

**FILED**

JAN 13 2004

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF OKLAHOMA  
GRANT PRICE  
WESTERN DISTRICT OF OKLAHOMA  
DEPUTY

In Re: )  
)  
B & B WORM FARMS, INC., ) No. 03-14379-BH  
) (Chapter 7)  
Debtor. )

MOTION TO SELL PROPERTY PURSUANT  
TO 11 U.S.C. §363(b) AND (f)

Trustee, Janice D. Loyd, moves the Court pursuant to 11 U.S.C. § 363(b)(1) and f(2) and Rule 6004 of the Federal Rules of Bankruptcy Procedure to approve the sale of certain real property of the estate out of the ordinary course of business and free and clear of liens and encumbrances. In support of said Motion, the Trustee would show the Court the following:

1. The Trustee proposes to sell to Teddy Sells ("Purchaser") on the 9<sup>th</sup> day of February, 2004, or as soon thereafter as is practicable, for the sum of \$240,000.00 the estate's interest in the real property described as follows (a/k/a 200 and 201 Farm Road, Sallisaw, Oklahoma); and

**Tract 1:**

**The S/2 NE/4 NE/4 of Section 3, Township 11 North, Range 23 East of the Indian Base and Meridian, LESS AND EXCEPT the following: Commencing at the NE corner of the S/2 of Lot 1; thence North 89 Degrees 44 Minutes 18 Seconds West 496.00 feet to the Point of Beginning; thence South 208.71 feet; thence North 89 Degrees 44 Minutes 18 Seconds east 208.71 feet to the Point of Beginning;**

**Tract 2:**

**A part of the S/2 NE/4 NE/4 Section 3, Township 11 North and Range 23 East of the Indian Base and Meridian, described as: Commencing at the NE corner of the S/2 of Lot 1; thence North 89 Degrees 44 Minutes 18 Seconds West 496.00 feet to a Point of Beginning; thence South 208.71 feet; thence North 89**

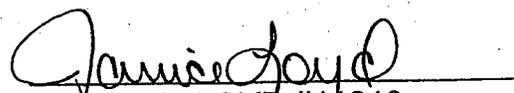
**degrees 44 Minutes 18 Seconds West 208.71 feet;  
thence North 208.71 feet; thence South 89 Degrees 44  
Minutes 18 Seconds East 208.71 feet to the Point of  
Beginning**

2. The sale of said real property will be free and clear of all liens and encumbrances pursuant to 11 U.S.C. § 363(f)(2).

3. Rule 6004(c) of the Federal Rules of Bankruptcy Procedure requires that this proposed sale free and clear of liens be made by motion in accordance with Rule 9014 of the Federal Rules of Bankruptcy Procedure and served on the parties who have liens or other interest in the property to be sold.

4. The Trustee knows of no outstanding liens or mortgages on the real property, however, there may be personal or ad valorem taxes due and owing, which will be paid at the time of closing. The remaining proceeds of sale shall be paid first to administrative expenses approved by the Court, including, but not limited to, payment of trustee's fee and expenses, attorney fee and expenses, and trustee's accountant fee and expenses. The net remaining proceeds will be distributed to creditors in the order of priority of same pursuant to 11 U.S.C. § 507.

WHEREFORE, the Trustee, Janice D. Loyd, respectfully requests this Court to approve the proposed sale of the real property described herein free and clear of any known liens on the terms and conditions described hereinabove, and for such other and further relief as is just and equitable.



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of the Firm of  
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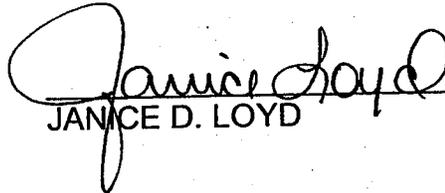
CERTIFICATE OF SERVICE

This is to certify that on the 13<sup>th</sup> day of January, 2004, a true and correct copy of the above and foregoing instrument was mailed, postage prepaid, to all parties as listed on the Matrix attached hereto and to:

Teddy Sells  
c/o Reese Pilkington  
Pilkington Real Estate  
1223 E. Cherokee, Ste. 12  
Sallisaw OK 74955

Reese Pilkington  
Pilkington Real Estate  
1223 E. Cherokee, Ste. 12  
Sallisaw OK 74955

This is to further certify that on the 13<sup>th</sup> day of January, 2004, a true and correct copy of the above and foregoing instrument will be posted on the website described as [www.Turnaroundpro.com](http://www.Turnaroundpro.com).

  
JANICE D. LOYD