

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF SOUTH CAROLINA

PROOF OF CLAIM



Your Claim is Scheduled As Follows:  
Schedule/Claim ID: s13747  
AMOUNT/CLASSIFICATION:  
\$75,000.00 UNSECURED  
(CONTINGENT)

Name of Debtor:  
**The Cliffs at Keowee Vineyards Golf & Country Club, LLC**

Case Number:  
**12-01226**

NOTE: See reverse and attached for List of Debtors/Case Numbers/important details. Other than claims under 11 U.S.C. § 503(b)(9), this form should not be used to make a claim for Administrative Expenses arising after the commencement of the case. A "request" for payment of an administrative expense may be filed pursuant to 11 U.S.C. § 503(a).

Name of Creditor (the person or other entity to whom the debtor owes money or property) :

**John P Hibler**

Name and address where notices should be sent:

29347866011904  
Hibler, John  
3096 Maple Creek Drive  
Zanesville, OH 43701

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The amounts reflected above constitute your claim as scheduled by the Debtor or pursuant to a filed claim. If you agree with the amounts set forth herein, and have no other claim against the Debtor, you do not need to file this proof of claim EXCEPT as stated below.

If the amounts shown above are listed as Contingent, Unliquidated or Disputed, a proof of claim must be filed except as provided in the accompanying bar date notice.

If you have already filed a proof of claim with the Bankruptcy Court or BMC, you do not need to file again.

Creditor Telephone Number (704) 904-0006 email: kakelly1031@yahoo.com

THIS SPACE IS FOR COURT USE ONLY

Name and address where payment should be sent (if different from above):

Check box if you are aware that anyone else has filed a proof of claim relating to your claim. Attach copy of statement giving particulars.

Check this box to indicate that this claim amends a previously filed claim.

Court Claim Number (if known):

Filed on:

Payment Telephone Number ( ) email:

1. AMOUNT OF CLAIM AS OF DATE CASE FILED \$ 75,000

If all or part of your claim is secured, complete item 4.  
If all or part of your claim is entitled to priority, complete item 5.

Check this box if claim includes interest or other charges in addition to the principal amount of claim. Attach itemized statement of interest or charges.

2. BASIS FOR CLAIM: golf membership sold  
(See instruction #2)

3. LAST FOUR DIGITS OF ANY NUMBER BY WHICH CREDITOR IDENTIFIES DEBTOR: 0446

3a. Debtor may have scheduled account as:

(See instruction #3a)

3b. Uniform Claim Identifier (optional):

(See instruction #3b)

4. SECURED CLAIM: (See instruction #4)

Check the appropriate box if your claim is secured by a lien on property or a right of set off, attach required redacted documents, and provide the requested information.

Amount of arrearage and other charges, as of time case filed, included in secured claim, if any: \$ \_\_\_\_\_

Nature of property or right of setoff:

Basis for Perfection: \_\_\_\_\_

Describe:

Real Estate  Motor Vehicle  Other \_\_\_\_\_

Amount of Secured Claim: \$ \_\_\_\_\_

Value of Property: \$ \_\_\_\_\_

Amount Unsecured: \$ \_\_\_\_\_

Annual Interest Rate: \_\_\_\_\_ %  Fixed or  Variable  
(when case was filed)

5. Amount of Claim Entitled to Administrative Expense status under 11 U.S.C. § 503(b)(9) or Priority under 11 U.S.C. § 507(a). If any part of the claim falls into one of the following categories, check the box specifying the administrative expense or priority and state the amount.

Amount entitled to priority: \$ \_\_\_\_\_

Amount entitled to administrative expense under 11 U.S.C. § 503(b)(9): \$ \_\_\_\_\_

You MUST specify the priority of the claim:

Domestic support obligations under 11 U.S.C. § 507(a)(1)(A) or (a)(1)(B).

Taxes or penalties owed to governmental units - 11 U.S.C. § 507(a)(8).

Up to \$2,600\* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use - 11 U.S.C. § 507(a)(7).

Contributions to an employee benefit plan - 11 U.S.C. § 507(a)(5).

Wages, salaries, or commissions (up to \$11,725\*), earned within 180 days before filing of the bankruptcy petition or cessation of the debtor's business, whichever is earlier - 11 U.S.C. § 507(a)(4).

Other - Specify applicable paragraph of 11 U.S.C. § 507(a) ( \_\_\_\_\_ ).

