

UNITED STATES BANKRUPTCY COURT
DISTRICT OF OREGON

In re

Case No. _____
Amended

**NOTICE OF INTENT TO SELL REAL OR
PERSONAL PROPERTY, COMPENSATE
REAL ESTATE BROKER, AND/OR PAY
ANY SECURED CREDITOR'S FEES AND
COSTS; MOTION FOR AUTHORITY TO
SELL PROPERTY FREE AND CLEAR OF
LIENS; AND NOTICE OF HEARING**

Debtor

[Do not use to sell personally identifiable
information about individuals]

NOTICE IS GIVEN that _____, the _____
(debtor, trustee, etc.), intends to sell the property described below and moves for authority
to sell the property free and clear of liens under 11 U.S.C. § 363(f) and the guidelines set
forth in [Local Bankruptcy Form \(LBF\) 363](#), *Procedures re: Motions for Sale of All or
Substantially All Assets*. The movant's name, address, and phone number are:

If you wish to object to any aspect of the sale or fees disclosed in paragraph 7 or 15, you
must:

1. Attend the hearing set in paragraph 16 below; and
2. Within 21 days after the later of the date next to the signature below or the service
date in paragraph 17 below, file with the clerk at 1050 SW 6th Ave. #700, Portland OR
97204 or 405 E 8th Ave. #2600, Eugene OR 97401:
 - a. a written objection stating the specific facts upon which the objection is based, and
 - b. a certificate of service of the objection on the movant.

This document constitutes the notice required by Local Bankruptcy Rule (LBR) 2002-1.
All sections must be completed.

1. The specific subsections of 11 U.S.C. § 363(f) movant relies on for authority to sell the
property free and clear of liens are:

2. Buyer's name & relation to debtor:

3. General description of the property (if real property, state street address here. Also attach legal description as an exhibit to the notice filed with the court):

4. A copy of the full property description or inventory may be examined or obtained at:

5. The property may be previewed at (include time and place):

6. Other parties to the transaction and their relationship to the debtor are:

7. The gross sale price is: \$ _____.

All liens on the property total \$ _____, of which movant believes a total of \$ _____ need not be paid as secured claims (because the lien is invalid, avoidable, etc., the lienholder consents to less than full payment, or part or all of the underlying debt is not allowable).

Secured creditor(s) also seek(s) reimbursement of \$ _____ for fees and costs.

Total sales costs will be: \$ _____.

All tax consequences have been considered, and it presently appears that the sale will result in net proceeds to the estate after payment of valid liens, fees, costs, and taxes of approximately: \$ _____.

8. The sale is is not (mark one) of substantially all of the debtor's assets. Terms and conditions of sale:

9. Competing bids must be submitted to the movant no later than _____ and must exceed the above offer by at least _____ and be on the same or more favorable terms to the estate.

10. Summary of all available information regarding valuation, including any independent appraisals:

11. If paragraph 7 indicates little or no equity for the estate, the reason for the sale is:

and expenses and taxes resulting from the sale will be paid as follows:

12. (Chapter 11 cases only) The reason for proposing the sale before confirmation of a plan of reorganization is:

13. The following information relates to lienholders (who are listed in priority order):

Name	Service Address [See Federal Rule of Bankruptcy Procedure (FRBP) 7004]	Approx. Lien Amount	Indicate Treatment at Closing (Fully Paid, Partially Paid, or Not Paid.)

14. Any liens not fully paid at closing will attach to the sale proceeds in the same order of priority they attach to the property. Any proceeds remaining after paying liens, expenses, taxes, commissions, fees, costs, or other charges as provided in this motion, must be held in trust until the court orders payment.

15. (If real property) The court appointed real estate broker, _____ will be paid _____.

16. A hearing on the motion and any objections to the sale or fees, at which witnesses may not testify, is scheduled as follows:

Date: _____ **Time:** _____

Location: Courtroom # _____, _____

Telephone Hearing [See [LBF 888](#), *Telephone Hearing Requirements*.]

Call In Number: (888) 684-8852

Access Code: 5870400 for Judge David W. Hercher (dwh)
1238244 for Judge Peter C. McKittrick (pcm)
4950985 for Judge Teresa H. Pearson (thp)
3388495 for Judge Thomas M. Renn (tmr)

Video Hearing. To connect, see www.orb.uscourts.gov/video-hearings.

If no timely objection is filed, the hearing may be canceled and an order submitted. Parties are encouraged to check the hearing calendar at <https://www.orb.uscourts.gov> after the objection deadline has passed.

17. I certify that on _____ this document was served, under FRBP 7004, on the debtor(s), trustee (if any), U.S. Trustee, each named lienholder at the address listed above, the creditors' committee chairperson (if any), and their attorneys; and (unless movant is a chapter 7 trustee) that it was also sent on that date, pursuant to FRBP 2002(a), to all creditors and all parties as listed in the court's records that were obtained on _____, a copy of which is attached to the document filed with the court.

18. For further information, contact:

Date

Signature & Relation to Movant

(If debtor is movant) Debtor's Address & Last 4 Digits of Taxpayer ID#