Main

Case 10-07144-do B1 (Official Form 1) (4/10)		10/03/10 cument	 Entered 10/03/10 1 Page 1 of 9 	3:10:05	Desc Main
UNI	ED STATES BANKRUP DISTRICT OF SOUTH C CHARLESTON DIVI	AROLINA	RT	Volu	untary Petition
Name of Debtor (if individual, enter Last, First, I Ashley Park Homes, LLC	Middle):	N	Name of Joint Debtor (Spouse) (Last, Firs	t, Middle):	
All Other Names used by the Debtor in the last (include married, maiden, and trade names):	8 years		All Other Names used by the Joint Debtor i include married, maiden, and trade names		
Last four digits of Soc. Sec. or Individual-Taxpa than one, state all): 20-3492753	ayer I.D. (ITIN)/Complete EIN (if r		ast four digits of Soc. Sec. or Individual-Ta han one, state all):	axpayer I.D. (ITIN)/Complete EIN (if more
Street Address of Debtor (No. and Street, City, PO Box 7076 Myrtle Beach, SC	and State):	S	Street Address of Joint Debtor (No. and St	reet, City, and Sta	ate):
	ZIP CODE 29572				ZIP CODE
County of Residence or of the Principal Place of Horry	of Business:	C	County of Residence or of the Principal Pla	ce of Business:	
Mailing Address of Debtor (if different from stre	et address):	N	Nailing Address of Joint Debtor (if different	from street addre	ess):
	ZIP CODE				ZIP CODE
Location of Principal Assets of Business Debto Gateway Road in Carolina Forest	r (if different from street address	above):			
Myrtle Beach, SC					ZIP CODE
Type of Debtor (Form of Organization) (Check one box.) Individual (includes Joint Debtors) See Exhibit D on page 2 of this form. Corporation (includes LLC and LLP) Partnership Other (If debtor is not one of the above entities, check this box and state type	Nature of Busine (Check one box.) ☐ Health Care Business ✓ Single Asset Real Estate a in 11 U.S.C. § 101(51B) ☐ Railroad ☐ Stockbroker ☐ Commodity Broker ☐ Clearing Bank ☐ Other	as defined		(Check one I Chapter of a Fore	
of entity below.)	Tax-Exempt Enti (Check box, if applical Debtor is a tax-exempt org under Title 26 of the Unite Code (the Internal Revenue	ble.) ganization ed States	Debts are primarily consumer debts, defined in 11 U.S.C. § 101(8) as "incurred by an individual primarily for a personal, family, or house- hold purpose."	Debts ar business	e primarily : debts.
Filing Fee (Che	eck one box.)	1		11 Debtors	C \$ 404/54D
 Full Filing Fee attached. Filing Fee to be paid in installments (applising application for the court's conside unable to pay fee except in installments. 	ration certifying that the debtor is Rule 1006(b). See Official Form	attach s n 3A.	 Debtor is a small business debtor as a Debtor is not a small business debtor Check if: Debtor's aggregate noncontigent liquinisiders or affiliates) are less than \$2, on 4/01/13 and every three years the 	as defined in 11 idated debts (exc 343,300 <i>(amou</i>	U.S.C. § 101(51D).
Filing Fee waiver requested (applicable to attach signed application for the court's c	onsideration. See Official Form		Check all applicable boxes: A plan is being filed with this petition. Acceptances of the plan were solicite of creditors, in accordance with 11 U.		n one or more classes
Statistical/Administrative Information Debtor estimates that funds will be availal Debtor estimates that, after any exempt p there will be no funds available for distribut Estimated Number of Creditors	 ble for distribution to unsecured or roperty is excluded and administ 				THIS SPACE IS FOR COURT USE ONLY

