

U.S. DISTRICT &  
BANKRUPTCY COURTS  
97 APR 20 PM 4:54  
FILED DEPOSITARY IDAHO  
Catherine S. Burks, Clerk

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ADA COUNTY PROSECUTING ATTORNEY

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Civil Division  
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IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF IDAHO

In re SAWTOOTH ENTERPRISES, INC., dba	)	<b>Case No. 96-03050 ACH</b>
THE BUCKIN' BAGEL,	)	
	)	<b>MOTION TO DECLARE THAT</b>
	)	<b>SALE OF PERSONAL</b>
	)	<b>PROPERTY DID NOT DIVEST</b>
Debtor(s).	)	<b>COUNTY'S LIEN</b>

Ada County moves this Court for an Order declaring that the personal property sold pursuant to the Court's Order Approving Sale of Property Free and Clear of Liens did not divest the County of its lien. This Motion is made pursuant to Local Bankruptcy Rules 2002.1 and 2002.2 Federal Bankruptcy Rule 6004, 363(b)(2) and is further supported by the Memorandum in Support of Motion and the Affidavit of Barbara Bauer, Ada County Treasurer.

**MOTION TO DECLARE THAT SALE OF PERSONAL PROPERTY DID NOT  
DIVEST COUNTY'S LIEN - PAGE 1**

DATED this 28<sup>th</sup> day of April, 1997.

GREG H. BOWER  
Ada County Prosecuting Attorney

By: Valencia J. Bilyeu  
Valencia J. Bilyeu  
Deputy Prosecuting Attorney

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 28 day of April, 1997, I served a true and correct copy of the foregoing MOTION TO DECLARE THAT SALE OF PERSONAL PROPERTY DID NOT DIVEST LIEN OF COUNTY to the following person(s) by the following method:

Joseph M. Meier  
Cosh, Humphrey, Greener & Welsh  
815 West Washington  
Boise, Idaho 83702

Hand Delivery  
 U.S. Mail  
 Certified Mail  
 Telecopy (FAX)

Stephen Drake  
Moffatt, Thomas, Barrett, Rock & Fields  
911 West Idaho Suite 300  
Boise, Idaho 83701

Hand Delivery  
 U.S. Mail  
 Certified Mail  
 Telecopy (FAX)

Bernie R. Rakozy  
Trustee  
824 West Franklin  
Boise, Idaho 83702

Hand Delivery  
 U.S. Mail  
 Certified Mail  
 Telecopy (FAX)

Alicia VanNewkirk