

**UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF FLORIDA  
JACKSONVILLE DIVISION**

In re:	)	
WILLIAM TERRY FURLO	)	Case No. 3:12-bk-03952-PMG
KATHY CERTAIN FURLO	)	
	)	Chapter 7
Debtors.	)	
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**ORDER GRANTING TRUSTEE'S  
AMENDED MOTION TO SELL REAL PROPERTY  
FREE AND CLEAR OF CAPITAL CITY BANK'S JUDGMENT LIEN**

This case is before the Court upon the Trustee's Amended Motion to Sell Real Property Free and Clear of Capital City Bank's Judgment Lien (ECF No. 165) (the "Motion to Sell"). After hearing held on January 28, 2015 and based on the consent of Capital City Bank, it is

**ORDERED:**

1. The Motion to Sell is granted.
2. The Trustee is authorized to take any actions necessary to cause FBV LLC to sell the Dollar General Property described on Exhibit A at a public auction and to distribute the proceeds of the auction subject to and in accordance with the terms and conditions of the Motion to Sell and this Order.<sup>1</sup> The auction of the Dollar General Property is subject to Capital City Bank's right to reject the final bid for any reason.
3. If the Dollar General Property sells at the auction for a price acceptable to Capital City Bank, the Trustee is authorized to sell the Estate's (i) 50% interest in the Tire Store Property described in Exhibit B and (ii) 25% interest in Branford Discount Tire to Thomas and Amber Boss in exchange for the Bosses' 50% interest in the Dollar General Proceeds.

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<sup>1</sup> Terms not defined in this Order have the meaning given to them in the Motion to Sell.

4. The sale of the Tire Store Property to the Bosses shall be free and clear of Capital City Bank's Judgment Lien pursuant to Section 363(f) of the Bankruptcy Code. Upon Capital City Bank's receipt of its share of the Dollar General Proceeds, Capital City Bank shall record a release of its Judgment Lien against the Tire Store Property.

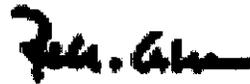
5. Capital City Bank's Judgment Lien shall attach to 50% of the Dollar General Proceeds.

6. Capital City Bank's charging order against the Valdeses' membership interest in FBV LLC shall attach to the Valdeses' 25% interest in the Dollar General Proceeds.

7. Capital City Bank shall pay the Trustee \$10,000 from its share of the Dollar General Proceeds.

7. The Trustee is authorized to execute any documents necessary to effectuate the transactions contemplated by this Order.

DONE and ORDERED in Jacksonville, Florida, this 6th day of February, 2015



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Paul M. Glenn  
United States Bankruptcy Judge

Attorney Allan E. Wulbern is directed to serve a copy of this order on interested parties and file a Proof of Service within 3 days of entry of the order.

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RECORDED IN THE US BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF FLORIDA,  
JACKSONVILLE DIVISION  
J.E. VOL. 54, NO. 8154