

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF IDAHO

U.S. COURTS

2004 SEP 30 P 12:48

In Re)
Denney, Michael R.)
Denney, Tracy Ann)
Debtor(s).)

Case No. 04-21097

REC'D. FILED
CAMERON G. BURKE,
CLERK

NOTICE OF SALE BY TRUSTEE

TO THE DEBTORS, DEBTOR(S)' ATTORNEY, CREDITORS AND OTHER PARTIES IN INTEREST:

PLEASE TAKE NOTICE THAT the undersigned Trustee will sell the below described property in which the above-entitled estate claims an interest pursuant to 11 USC §363, Bankruptcy Rule 6004(e) and LBR 2002.1. This sale will take place unless a written objection and request for hearing is received by the Clerk, U. S. Bankruptcy Court, U. S. Courtroom, Federal Building, Room 216, 205 N. 4th Street, CDA ID 83814 and the Trustee on or before October 29, 2004.

1. DESCRIPTION OF PROPERTY TO BE SOLD:

2002 Honda ATV

2. TYPE OF SALE:

- () Public Auction
(x) Private Sale to: Michael & Tracy Denney

3. TERMS OF SALE:

- () Cash
() % deposit with balance in days
(x) Other: \$1,600.00. Debtors have paid \$500 prior to the approval of the proposed sale. Upon sale approval, they intend to make 3 monthly payments in the amount of \$371.57 each, beginning October 29, 2004 and continuing on the 29th of each consecutive month until December 29, 2004, when the entire balance shall be due. Payments shall include 8% interest.

4. TIME AND PLACE OF SALE:

Sale will be valid October 29, 2004 unless an objection is filed with the U. S. Bankruptcy Court by said date at, 205 N. 4th Street - Fed'l Bldg., CDA ID 83814 and copies provided to the Panel Trustee, Ford Elsaesser at P. O. Box 2220, Sandpoint ID 83864 and Assistant U. S. Trustee, Jeffrey Howe at 304 N. 8th St. Room 347, Boise ID 83702.

5. TREATMENT OF EXISTING LIENS:

- (x) Sale free and clear of all liens with all valid liens to attach to the sale proceeds. Trustee may immediately pay the liens listed below without further notice or hearing:
() The following liens will remain with the property after sale:

6. VALUE OF PROPERTY TO BE SOLD:

- () The appraised value of the property is \$, which value is based on () an appraisal, () established market report, or () other:
(x) The Trustee estimates that the fair market value of the property is \$1,600.

7. AUTHORITY FOR CONDUCTING SALE:

- () 11 USC §363(f)(1)
() 11 USC §363(f)(2)
() 11 USC §363(f)(3)
() 11 USC §363(f)(4)
() 11 USC §363(f)(5)
(x) Other: 11 USC §363(b)(1)

8. MISCELLANEOUS INFORMATION:

- () Pending offers:
(x) Estimated net proceeds to be retained by the estate: \$1,600, plus interest.

Date: 9/27/04



Ford Elsaesser, Trustee
P. O. Box 2220
Sandpoint, ID 83864
(208)263-8871