

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NORTH CAROLINA
NEW BERN DIVISION

IN RE:

BRIAN DANIEL HAMPTON

CASE NO: 21-00128-5-DMW

DEBTOR

CHAPTER 7

**NOTICE OF PROPOSED PUBLIC SALE AND
NOTICE OF COMPENSATION OF AUCTIONEER**

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

TO: ALL PARTIES IN INTEREST

Pursuant to 11 U.S.C. §363(b), Federal Rules of Bankruptcy Procedure 6004, 2002 (a), and 2002 (c) (1), notice is hereby given that JOHN C. BIRCHER III, Chapter 7 Trustee in the above referenced case (“Trustee”) proposes to sell the following described property:

109 Fern Tree Drive, Morehead City, North Carolina, 28557
(collectively the “Property”)

Notice is further given that the Trustee proposes to sell said Property at the date, time and place as hereinafter set out:

DATE: Tuesday, June 8, 2021

TIME: 10:00 a.m.

PLACE: 109 Fern Tree Drive, Morehead City, North Carolina, 28557

The Trustee has filed an application with the Court for an order authorizing employment and compensation of Country Boys Auction & Realty Co., Inc. as auctioneer whose compensation shall be subject to the terms set forth in the Consent Order entered between the Trustee and United Bank at Docket Entry No. 35, on April 28, 2021, but in any event the compensation shall be no more than the following:

REAL PROPERTY
10% of first \$25,000.00
4% of balance

PERSONAL PROPERTY
20% of first \$20,000.00
10% of next \$50,000.00
4% of balance

The above scale includes compensation for all expenses associated with conducting a sale, such as advertising, fliers, postage mailing, electronic mail and signage. The Auctioneer may apply to the court for additional expenses such as hauling, repairs and assembly.

If you do not want the Court to allow the sale and compensation, or if you want the Court to consider your views on the sale and compensation, then within twenty-one days (21) of the date of this Notice, unless otherwise ordered, you or your attorney must file with the Court, pursuant to 9014-2, a written response, an answer explaining your position. If you mail your response to the Court for filing, you must mail it early enough so the Court will receive it on or before the date stated above.

If a response and a request for hearing is filed in writing on or before the date set above, a hearing will be conducted on the notice at a date, time and place to be later set and all parties will be notified accordingly.

DATED: May 5, 2021

s/ John C. Bircher III
John C. Bircher III
N.C. State Bar No. 24119
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