

U.S. COURTS

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF IDAHO

APR 13 1998

REC'D FILED  
CAMERON S. BURKE  
CLERK IDAHO

In re:

HIPWELL, TERRY,

Debtor.

Case No. 96-02095

**ORDER RE: TERMINATION OF  
STAY AND DISPOSITION OF  
DEBTOR'S PROPERTY**

The Amalgamated Sugar Company's (TASCO) motion for an order terminating stay, requiring surrender of property, and reinstating lien rights having come before the Court at hearing on April 1, 1998, and no objections to the motion having been made by the Debtor, Trustee, or other creditors;

**IT IS HEREBY ORDERED** that the stay be terminated pursuant to 11 U.S.C. § 362 as to the following personal property of the Debtor:

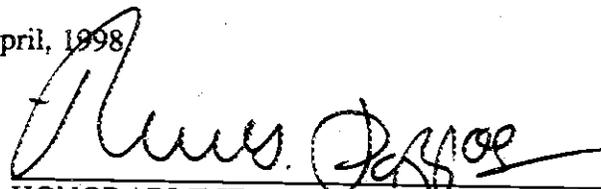
- |   |  |
|---|--|
| (a) Front Tires and Rims: set of 13.6x28; | (i) John Deere 4630 Tractor;                 |
| (b) 1980 Ford 8000 w/20' bed & hoist;     | (j) 1973 GMC C-65 w/bed & hoist;             |
| (c) Tires and Rims: set of 14.9 x 38;     | (k) Land Pride 3 pt. Terrace blade;          |
| (d) Tires and Rims: 2 sets of 14.9 x 38;  | (l) 1976 Ford 750 w/16' bed & hoist (rough); |
| (e) 986 IHC Tractor;                      | (m) 12 row Milton Planter;                   |
| (f) Tires: set of 14.9 x 38 duals;        | (n) J.D. 900 7 shank ripper;                 |
| (g) 12 row bedding bar w/markers;         | (o) 12 row Dammer Diker;                     |
| (h) Farmall H. Gas Tractor;               | (p) Pipe trailer;                            |

- |                                    |                                     |
|------------------------------------|-------------------------------------|
| (q) 2 sets of ACE Saddle tanks;    | (x) Fertilizer and Spray Equipment; |
| (r) 24 row band sprayer;           | (y) Woods 14' mower;                |
| (s) IHC 140 Plow;                  | (z) 1977 Ford Courier;              |
| (t) Air Compressor;                | (aa) 1979 GMC pickup;               |
| (u) Fertilizer Pump;               | (bb) 1973 Ford 8000 w/bed & hoist;  |
| (v) 24 row 3 pt. Sprayer;          | (cc) 1976 Ford 9000 truck.          |
| (w) 12 row Cultivator bar w/tools; |                                     |

It is further ordered that Debtor surrender this property to TASC0 and that TASC0 shall retain whatever lien rights in the property possessed prior to the Debtor's Chapter 12 filing.

If TASC0 determines to sell the property, it shall provide notice of the sale to the Debtor, Trustee, and Land View Fertilizer Company.

DATED this 9<sup>th</sup> day of April, 1998.

  
 HONORABLE JIM D. PAPPAS  
 Chief U. S. Bankruptcy Judge

cc: Neal  
 Fischer  
 ust  
 RDS  
 Foley  
 Boardman