

IN THE UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF FLORIDA, FORT MYERS DIVISION

In Re:

ULRICH FELIX ANTON ENGLER

Case No. 9:08-bk-04360-MGW

Debtor.

---

**MOTION FOR AUTHORITY TO SELL PROPERTY OF THE ESTATE**  
**(2007 ARTIC CAT, TRV)**

TO: Creditors, Debtors and Parties in Interest:

ROBERT E. TARDIF JR., the Trustee duly appointed and acting in the above estate, reports that on October 27, 2010, he filed a Report and Notice of Intention to Sell Property of the Estate which included two (2) ATVs. On December 11, 2010, absent any objections being filed to the Notice of Intent to Sell, and in accordance with the Court's authorization of employment of Prime Time Auctions, Inc., the ATVs were sold at public auction, subject to the entry of an Order by this Court authorizing the sale, under the terms and conditions set forth below:

1. **Type of Sale:** Private sale to Steven Clint Richards, 1900 W. Quinn, Pocatello, ID 83202.
2. **Description of Property:** All right, title and interest, if any, of the bankruptcy estate in and/or to 2007 Artic Cat TRV, VIN #4UFO7ATV77T236817.
3. **Terms and Conditions of Sale:** \$2,700.00.
4. **Factors Used to Arrive at Value and Sales Price:** An auction was conducted by Prime Time Auctions, Inc.

**NOTICE OF OPPORTUNITY TO OBJECT AND FOR HEARING**

Pursuant to Local Rule 6004-1 the Trustee intends to sell the foregoing property without further notice or hearing unless a party in interest files and serves an objection within 21 days of the date of this report and notice. If you object to the proposed sale, you must file your objection with the Clerk of the Court at Sam M. Gibbons United States Courthouse, 801 N. Florida Avenue, Suite 555, Tampa, Florida 33602 and serve a copy on Robert E. Tardif Jr., Trustee, Post Office Box 2140, Fort Myers, Florida 33902, and on the Assistant United States Trustee, 501 E. Polk Street, Suite 1200, Tampa, Florida 33602.

If you file and serve an objection within the time permitted, the Court will schedule a hearing and you will be notified. The objection shall state the reasons therefore and shall include a request for a hearing on the objection. If no objection is filed, the sale described above will take place without further notice or hearing.

5. **Liens & Encumbrances:** The Trustee has noted all liens of which he has knowledge below, but the Trustee has not performed a judgment or lien search. The property is being sold **SUBJECT TO** any and all liens and encumbrances of record, those indicated on the Debtor's schedules and any unknown liens and encumbrances, including any IRS of other governmental liens and encumbrances for payment of delinquent or current taxes. The Purchaser is responsible for checking the marketability of the title to the property prior to the date of sale. The Purchaser is responsible for payment of all costs involved in the transfer of title to the property including, but not limited to recording costs, documentary stamps and/or sales tax. NO WARRANTIES are either express or implied. The property is being sold AS IS.

Lienholder	Address	Amount of lien
------------	---------	----------------

NONE KNOWN

**NOTICE:** For items subject to Florida Sales Tax, if an exemption or waiver is sought, a Resale or Consumer Exemption Certificate will be required upon the sale. The certificate must bear the name and address of the Purchaser, the effective date and the number of the dealer's certificate of registration, and the dealer's signature. If a resale certificate is not presented when required, sales tax will be collected. The tax shall be added to the sales price and the amount of the tax shall be separately stated as Florida tax on any charge tickets, sales slips, invoices or other tangible evidence of sale, and shall be a debt from the purchaser or consumer to the Trustee. If a titled vehicle is involved, buyer is responsible for paying sales tax to the Tag Agency or Tax Collector. This provision does not apply to real estate.

6. **Higher Bids:** In the case of private sales only, the Trustee will entertain any higher bids for the purchase of the property described in this Report and Notice of Intention to Sell. Such bids must be at least \$100.00 higher than the sales price reflected above. Any higher bid must be received by the Trustee at the address listed below no later than close of business 20 days from the date of service of this document.

**Certificate of Service**

I HEREBY CERTIFY that a true and correct copy of the foregoing was furnished on December 22, 2010 electronically to the Assistant United States Trustee, by regular U.S. Mail to Ulrich Felix Anton Engler and Private Commercial Office, Inc., 1217 Cape Coral Parkway # 121, Cape Coral FL 33904, Internal Revenue Service, Insolvency Unit/Special Procedures, Post Office Box 17167, Stop 5760, Plantation, FL 33318, United States Attorney General, U.S. Dept. of Justice, Tax Division, Ben Franklin Station, Post Office Box 14198, Washington, DC 20044, District Counsel, Internal Revenue Service, 51 S.W. First Avenue, Room 1114, Miami, FL 33130, United States Attorney's Office, Attn: Civil Process Clerk, 400 North Tampa Street, Suite 3200, Tampa, FL 33602-4798, Michael J. Kearns, Dept of Justice, Tax Division, Post Office Box 14198, Washington, DC 20044, Internal Revenue Service, Atlanta Service Center, P. O. Box 47-421, Doraville, GA 30362 and Matthew and Laura Orr, 455 W. Broadway # B, Jackson, WY 83001 and by either regular U.S. Mail or electronic notice to all creditors and parties in interest according to the Motion to Limit Notice (Doc No. 418) and Court's Order Granting Trustee's Motion to Establish Certain Notice, Case Management and Administrative Procedures (Doc. 451).

/s/ Robert E. Tardif Jr. \_\_\_\_\_  
 Robert E. Tardif Jr., Trustee  
 P.O. Box 2140  
 Fort Myers, Florida 33902  
 Telephone: 239/362-2755  
 Facsimile: 239/362-2756