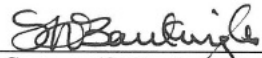




SO ORDERED.
SIGNED this 12th day of April, 2017

THIS ORDER HAS BEEN ENTERED ON THE DOCKET.
PLEASE SEE DOCKET FOR ENTRY DATE.



Suzanne H. Bauknicht
UNITED STATES BANKRUPTCY JUDGE

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TENNESSEE
NORTHERN DIVISION**

IN RE:

TWIN OAKS APARTMENTS LTD, L.P.,
d/b/a TWIN OAKS APARTMENTS 1,
d/b/a TWIN OAKS APARTMENTS 2,
d/b/a TWIN OAKS APARTMENTS LIMITED,
Debtor.

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No. 3:17-bk-30605-SHB
Chapter 11

AGREED ORDER

Upon motion by the debtor, notice, hearing on same, and for good cause shown, it is hereby

ORDERED that the debtor shall be able to use the cash collateral generated by the rents from the apartments as set forth on Exhibit A attached hereto. It is further hereby

ORDERED that the debtor shall make all applicable payroll tax deposits on the next business day after payroll is made. The debtor shall file all post-petition payroll or other

applicable state and federal tax returns when due and pay any balance thereon with said return.

It is further hereby

ORDERED that the USDA Rural Development (“USDA”), without further action or documentation, is granted a replacement lien under Sections 361(2) and 363(f)(3) of the Bankruptcy Code to the same extent, validity, and priority that existed in the pre-petition property of the bankruptcy estate that secures the indebtedness owed to the USDA. This replacement lien is limited only to the payment of the obligations as approved by this Order. Nothing herein shall prevent the USDA from seeking other and further adequate protection of its interests in this case, including but not limited to, seeking additional replacement liens for any cash collateral sought to be utilized by the debtor. The debtor does not waive the right to object to the extent, validity, or priority of the secured interest of the USDA or to seek additional use of cash collateral by way of separate motion and approval by the Court. It is further hereby

ORDERED that the debtor shall be authorized to use and pay from its cash collateral, regardless of inclusion within the budget attached hereto as Exhibit A, all fees incurred in accordance with 28 U.S.C. § 1930(a)(6) and shall timely pay all such fees. It is further hereby

ORDERED that the debtor shall timely file all monthly operating reports. It is further hereby

ORDERED that upon the debtor’s failure to timely comply with the provisions of this Order, the U.S. Trustee or the U.S. Attorney may certify said failure to the Court and request a hearing to determine whether the case should be dismissed or converted to a Chapter 7 case, whichever is in the best interest of creditors.

###

/s/ Lynn Tarpy

Lynn Tarpy (006017)
Tarpy, Cox, Fleishman & Leveille, PLLC
Landmark Center North Tower
1111 Northshore Drive
Suite N-290
Knoxville, Tennessee 37919
(865) 588-1096

/s/ Tiffany A. DiIorio

Tiffany A. DiIorio
Trial Attorney, Florida Bar No. 0719706
U.S. Department of Justice
Office of the U.S. Trustee
800 Market Street, Suite 114
Knoxville, TN 37902
Telephone: (865) 545-4324
Email: tiffany.diiorio@usdoj.gov

MONTHLY EXPENSES

Maintenance and repairs supplies	\$1,400.00
Maintenance and repairs contracts	1,400.00
Painting	650.00
Grounds upkeep	1,000.00
Software support	100.00
Electricity	1,300.00
Water	1,400.00
Fuel	150.00
Garbage and trash	400.00
Site management payroll	2,852.00
Management fee	2,880.00
Auditing expense	400.00
Phone and answering service	90.00
Office supplies	100.00
Copier maint. and Choice Data	90.00
Taxes and Insurance (transfer to reserve accounts)	<u>3,834.00</u>
	\$18,046.50

Said expenses are managed and handled by the management company of the debtor which is controlled by the debtor's principal and general partner, Landon Moyers.

Exhibit A