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Attorney for Debtor

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA
READING DIVISION

Silver Line, Inc.

Case No. 15-16818
Chapter 13

Debtor.

Silver Line, Inc.
Movant

Vs.

Wind Gap Interstate 33 Land Trust
Pen Argyl Area School District
Northampton Tax Claim Bureau
Internal Revenue Service
And Commonwealth of Pennsylvania
Respondents

MOTION TO SELL Non-RESIDENTIAL REAL ESTATE

The debtors, Silver Line Inc., by and through their counsel, Michael J. McCrystal, Esquire, respectfully requests the Court's permission to sell commercial real estate at an unnumbered parcel on Moorestown Road, Township of Plainfield, County of Northampton and Commonwealth of Pennsylvania, free and clear of liens and encumbrances and in support thereof avers:

1. The debtor filed a Chapter 11 bankruptcy case on or about September 21, 2015
2. This Honorable Court has exclusive jurisdiction over the property in question (hereinafter referred to as "the property") an unnumbered parcel on Moorestown Road, Township of Plainfield, County of Northampton, Commonwealth of Pennsylvania. The property is used commercially. Although not currently so used, the land had been used as a commercial truck depot and warehouse.
3. This matter is a core proceeding according to 28 U.S.C. § 1334 and 11 U.S.C. § 363.

4. The real estate is subject to a fully executed agreement of sale attached hereto as Exhibit A.
5. The property is valued according to the highest and best offer obtained in a commercial reasonable manner at six hundred thousand dollars (\$600,000.00).
6. It is necessary to disclose that the prospective buyer is Wind Gap Building Associates c/o Specialty Physician Associates 3445 High Point Blvd. STE 400, Bethlehem, PA 18017.
7. It is believed and therefore averred this contract is subject to a fee due to a Broker of 6% of the gross sale price and that Broker is Kelly Berfield of Colliers International 7535 Windsor Drive, STE 208, Allentown, PA 18195.
8. The property is encumbered by a mortgage(s) held by Wind Gap Interstate 33 Land Trust c/o Michael A. Santanasto, Esquire 210 East Broad Street, Bethlehem, PA 18018. The amount claimed to be owed on the mortgage, \$677,968.09 is subject to dispute
9. The property is/ or may be further encumbered by income taxes, real estate taxes and/ or utility liens owed to various taxing entities including:
 - a. Pen Argyl Area School District in amount to be proven
 - b. Northampton County TCB in amount to be proven
 - c. Commonwealth of PA (Revenue) in amount to be proven
 - d. Internal Revenue Service in amount to be proven
10. Debtor is seeking the authority to the extent of available funds realized from the sale proceeds in the following priority:
 - a. The reasonable costs of sale including realtor's commissions, if any, the costs of one half of the applicable transfer taxes, notary fees, recording fees, the reasonable and customary adjustments and pro-rated items such as real estate taxes and municipal and utility charges if any;
 - b. The Mortgage of Wind Gap Interstate 33 Land Trust in its respective priorities (until it is paid in accord with a determination by this court as to the amount mortgage creditor is owed).
 - c. The remaining funds, if any, will be paid into the Escrow Account of Debtor's Attorney pending further order of this Court.

WHEREFORE, Debtor seeks authority to sell real estate free and clear of liens, encumbrances and other interests so as to be able to convey good and marketable title to the buyers identified by the agreement of sale and for such other and further relief as this Court will deem just and equitable.

Respectfully submitted,

/s/ Michael J. McCrystal, Esquire
