

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

IN RE:)
)
TELLICO LANDING, LLC,) No. 3:11-bk-33018
) Chapter 11
Debtor.)

WINDRIVER INVESTMENTS, LLC’S MOTION FOR THE
ENTRY OF AN ORDER DETERMINING THAT THE DEBTOR IS SUBJECT
TO THE “SINGLE ASSET REAL ESTATE” PROVISIONS OF 11 U.S.C. § 362(d)(3)

NOTICE OF HEARING

Notice is hereby given that:

A hearing will be held on October 7, 2011, at 9:30 o’clock a.m. in Bankruptcy Courtroom 1-B, Howard H. Baker, Jr. U.S. Courthouse, 800 Market Street, Knoxville, Tennessee 37902, on the following:

WindRiver Investment LLC’s Motion For The Entry Of An Order Determining That The Debtor Is Subject To The “Single Asset Real Estate” Provisions Of 11 U.S.C. § 362(d)(3)

If you do not want the Court to grant the relief requested, you or your attorney must attend the hearing. If you do not attend the hearing, the Court may decide that you do not oppose the relief sought in the motion and may enter an order granting that relief.

Comes now WindRiver Investments, LLC, and moves for the entry of an order determining that the debtor is subject to the “single asset real estate” provisions of 11 U.S.C. § 362(d)(3).

A memorandum in support of this motion has been filed contemporaneously herewith.

A proposed order is attached.

WindRiver Investments, LLC requests a hearing on this motion.

Respectfully submitted, this 15th day of September, 2011.

/s/ W. Morris Kizer
W. Morris Kizer
(BPR No. 1571)
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Attorney for WindRiver
Investments, LLC

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on September 15, 2011, the foregoing document and the attached proposed order were filed electronically and will be served electronically by operation of the Court's electronic case filing system on the United States Trustee, Thomas Lynn Tarpy, Thomas M. Leveille, Jesse D. Overbay, William F. McCormick and James R. Moore. Additionally, the foregoing document and the attached proposed order have been served upon the following by mailing a copy thereof by first class mail, in envelopes addressed as follows, this 15th day of September, 2011:

APAC Atlantic, INC
Harrison Construction
4817 Rutledge Pike
P.O. Box 6357
Knoxville, TN 37914

Loudon County Trustee
P.O. Box 351
Loudon, TN 37774

LTR Properties, Inc.
100 Rarity Bay Parkway
Vonore, TN 37885

Rarity Point Comm. Assoc., Inc.
100 Rarity Bay Parkway
Vonore, TN 37885

Tellico Lake Properties
P.O. Box 4187
Maryville, TN 37802

Ward Whelchel
3003 River Haven Point
Knoxville, TN 37922

Long, Ragsdale & Waters, PC
1111 Northshore Drive, NW
Suite S-700
Knoxville, TN 37919

LTR Properties
P.O. Box 4187
Maryville, TN 37802

Michael L. Ross
P.O. Box 4187
Maryville, TN 37802

Michael Ross
2624 Carpenters Grade Road
Maryville, TN 37803

Sun Sigh Graphics
1503 N. 6th Avenue
Knoxville, TN 37917

/s/ W. Morris Kizer

W. Morris Kizer

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ORDER

On September 15, 2011, WindRiver Investments, LLC filed its Motion For The Entry Of An Order Determining That The Debtor Is Subject To The “Single Asset Real Estate” Provisions of 11 U.S.C. § 362(d)(3) (“the Motion”) and its memorandum in support thereof.

The Court finds and determines the debtor is subject to the “Single Asset Real Estate” provisions of 11 U.S.C. § 362(d)(3), and accordingly the Motion is well taken, and it is GRANTED.

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APPROVED FOR ENTRY:

/s/ W. Morris Kizer

W. Morris Kizer

(BPR No. 1571)

Gentry, Tipton & McLemore, P.C.

P.O. Box 1990

Knoxville, Tennessee 37901

(865) 525-5300

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