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10,001-25,000

\$50,000,001 to \$100 million

50,000,001 to \$100 million

□ 25,001-50,000

100,000,001 to \$500 million

100,000,001 to \$500 million

□ 1,000-5,000

\$1,000,001 to \$10 million

□ 5,001-10,000

 \$1,000,001
 \$10,000,001

 to \$10 million
 \$50 million

\$10,000,001 to \$50 million

√ 1-49

□ \$0 to

50-99

Estimated Assets

\$0 to \$50,000 \$50,001 to \$100,000

Estimated Liabilities

□ 100-199

 \$0 to
 \$50,001 to
 \$100,001 to
 \$500,001 to

 \$50,000
 \$100,000
 \$500,000
 to \$1 million

D 200-999

\$100,001 to \$500,000 to \$1 million

Dver 100,000

More than \$1 billion

□ 50,001-100,000

500,000,001 to \$1 billion

\$500,000,001 to \$1 billion More than \$1 billion

Case '	10-071	144-do	l t
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B1 (Official Form 1) (4/10) Documen	t Page 2 of 9	Page 2
Voluntary Petition	Name of Debtor(s): Ashley Park Ho	omes, 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 add	itional sheet.)
Location Where Filed:	Case Number:	Date Filed:
Location Where Filed:	Case Number:	Date Filed:
Pending Bankruptcy Case Filed by any Spouse, Partner or	Affiliate of this Debtor (If more the	han one, attach additional sheet.)
Name of Debtor:	Case Number:	Date Filed:
District:	Relationship:	Judge:
Exhibit A (To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11.)	(To be completed if	proceed under chapter 7, 11, 12, or 13 kplained the relief available under each
	x	
	^	Date
Ext	hibit C	
Does the debtor own or have possession of any property that poses or is alleged to pose Yes, and Exhibit C is attached and made a part of this petition. No.	a threat of imminent and identifiable harm to p	public health or safety?
Ext	nibit D	
(To be completed by every individual debtor. If a joint petition is filed, each Exhibit D completed and signed by the debtor is attached and ma If this is a joint petition: Exhibit D also completed and signed by the joint debtor is attached	ade a part of this petition.	eparate Exhibit D.)
	ing the Debtor - Venue	
	applicable box.)	
Debtor has been domiciled or has had a residence, principal place of preceding the date of this petition or for a longer part of such 180 days		trict for 180 days immediately
There is a bankruptcy case concerning debtor's affiliate, general partn	er, or partnership pending in this Distrie	ct.
Debtor is a debtor in a foreign proceeding and has its principal place of principal place of business or assets in the United States but is a defe or the interests of the parties will be served in regard to the relief soug	ndant in an action or proceeding [in a f	
•	es as a Tenant of Residential Proper	ty
Check all ap Landlord has a judgment against the debtor for possession of debtor's	plicable boxes.) residence. (If box checked, complete	the following.)
(1	Name of landlord that obtained judgme	nt)
$\overline{(}$	Address of landlord)	
Debtor claims that under applicable nonbankruptcy law, there are circumonetary default that gave rise to the judgment for possession, after t		•
Debtor has included in this petition the deposit with the court of any re petition.	nt that would become due during the 30	0-day period after the filing of the
Debtor certifies that he/she has served the Landlord with this certificat	ion. (11 U.S.C. § 362(I)).	

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B1 (Official Form 1) (4/10) Documer	nt Page 3 of 9 Page 3
Voluntary Petition	Name of Debtor(s): Ashley Park Homes, LLC
(This page must be completed and filed in every case)	
Sigi	natures
Signature(s) of Debtor(s) (Individual/Joint)	Signature of a Foreign Representative
I declare under penalty of perjury that the information provided in this petition is true and correct. [If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12 or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7. [If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by 11 U.S.C. § 342(b).	I 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.
I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.	Pursuant to 11 U.S.C. § 1511, I request relief in accordance with the chapter of title 11 specified in this petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.
x	X (Signature of Foreign Representative)
Telephone Number (If not represented by attorney)	(Printed Name of Foreign Representative)
Date	Date
Signature of Attorney* X /s/ Nancy E. Johnson Nancy E. Johnson Bar No. 6909 Law Office of Nancy E. Johnson, LLC P.O. Box 146 Columbia, SC 29202 Phone No.(803) 343-3424 Fax No.(803) 656-0510	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.
10/03/2010	Printed Name and title, if any, of Bankruptcy Petition Preparer
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.	Social-Security number (If the bankruptcy 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.)
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.	Address X
Ashley Park Homes, LLC	Date
X /s/ Charles E. Corbett, Sr. Signature of Authorized Individual	Signature of bankruptcy petiton preparer or officer, principal, responsible person, or partner whose Social-Security number is provided above.
Charles E. Corbett, Sr. Printed Name of Authorized Individual Managing Member	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.
Title of Authorized Individual	If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.
10/03/2010 Date	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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	UNITED	STATES BANKR			
DISTRICT OF SOUTH CAROLINA					
		CHARLESTON DIV	/ISION		

