File Box 9-B

THIS INSTRUMENT PREPARED BY:	STATE OF TENNESSEE COUNTY OF DAVIDSON
MUDTER & PATTERSON. **Attorneys at Law** **2000 Richard Jones Road** **Suite 110** **Nashville, Tennessee 37215** **(615) 383-4429** **FTEC File No. 30919**	The actual consideration or value, whichever is greater, for this transfer is: $118,140.00. Affiant Subscribed and sworn to before me, this 12th day of December, 2012. Notary Public My Commission Expires: _____

ELIZABETH J. SMITH
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY, TENN.
My Commission Expires NOV. 3, 2015

Address New Owner:	Send Tax Bills to:	Tax Information:
Mark Patel 342 Homestead Road Nashville, TN 37207	New Owner	131 010 D 19400 CO

BANKRUPTCY TRUSTEE'S DEED

WHEREAS, Richard T. Wolper filed a voluntary Chapter 11 Petition in the United States Bankruptcy Court for the District of Utah, Central Division, Case No. 08-29229, on December 31, 2008, which case was subsequently converted to a Chapter 7 case on November 18, 2009; and

WHEREAS, upon the filing of said Chapter 7 petition, Richard T. Wolper did by operation convey all right, title and interest in and to the real property described on the attached Exhibit "A" (hereinafter the "Property") to Kenneth A. Rushton as Bankruptcy Trustee; and

WHEREAS, by Order entered in the United States Bankruptcy Court for the District of Utah, Central Division, Case No. 08-29229, on November 5, 2012, a copy of which is attached hereto as Exhibit "B", the sale of the Property pursuant to the procedures described in the Motion appended to Exhibit "B" was approved, with the sale being free and clear of all liens and encumbrances, with valid liens and/or interests attaching to the sale proceeds; and.

WHEREAS, pursuant to the terms set out in the attached Exhibit "B", the Property was offered for sale at public auction by McLemore Auction Company, LLC, on December 6, 2012, and was sold to Mark Patel for $118,140.00.

BILL GARRETT, Davidson County
Trans:T20120095647 DEEDWARR
Recvd: 12/14/12 09:14 17 pgs
Fees:88.00 Taxes:437.12

20121214-0115095

NOW, THEREFORE, for and in consideration of the sum of One Hundred Eighteen Thousand One Hundred Forty and no/100 Dollars ($118,140.00), cash in hand paid, the receipt and sufficiency of which is hereby acknowledged, I, Kenneth A. Rushton, Bankruptcy Trustee, do hereby bargain and sell, and by these presents, transfer and convey unto the said Mark Patel, his heirs and assigns, the real property located in Davidson County, Tennessee, and more particularly described on the attached Exhibit "A".

This is improved property known as 5025 Hillsboro Road, Unit 22-G, Nashville, TN 37215.

The undersigned, Kenneth A. Rushton, does hereby transfer and convey in his capacity as Bankruptcy Trustee and no further or otherwise, all of the right, title, interest and estate held by the said Richard T. Wolper in and to the Property on the date of his filing a voluntary petition for bankruptcy in the United States Bankruptcy Court for the District of Utah, Central Division, Case No. 08-29229.

To have and to hold subject real property with the appurtenances, estate, title and interest thereto belonging to the said Mark Patel, his heirs and assigns, free and clear of all liens and encumbrances, but subject to the matters shown on the attached Exhibit "A".

IN WITNESS WHEREOF, Grantor has executed this instrument this 11th day of December, 2012.

Kenneth A. Rushton, Bankruptcy Trustee
for the Estate of Richard T. Wolper

STATE OF UTAH
COUNTY OF UTAH

Personally appeared before me, the undersigned Notary Public, in and for the said county and state, the within named Kenneth A. Rushton, Bankruptcy Trustee for the Estate of Richard T. Wolper, the bargainor, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that he executed the within instrument in the capacity and for the purposes therein contained.

Witness my hand and official seal at Lehi, Utah, this 11th day of December, 2012.

Notary Public

My Commission Expires: 7-31-15

RONALD J. RUSHTON
Notary Public, State of Utah
Commission #610497
My Commission Expires
July 31, 2015

EXHIBIT "A"

Land in Davidson County, Tennessee, being Unit No. 194, also known as 22-G, on the Plan of Georgetown Condominium Apartments, of record in Plat Book 5200, page 4, Register's Office for said county, to which plan reference is made for a more complete description, together with the appurtenant interest in the common elements of 5025 Hillsboro Homeowners' Association, a horizontal propety regime established by Master Deed and By-Laws in Book 5211, page 325, amended in Book 5616, page 133, and Book 6079, page 516, said Register's Office.

