

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NORTH CAROLINA
GREENVILLE DIVISION

IN RE: LYN SMALL, INC.
DEBTOR

CASE NO.: 22-02190-5-JNC
CHAPTER 7

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

TO: ALL PARTIES IN INTEREST

NOTICE IS HEREBY GIVEN that in accordance with Rule 6007 of the Bankruptcy Rules, the Trustee proposes to sell at public auction the property described below at the date, time and place and in the manner hereinafter set out:

SALE DATE AND TIME: February 3, 2023 at 10:00 am

DESCRIPTION: SEE ATTACHED EXHIBIT A

SALE LOCATION: 1211 W. 5th Street, Washington, NC 27889

FURTHER NOTICE IS GIVEN that the Trustee has filed an application with the Court to approve the employment of County Boys Auction and Realty, as auctioneers, whose compensation shall be fixed at a rate not greater than the following:

REAL PROPERTY

10% of first \$25,000.00
4% on the balance

PERSONAL PROPERTY

20% on first \$20,000.00
10% on next \$50,000.00
4% on the balance

The auctioneer may be reimbursed for all reasonable and necessary expenses of sale. Such compensation and reimbursement of expenses shall be subject to final review by the court, without further notice.

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.)

FURTHER NOTICE IS GIVEN that an objection to the proposed sale and/or compensation of the auctioneer may be filed with the Clerk, United States Bankruptcy Court, P. O. Box 791, Raleigh, NC 27602 with a copy served on the Trustee whose name appears at the bottom of this notice no later than **January 17, 2023**.

FURTHER NOTICE IS HEREBY GIVEN that if a response and a request for hearing is filed by any parties in interest herein in writing with the time indicated, a hearing will be conducted on the Notice and response thereto on **January 18, 2023 at 1:30 p.m. at the Randy D. Doub Courthouse, 150 Reade Circle, Greenville, NC 27858.** If no request for a hearing is timely filed, the Court may rule on the Notice and Application ex-parte without further notice.

This 22nd day of December, 2022.

Beaman & Bennington, PLLC

S/Stephen L. Beaman

Stephen L. Beaman, NC State Bar No 6021

304 Nash Street NE, Wilson NC 27893

Phone (252) 237-9020 Fax (252) 243-5174

Email: sbeaman@beamanlaw.com

EXHIBIT A

2016 Pontoon Boat
2020 Chevrolet 5500
2001 Homemade vessel
2021 Kubota KX 80 excavator
2021 Kubota SVL97 skid steer
2021 Big Tex dump trailer - VIN: 16VID2126M5065128
Road King Single Axle - VIN: 5KZ3B17108AOZ1895
Irondog Dual Axle Utility Trailer - VIN: IZ9CU2027JC524322
Small Utility Flatbed Dump Trailer
40' conex shipping container
2016 Chevrolet 2500HD Duramax Crew cab - VIN: IGCIXE81GF162930
2004 Ram 1500 Hemi 5.7l Crew Cab - VIN: ID7HU18D74J265170
2006 Ford F-350 XL Diesel Service Body Dually - VIN: IFDWW36P66ED35978
2003 Chevrolet C4500 Duramax Dually Service Body -VIN:IGBC4E1103F502583
2004 Enclosed Trailer - VIN: 5NKUFE6264U312406
2005 Chevrolet C5500 Duramax Diesel Box Truck VIN: IGBE5C1225F506107 - 97,586 miles
2004 Tri-axle trailer - damaged axles
2007 Chevrolet Service Truck
1999 Skytrack telehandler
1999 16' enclosed trailer
Miscellaneous tools

CERTIFICATE OF SERVICE

This is to certify that a copy of the foregoing **Notice of Proposed Public Sale and Notice of Compensation of Auctioneer** was served on the persons named below, on this date by mailing a copy of the said document to them at the addresses shown below, by depositing the same in a postpaid, properly addressed wrapper in a Post Office or other official depository under the exclusive care and custody of the U.S. Postal Service or by CM/ECF as noted below.

This 22nd day of December, 2022.

Beaman & Bennington, PLLC

S/Stephen L. Beaman

Stephen L. Beaman, NC State Bar No 6021
304 Nash Street NE, Wilson NC 27893
Phone (252) 237-9020 Fax (252) 243-5174
Email: sbeaman@beamanlaw.com

SERVED ON:

Bankruptcy Administrator (via CM/ECF)

John G. Rhyne (via CM/ECF)

MK Contractors, LLC
Attn. Managing Agent
113 Ballast Rock Drive
Powells Point, NC 27966

Internal Revenue Service
Office of Chief Counsel
Alamance Building, Mail Stop 24
4905 Koger Blvd.
Greensboro, NC 27407-2734

N.C. Dept. of Commerce
Div. of Employment Security
P.O. Box 26504
Raleigh, NC 27711-6504

United States Attorney
Attn. Civil Process Clerk
310 New Bern Avenue
Ste. 800, Federal Building
Raleigh, NC 27601-1461