Value of goods received by the debtor within 20 days before the date of the bankruptcy filing - 11 U.S.C. § 503(b)(9).

\* Amounts are subject to adjustment on 4/1/13 and every 3 years thereafter with respect to cases commenced on or after the date of adjustment.



6. CREDITS: The amount of all payments on this claim has been credited for the purpose of making this proof of claim. (See instruction #6)





*The Cliffs*

**THE CLIFFS AT KEOWEE VINEYARDS GOLF CLUB, LLC  
KEOWEE GOLF ENROLLMENT FORM**

This is to certify that **John P. Hibler** has made application for membership in the CLIFFS GOLF AND COUNTRY CLUB. The membership classification applied for is **Keowee Golf** membership. It is acknowledged that the applicant will submit a payment of **Seventy-five thousand dollars (\$75,000)**. The following is the scheduled due dates and amounts of future payments per terms of membership finance addendum:

**Per terms of Real Estate Purchase Agreement &  
Membership Finance Addendum**

By signing this form, the Member(s) acknowledges, as a matter of record, the type of Membership classification, and its privileges, and the refund value of initiation deposit paid in the event of resignation or transfer of membership. Furthermore, the Member(s) has received a copy of the club by-laws, rules and regulations, and has an understanding of the same.

MEMBERSHIP CLASSIFICATION:	<b>Keowee Golf</b>
MEMBERSHIP ACCOUNT NUMBER:	<b>H446</b>
INITIATION DEPOSIT PAID:	<b>\$75,000</b>
TOTAL FEES PAID:	<b>\$75,000</b>
PROPERTY REFERENCE:	<b>Section <u>West</u> Lot <u>5</u></b>

12-7-05  
Date

Nate Weyand

Nate Weyand  
Senior Director of Administrative Services  
The Cliffs Golf & Country Clubs

1-7-06  
Date

John P. Hibler

Member Signature  
Kathryn Kelley  
Member Signature

The Cliffs Clubs

The Cliffs at Glassy, Cliffs Valley, The Cliffs at Keowee Vineyards and The Cliffs at Walnut Cove  
250 Knightsridge Road, Travelers Rest, South Carolina 29690

864-660-1100

www.cliffscommunities.com

**CLIFFS AT KEOWEE VINEYARDS GOLF CLUB, LLC  
MEMBERSHIP AGREEMENT**

I have received and reviewed official club documents, specifically The Cliffs at Keowee Vineyards Golf Club, LLC constitution and by-laws, rules and regulations (current edition published September, 2004), outlining the Keowee Membership Program. I agree to participate and become enrolled as a member of The Cliffs at Keowee Vineyards Golf Club, LLC, which is managed and operated by The Cliffs Golf and Country Club, Inc. and agree to pay the applicable membership fees in the amount(s) indicated below:

<u>Membership Classification</u>	<u>Membership Fees</u>
<u>        </u> Keowee Family	\$ <u>                    </u>
<input checked="" type="checkbox"/> Keowee Golf	\$75,000.00

My rights and privileges as a member shall be governed by the plan documents and the club's by-laws, rules and regulations. Membership in the club does not convey any ownership, stock or equity certificate or other rights of ownership. As a member, I cannot be assessed as a matter of contract with the Club, and I assume no liability whatsoever in connection with the membership other than the payment of an applicable membership fee, dues and charges incurred by myself, my family and guests.

The Club reserves the right to set membership classification limitations. The Club has the plenary power to modify classes of memberships, their definitions, privileges, requirements and availability.

I shall be bound by the terms and conditions of the plan documents, as they may be amended from time to time in accordance with their terms and this membership purchase agreement.

I agree to pay the dues, fees and charges applicable to my membership classification(s) set forth by the club ownership, as it may be amended from time to time.

I hereby agree to release and discharge the Club, its ownership, affiliates, employees and agents from any and all claims and causes of actions that I may have against any of them regarding the Club membership program and facilities, except claims and causes of action arising from misrepresentations or omissions in the club documents.

12-7-05  
Date

Nate Weyand  
Nate Weyand  
Senior Director of Administrative Services  
The Cliffs Golf & Country Clubs

1-2-06  
Date

[Signature]  
Member Signature  
[Signature]  
Member Signature

Hubler

3096 Maple Creek Dr  
Zanesville, OH

43701



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BMC Group Inc

Attn: Cliffs Cleans Processing

PO Box 3020

Chonhassen, MN

55317302020