Being the same property conveyed to Richard Wolper by deed dated December 4, 2006, from William E. Conn, of record in Instrument No. 20061215-0154952, Register's Office for Davidson County, Tennessee. Being further conveyed to Kenneth A. Rushton, Bankruptcy Trustee, by operation of law upon the filing of a Chapter 7 bankruptcy, Case No. 08-29229, U.S. Bankruptcy Court for the District of Utah, Central Division, on November 18, 2009. See Notice of Bankruptcy of record in Instrument No. 20120905-0079965, said Register's Office. Richard Wolper and Richard T. Wolper are one and the same person.

This conveyance is made subject to:

1. State and County taxes for the year 2013, a lien not yet due and payable.
2. Charter of Incorporation of 5025 Hillsboro Homeowners Association of record in Book 5233, page 459, Register's Office for Davidson County, Tennessee.
3. Covenants, Conditions, Restrictions and Agreements, including the agreement to pay assessments for the maintenance of common areas, contained in the Master Deed (and By-Laws) for 5025 Hillsboro Homeowners Association, of record in Book 5211, page 325, amended in Book 5616, page 133, and Book 6079, page 516, Register's Office for Davidson County, Tennessee. Appointment of Successor Trustee in Book 10225, page 413, said Register's Office.
4. Terms and limitations imposed by Tennessee Horizontal Property Act, T.C.A. § 66-27-101, et seq.
5. All matters appearing on the Plan of record as Book 5200, page 4, Register's Office for Davidson County, Tennessee.
6. Easements to the Metropolitan Government of Nashville and Davidson County for sanitary sewers and/or storm drainage, of record in Book 4308, page 575, Register's Office for Davidson County, Tennessee.
7. Easement for overhead lines of record in Book 7873, page 859, Register's Office for Davidson County, Tennessee.

EXHIBIT "B"

The below described is SIGNED.

(ts)

Dated: November 05, 2012

William T. Thurman
WILLIAM T. THURMAN
U.S. Bankruptcy Chief Judge

KENNETH A. RUSHTON (2827)
Attorney for Trustee
153 North 100 East
P.O. Box 212
Lehi, Utah 84043
Telephone: (801) 768-8416

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF UTAH
CENTRAL DIVISION

In re:	:	
		Bankruptcy No. 08-29229 WTT
RICHARD T. WOLPER	:	
	:	**ORDER APPROVING TRUSTEE'S MOTION FOR APPROVAL OF AUCTION AND AUCTION**
Debtor.	:	**PROCEDURES, APPROVING SALE OF REAL PROPERTY OF THE**
	:	**ESTATE AND DISTRIBUTION OF PROCEEDS AND APPROVING THE**
	:	**EMPLOYMENT OF MCLEMORE AUCTION COMPANY, LLC AS**
	:	**AUCTIONEER**

The matter of the Trustee's Motion for Order (A) Approving Auction and Auction Procedures, (B) Approving Sale of Real Property of the Estate and Distribution of Proceeds, and (C) Approving the Employment of McLemore Auction Company, LLC as Auctioneer, a copy of which is attached hereto as Exhibit A and incorporated by reference herein, came before the Honorable William T. Thurman, Chief Judge of the United States Bankruptcy Court, the hearing on the

Motion having been stricken pursuant to notice and the absence of objection. The Court having found notice to have been properly given and the proposed auction sale to be reasonable and noting the absence of objection to the Trustee's Motion, it is hereby

ORDERED that the sale of the Real Property pursuant to the auction procedures described in the Trustee's Motion is approved with said sale being free and clear of all liens and encumbrances with valid liens and/or interests attaching to the sale proceeds and that the subject Real Property may be sold to the high bidder at the auction without further order of this Court.

IT IS FURTHER ORDERED that the Sale Proceeds may be distributed as set forth in the Trustee's Motion, paragraph 7, "Proposed Disposition of Sale Proceeds."

IT IS FURTHER ORDERED that the employment and compensation of McLemore Auction Company, LLC as auctioneer is approved according to the terms and conditions set forth in the Trustee's Motion.

IT IS FURTHER ORDERED that the stay imposed by Rule 6004(h) of the Rules of Bankruptcy Procedure is lifted.

