

Fill in this information to identify your case:

United States Bankruptcy Court for the:
 WESTERN DISTRICT OF VIRGINIA

Case number *(if known)* _____ Chapter 11

Check if this an amended filing

Official Form 201

Voluntary Petition for Non-Individuals Filing for Bankruptcy

4/16

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and case number (if known). For more information, a separate document, *Instructions for Bankruptcy Forms for Non-Individuals*, is available.

1. Debtor's name Apex Properties LLC

2. All other names debtor used in the last 8 years
 Include any assumed names, trade names and *doing business as* names

3. Debtor's federal Employer Identification Number (EIN) 54-2028218

4. Debtor's address

<p>Principal place of business</p> <p><u>1540 Apperson Drive</u> <u>Salem, VA 24153</u> <small>Number, Street, City, State & ZIP Code</small></p> <p><u>Salem</u> <small>County</small></p>	<p>Mailing address, if different from principal place of business</p> <p>_____ <small>P.O. Box, Number, Street, City, State & ZIP Code</small></p> <p>Location of principal assets, if different from principal place of business</p> <p>_____ <small>Number, Street, City, State & ZIP Code</small></p>
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5. Debtor's website (URL) _____

6. Type of debtor

Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))

Partnership (excluding LLP)

Other. Specify: _____

Debtor Apex Properties LLC
Name

Case number (if known) _____

7. Describe debtor's business

A. Check one:

- Health Care Business (as defined in 11 U.S.C. § 101(27A))
- Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
- Railroad (as defined in 11 U.S.C. § 101(44))
- Stockbroker (as defined in 11 U.S.C. § 101(53A))
- Commodity Broker (as defined in 11 U.S.C. § 101(6))
- Clearing Bank (as defined in 11 U.S.C. § 781(3))
- None of the above

B. Check all that apply

- Tax-exempt entity (as described in 26 U.S.C. §501)
- Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. §80a-3)
- Investment advisor (as defined in 15 U.S.C. §80b-2(a)(11))

C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor.
See <http://www.uscourts.gov/four-digit-national-association-naics-codes>.

5311

8. Under which chapter of the Bankruptcy Code is the debtor filing?

Check one:

- Chapter 7
- Chapter 9

Chapter 11. Check all that apply:

- Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,566,050 (amount subject to adjustment on 4/01/19 and every 3 years after that).
- The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). If the debtor is a small business debtor, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if all of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
- A plan is being filed with this petition.
- Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
- The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11 (Official Form 201A) with this form.
- The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.

Chapter 12

9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years?

- No.
- Yes.

If more than 2 cases, attach a separate list.

District _____ When _____ Case number _____
 District _____ When _____ Case number _____

10. Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor?

- No
- Yes.

List all cases. If more than 1, attach a separate list

Debtor _____ Relationship _____
 District _____ When _____ Case number, if known _____

Debtor Apex Properties LLC
Name

Case number (if known) _____

11. Why is the case filed in this district?

Check all that apply:

- Debtor has had its domicile, 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.
- A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.

12. Does the debtor own or have possession of any real property or personal property that needs immediate attention?

No

Yes. Answer below for each property that needs immediate attention. Attach additional sheets if needed.

Why does the property need immediate attention? (Check all that apply.)

- It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety.
What is the hazard? _____
- It needs to be physically secured or protected from the weather.
- It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options).
- Other _____

Where is the property?

Number, Street, City, State & ZIP Code _____

Is the property insured?

- No
- Yes. Insurance agency _____

Contact name _____

Phone _____

Statistical and administrative information

13. Debtor's estimation of available funds

Check one:

- Funds will be available for distribution to unsecured creditors.
- After any administrative expenses are paid, no funds will be available to unsecured creditors.

14. Estimated number of creditors

- | | | |
|--|--|--|
| <input checked="" type="checkbox"/> 1-49 | <input type="checkbox"/> 1,000-5,000 | <input type="checkbox"/> 25,001-50,000 |
| <input type="checkbox"/> 50-99 | <input type="checkbox"/> 5001-10,000 | <input type="checkbox"/> 50,001-100,000 |
| <input type="checkbox"/> 100-199 | <input type="checkbox"/> 10,001-25,000 | <input type="checkbox"/> More than 100,000 |
| <input type="checkbox"/> 200-999 | | |

