NC 84, LLC<br>1341 E. Morehead Street,<br>Suite 201<br>Charlotte, NC 28204                     | NC 84, LLC<br>1341 E. Morehead Street, Suite 201<br>Charlotte, NC 28204  |   |   | 1,150.00   |
| Robinson, Bradshaw &<br>Hinson<br>101 North Tryon Street, Suite<br>1900<br>Charlotte, NC 28246 | Robinson, Bradshaw & Hinson<br>101 North Tryon Street, Suite 1900<br>Charlotte, NC 28246   |   |   | 350.00   |
| Ronald J. Withrow<br>1341 E. Morehead Street,<br>Suite 201<br>Charlotte, NC 28204              | Ronald J. Withrow<br>1341 E. Morehead Street, Suite 201<br>Charlotte, NC 28204   |   |   | 7,453.00   |

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In re Metrolina Properties Limited Partnership

Debtor(s)

Case No.

# LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

(Continuation Sheet)

| (1)   | (2)  | (3)   | (4)   | (5)  |
|---|--|---|---|--|
| Name of creditor and complete<br>mailing address including zip<br>code                                      | Name, telephone number and complete<br>mailing address, including zip code, of<br>employee, agent, or department of creditor<br>familiar with claim who may be contacted | Nature of claim (trade<br>debt, bank loan,<br>government contract,<br>etc.) | Indicate if claim is<br>contingent,<br>unliquidated,<br>disputed, or subject<br>to setoff | Amount of claim [if<br>secured, also state<br>value of security] |
| Ronald J. Withrow<br>1341 E. Morehead Street,<br>Suite 201<br>Charlotte, NC 28204                           | Ronald J. Withrow<br>1341 E. Morehead Street, Suite 201<br>Charlotte, NC 28204   |   |   | 140,014.00   |
| Withrow Capital Inc. Land<br>Escrow Account<br>1341 E. Morehead Street,<br>Suite 201<br>Charlotte, NC 28204 | Withrow Capital Inc. Land Escrow<br>Account<br>1341 E. Morehead Street, Suite 201<br>Charlotte, NC 28204   |   |   | 79,186.78  |
| Withrow Capital, Inc.<br>1341 E. Morehead Street,<br>Suite 201<br>Charlotte, NC 28204                       | Withrow Capital, Inc.<br>1341 E. Morehead Street, Suite 201<br>Charlotte, NC 28204   |   |   | 18,489.00  |
|   |  |   |   |  |
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Debtor(s)

Case No.

### LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS (Continuation Sheet)

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

I, the Ronald J. Withrow, Manager Withrow Capital Investments, LLC of the partnership 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 April 8, 2011

/s/ by Withrow Capital Investments, LLC as its General Signature Partner by Withrow Capital Investments, LLC as its General Partner Ronald J. Withrow, Manager Withrow Capital Investments, LLC

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

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

Case No. In re **Metrolina Properties Limited Partnership** Debtor

| Chapter | 11 |  |
|---------|----|--|

# LIST OF EQUITY SECURITY HOLDERS

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

| Name and last known address<br>or place of business of holder                                 | Security<br>Class | Number<br>of Securities | Kind of<br>Interest |
|---|-------------------|-------------------------|---------------------|
| Allison P. Withrow Trust<br>1341 E. Morehead Street, Suite 201<br>Charlotte, NC 28204         |                   | 1.6255817%              |                     |
| Ashley L. Withrow Trust<br>1341 E. Morehead Street, Suite 201<br>Charlotte, NC 28204          |                   | 1.6255632%              |                     |
| Courtney M. Withrow Trust<br>1341 E. Morehead Street, Suite 201<br>Charlotte, NC 28204        |                   | 1.6255395%              |                     |
| David E. Withrow<br>1341 E. Morehead Street, Suite 201<br>Charlotte, NC 28204                 |                   | 18.0457861%             |                     |
| Kimberly A. Withrow Trust<br>1341 E. Morehead Street, Suite 201<br>Charlotte, NC 28204        |                   | 1.6255263%              |                     |
| Marilyn W. Withrow<br>1341 E. Morehead Street, Suite 201<br>Charlotte, NC 28204               |                   | 0.5743567%              |                     |
| Meredith D. Withrow Trust<br>1341 E. Morehead Street, Suite 201<br>Charlotte, NC 28204        |                   | 1.6255289%              |                     |
| Paula P. Withrow<br>1341 E. Morehead Street, Suite 201<br>Charlotte, NC 28204                 |                   | 0.3637441%              |                     |
| Ronald J. Withrow<br>1341 E. Morehead Street, Suite 201<br>Charlotte, NC 28204                |                   | 55.5006738%             |                     |
| Withrow Capital Investments, LLC<br>1341 E. Morehead Street, Suite 201<br>Charlotte, NC 28204 |                   | 17.3876997%             |                     |

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In re Metrolina Properties Limited Partnership

Case No.

Debtor

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

I, the Ronald J. Withrow, Manager Withrow Capital Investments, LLC of the partnership named as the debtor in this case, declare under penalty of perjury that I have read the foregoing List of Equity Security Holders and that it is true and correct to the best of my information and belief.

Date April 8, 2011

/s/ by Withrow Capital Investments, LLC as its General Signature Partner

by Withrow Capital Investments, LLC as its General Partn Ronald J. Withrow, Manager Withrow Capital Investments

Penalty for making a false statement or concealing property: Fine of up to \$500,000 or imprisonment for up to 5 years or both. 18 U.S.C §§ 152 and 3571. Case 11-30948 Doc 1 Filed 04/08/11 Entered 04/08/11 13:27:50 Desc Main Document Page 10 of 12

## United States Bankruptcy Court Western District of North Carolina

| In re | Metrolina Properties Limited Partnership |           | Case No. |    |
|-------|--|-----------|----------|----|
|       |  | Debtor(s) | Chapter  | 11 |

# **VERIFICATION OF CREDITOR MATRIX**

I, the Ronald J. Withrow, Manager Withrow Capital Investments, LLC of the partnership named as the debtor in this case, hereby

verify that the attached list of creditors is true and correct to the best of my knowledge.

Date: April 8, 2011

/s/ by Withrow Capital Investments, LLC as its General Partner by Withrow Capital Investments, LLC as its General Partner/Ronald J. Withrow, Manager Withrow Capital Investments, LLC Signer/Title

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American Forestry Management PO Box 60636 Charlotte, NC 28260

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David Withrow 1341 E. Morehead Street, Suite 201 Charlotte, NC 28204

Fifth-Third Bank PO Box 630337 Cincinnati, OH 45263

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

Long Creek Volunteer Fire Department P.O. Box 680728 Charlotte, NC 28216

Michael Montecalvo Womble Carlyle Sandridge & Rice One West Fourth Street Winston Salem, NC 27101

NC 84, LLC 1341 E. Morehead Street, Suite 201 Charlotte, NC 28204

Paragon Commercial Bank c/o Charlie Bartz 4725 Piedmont Row Drive, Suite 200 Charlotte, NC 28210

Robinson, Bradshaw & Hinson 101 North Tryon Street, Suite 1900 Charlotte, NC 28246

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