

2017-011968

Klamath County, Oregon



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Entered on Docket
August 05, 2016

Bruce T. Beesley
Honorable Bruce T. Beesley
United States Bankruptcy Judge



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E-Lodged 8/3/16

10 Attorney for Jeri Coppa-Knudson, Trustee

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12 **UNITED STATES BANKRUPTCY COURT**
13 **DISTRICT OF NEVADA**
14

15 IN RE:
16 **OLENE KBG, LLC,**
17 Debtor.

CASE NO. BK-N-15-51577-BTB
CHAPTER 7

**SUPPLEMENTAL ORDER REJECTING
UNEXPIRED LEASE OF
NONRESIDENTIAL REAL PROPERTY**

Hearing Date: June 15, 2016
Hearing Time: 10:00 a.m.

20
21 On June 24, 2016, the Court entered its Order Rejecting Unexpired Leases Of
22 Nonresidential Real Property. **DE 89.** To facilitate the recording in Klamath County,
23 Oregon by each of the Lessors whose leases were rejected, the Court is issuing this
24 Supplemental Order. Based on the record,

25 **IT IS ORDERED** that the nonresidential real property lease between George Beggs
26 Inc. POA Melissa Fotheringham, as Lessor, and Olene KBG, LLC, as Lessee, affecting that
27 certain real property as described on **Exhibit A** to this Order is rejected, effective as of June
28 20, 2016 and is no longer subject to the automatic stay of 11 U.S.C. § 362(a) and Lessor is

I certify that this is a true copy.

Attest: *C. Youngblood* 8/24/17
Deputy Clerk, U.S. Bankruptcy Court

1 free to pursue his/her/its contractual and state law remedies.

2 **IT IS FINALLY ORDERED** that the 14 day stay requirement of F.R.Bankr.P.
3 6006(d) is waived and this Order shall become effective immediately upon entry on the
4 docket.

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6 Submitted by:

7 **HARTMAN & HARTMAN**

8 /S/ Jeffrey L. Hartman
9 Jeffrey L. Hartman, Esq.
10 Attorney for Jeri Coppa-Knudson,
Trustee

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ALTERNATIVE METHOD Re: RULE 9021

In accordance with Local Rule 9021, counsel submitting this document certifies that the order accurately reflects the court's ruling and that (check one):

☐ The court has waived the requirement set forth in LR 9021(b)(1).

☒ No party appeared at the hearing or filed an objection to the paper.

☒ I have delivered a copy of the proposed order to all counsel who appeared at the hearing, any trustee appointed in this case and any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond as indicated below.

Trustee's Counsel:

☒ Prepared / Approved the form of this order

☐ Waived the right to review the order and/or

☐ Appeared at the hearing, waived the right to review the order

☐ Matter unopposed, did not appear at the hearing, waived the right to review the order

☐ Disapproved the form of this order

☐ Did not respond to the paper

Trustee:

☒ Approved the form of this order

☐ Disapproved the form of this order

☐ Waived the right to review the order and/or

☐ Did not respond to the paper

☐ Did not appear at the hearing or object to the paper

☐ I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the motion pursuant to LR 9014(g), and that no party has objected to the form or content of the order.

I declare under penalty of perjury that the foregoing is true and correct.

Submitted by:

HARTMAN & HARTMAN

/S/ Jeffrey L. Hartman

Jeffrey L. Hartman

EXHIBIT A

EXHIBIT "A"
LEGAL DESCRIPTION

A parcel of land situated in the SW1/4 of Section 27, the SE1/4 of Section 28, the NE1/4 of Section 33 and the NW1/4 of Section 34, all in Township 39 South, Range 10 East of the Willamette Meridian, in Klamath County, Oregon, more particularly described as follows:

Beginning at a point in the centerline of Hill Road, said point being South 22° 05' 20" West a distance of 3532.29 feet from the Northeast corner of said Section 28; thence South 89° 42' 48" East 105.87 feet to the approximate Westerly shore line of Nuss Lake; thence continuing South 89° 42' 48" East 850.00 feet to a point in said Nuss Lake; thence North 87° 52' 51" East 2762.60 feet to the approximate Easterly shore line of said Nuss Lake; thence continuing North 87° 52' 51" East 96.50 feet to a 5/8 inch iron pin on the Westerly right of way line of the U.S.B.R. F-1 Canal; thence Southerly and Westerly along the Westerly and Northerly right of way line of said F-1 Canal to the Easterly right of way line of said Hill Road; thence North 89° 42' 48" West 30.00 feet to the centerline of said Hill Road; thence North 00° 17' 12" East 1780.39 feet to the point of beginning. ALSO known as Parcel 3 of Minor Land Partition 28-83.