IN RE: Ashley Park Homes, LLC

CASE NO

CHAPTER 11

DISCLOSURE OF COMPENSATION OF ATTORNEY FOR DEBTOR

1. Pursuant to 11 U.S.C. § 329(a) and Fed. Bankr. P. 2016(b), I certify that I am the attorney for the above-named debtor(s) and that compensation paid to me within one year before the filing of the petition in bankruptcy, or agreed to be paid to me, for services rendered or to be rendered on behalf of the debtor(s) in contemplation of or in connection with the bankruptcy case is as follows:

For legal services, I have agreed to accept:	\$20,000.00
Prior to the filing of this statement I have received:	\$20,000.00
Balance Due:	\$0.00

2. The source of the compensation paid to me was:

Debtor 🗌 Other (specify)

3. The source of compensation to be paid to me is:

- 4. 🗹 I have not agreed to share the above-disclosed compensation with any other person unless they are members and associates of my law firm.
 - □ I have agreed to share the above-disclosed compensation with another person or persons who are not members or associates of my law firm. A copy of the agreement, together with a list of the names of the people sharing in the compensation, is attached.
- In return for the above-disclosed fee, I have agreed to render legal service for all aspects of the bankruptcy case, including:

 Analysis of the debtor's financial situation, and rendering advice to the debtor in determining whether to file a petition in bankruptcy;
 - b. Preparation and filing of any petition, schedules, statements of affairs and plan which may be required;
 - c. Representation of the debtor at the meeting of creditors and confirmation hearing, and any adjourned hearings thereof;
- 6. By agreement with the debtor(s), the above-disclosed fee does not include the following services: Separate retainer agreement will be filed as part of employment application

sentation of the debtor(s) in this ba	ankrupicy proceeding.	
10/03/2010	/s/ Nancy E. Johnson	
Date	Nancy E. Johnson	Bar No. 6909
	Law Office of Nancy E. Johnson, LLC	
	P.O. Box 146	
	Columbia, SC 29202	
	Phone: (803) 343-3424 / Fax: (803) 656-	-0510

/s/ Charles E. Corbett, Sr.

Charles E. Corbett, Sr. Managing Member

B4 (Official Form 4) (12/07)

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IN RE: Ashley Park Homes, LLC

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).

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

Charles E. Corbett, Sr. POB 7076 Myrtle Beach, SC 29572

Ashley Park HOA at Carolina Member Assessment Fees \$29,177.84 Forest C/O Premier Management Group 11923 Plaza Dr. Murrells Inlet, SC 29576 Rice, MacDonald & Hicks, P.A. \$479.50 Attorney Fees related to foreclosure 950 48th Ave. N. Ste. 200 Myrtle Beach, SC 29577 Thompson & Henry, P.A. Attorney Fees unbilled for September \$0.00 PO Box 1740 Conway, SC 29528 Ralph C. Jones \$0.00 POB 7076 Myrtle Beach, SC 29572

Debbie Leonard, CPA, P.A. 12303 Highway 707, Suite A Murrells Inlet, SC 29576

Services Rendered but Unbilled

\$1,625,000.00

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IN RE: Ashley Park Homes, LLC

Case No.

Chapter 11

LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

Continuation Sheet No. 1

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

Managing Member Corporation of the I, the 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: 10/03/2010

Signature: /s/ Charles E. Corbett, Sr. Charles E. Corbett, Sr. Managing Member

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IN RE: Ashley Park Homes, LLC

CASE NO

CHAPTER 11

VERIFICATION OF CREDITOR MATRIX

The above named debtor, or attorney for the debtor if applicable, hereby certifies pursuant to South Carolina Local Bankruptcy Rule 1007-1 that the master mailing list of creditors submitted either on computer diskette, electronically filed via CM/ECF, or conventionally filed in a typed hard copy scannable format which has been comparted to, and contains identical information to, the debtor's schedules, statements and lists which are being filed at this time or as they currently exist in draft form.

