


<b>UNITED STATES BANKRUPTCY COURT DISTRICT OF SOUTH CAROLINA</b>	<b>PROOF OF CLAIM</b>
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<b>Name of Debtor:</b> The Cliffs at Mountain Park Golf & Country Club, LLC	<b>Case Number:</b> 12-01225
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*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) :  
**JACABB Utilities, LLC**

Name and address where notices should be sent:  
 29347868009830  
 Jacabb Utilities, LLC  
 211 W.N. Second Street  
 Seneca, SC 29678

RECEIVED

MAY 14 2012

BMC GROUP

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 ~~864-882-8194~~ mail: [steve@goldieassociates.com](mailto:steve@goldieassociates.com) **THIS SPACE IS FOR COURT USE ONLY**

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

Payment Telephone Number ( ) email:

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: \_\_\_\_\_

**1. AMOUNT OF CLAIM AS OF DATE CASE FILED** \$ 2,836.67

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:** Sewer availability fees  
 (See instruction #2)

<b>3. LAST FOUR DIGITS OF ANY NUMBER BY WHICH CREDITOR IDENTIFIES DEBTOR:</b> 0001	<b>3a. Debtor may have scheduled account as:</b> _____ (See instruction #3a)	<b>3b. Uniform Claim Identifier (optional):</b> _____ (See instruction #3b)
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**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.

**Nature of property or right of setoff:**  
 Describe:  
 Real Estate  Motor Vehicle  Other \_\_\_\_\_

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

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

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

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

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

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

**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): \$ _____
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**You MUST specify the priority of the claim:**

<input type="checkbox"/> Domestic support obligations under 11 U.S.C. § 507(a)(1)(A) or (a)(1)(B). <input type="checkbox"/> 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). <input type="checkbox"/> 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).	<input type="checkbox"/> Taxes or penalties owed to governmental units - 11 U.S.C. § 507(a)(8). <input type="checkbox"/> Contributions to an employee benefit plan - 11 U.S.C. § 507(a)(5). <input type="checkbox"/> Other - Specify applicable paragraph of 11 U.S.C. § 507(a) ( ____ ). <input type="checkbox"/> Value of goods received by the debtor within 20 days before the date of the bankruptcy filing - 11 U.S.C. § 503(b)(9).
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\* 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)

**7. DOCUMENTS:** Attached are redacted copies of documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, and security agreements. If the claim is secured, box 4 has been completed, and redacted copies of documents providing evidence of perfection of a security interest are attached. (See instruction #7, and definition of "redacted").

DO NOT SEND ORIGINAL DOCUMENTS. ATTACHED DOCUMENTS MAY BE DESTROYED AFTER SCANNING.

If the documents are not available, please explain:

**DATE-STAMPED COPY:** To receive an acknowledgment of the filing of your claim, enclose a stamped, self-addressed envelope and copy of this proof of claim.

The original of this completed proof of claim form must be sent by mail or hand delivered (FAXES OR EMAIL NOT ACCEPTED) so that it is actually received on or before 4:00 pm prevailing Eastern Time on May 31, 2012 for Non-Governmental Claimants OR on or before 4:00 pm prevailing Eastern Time on August 27, 2012 for Governmental Claimants.

BY MAIL TO:  
BMC Group, Inc  
Attn: Cliffs Claims Processing  
PO Box 3020  
Chanhassen, MN 55317-3020

BY MESSENGER OR OVERNIGHT DELIVERY TO:  
BMC Group, Inc  
Attn: Cliffs Claims Processing  
18675 Lake Drive East  
Chanhassen, MN 55317

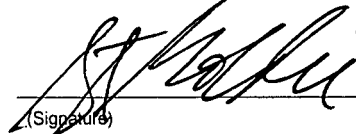
**8. SIGNATURE:** (See instruction #8)

Check the appropriate box.

- I am the creditor.       I am the creditor's authorized agent.  
(Attach copy of power of attorney, if any.)       I am the trustee, or the debtor, or  
their authorized agent.       I am a guarantor, surety, indorser, or other codebtor.  
(See Bankruptcy Rule 3004.)      (See Bankruptcy Rule 3005.)

