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U.S. BANKRUPTCY COURT
PATRICIA GRAY, CLERK

3-29-93

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5
6 UNITED STATES BANKRUPTCY COURT
7 DISTRICT OF NEVADA

8 In re: CASE NO. BK-N-92-32181 JHT
9 D & D Investments Partnership, Chapter 7
10 Debtor.

STIPULATION AND ORDER RE:
TERMINATION OF AUTOMATIC STAY AND
APPROVAL OF SALE OF REAL PROPERTY

Hearing Date:
and Time:
(No Hearing Required)

STIPULATION

16 The Debtor, D & D Investments Partnership, its Chapter 7
17 Trustee, James S. Proctor, and Jim Blare, through his counsel,
18 William A. Van Meter, Esq. stipulate as follows:

19 1. The Debtor, a general partnership, filed its voluntary
20 Chapter 7 petition in pro per on December 28, 1992 prior to a
21 foreclosure sale scheduled by Jim Blare.

22 2. The sole asset of the Debtor's bankruptcy estate consists
23 of a parcel of real property and mobile home acquired by the Debtor
24 in April of 1990 which is the property that is the subject of Mr.
25 Blare's foreclosure sale. The property is located at 3980 Grey
26 Hills Road, Topaz Ranch Estates, Wellington, Nevada.

27 3. On February 12, 1993, Jim Blare filed a Motion for Relief
28 From Stay seeking bankruptcy court approval to proceed with his

303501

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13

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1 prepetition foreclosure sale.

2 4. At the hearing on Mr. Blare's Motion for Relief From Stay
3 held on March 8, 1993, the bankruptcy court continued the hearing
4 until March 22, 1993 to allow the Debtor until that time to close
5 a pending sale of the property.

6 5. At the March 22, 1993 hearing on Mr. Blare's Motion for
7 Relief From Stay, the parties advised the bankruptcy court that
8 \$35,200.00 in cash had been deposited into escrow and that the
9 Debtor's pending sale was scheduled to close on or before April 2,
10 1993. Accordingly, by agreement, the hearing was again continued
11 to April 5, 1993 at 10:00 a.m.

12 6. Based on the foregoing information, the parties to this
13 stipulation agree that the automatic stay shall terminate April 5,
14 1993 without further notice or hearing.

15 7. The parties further agree that because Mr. Blare is the
16 Debtor's sole creditor and because the Debtor's proposed sale will
17 result in the payment of Mr. Blare's claim in full and in cash at
18 close of escrow, the Debtor's proposed sale may be approved by the

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SEAL

1 bankruptcy court without the need for notice and hearing
2 notwithstanding the requirements of 11 U.S.C. § 363 and Fed. R.
3 Bankr. P. 6004

4 Donald Redeker March 24, 1993
5 D & D Investments Partnership
6 By: Donald Redeker, General Partner

7 William A. Van Meter March 24, 1993
8 William A. Van Meter, Esq.
9 Attorney for Jim Blare

10 James S. Proctor March 24, 1993
11 James S. Proctor, Trustee

12 ORDER

13 Having reviewed the foregoing stipulation and for other good
14 cause appearing;

15 IT IS ORDERED that in the event the Debtor's property is not
16 sold and Mr. Blare paid in full and in cash prior to April 5, 1993,
17 the automatic stay shall terminate on April 5, 1993 to allow Mr.
18 Blare to exercise any and all of his state law and contractual
19 remedies against the Debtor and or its property.

20 IT IS FURTHER ORDERED that, pursuant to 11 U.S.C. 101(1)(A),
21 the Trustee is authorized to sell the Debtor's property free and
22 clear of liens without further notice and hearing provided that on
23 or before April 2, 1993, the claim of Mr. Blare is paid in full and
24 in cash from the proceeds of the Debtor's proposed sale.

25 / / / / /
26 / / / / /
27 / / / / / **SEAL**
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303501

1 IT IS FURTHER ORDERED that upon entry of this Order, the April
2 5, 1993 continued hearing on Mr. Blare's Motion for Relief From Stay
3 is vacated.

4 DATED: This 26th Day of March, 1993.

5
6 *Donald Thompson*
7 UNITED STATES BANKRUPTCY JUDGE

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SEAL

I hereby certify that the attached instrument is a true and correct copy of the original on file in the office of the Bankruptcy Judge.

Dated 3/30/93
Authorized *[Signature]*
Deputy Clerk
Clerk to Bankruptcy Judge

B:BLARE|STAY.STRWAV

REQUESTED BY:
WESTERN TITLE COMPANY, INC.
IN OFFICIAL RECORDS OF
DOUGLAS CO., NEVADA

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SUZANNE BEAUDREAU
RECORDER 303501
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