

United States Bankruptcy Court
Western District of Michigan
One Division Ave., N.
Room 200
Grand Rapids, MI 49503

<p>IN RE: Debtors (names used by the debtors in the last 8 years, including married, maiden, trade, and address):</p> <p>David Seddon 1108 Snow Roof Road Henderson, NV 89052 SSN: xxx-xx-7244 Laurel Davis-Seddon 1108 Snow Roof Road Henderson, NV 89052 SSN: xxx-xx-4239</p> <p style="text-align: right;">Debtors</p>	<p>Case Number 11-02492-swd</p> <p>Chapter 7</p> <p>Honorable Scott W. Dales</p>
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NOTICE TO CREDITORS AND OTHER PARTIES IN INTEREST

**TRUSTEE'S SECOND MOTION FOR SALE OF MOBILE HOME FREE AND CLEAR OF LIENS
PURSUANT TO 11 U.S.C. §363**

Please take notice that the above-referenced motion has been filed with the Bankruptcy Court. **Your rights may be affected.** You should read these papers carefully and discuss them with your attorney. (If you do not have an attorney, you may wish to consult one.)

If you want the court to consider your view on this matter, attend the hearing scheduled for March 10, 2015 at 10:00 AM at the United States Bankruptcy Court, Federal Building, U.S. Courthouse, Room 114, 410 W. Michigan Avenue, Kalamazoo, MI 49007.

You or your attorney may wish to file a response explaining your position. Such response should be **received** at least five business days prior to the scheduled hearing. A copy should also be served upon the party who has filed the motion and to his/her attorney.

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion and may enter an order granting that relief.



DANIEL M. LAVILLE
CLERK OF BANKRUPTCY COURT

Dated: January 29, 2015

/s/ _____
Kathy Trapp
Deputy Clerk

Notice Steven Rayman, Esq. for appropriate service: (1/29/15-kmt)

NOTICE IS HEREBY GIVEN that the court may, in its discretion, orally continue or adjourn the above hearing on the record in open court. If this occurs, parties in interest will not be given further written notice of the new hearing date. If an entity is not present at the originally scheduled hearing, information regarding the time, date and place of an orally continued or adjourned hearing may be accessed through the Bankruptcy Court's web site (www.miwb.uscourts.gov) provided the person has a PACER login and password, or by visiting the Clerk's Office of the United States Bankruptcy Court located at One Division Avenue North, 2nd Floor, Grand Rapids, Michigan 49503. Information about a PACER login and password may be obtained by either

calling PACER service center between 8:00 a.m. and 5:00 p.m. Monday through Friday, CST at (800) 676-6856 or via its web site at <http://pacer.psc.uscourts.gov>.

² *Aliases for Joint Debtor Laurel Davis-Seddon : fka Laurel King*

**UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF MICHIGAN**

IN THE MATTER OF:

DAVID SEDDON AND
LAUREL DAVIS-SEDDON,

Case No.: 11-02492
Chapter 7 – Filed: 03/10/2011

Debtors.

_____ / /

**TRUSTEE'S SECOND MOTION FOR SALE OF MOBILE HOME FREE
AND CLEAR OF LIENS PURSUANT TO 11 U.S.C. §363**

NOW COMES Thomas R. Tibble, Trustee (“Trustee”), by and through his attorneys, Rayman & Knight, and for his Second Motion for Sale of Mobile Home Free and Clear of Liens Pursuant to 11 U.S.C. §363 (“Motion”), says as follows:

1. That this Motion pertains to the above-captioned Chapter 7 proceeding which was filed as a Chapter 7 proceeding on March 10, 2011. The Court previously heard and denied the Trustee's Motion for Sale of Mobile Home Free and Clear of Liens Pursuant to 11 U.S.C. §363.

2. That Trustee is the duly appointed and acting Trustee in this cause.

3. That among the assets of this estate there exists a certain 2001 Liberty Manufactured Home (“Mobile Home”), which was the subject of a certain Stipulation Concerning Post Community Credit Union’s Release of Lien Re: 2001 Liberty Manufactured Home wherein Post Community Credit Union released its lien in favor of the estate.

4. That your Trustee has received an offer for the Mobile Home from one Robert Wolfe (“Mr. Wolfe”) of Battle Creek, Michigan for the sum of \$24,000.00 to be paid in cash at closing. The Trustee believes that the offer fairly represents the value of the Mobile Home for the following reasons:

- a. The Mobile Home is a 14 year old mobile home located in a park. Due to its age, not all parks will allow it entry if sold. As such, its

market is limited;

- b. The Manufactured Housing Cost Guide, the authoritative periodical valuing mobile homes, after all adjustments values it at \$15,450.00; and
- c. The Trustee has had the Mobile Home marketed for some time. He believes that the Debtors were overly optimistic in their valuation.

5. That the sale shall be on a cash basis, with any bidder being required to match the \$1,000.00 deposit previously made by Mr. Wolfe.

6. That the Mobile Home shall be sold “**As is, Where is**” without representation of warranty, expressed or implied, of any kind or nature, or description, including, without limitation, any warranty of marketability, usability or fitness for any purpose. The Trustee shall not be required to inspect, test or report on the condition of the Mobile Home, the operability of any system(s) on the Mobile Home or the existence of any defects in the Mobile Home.

7. That the Mobile Home shall be sold free and clear of all liens, encumbrances and or claims therein, with said liens, encumbrances and or claims attaching to the sale proceeds, in the same order, rank validity and priority as now exists on the Mobile Home. Upon information, there are no liens against the Mobile Home.

8. That the Trustee believes that the sale of the Mobile Home, pursuant to the terms herein, is in the best interest of the estate and its creditors.

9. That your Trustee believes that proposed sale will be of benefit to the estate.

WHEREFORE, your Trustee prays:

A. That this Court enter an Order approving the sale of the Mobile Home as delineated in this Motion and providing that to the extent there are other bids, that the bids be accepted and that a Courtroom auction take place at the time and date scheduled for the hearing

on this Motion; and

B. That this Court order such other relief that it finds just and equitable.

RAYMAN & KNIGHT
Attorneys for Thomas R. Tibble, Trustee

Dated: January 28, 2015

By: _____/s/_____
Steven L. Rayman (P30882)

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