I declare under penalty of perjury that the information provided in this claim is true and correct to the best of my knowledge, information, and reasonable belief.

Print Name: Stephen R. Goldie  
Title: Managing Owner  
Company: JACABB Utilities, LLC



May 11, 2012

Address and telephone number (if different from notice address above):  
\_\_\_\_\_  
\_\_\_\_\_

(Signature)

(Date)

Telephone number: \_\_\_\_\_ email: \_\_\_\_\_

Penalty for presenting fraudulent claim: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. §§ 152 and 3571.

**LIST OF DEBTORS:**

Case Name	Case Nbr
The Cliffs Club & Hospitality Group, Inc.	12-01220
CCHG Holdings, Inc.	12-01223
The Cliffs at Mountain Park Golf & Country Club, LLC	12-01225
The Cliffs at Keowee Vineyards Golf & Country Club, LLC	12-01226
The Cliffs at Walnut Cove Golf & Country Club, LLC	12-01227
The Cliffs at Keowee Falls Golf & Country Club, LLC	12-01229
The Cliffs at Keowee Springs Golf & Country Club, LLC	12-01230
The Cliffs at High Carolina Golf & Country Club, LLC	12-01231
The Cliffs at Glassy Golf & Country Club, LLC	12-01234
The Cliffs Valley Golf & Country Club, LLC	12-01236
Cliffs Club & Hospitality Service Company, LLC	12-01237

JACABB Utilities, LLC.  
Customer Transaction Summary

**Customer Information**

ACCT. NO : MP0001  
CLIFFS COMMUNITIES  
3598 HWY 11  
TRAVELERS REST, SC 29690-

**Location Information**

SERVICE ID : 0001  
M P SEWER AVAILABILITY  
TRAVELERS REST, SC 29690-

Date	Type	Read Date	Reading	Usage	Prior Balance	Transaction Amount	Balance
05/24/2011	Payment				1090.00	-1090.00	0.00
05/27/2011	Charge				0.00	1090.00	1090.00
06/30/2011	Interest				1090.00	16.35	1106.35
06/30/2011	Charge				1106.35	1090.00	2196.35
07/29/2011	Interest				2196.35	32.70	2229.05
07/29/2011	Charge				2229.05	1090.00	3319.05
08/24/2011	Payment				3319.05	-1090.00	2229.05
08/31/2011	Interest				2229.05	32.70	2261.75
08/31/2011	Charge				2261.75	1090.00	3351.75
09/02/2011	Payment				3351.75	-1090.00	2261.75
09/30/2011	Interest				2261.75	32.70	2294.45
09/30/2011	Charge				2294.45	1090.00	3384.45
10/27/2011	Interest				3384.45	49.05	3433.50
10/27/2011	Charge				3433.50	1090.00	4523.50
11/02/2011	Payment				4523.50	-1090.00	3433.50
11/07/2011	Payment				3433.50	-1122.70	2310.80
11/15/2011	Payment				2310.80	-1090.00	1220.80
11/30/2011	Adjustment				1220.80	-342.78	878.02
11/30/2011	Charge				878.02	622.27	1500.29
12/27/2011	Interest				1500.29	21.28	1521.57
12/27/2011	Charge				1521.57	622.27	2143.84
01/27/2012	Interest				2143.84	30.61	2174.45
01/27/2012	Charge				2174.45	622.27	2796.72
02/28/2012	Interest				2796.72	39.95	2836.67

Redacted copy

**AGREEMENT FOR SEWER SERVICES**

**THE CLIFFS AT MOUNTAIN PARK, LLC**

**GREENVILLE COUNTY, SC**

This Agreement (hereinafter referred to as "Agreement") is entered into this 3<sup>rd</sup> day of March, 2009 by and between The Cliffs at Mountain Park, LLC (hereinafter referred to as "Developer"), and Jacabb Utilities, LLC, a South Carolina corporation (hereinafter referred to as "Utility") (Developer and Utility hereinafter collectively referred to as "Parties").

