

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

IN RE:

PROMISE PLACE

DEBTOR

CASE NO.:

23-03227-5-JNC

CHAPTER 7

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

NOTICE IS HEREBY GIVEN in accordance with Bankruptcy Rules 2002(a) and (c), 6004 and 6007, and 11 U.S.C. § 363, of the public auction of the following described property at the time, date and place and in the manner hereinafter set out:

Property to be Sold:	See attached Exhibit A
Date and Time of Sale:	February 2, 2024 - 10:00 a.m. (or at such alternative time as may be later noticed or then stated)
Location of Sale:	Country Boys Auction & Realty 1211 W. 5 th Street, Washington, NC
Terms of Sale:	Cash or approved check on day of sale. All sales as is.

FURTHER NOTICE IS HEREBY GIVEN that the Trustee has filed an application with the Court to approve the employment of Mr. Mike Gurkins of Country Boys Auction & Realty as auctioneer whose compensation shall be fixed at a rate not to exceed the following, which shall include all regular expenses associated with advertising and conducting a sale such as advertising, fliers, postage for mailings, and signage:

Personal Property
20% of first \$20,000
10% of next \$50,000
4% of the balance

The compensation and allowed reimbursement to be paid to the auctioneer shall be paid from the closing proceeds ahead of and assessed against all secured claims upon sale approval. The above scale does not include out of pocket additional expenses such as for hauling, repairs, locksmiths,

assembly, and expenses incurred for preserving the property which may be subject to allowance pursuant to a separate request.

FURTHER NOTICE IS HEREBY GIVEN that any objection to the proposed public sale of the property and/or compensation of auctioneer may be filed with the Clerk, U. S. 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 22, 2024. No hearing will be conducted on said objection unless the Court, in its discretion, deems a hearing necessary, or unless a hearing is requested by the party filing such request. Any party requesting a hearing shall appear at the hearing in support of such request or they may be assessed with costs.

Dated: December 28, 2023

BUTLER & BUTLER, L.L.P.

s/Algernon L. Butler, III
Algernon L. Butler, III
Attorneys for the Trustee
NC State Bar No. 20881
P. O. Box 38
Wilmington, NC 28402
Telephone (910) 762-1908
Email: albutleriii@butlerbutler.com

EXHIBIT A

Vehicles:

2007 Dodge Caravan – VIN: 1D4GP25E07B228429

2020 Mercedes Van – VIN: W1Z4EGHY6LT022603

Office Furniture and Equipment

Filing cabinets

Desks

Chairs

Couches

Office Chairs

Computers

Printer

Copiers

Book Shelves

Pictures

Folding Tables

Lamps

Other

Manuals and Books

Toys and Blankets used for Therapy

Freezers (2)

Refrigerators

Pallet Jacks

Tents

Metal Shelving

CERTIFICATE OF SERVICE

The undersigned hereby certifies under penalty of perjury that (s)he is over eighteen (18) years of age, and that the

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

in the above captioned case was this day served upon the below named persons as follows:

By electronic service through CM/ECF:

U. S. Bankruptcy Administrator
434 Fayetteville Street, Suite 640
Raleigh, NC 27601

Hendren Redwine & Malone, PLLC
4600 Marriott Drive, Suite 150
Raleigh, NC 27612

By mailing, postage prepaid, first class mail, of a copy of such instrument to such persons, parties and/or counsel at the address shown below:

Mike Gurkins
Country Boys Auction and Realty
P.O. Box 1903
Washington, NC 27889

Promise Place
1401 Park Ave.
New Bern, NC 28560

And see the attached mailing matrix.

Dated: December 28, 2023

s/Algernon L. Butler, III
Algernon L. Butler, III
Attorneys for the Trustee
NC State Bar No. 20881
P. O. Box 38
Wilmington, NC 28402
Telephone (910) 762-1908
Email: albutleriii@butlerbutler.com

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

7 IN RE:
8 PROMISE PLACE

CASE NO: 23-03227-5-JNC

**DECLARATION OF MAILING
CERTIFICATE OF SERVICE**

Chapter: 7

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10
11 On 12/28/2023, I did cause a copy of the following documents, described below,
12 Notice of Proposed Public Sale of Personal Property and Notice of Compensation of Auctioneer

13
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18 to be served for delivery by the United States Postal Service, via First Class United States Mail, postage prepaid, with
19 sufficient postage thereon to the parties listed on the mailing list exhibit, a copy of which is attached hereto and
incorporated as if fully set forth herein.

20 I caused these documents to be served by utilizing the services of BK Attorney Services, LLC d/b/a certificateofservice.
21 com, an Approved Bankruptcy Notice Provider authorized by the United States Courts Administrative Office, pursuant to
22 Fed.R.Bankr.P. 9001(9) and 2002(g)(4). A copy of the declaration of service is attached hereto and incorporated as if
fully set forth herein.

23 Parties who are participants in the Courts Electronic Noticing System ("NEF"), if any, were denoted as having been
24 served electronically with the documents described herein per the ECF/PACER system.