15. Estimated Assets

- | | | |
|--|--|--|
| <input type="checkbox"/> \$0 - \$50,000 | <input checked="" type="checkbox"/> \$1,000,001 - \$10 million | <input type="checkbox"/> \$500,000,001 - \$1 billion |
| <input type="checkbox"/> \$50,001 - \$100,000 | <input type="checkbox"/> \$10,000,001 - \$50 million | <input type="checkbox"/> \$1,000,000,001 - \$10 billion |
| <input type="checkbox"/> \$100,001 - \$500,000 | <input type="checkbox"/> \$50,000,001 - \$100 million | <input type="checkbox"/> \$10,000,000,001 - \$50 billion |
| <input type="checkbox"/> \$500,001 - \$1 million | <input type="checkbox"/> \$100,000,001 - \$500 million | <input type="checkbox"/> More than \$50 billion |

16. Estimated liabilities

- | | | |
|--|--|--|
| <input type="checkbox"/> \$0 - \$50,000 | <input checked="" type="checkbox"/> \$1,000,001 - \$10 million | <input type="checkbox"/> \$500,000,001 - \$1 billion |
| <input type="checkbox"/> \$50,001 - \$100,000 | <input type="checkbox"/> \$10,000,001 - \$50 million | <input type="checkbox"/> \$1,000,000,001 - \$10 billion |
| <input type="checkbox"/> \$100,001 - \$500,000 | <input type="checkbox"/> \$50,000,001 - \$100 million | <input type="checkbox"/> \$10,000,000,001 - \$50 billion |
| <input type="checkbox"/> \$500,001 - \$1 million | <input type="checkbox"/> \$100,000,001 - \$500 million | <input type="checkbox"/> More than \$50 billion |

Debtor Apex Properties LLC
Name

Case number (if known) _____

Request for Relief, Declaration, and Signatures

WARNING -- Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

17. Declaration and signature of authorized representative of debtor

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.
I have been authorized to file this petition on behalf of the debtor.
I have examined the information in this petition and have a reasonable belief that the information is true and correct.
I declare under penalty of perjury that the foregoing is true and correct.

Executed on April 14, 2017
MM / DD / YYYY

/s/ Al Cooper
Signature of authorized representative of debtor

Title Managing Member

Al Cooper
Printed name

18. Signature of attorney

/s/ Andrew S. Goldstein
Signature of attorney for debtor

Date April 14, 2017
MM / DD / YYYY

Andrew S. Goldstein
Printed name

Magee Goldstein Lasky & Sayers, P.C.
Firm name

Post Office Box 404
Roanoke, VA 24003-0404
Number, Street, City, State & ZIP Code

Contact phone 540-343-9800 Email address _____

28421
Bar number and State

Fill in this information to identify the case:

Debtor name Apex Properties LLC

United States Bankruptcy Court for the: WESTERN DISTRICT OF VIRGINIA

Case number (if known): _____

Check if this is an amended filing

Official Form 204

Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders 12/15

A list of creditors holding the 20 largest unsecured claims must be filed in a Chapter 11 or Chapter 9 case. Include claims which the debtor disputes. Do not include claims by any person or entity who is an insider, as defined in 11 U.S.C. § 101(31). Also, do not include claims by secured creditors, unless the unsecured claim resulting from inadequate collateral value places the creditor among the holders of the 20 largest unsecured claims.

Name of creditor and complete mailing address, including zip code	Name, telephone number and email address of creditor contact	Nature of claim (for example, trade debts, bank loans, professional services, and government contracts)	Indicate if claim is contingent, unliquidated, or disputed	Amount of claim		
				If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
				Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
Brambleton Common HOA						\$7,385.99
Chase Bank P.O. Box 15123 Wilmington, DE 19850-5123		Credit Card				\$5,460.75