**WITNESSETH**

**WHEREAS**, Developer is the owner of or is duly authorized to act on behalf of the owners of certain real estate located near Marietta, South Carolina off of Highway 11 in Greenville County, approximately 0.2 miles west of Highway 25 (hereinafter referred to as the "Site" or "Property" (see attached **Exhibit 1**));

**WHEREAS**, Developer desires to develop The Cliffs at Mountain Park which will contain approximately three hundred and eight (308) residential units, residential inn, offices, clubhouse and other facilities (hereinafter referred to as the "Project") and possibly other commercially or residentially developed land contiguous to the Site when completed;

**WHEREAS**, Utility is a privately owned utility engaged in the business of furnishing sewer services to the public and is fully capable of providing sewer service to the Property located in Greenville County, and Utility is subject to regulation by the South Carolina Public Service Commission ("Commission" or "PSC") pursuant to S.C. Code §58-5-210 *et seq.*;

other residential units at the Cliffs Mountain Park development. For the 18,000 gpd for the Village Overlook Condominiums, its Property Owner's Association, the Village Overlook Condominium Association (VOCA) will enter into a Sewer Service Agreement with and pay the Utility an availability fee in the amount of fifty-three and 16/100 dollars (\$53.16) per month per residential unit for a minimum of sixty (60) units if residential sewer service is available but not used, until the residential unit is sold. As the residential units are sold, the VOCA will be responsible for paying the applicable sewer fee, which is also fifty-three and 16/100 dollars (\$53.16) per month. In the event that the sub-developer elects to build less than 60 units, the availability fee for all 60 units will remain in effect. Also, the Developer agrees to pay an availability fee of \$53.16 / month for the equivalent of 25 additional customers at 360 gpd each for the remaining 9,000 gpd of capacity on the system until the residential / commercial unit is sold or occupied. As these other residential or commercial customers are added, the Owners of these units will pay the \$53.16 per month sewer charge for residential service or \$53.16 per 360 gpd for commercial service. This rate structure will remain in effect for both VOCA and the Developer until the **Phase II** wastewater treatment plant becomes operational at which time the rate structure will be revised as described in the following paragraph.

**Phase II** - The Developer agrees to pay the Utility an availability fee in the amount of twenty-five dollars (\$25.00) per month/per lot if residential sewer service is available but not used, until the residential unit is sold. Developer agrees to pay Utility an availability fee in the amount of twenty-five dollars (\$25.00) per month/per 400 gpd flow allocated for each commercial unit if commercial sewer service is available but not

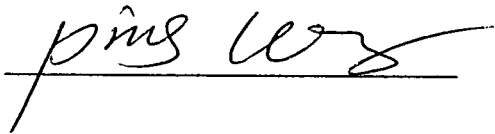
IN WITNESS WHEREOF, the Parties hereto have executed this instrument by and through their authorized representatives set out below.

Jacabb Utilities, LLC

By: 

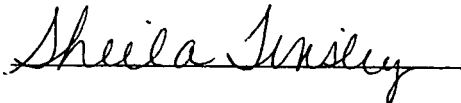
Its: Managing Owner

Attest:



3/5/09

(Date)



3/5/09

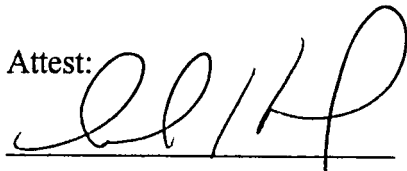
(Date)

The Cliffs at Mountain Park, LLC

By: 

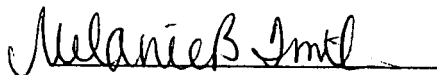
Its: Managing Owner

Attest:



3/3/09

(Date)



3/3/09

(Date)

JACABB Utilities, LLC  
210 W. North Second Street  
Seneca, SC 29678



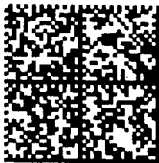
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MAILED FROM ZIP CODE 29678



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MAY 14 2012  
BMC GROUP

BMC Group, Inc.  
Attn: Cliffs Claims Processing  
PO Box 3020  
Chanhassen, MN 55317-3020

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