

SO ORDERED.

SIGNED this 23rd day of February, 2018.



Lena Mansori James

LENA MANSORI JAMES
UNITED STATES BANKRUPTCY JUDGE

UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA
Winston-Salem Division

IN RE:

Woodlands Landscaping, Inc.

Debtor(s).

Case No. B 17-51364 C-7W

**ORDER TO ALLOW PUBLIC ONLINE AUCTION SALE OF PERSONAL PROPERTY
FREE AND CLEAR OF ALL LIENS, CLAIMS AND INTERESTS
And
ORDER TO TRANSFER ALL LIENS, CLAIMS AND INTEREST
TO PROCEEDS OF SALE**

THIS MATTER coming on before the Honorable Lena M. James, United States Bankruptcy Judge on Wednesday, February 14, 2018 on Trustee's Application to Allow Public Online Auction Sale of Personal Property and Motion to Transfer All Liens, Claims and Interests to Proceeds of Sale. In appearance were Robert E. Price, Jr., Attorney for the Bankruptcy Administrator; Edwin H. Ferguson, Jr., Trustee and Attorney for the Trustee

AND IT APPEARING TO THE COURT from the record and file in this proceeding the following:

1. That the Trustee's Application to Allow Public Online Auction Sale of Personal Property Free and Clear of All Liens, Claims and Interest and Motion to Transfer All Liens, Claims and Interests to Proceeds of Sale was duly filed on February 6, 2018;
2. That Trustee filed a Motion and Proposed Order to Expedite the hearing on this matter to February 14, 2018.
3. That a hearing was held February 14, 2018 at 2:00 pm in the Winston Salem Federal Bankruptcy Courtroom. No one appeared in opposition to the motions filed by the Trustee before or during the hearing before this court.
4. That Trustee requested in his motion that the property be sold subject to confirmation of the Court; however, Merchant Capital Access LLC ["MCA"], the only creditor

that had filed UCC financing statements, by and through its attorney, Douglas J. Bilotti, has waived a confirmation hearing and has furthermore, consented to this order transferring any liens that may exist to proceeds of sale as indicated on Exhibit A attached.

5. MCA has acknowledged receipt and notification of the matters before this court by email, and had stated there would be no secured claim and no objection to the Trustee's challenge to the secured status as reflected in the motions before this court.

Based on the matters before this court, consent of Douglas J. Bilotti as set forth on the Consent of Merchants Capital Access LLC, attached as Exhibit A, and for good cause shown,

IT IS ORDERED, ADJUDGED and DECREED:

1. That the following personal property shall be sold free and clear of all liens, claims and encumbrances, at a public online auction held by Susan Rogers Holder, Rogers Realty & Auction Co., Inc. beginning Monday, March 5, 2018 at 8:00 am and going through Thursday, March 13, 2018 at 2 pm. The auctioneer will hold a preview day on Thursday, March 8, 2018 from 8:00 am to 4:00 pm and another preview day on Monday, March 12, 2018 from 8:00am to 4:00pm. Preview will be held at 637 Concord Parkway N., Concord, NC 28027

Inventory with a value of \$55,460.00;
Office Furniture and Equipment with a value of \$5,810.00;
Machinery, Equipment & Vehicles with a Value of \$68,155.00;
**** a full list of all items is listed below****

DESCRIPTION:

Raw materials (Stone, lumber, granite, gutter materials, fencing, sand, pavers, bricks, plants)
Artificial turf
Paver fireplace
Cultured stone fireplace
Stoneage fireplace
Stucco fireplace (gas burning only)
Chicago brick oven
Brick Columns
Pergolas
U-shaped island with fridge, breakfast club, bar caddy, drawers, granite, cultured stone
L-shaped island with side burner, cooler drawer, paper gown holder, granite and cultured stone
36" AOG drop in gas grill
Wood island
Pavers on floor
Seatwalls
Flavored firewood for smoking
Blue ceramic flower pots
Small heaters
Retractable awning
Flower pot speakers
Rock speakers
Bamboo chairs
USA American flag (wood)
American flag (wood)