•••END OF DOCUMENT•••

SERVICE LIST

Kenneth A. Rushton
P.O. Box 212
Lehi, Utah 84043

ORDER SIGNED

EXHIBIT A

ORDER SIGNED

KENNETH A. RUSHTON (2827)
Attorney for Trustee
153 North 100 East
P.O. Box 212
Lehi, Utah 84043
Telephone: (801) 768-8416

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF UTAH
CENTRAL DIVISION

In re:	:	Bankruptcy No. 08-29229 WTT Chapter 7
RICHARD T. WOLPER	:	
	:	
Debtor.	:	

TRUSTEE'S MOTION FOR ORDER (A) APPROVING AUCTION AND AUCTION PROCEDURES, (B) APPROVING SALE OF REAL PROPERTY OF THE ESTATE AND DISTRIBUTION OF PROCEEDS, AND (C) APPROVING THE EMPLOYMENT OF MCLEMORE AUCTION COMPANY, LLC AS AUCTIONEER

Kenneth A. Rushton, Chapter 7 Trustee in the above-referenced case (the "Trustee") hereby submits this motion (the "Motion") for an Order (a) approving an auction and auction procedures for the sale described below; (b) approving the Trustee's sale of real property of the estate of the above-named debtor (the "Debtor") as set forth below; and (c) approving the employment of McLemore Auction Company, LLC as auctioneer.

The property that the Trustee proposes to sell referred to as (the "Real Property") is located at 5025 Hillsboro Pike Unit 22-G, Nashville, Tennessee 37215 and more particularly described as follows:

> A condominium apartment in Davidson County, Tennessee, being Unit No. 194, also known as 22G, of Georgetown Condominium Apartments, a horizontal property regime under the Tennessee Horizontal Property Act as shown on the Plan of record in Plat Book 5200, page 4, Register's Office for Davidson County, Tennessee, to which reference is hereby made for a more complete description thereof, together with the said apartment's appurtenant undivided interest in the general and limited common elements of the Condominium.

The Trustee makes this Motion on behalf of the Debtor's estate pursuant to Bankruptcy Code Sections 332, 363(b), (f), and (m), and Federal Rules of Bankruptcy Procedure 2002 and 6004.

The proposed sale of the Real Property shall be free and clear of interests (including liens, taxes, claims, charges or encumbrances) with valid liens and/or interests to attach to the sale proceeds (with the same validity and priority they had on the petition date in this case), pursuant to Section 363(f), in accordance with the procedures set forth below. The Trustee also requests that the court approve the terms of employment of McLemore Auction Company, LLC ("Auctioneer") in connection with the auction process approved herein.

GENERAL BACKGROUND

1. The Debtor filed a Chapter 11 case on December 31, 2008. The case was subsequently converted to Chapter 7 on November 18, 2009 and Kenneth A. Rushton was appointed as the Chapter 7 Trustee.

2. Among the assets of the bankruptcy estate is a condominium located at 5025 Hillsboro Pike, Unit 22-G, Nashville, Tennessee which appears to be unencumbered except for a federal tax lien filed by the Internal Revenue Service which lien exceeds the fair market value of the condominium. Additionally it appears that real property taxes have not been paid on the subject property since 2007.

3. A representative of the Internal Revenue Service, Office of Special Procedures, contacted the Trustee for the purpose of requesting that the Trustee sell the subject property and distribute the proceeds pursuant to bankruptcy law. This, of course, would result in the net proceeds of sale (net proceeds being defined as proceeds remaining after payment of all Chapter 7 administrative expenses) being distributed to the Internal Revenue Service pursuant to its federal tax lien.

4. The Trustee sought direction from the Office of the United States Trustee regarding this request. It was the recommendation of the U.S. Trustee's Office

that the Trustee comply with the request of the Internal Revenue Service.

5. The Debtor referred a party to the Trustee who was interested in purchasing the Real Property and who ultimately signed a real estate purchase contract which was approved by this Court. However the proposed buyer was unable to close the transaction.

6. Although the Debtor has attempted to find another buyer for the Real Property, nothing has materialized by way of an offer.

7. The Trustee has communicated with a Chapter 7 Trustee in the Nashville area who suggested that if he were administering this property, he would conduct an auction sale through a professional auction company rather than listing it with a real estate broker. The basis of his suggestion was the poor condition of the Real Property coupled with the depressed real estate market. Further, he indicated to the Trustee that buyers and investors seem to respond well in the Nashville area to auctions of depressed properties.

8. The Trustee has personally inspected the subject property and has noted that the property is in a state of disrepair with significant damage to the wallboard in several rooms. The Trustee has further noted that the property has significant deferred maintenance. The current condition of the property makes it very difficult to market in a traditional multiple listing arrangement.