Attorney General
950 Pennsylvania Ave., NW
Washington, DC 20530

NC Attorney General
9001 Mail Service Center
Raleigh, NC 27699-9001

NC Department of Revenue
Jeff Epstein, Chief Operating Officer
Post Office Box 871
Raleigh, NC 27602

NC Department of Revenue
Daniel Garner, General Counsel
Post Office Box 871
Raleigh, NC 27602

Attached Mailing Matrix

Ally Bank - FDIC
200 West Civic Centre Dr.
Sandy, UT 84070-4207

Ally Bank
c/o AIS Portfolio Services, LP
4515 N Santa Fe Avenue
Oklahoma City, OK 73118-7901

American Express
Attn: Officer
P.O. Box 981535
El Paso, TX 79998-1535

Anthony Paulauskis
6077 Martins Point Rd
Kitty Hawk, NC 27949-3821

Atlantic OBX, Inc.
PO Box 2560
Kitty Hawk, NC 27949-2560

Atlantic Sewage Control
PO Box 2560
Kitty Hawk, NC 27949-2560

Benjamin R. Eisner
The Law Offices of Oliver & Cheek, PLLC
PO Box 1548
New Bern, NC 28563-1548

Blake Y. Boyette
Buckmiller, Boyette & Frost, PLLC
4700 Six Forks Road
Suite 150

Carolina Club HOA
Carolina Club Marina
125 Carolina Club Dr.
Grandy, NC 27939

Carter Lumber
PO Box 40
Kent, OH 44240-0001

Century Link
Attn: Managing Agent
Po Box 4300
Carol Stream, IL 60197-4300

CHTD Company
PO Box 2576
Springfield, IL 62708-2576

Cintas Corp
PO Box 630803
Cincinnati, OH 45263-0803

CMIT Solutions
PO Box 1888
Kitty Hawk, NC 27949-1888

Currituck Chamber of Commerce
PO Box 937
Moyock, NC 27958-0937

Currituck County Tax Collector
PO Box 9
Currituck, NC 27929-0009

DOMINION ENERGY VIRGINIA
NORTH CAROLINA
PO BOX 26666
RICHMOND VA 23261-6666

East Carolina Radio
PO Box 950
Edenton, NC 27932-0950

East Coast Marine
PO Box 725
Nags Head, NC 27959-0725

First National Bank
4140 E. State Street
Hermitage, PA 16148-3401

Fuelman
PO Box 1239
Covington, LA 70434-1239

GFL Environmental
PO Box 1142
Elizabeth City, NC 27906-1142

Green Acres Land Development
PO Box 67
Harbinger, NC 27941-0067

Greg and Kathleen Bell
139 Newberns Landing Rd
Powells Point, NC 27966

Hatchell Concrete
PO Box 2405
Manteo, NC 27954-2405

Internal Revenue Service
P.O. Box 7346
Philadelphia, PA 19101-7346

Jeff Dover
220 Franklin Lane
Kill Devil Hills, NC 27948

Julie Hufton
244 Griggs Acres Drive
Point Harbor, NC 27964-9717

Kalamata Capital Group
c/o Berkovitch and Bouskila, PLLC
80 Broad St., Suite 3303
New York, NY 10004-2845

Kellogg Supply
Box 99
Manteo, NC 27954-0099

Kubota Credit Corp
PO Box 2046
Grapevine, TX 76099-2046

Linder Turf & Tractor
PO Box 743637
Atlanta, GA 30374-3637

Lowe's
PO Box 99
Manteo, NC 27954-0099

Lyn Small
113 Ballast Rock Dr
Powells Point, NC 27966-9615

Matthew C Koplen
4717 N VA Dare Trail
Kitty Hawk, NC 27949-3949

MK Contractors
113 Ballast Rock Road
Powells Point, NC 27966-9615

North Carolina Department of Rev
Attn Bankruptcy
PO Box 1168
Raleigh, NC 27602-1168

On Deck
1400 Broadway
New York, NY 10018-5300

On Deck
Client Service
901 N. Stuart St., Suite 700
Arlington, VA 22203-4129

Outer Banks Chamber of Commerce
PO Box 1757
Kill Devil Hills, NC 27948-1757

Outer Banks Voice
PO Box 546
Nags Head, NC 27959-0546

Rick Watkins
1708 Bay Drive
Kill Devil Hills, NC 27948

RLI Surety
PO Box 300
Kitty Hawk, NC 27949

Seaport Marine Corp
PO Box 3108
Chesapeake, VA 23327-3108

Seto's Towing
3500 N. Croatan Hwy
Kitty Hawk, NC 27949-9204

Site Services
PO Box 643
Holly Springs, NC 27540-0643

Small Group Properties, LLC
113 Ballast Rock Road
Powells Point, NC 27966-9615

Star Capital Group LP
650 Park Ave, Suite 210
King of Prussia, PA 19406-1434

Stephen L Beaman
Stephen L. Beaman, PLLC
P. O. Box 1907
Wilson, NC 27894-1907

Sunshine Contracting
1041 Ham Overman Rd.
Elizabeth City, NC 27909-8707

West Lake Hardware
PO Box 219370
Kansas City, MO 64121-9370