EXCEPTING THEREFROM:

A tract of land being a portion of Parcel 3 of Land Partition 28-83 to be added to Parcel 2 of said Land Partition of Property Line Adjustment 29-98, situated in the SE1/4 of Section 28 and the SW1/4 of Section 27, Township 39 South, Range 10 East of the Willamette Meridian, in Klamath County, Oregon, more particularly described as follows:

Beginning at the Southwest corner of said Parcel 2; thence North 87° 52' 51" East, along the line common to said Parcels 2 and 3, 2762.60 feet; thence South 06° 40' 40" West 323.00 feet; thence South 87° 52' 51" West 2713.72 feet; thence North 02° 01' 37" West 319.20 feet to the point of beginning, with bearings based on record of Survey 4048.

ALSO

A tract of land being a portion of Parcel 2 of Land Partition 28-83 to be added to Parcel 3 of said Land Partition for Property Line Adjustment 29-98 being situated in the W1/2 of Section 27, Township 39 South, Range 10 East of the Willamette Meridian, in Klamath County, Oregon, more particularly described as follows:

Beginning at the Southeast corner of said Parcel 2; thence South 87° 52' 51" West along the South line of said Parcel 2, 96.50 feet; thence North 22° 05' 48" West 144.19 feet; thence North 63° 34' 48" West 207.25 feet; thence North 17° 43' 14" East 623.04 feet; thence North 29° 29' 46" West 597.28 feet; thence North 54° 32' 45" West 184.00 feet; thence South 86° 44' 14" West 374.61 feet; thence South 87° 51' 12" West 513.75 feet; thence South 50° 28' 40" West 36.19 feet; thence North 1758.68 feet to a point on the boundary of said Parcel 2; thence along the boundary of said Parcel 2, South 89° 43' 32" East 1376.76 feet, South 51° 44' 00" West 42.42 feet; thence along the arc of a curve to the left (radius equals 311.48 feet and central angle equals 14° 18' 00") 77.74 feet, South 37° 26' 00" West 261.90 feet, South 52° 34' 00" East 5.00 feet; South 37° 26' 00" West 151.82 feet, along the arc of a curve to the left (radius equals 115.49 feet and central angle equals 52° 54' 00") 106.63 feet, South 15° 28' 00" East

(Legal continued)

95.29 feet, along the arc of a curve to the left (radius equals 306.48 feet and central angle equals $25^{\circ} 00' 00''$) 133.73 feet, South $40^{\circ} 28' 00''$ East 286.30 feet, along the arc of a curve to the right (radius equals 123.24 feet and central angle equals $23^{\circ} 00' 00''$) 49.47 feet, South $17^{\circ} 28' 00''$ East 140.00 feet, along the arc of a curve to the right (radius equals 361.97 feet and central angle equals $19^{\circ} 00' 00''$) 120.03 feet, South $01^{\circ} 32' 00''$ West 225.73 feet, North $88^{\circ} 28' 00''$ West 5.00 feet, South $01^{\circ} 32' 00''$ West 71.20 feet, along the arc of curve to the left (radius equals 406.97 feet and central angle equals $20^{\circ} 00' 00''$) 142.06 feet, South $18^{\circ} 28' 00''$ East 109.96 feet, along the arc of a curve to the right (radius equals 261.48 feet and central angle equals $10^{\circ} 30' 00''$) 47.92 feet, South $07^{\circ} 58' 00''$ East 260.80 feet, along the arc of a curve to the right (radius equals 547.96 feet and central angle equals $07^{\circ} 30' 00''$) 71.73 feet, South $00^{\circ} 28' 00''$ East 371.76 feet, South $05^{\circ} 18' 00''$ East 198.03 feet, South $09^{\circ} 18' 00''$ East 185.68 feet, along the arc of a curve to the right (radius equals 118.24 feet and central angle equals $16^{\circ} 20' 00''$) 33.71 feet, South $07^{\circ} 02' 00''$ West 124.34 feet, and South $03^{\circ} 02' 00''$ West 68.87 feet to the point of beginning, with bearings based on record of Survey No. 4048.