9. The Trustee has had extensive discussions with McLemore Auction Company, LLC in Nashville, Tennessee regarding their experience in selling properties in bankruptcy estates and their auction procedures and advertising conducted relative thereto. Based upon these discussions and the inspection of the subject property, the Trustee is convinced that an auction is the best and most efficient method for liquidating this real property and will be in the best interest of creditors of the estate.

MOTION FOR APPROVAL OF SALE AND AUCTION OF THE REAL PROPERTY

BACKGROUND AND SALE PROCEDURES

1. Summary of Proposed Sale and Procedures. The Trustee seeks to proceed as follows, subject to Court approval: (a) at the hearing on this Motion, the Trustee will request that the Court approve procedures set forth herein with such revisions as the Court may direct, including approval of an auction sale to be conducted after the hearing and court ruling approving the procedures set forth in this Motion; (b) the auction will be conducted by the Auctioneer in accordance with the Court's Order.

2. Marketing of the Real Properties. The Auctioneer will conduct an extensive marketing campaign consisting of newspaper adds and adds in other publications, internet advertising, email, direct mail and signage in an effort to create healthy competitive bidding at the auction, thereby obtaining the best price the competitive market can produce. Additionally, the Auctioneer will conduct an open house of the Real Property prior to the close of bidding to permit bidders to inspect the property.

3. Liens or Interests Against the Property. As set forth above, the Internal Revenue Service has filed a tax lien in the amount of $396,957.21 which sum significantly exceeds the value of the real property. Additionally unpaid real property taxes have accrued to Davidson County, Tennessee since 2008, which will be paid as closing as set forth below. The Trustee intends that the sale of the Real Property be free and clear of any liens and interests and that such liens and interests attach to the proceeds of sale (with the same validity and priority they had on the petition date in the case), pursuant to Section 363(f).

4. Auction Commission and Expenses. The Trustee proposes to retain, with Court approval, the Auctioneer as his Marketing and Auction Agent on the Real Property for a 10% sales commission based on the proceeds from the sale of the Real Property obtained through the auction process ("Purchase Price"). A 10% buyer's premium will be added to the sale price to cover the auction commission. Additionally,

the Auctioneer will be paid the sum of $3,449.78 as reimbursement of auction expenses as outlined in attached Exhibit "A".

5. Summary of Proposed Auction Procedures. The auction of the Real Property will be conducted by the Auctioneer McLemore Auction Company, LLC by way of an Internet auction which will open on November 6, 2012 and close on December 6, 2012. The Auctioneer will collect a 10% non-refundable deposit from the high bidder at the auction. Closing will take place within 30 days of the auction and will be conducted by an escrow agent. An open house will be conducted on the day prior to the closing of the bidding. The Auctioneer's phone number is 615-636-9602.

6. Terms and Conditions of Auction Sale. The Real Property will be auctioned as is, with no warranties or guarantees of any kind except for standard coverage title insurance. The successful bidder will be required to deposit an earnest money deposit of 10% of the bid amount on the date of the Auction. The balance of the purchase price must be paid within thirty (30) calendar days of the auction sale. Failure to pay within that time period will result in a forfeiture of the deposit. The Trustee may thereafter sell the condominium to the next highest bidder.

7. Proposed Disposition of Sale Proceeds. Subject to Court approval, the Trustee intends to distribute the proceeds of the sale of the Real Property as follows:

(a) Costs of Sale and Taxes. The Trustee shall first pay costs of sale, including past due and owing property taxes; customary closing costs, recording fees and title insurance; prorated real property taxes due on the Real Property for the current year. These amounts will be paid from the sales proceeds.

(b) Auctioneer's Fees and Expenses. The Trustee will pay the Auctioneer an auction fee of 10% of the purchase price which equals the buyer's premium as described above. Additionally the Auctioneer will be paid the sum of $3,449.78 as reimbursement of auction expenses.

(c) Remaining Proceeds. The remaining proceeds from the sale of

the Real Property will be distributed according to the priorities established by the Bankruptcy Code. Based upon the Trustee's analysis of the report of title on the property, it appears that the Internal Revenue Service is in a first lien position and will therefore be entitled to the distribution of all estate funds after payment of Chapter 7 administrative expenses.

EMPLOYMENT OF MCLEMORE AUCTION COMPANY, LLC AS AUCTIONEER

1. The Trustee requests that he be allowed to employ McLemore Auction Company and specifically its principal, Will McLemore, on behalf of the estate to act as Auctioneer as set forth above and to be compensated, upon completion of the subject auction according to the terms and conditions set forth above, without further order of the Court.

