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| Attorney or Party Name, Address, Telephone & FAX Nos., State Bar No. & Email Address Jason M. Rund Chapter 7 Trustee 840 Apollo Street, Suite 351 El Segundo, CA 90245 Telephone: 310-640-1200 Facsimile: 310-640-0200 Email: trustee@srlawyers.com <input checked="" type="checkbox"/> Individual appearing without attorney <input type="checkbox"/> Attorney for: | FOR COURT USE ONLY |
| UNITED STATES BANKRUPTCY COURT CENTRAL DISTRICT OF CALIFORNIA - LOS ANGELES DIVISION | |
| In re: Kirk Edward Phillips and Mary Jane Beleno Rogers, Debtor(s). | CASE NO.: 2:13-39738 RK CHAPTER: 7 NOTICE OF SALE OF ESTATE PROPERTY |

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| Sale Date: 10/21/2014 | Time: 2:30 pm |
| Location: 255 East Temple Street, Courtroom 1675, Los Angeles, CA 90212 | |

Type of Sale: ☒ Public ☐ Private **Last date to file objections:** 10/07/2014

Description of property to be sold: Single family residence located at 43911 Sundell, Lancaster, California

Terms and conditions of sale: The sale is on an "as is" and "where is" basis, without any representations, warranties or recourse subject to Bankruptcy Court approval and overbid.

Proposed sale price: \$ 184,500.00 subject to overbid.

Overbid procedure (*if any*): See Attachment 1

If property is to be sold free and clear of liens or other interests, list date, time and location of hearing:

Contact person for potential bidders (*include name, address, telephone, fax and/or email address*):

Mark A. Troth
BHHS Troth, Realtors
1801 West Avenue K
Lancaster, California 93534
(661) 948-4646 mark.troth@gmail.com

Date: 09/29/2014

ATTACHMENT 1

In order for any party to participate in the overbid procedure regarding the property concerning the single family residence located at 43911 Sundell, Lancaster, California ("Property"), the Trustee requests that the parties comply with the following provisions:

- a. In order for any person or entity to qualify to bid on the Property at the hearing on this Motion, they must attend the hearing on the Motion or be represented by an individual with authority to participate in the overbid process.
- b. Each party participating in the overbid process (including the Debtors, but not including the Buyer) must deliver to the Trustee at the hearing on the Motion a cashier's check in the amount of \$5,535.00, payable to Jason M. Rund, Trustee. If the bidder is successful, the \$5,535.00 shall be a deposit on the purchase, but will be forfeited if the bidder does not timely close the sale. If the bidder is not successful, the \$5,535.00 will be returned to the bidder.
- c. Any bidder must provide evidence of pre-approved financing from a lender (not a pre-qualification subject to conditions) or available cash in an amount necessary to consummate the sale at the time of hearing. Such evidence must be satisfactory to the Trustee in his sole discretion.
- d. Subject to court approval, the Trustee is recommending that minimum initial overbid amount shall be \$1,000.00. Each successive overbid shall be in such amount as the Court, in its discretion, determines to be sufficient.
- e. All overbids must be on the same terms and conditions as the offer accepted from Buyer, other than price.

**IN THE EVENT THAT ANY BUYER FAILS TO PERFORM, THE
DEPOSIT MADE AT THE TIME OF HEARING WILL BE FORFEITED.
ALL SALES ARE ON AN AS-IS, WHERE-IS BASIS, WITHOUT
REPRESENTATIONS, WARRANTIES OR RECOURSE.**

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:
840 Apollo Street, Suite 351, El Segundo, CA 90245

A true and correct copy of the foregoing document entitled: **NOTICE OF SALE OF ESTATE PROPERTY** will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On *(date)* 09/29/2014, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

United States Trustee (LA): ustpregion16.la.ecf@usdoj.gov
Counsel for Debtors: Hale Andrew Antico, hantico@scvbankruptcy.com

☐ Service information continued on attached page

2. SERVED BY UNITED STATES MAIL:

On *(date)* 09/29/2014, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

Debtors: Kirk Edward Phillips and Mary Jane Beleno Rogers, 1524 W. Kildare Street, Lancaster, CA 93534
43438 57th Street W, Lancaster, CA 93536

☐ Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL *(state method for each person or entity served)*: Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on *(date)* 09/29/2014, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

Via American Legal Support Services:

Judge's Copy: Honorable Robert Kwan, United States Bankruptcy Judge, United States Bankruptcy Court,
Bin outside Suite 1682, 255 Temple Street, Los Angeles, CA 90012

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

09/29/2014
Date

Laura Gitnick
Printed Name

/s/ Laura Gitnick
Signature