DATED: 12/28/2023

25 /s/ Algernon L. Butler, III
26 Algernon L. Butler, III 20881
27 Attorneys for the Trustee
Butler & Butler, LLP
28 PO Box 38
Wilmington, NC 28402
910 762 1908
albutleriii@butlerbutler.com

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

7 IN RE:
8
9 PROMISE PLACE

CASE NO: 23-03227-5-JNC

**CERTIFICATE OF SERVICE
DECLARATION OF MAILING**

Chapter: 7

10
11 On 12/28/2023, a copy of the following documents, described below,

12 Notice of Proposed Public Sale of Personal Property and Notice of Compensation of Auctioneer

13
14
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18 were deposited for delivery by the United States Postal Service, via First Class United States Mail, postage prepaid, with sufficient
19 postage thereon to the parties listed on the mailing list exhibit, a copy of which is attached hereto and incorporated as if fully set forth
20 herein.

21 The undersigned does hereby declare under penalty of perjury of the laws of the United States that I have served the above
22 referenced document(s) on the mailing list attached hereto in the manner shown and prepared the Declaration of Certificate of
23 Service and that it is true and correct to the best of my knowledge, information, and belief.

24 DATED: 12/28/2023

25 

26 Jay S. Jump
27 BK Attorney Services, LLC
28 d/b/a certificateofservice.com, for
Algernon L. Butler, III
Butler & Butler, LLP
PO Box 38
Wilmington, NC 28402

Parties with names struck through or labeled CM/ECF SERVICE were not served via First Class USPS Mail Service.

CASE INFO

LABEL MATRIX FOR LOCAL NOTICING
 NCRS ADDRESS DOWNLOAD
 CASE 23-03227-5-JNC
 EASTERN DISTRICT OF NORTH CAROLINA
 THU DEC 28 10-31-20 PST 2023