2. The Trustee seeks to retain the Auctioneer because of the extensive experience and knowledge of the Auctioneer in advertising and conducting auctions. The Trustee believes that the Auctioneer is both well qualified and able to assist him in this Chapter 7 case and the auction proceedings requested hereby in an efficient and timely manner. It should be further noted that the Auctioneer is approved as a standing auctioneer for the Middle District of Tennessee.

3. To the best of the Trustee's knowledge, Auctioneer does not have any connection with or hold or represent any interest adverse to the Trustee, creditors of the estate of any other party in interest. Filed herewith is the Declaration of Auctioneer Will McLemore asserting that he is a disinterested party.

WHEREFORE, the Trustee respectfully requests that the Court enter an Order: (1) determining that the sale of the Real Property pursuant to the Auction procedure described above is in the best interests of creditors and other parties in interest, (2) authorizing the auction and sale of the Real Property as set forth herein, free and clear of interests as provided in Section 363(f) of the Bankruptcy Code with valid liens and/or interests to attach to the sale proceeds (with the same validity and priority

they had on the petition date in this case) and that the subject Real Property may be sold to the high bidder at the auction without further order of the Court; (3) approving distribution of sale/auction proceeds from the Real Property as set forth in this Motion; (4) approving the employment and compensation of the Auctioneer as set forth above; (5) Lifting the stay imposed by Rule 6004(g) of the Rules of Bankruptcy Procedure to permit the auction of the Real Property to proceed as contemplated in this Motion; and (6) such further and additional relief as the Court deems appropriate.

DATED this 26th day of September, 2012.

/s/ Kenneth A. Rushton
KENNETH A. RUSHTON, Trustee
Attorney for Trustee

CERTIFICATE OF SERVICE

I certify that in addition to all parties listed on the official mailing matrix of this case served by the Bankruptcy Noticing Center, I served a copy of the foregoing Motion to the parties listed below by depositing the same in the United States mail, postage prepaid, this 27th day of September, 2012.

Davidson County Sheriff's Office
Civil Warrant Division
710 South Fifth Street
Nashville, TN 37026

Register of Deeds
Davidson County
P.O. Box 196398
Nashville, TN 37219

Davidson County Clerk & Master
1 Public Square No. 308
Nashville, TN 37201

/s/ Kenneth A. Rushton

EXHIBIT A

AUCTION BUDGET

Seller	Kenneth A. Rushton, Trustee
Property Description	5025 Hillsboro Pk, Unit 22-G, Nashville, TN 37215
Proposed Sale Date	8/23/2012

NEWSPAPERS

Newspaper	Section	Columns	Inches	Insertions	Total
The Nashville Tennessean Silver Bundle	Sunday & Weekday Classified Display	3	5	1	$1,035.00
Subtotal					$1,035.00

OTHER PUBLICATIONS

Publication	Advertisement Type				Insertions	Total
The News (West Meade, Green Hills, Belle Meade, West	1/2 Page BW				1	$215.00
Subtotal						$215.00

INTERNET ADVERTISING

Website	Advertisement Type			Days	Quantity	Total
www.americasauctionreport.com	Posting				1	$8.75
www.auctioneers.org	Posting				1	$8.75
www.auctionzip.com	Posting				1	$8.75
auctionzip: calendar or homepage right	Featured Ad			1	1	$160.00
www.craigslist.org	Posting				1	$8.75
www.gimmeauctions.com	Auction Listing				1	$8.75
www.mclemoreauction.com	Auction Listing				1	$35.00
www.nationalauctionlist.com	Posting				1	$8.75
www.realtracs.com	Property Listing				1	$17.50
www.reintn.net	Online Classified				1	$8.75
www.landflip.com	Online Classified				1	$48.70
www.facebook.com	Sponsored Advertisement				1	$185.00
Subtotal						$457.45

DIRECT EMAIL

Service					Quantity	Total
Inclusion In "This Week At McLemore Auction"					10000	$179.50
REIN Email Blast				1	1150	$135.00
Subtotal						$314.50

DIRECT MAIL

Service					Quantity	Total
4.25" x 5.5" Postcard Printing and Mailing (Xpress Docs)					2500	$1,233.33
4.25" x 5.5" Postcard Printing and Delivery To MAC (Xpress Docs)					500	$133.33
Subtotal						$1,366.67

SIGNAGE

Sign Type	Quantity	Total
Directional 18" x 24" Double Sided	1	$3,449.78
Total Auction Expenses		$3,449.78