



*George R. Hodges*  
George R. Hodges  
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
BRYSON CITY DIVISION

IN RE

Michael Dennis Lares

Case No. 11-20237  
Chapter 7

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**ORDER**

Upon consideration of the motion filed by Community Bank & Trust (hereinafter "Movant"), and after required notice to all necessary parties the Court finds as follows:

1. That Movant has a valid lien each against certain property of the Debtors described in the instruments recorded in
  - a) Deed Book 209, Page 86, Register of Deeds for Cherokee County, North Carolina, consisting of 77.74 acres, more or less, Boiling Springs Road, the full description also being found on Deed Book 1365, Page 563, of the Register of Deeds for Cherokee County, North Carolina, and
  - b) Deed Book 409, Page 112, Register of Deeds for Cherokee County, North Carolina, consisting of 86.05 acres, more or less, Boiling Springs Road, the full description also being found in Deed Book 1365, Page 569, of the Register of Deeds for Cherokee County, North Carolina.
2. That Movant should be permitted to foreclose its security interest and/or lien in the said property.

WHEREFORE, IT IS ORDERED, ADJUDGED AND DECREED

1. That the stay afforded by 11 U.S.C. §362 is hereby modified and terminated to permit Movant to proceed with its rights and remedies as a judgment creditor and secured party in State Court. Movant shall have a period of 180 days to file a deficiency claim; and
2. That rule 4001 (a)(3) of the Bankruptcy Code is not applicable to this case and Movant may immediately enforce and implement this order granting relief from the automatic stay.

This Order has been signed electronically.  
The Judge's signature and court's seal  
appear at the top of the Order.

United States Bankruptcy Court