Master mailing list of creditors submitted via

(a) ____ computer diskette

(b) ____ scannable hard copy

(c) X electronic version filed via CM/ECF

Date 10/03/2010

Signature /s/ Charles E. Corbett, Sr. Charles E. Corbett, Sr. Managing Member

Date _____

Signature ____

/s/ Nancy E. Johnson Nancy E. Johnson 6909 Law Office of Nancy E. Johnson, LLC

P.O. Box 146 Columbia, SC 29202 (803) 343-3424 Case 10-07144-dd Doc 1 Filed 10/03/10 Entered 10/03/10 13:10:05 Desc Main Document Page 8 of 9 UNITED STATES BANKRUPTCY COURT DISTRICT OF SOUTH CAROLINA CHARLESTON DIVISION

In re: Ashley Park Homes, LLC

CASE NO

CHAPTER 11

BUSINESS INCOME AND EXPENSES

FINANCIAL REVIEW OF THE DEBTOR'S BUSINESS (NOTE: ONLY INCLUDE information directly related to the business operation.)

PART A - GROSS BUSINESS INCOME FOR PREVIOUS 12 MONTHS:

1. Gross Income for 12 Months Prior to Filing:	\$0.00	
PART B - ESTIMATED AVERAGE FUTURE GROSS MONTHLY INCOME:		
2. Gross Monthly Income:		\$0.00
PART C - ESTIMATED AVERAGE FUTURE MONTHLY EXPENSES:		
 Net Employee Payroll (Other Than Debtor): Payroll Taxes: 	<u>\$0.00</u> \$0.00	
5. Unemployment Taxes:	\$0.00	
6. Worker's Compensation:	\$0.00	
7. Other Taxes:	\$0.00	
8. Inventory Purchases (including raw materials):	\$0.00	
9. Purchase of Feed/Fertilizer/Seed/Spray:	\$0.00	
10. Rent (other than debtor's principal residence):	\$0.00	
11. Utilities:	\$0.00	
12. Office Expenses and Supplies:	\$0.00	
13. Repairs and Maintenance:	\$0.00	
14. Vehicle Expenses:	\$0.00	
15. Travel and Entertainment:	\$0.00	
16. Equipment Rental and Leases:	\$0.00	
17. Legal/Accounting/Other Professional Fees:	\$0.00	
18. Insurance:	\$0.00	
19. Employee Benefits (e.g., pension, medical, etc.):	\$0.00	
20. Payments to be Made Directly by Debtor to Secured Creditors for		
Pre-Petition Business Debts (Specify):	None	
21. Other (Specify):	None	
22. Total Monthly Expenses (Add items 3 - 21)		\$0.00
PART D - ESTIMATED AVERAGE NET MONTHLY INCOME:		
23. AVERAGE NET MONTHLY INCOME (Subtract item 22 from item 2):		\$0.00

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IN RE: Ashley Park Homes, LLC		\$ \$ \$ \$	Case No.		
Debtor(s)		§	Chapter	11	

DECLARATION FOR ELECTRONIC FILING OF BANKRUPTCY PETITION, LISTS, STATEMENTS, AND SCHEDULES

PART I: DECLARATION OF PETITIONER:

As an individual debtor in this case, or as the individual authorized to act on behalf of the corporation, partnership, or limited liability company seeking bankruptcy relief in this case, I hereby request relief as, or on behalf of, the debtor in accordance with the chapter of title 11, United States Code, specified in the petition to be filed electronically in this case. I have read the information provided in the petition, lists, statements, and schedules to be filed electronically in this case and I HEREBY DECLARE UNDER PENALTY OF PERJURY that the information provided therein, as well as the social security information disclosed in this document, is true and correct. I understand that this Declaration is to be filed electronically. I understand that a failure to file the signed original of this Declaration will result in the dismissal of my case.

[Only include for Chapter 7 individual petitioners whose debts are primarily consumer debts] --I am an individual whose debts are primarily consumer debts and who 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 chapter, and choose to proceed under chapter 7.

[Only include if petitioner is a corporation, partnership or limited liability company] - I hereby further declare under penalty of perjury that I have been authorized to file the petition, lists, statements, and schedules on behalf of the debtor in this case.

Date:	10/03/2010	/s/ Charles E. Corbett, Sr.	
		Charles E. Corbett, Sr.	
		Managing Member	
		Complete EIN: 20-3492753	

PART II: DECLARATION OF ATTORNEY:

I declare UNDER PENALTY OF PERJURY that: (1) I will give the debtor(s) a copy of all documents referenced by Part I herein which are filed with the United States Bankruptcy Court; and (2) I have informed the debtor(s), if an individual with primarily consumer debts, 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 under each such chapter.

Date: 10/03/2010

<u>/s/ Nancy E. Johnson</u> Nancy E. Johnson, Attorney for Debtor