~~EXCLUDE~~

~~(U)BANKRUPTCY ADMINISTRATOR~~

~~EXCLUDE~~

~~(U)COUNTRY BOYS AUCTION REALTY~~

DEBTOR

PROMISE PLACE
 1401 PARK AVE
 NEW BERN NC 28560-5502

~~EXCLUDE~~

~~U S BANKRUPTCY COURT
 300 FAYETTEVILLE STREET 4TH FLOOR
 PO BOX 791
 RALEIGH NC 27602-0791~~

AFLAC
 ATTN MANAGING AGENT
 PO BOX 5388
 COLUMBUS GA 31906-0388

ADRIAN HORNE
 1315 SPENCER AVE
 NEW BERN NC 28560-5557

ALABAMA CHILD SUPPORT PAYMENT CENTE
 ATTN CHILD SUPPORT ENFORCEMENT DIV
 PO BOX 244015
 MONTGOMERY AL 36124-4015

ANITA STARKEY
 2907 GRAHAM DR
 KINSTON NC 28504-1109

ANNE J REITER
 913 SAWGRASS CT
 NEW BERN NC 28560-1821

BATTEN CONSTRUCTION
 ATTN MANAGING AGENT
 1401 PARK AVENUE
 NEW BERN NC 28560-5502

BLUE CROSS AND BLUE SHIELD OF NC
 ATTN MANAGING AGENT
 PO BOX 580011
 CHARLOTTE NC 28258-0011

BRIGHTSPEED
 ATTN MANAGING AGENT
 PO BOX 6102
 CAROL STREAM IL 60197-6102

CSM PARTNERS
 ATTN MANAGING AGENT
 2805 VILLAGE WAY
 NEW BERN NC 28562-7351

CAROLYN W WYNNE
 212 MT PLEASANT ROAD
 NEW BERN NC NC 28560-7022

COASTAL SECURITY SYSTEMS
 ATTN MANAGING AGENT
 1109 POLLOCK STREET
 NEW BERN NC 28562-5536

COURTNEY BAKER
 4016 ARBOR GREEN WAY
 NEW BERN NC 28562-2266

CULLIGAN
 ATTN MANAGING AGENT
 2480 US HWY 70
 NEW BERN NC 28560-6798

(P)INTERNAL REVENUE SERVICE
 CENTRALIZED INSOLVENCY OPERATIONS
 PO BOX 7346
 PHILADELPHIA PA 19101-7346

DOCUSIGN INC
 ATTN MANAGING AGENT
 PO BOX 735445
 DALLAS TX 75373-5445

EMDR CONSULTING
 ATTN MANAGING AGENT
 PO BOX 43273
 CINCINNATI OH 45243-0273

ELAN FINANCIAL SERVICES
 ATTN MANAGING AGENT
 1255 CORPORATE DR 6
 IRVING TX 75038-2562

ERNULS LLC
 ATTN MANAGING AGENT
 PO BOX 12622
 NEW BERN NC 28561-2622

EXXONMOBIL BUSINESS FLEET
 ATTN MANAGING AGENT
 PO BOX 5727
 CAROL STREAM IL 60197-5727

GABOR HARDISON STRATEGIC ASSOCIATES
 ATTN MANAGING AGENT
 605 BROAD STREET
 NEW BERN NC 28560-4805

GABOR HARDISON STRATEGIC ASSOCIATES LLC
 605 BROAD STREET
 NEW BERN NC 28560-4805

HEALTHCARE COMPLIANCE PROS
 ATTN MANAGING AGENT
 90 W 500 S 157
 BOUNTIFUL UT 84010-6230

~~EXCLUDE~~

~~(D) INTERNAL REVENUE SERVICE
CENTRALIZED INCOLVENCY OPERATIONS
PO BOX 7346
PHILADELPHIA PA 19101-7346~~

JNB TEK LLC
ATTN MANAGING AGENT
73 MAIN STREET
MAYSVILLE NC 28555-1009

JONES COUNTY
ATTN COUNTY MANAGER
PO BOX 340
TRENTON NC 28585-0340

JOSHUA M CHITALO
103 OUTRIGGER ROAD
RIVER BEND NC 28562-8845

KIMBERLY SWORN
1007 SW HUNT CLUB CIRC
PALM CITY FL 34990-2032

(P) MAS MODERN MARKETING
ATTN MAS MODERN MARKETING
2301 N CENTRAL EXPWY
250
PLANO TX 75075-2586

MARKEL
ATTN MANAGING AGENT
PO BOX 650028
DALLAS TX 75265-0028

MICROSOFT
ATTN MANAGING AGENT
ONE MICROSOFT WAY
REDMOND WA 98052-8300

MONICA M KAZAN
5606 BARBARY COAST DRIVE
FAIRFIELD HARBOUR NC 28560-9700

MUTUAL OF OMAHA
ATTN MANAGING AGENT
PO BOX 2417
OMAHA NE 68103-2417

NC DEPARTMENT OF LABOR
ATTN MANAGING AGENT
1101 MAIL SERVICE CENTER
RALEIGH NC 27699-1100

NC DEPARTMENT OF REVENUE
ATTN BANKRUPTCY UNIT
PO BOX 1168
RALEIGH NC 27602-1168

NCDMV
ATTN MANAGING AGENT
3101 MAIL SERVICE CENTER
ROCKY MOUNT NC 27804

OPTIMUM
ATTN MANAGING AGENT
PO BOX 70340
PHILADELPHIA PA 19176-0340

PAK ACCOUNTING
ATTN MANAGING AGENT
1002 VANDORA SPRINGS RD STE 116
GARNER NC 27529-3546

PHILADELPHIA INSURANCE COMPANIES
ATTN MANAGING AGENT
PO BOX 70251
PHILADELPHIA PA 19176-0251

REALO DISCOUNT DRUGS
ATTN MANAGING AGENT
1301 COMMERCE DR
NEW BERN NC 28562-2213

ROMEO WIGGINS COMPANY LLP
ATTN MANAGING AGENT
7474 CREEDMOOR RD BOX 269
RALEIGH NC 27613-1663

SPECTRUM BUSINESS
ATTN MANAGING AGENT
PO BOX 6030
CAROL STREAM IL 60197-6030

THE COUNTY COMPASS
ATTN MANAGING AGENT
POBOX 460
BAYBORO NC 28515-0460

THE INSURANCE CENTER
ATTN MANAGING AGENT
1320 COMMERCE DRIVE
NEW BERN NC 28562-2212

TOMMY BATTEN RENTALS LLC
ATTN MANAGING AGENT
1401 PARK AVENUE
CEDAR ISLAND NC 28520

US ATTORNEY EDNC
ATTN CIVIL PROCESS CLERK
150 FAYETTEVILLE STREET SUITE 2100
RALEIGH NC 27601-2959

US CELLULAR
ATTN MANAGING AGENT
DEPT 0205
PALATINE IL 60055-0205

VALANT MEDICAL SOLUTIONS INC
ATTN MANAGING AGENT
PO BOX 21405
SEATTLE WA 98111-3405

WALMART PHARMACY (STORE 1300)
ATTN MANAGING AGENT
3105 MLK JR BLVD
NEW BERN NC 28562-5213

WILLIAMS SCARBOROUGH SMITH GRAY LLP
ATTN MANAGING AGENT
PO BOX 14008
NEW BERN NC 28561-4008

~~EXCLUDE~~

~~ALGERNON L BUTLER III
BUTLER BUTLER LLP
P O BOX 38
WILMINGTON NC 28402-0038~~

BENJAMIN EFB WALLER
HENDREN REDWINE MALONE PLLC
4600 MARRIOTT DRIVE SUITE 150
RALEIGH NC 27612-3367

JASON L HENDREN
HENDREN REDWINE MALONE PLLC
4600 MARRIOTT DRIVE SUITE 150
RALEIGH NC 27612-3367

KAREN RENFRO
1401 PARK AVE
NEW BERN NC 28560-5502

LYDIA C STONEY
HENDREN REDWINE MALONE PLLC
4600 MARRIOTT DRIVE
SUITE 150
RALEIGH NC 27612-3367

REBECCA F REDWINE
HENDREN REDWINE MALONE PLLC
4600 MARRIOTT DRIVE SUITE 150
RALEIGH NC 27612-3367