Apex Properties LLC -

BANK OF FINCASTLE
C/O PETER SACKETT
17 SOUTH ROANOKE STREET
FINCASTLE, VA 24090

BANK OF FINCASTLE
POST OFFICE BOX 107
FINCASTLE, VA 24090

BRAMBLETON COMMON HOA

CHASE BANK
P.O. BOX 15123
WILMINGTON, DE 19850-5123

CITY OF SALEM
C/O MARK KIDD, ESQ.
114 N. BROAD ST.
SALEM, VA 24153

FIRST COMMUNITY BANK
P.O. BOX 5608
PRINCETON, WV 24740-5608

LEFLER, CHARLES W. AND GUIDA T.
1529 CLIFFVIEW ROAD
SALEM, VA 24153

M&T BANK
P.O. BOX 62182
BALTIMORE, MD 21264-2182

PNC BANK
C/O HUDSON REALTY CAPITAL, LLC
1591 HAYLEY LANE
FORT MYERS, FL 33907

RAMSEY, DAN
P.O. BOX 483
BLUE RIDGE, VA 24064-0483

SEYMOUR, ROBERT
7322 RAMOTH DRIVE
JACKSONVILLE, FL 32226-3243

Apex Properties LLC -

TOWN OF BUCHANAN
P.O. BOX 205
BUCHANAN, VA 24066

TREASURER, CITY OF SALEM
ATTN: BONNIE C. MCCORMACK
114 N. BROAD ST.
SALEM, VA 24153

TREASURER, COUNTY OF BOTETOURT
P.O. BOX 100
FINCASTLE, VA 24090-0100

TREASURER, COUNTY OF FLOYD
DERONDA D. THOMAS
100 EAST MAIN STREET, ROOM 202
FLOYD, VA 24091

TREASURER, COUNTY OF MONTGOMERY
755 ROANOKE STREET, SUITE 1B
CHRISTIANSBURG, VA 24073

TREASURER, COUNTY OF ROANOKE
F. KEVIN HUTCHINS
P.O. BOX 21009
ROANOKE, VA 24018

**United States Bankruptcy Court
Western District of Virginia**

In re Apex Properties LLC

Debtor(s)

Case No.

Chapter 11

CORPORATE OWNERSHIP STATEMENT (RULE 7007.1)

Pursuant to Federal Rule of Bankruptcy Procedure 7007.1 and to enable the Judges to evaluate possible disqualification or recusal, the undersigned counsel for Apex Properties LLC in the above captioned action, certifies that the following is a (are) corporation(s), other than the debtor or a governmental unit, that directly or indirectly own(s) 10% or more of any class of the corporation's(s') equity interests, or states that there are no entities to report under FRBP 7007.1:

None [*Check if applicable*]

April 14, 2017

Date

/s/ Andrew S. Goldstein

Andrew S. Goldstein

Signature of Attorney or Litigant
Counsel for Apex Properties LLC

Magee Goldstein Lasky & Sayers, P.C.

**Post Office Box 404
Roanoke, VA 24003-0404
540-343-9800 Fax:540-343-9898**

**United States Bankruptcy Court
Western District of Virginia**

In re Apex Properties LLC Debtor(s) Case No. _____ Chapter 11

STATEMENT REGARDING AUTHORITY TO SIGN AND FILE PETITION

I, **AI Cooper**, declare under penalty of perjury that I am the **Managing Member** of **Apex Properties LLC**, and that the following is a true and correct copy of the resolutions adopted by the Board of Directors of said corporation at a special meeting duly called and held on the 14 day of April, 2017.

"Whereas, it is in the best interest of this corporation to file a voluntary petition in the United States Bankruptcy Court pursuant to Chapter 11 of Title 11 of the United States Code;

Be It Therefore Resolved, that **AI Cooper, Managing Member** of this Corporation, is authorized and directed to execute and deliver all documents necessary to perfect the filing of a chapter 11 voluntary bankruptcy case on behalf of the corporation; and

Be It Further Resolved, that **AI Cooper, Managing Member** of this Corporation is authorized and directed to appear in all bankruptcy proceedings on behalf of the corporation, and to otherwise do and perform all acts and deeds and to execute and deliver all necessary documents on behalf of the corporation in connection with such bankruptcy case, and

Be It Further Resolved, that **AI Cooper, Managing Member** of this Corporation is authorized and directed to employ **Andrew S. Goldstein**, attorney and the law firm of **Magee Goldstein Lasky & Sayers, P.C.** to represent the corporation in such bankruptcy case."

Date April 14, 2017

Signed /s/ AI Cooper
AI Cooper

Resolution of Board of Directors
of
Apex Properties LLC

Whereas, it is in the best interest of this corporation to file a voluntary petition in the the United States Bankruptcy Court pursuant to Chapter 11 of Title 11 of the United States Code;

Be It Therefore Resolved, that **AI Cooper, Managing Member** of this Corporation, is authorized and directed to execute and deliver all documents necessary to perfect the filing of a chapter 11 voluntary bankruptcy case on behalf of the corporation; and

Be It Further Resolved, that **AI Cooper, Managing Member** of this Corporation is authorized and directed to appear in all bankruptcy proceedings on behalf of the corporation, and to otherwise do and perform all acts and deeds and to execute and deliver all necessary documents on behalf of the corporation in connection with such bankruptcy case, and

Be It Further Resolved, that **AI Cooper, Managing Member** of this Corporation is authorized and directed to employ **Andrew S. Goldstein**, attorney and the law firm of **Magee Goldstein Lasky & Sayers, P.C.** to represent the corporation in such bankruptcy case.

Date April 14, 2017

Signed /s/ AI Cooper