Stainless steel doors
 Round outdoor table
 Rectangular outdoor table
 Metal table w/4 chairs
 Gas log display w/3 sets of logs
 Stone display racks
 Display cabana w/metal roof
 Shovels
 Shop vacs
 Saw horses
 Paint/stain
 Wheel barrows
 Concrete mixers
 Weed eaters
 Jackhammers
 Tile saws
 Pressure washers
 Tarps
 Fencing
 Scaffolding
 Siding
 Cubicle
 Desks
 Credenza
 Conference table
 Numerous chairs
 End table
 Wood, Metal & Plastic File cabinets
 Phones
 Printers / scanners
 Portable A/C unit
 Surveillance camera system w/8 cameras
 Bookcases
 Gray lockable cabinet
 Whiteboards
 Rolling shelf
 Gray hand truck
 Black metal display rack
 Black wooden display racks w/5 shelves
 Mini Refrigerator
 Microwave
 Samsung 32" flat screen TV and hanger
 Visio 32" flat screen TV
 1994 Ford F150 extended cab – VIN 1FTEX15N4RKA13511
 1995 Ford F250 – VIN 1FTHF25Y1SNB42522
 2002 Chevy W3500 Dovetail – VIN 4KBB4B1R82J802626
 2003 Chevy W4500 Box Truck – VIN J8BC4J14037010409
 2004 Chevy Silverado 3500 – VIN 1GBJK34174E211213
 2001 Brim Sunbelt trailer – VIN 43YDC08141C009318
 2002 Hudson trailer – VIN 10HHSE16821000733
 2004 Hudson trailer – VIN 10HHSE18241000604
 Homesteader enclosed trailer
 Bobcat 873 fork attachment
 Bobcat 873
 2011 Bobcat MT55
 Wright & Sentar lawnmower

Little Wonder Leaf vac
Ball carts for trees
8' white Rubbermaid tables
Brown folding table
Shop fans
Lesco spreader walk behind
Lesco spreader mounted
Vinyl siding and aluminum track
Wooden brick cart
Jet hand pallet jack
Plate tamp
Gas powered wet brick saw
Echo gas trimmer
Echo string trimmers
Echo edger
Dewalt saw horse for miter saw
Drill press on stand
Craftsman radial arm saw
Craftsman router table and router on stand
Craftsman planer on stand
Craftsman belt sander
Pipe clamps
Backpack sprayers
Dewalt board planer
Misc tarps and plant covers
Dewalt miter saw
Masonry heat blanket
Woodwork benches
Wood storage racks
Numerous levels
Misc. nuts, bolts and screws
Amco tank sprayer for ATV w/electric motor
Survey scope w/tripod
Tile cutter
Dewalt laser level w/tripod
Passload framing nailer
Misc. electric power tools
Dewalt pneumatic framing nail guns
Bostic finish nail guns
Misc. hand tools
Stihl chain saw
Stihl Concrete saws
Stihl leaf blowers
Floor jack
Misc. oil and grease
Halogen spot lights on stands
Misc. saw horses
Huskey rolling tool box
Portable air compressor w/5 hoses
Dewalt bench grinder w/stand
Wavy man
Metal work bench
Portable air tank
Bosch jackhammer
Green scaffolding w/crossbars and ends
Metal mortar pans

Ladders
Clark Mig welder w/50' extension cord
Misc irrigation supplies
Misc drainage material


2. That all liens, claims and interests are transferred to the proceeds of the sale.

END OF DOCUMENT

CONSENT OF MERCHANTS CAPITAL ACCESS LLC

Merchants Capital Access LLC ("MCA"), by and through **Douglas J. Bilotti**, General Counsel consents to the motion by the trustee for a public auction sale of the assets of the debtor corporation; waives the necessity of a confirmation hearing under and pursuant to 11 USC §363(f); confirms that MCA will not be pursuing a claim in this proceeding and if one has been filed, there will be no challenge or request for a hearing, and trustee will be permitted to set any such filing aside; consents to the trustee conducting a public auction sale of the assets of the debtor at the dates and times established by trustee and the auctioneer; and that if any lien, or claim by MCA, which at the present time there will be no claim, such claim and/or lien will be transferred to proceeds of the public auction sale.

This the 15 day of February, . 2018



Douglas J. Bilotti
General Counsel
Merchants Capital Access LLC

PARTIES TO BE SERVED

Woodlands Landscaping, Inc.
17-51364 C-7

All Creditors and Interested Parties as of the date of the Order shall be served
By the Bankruptcy Noticing Center