

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF SOUTH CAROLINA

PROOF OF CLAIM

Your Claim is Scheduled As Follows:  
Schedule/Claim ID: s3882  
AMOUNT/CLASSIFICATION:  
\$15,087.03 SECURED  
  
UNKNOWN UNSECURED

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).

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.

THIS SPACE IS FOR COURT USE ONLY

Name of Creditor (the person or other entity to whom the debtor owes money or property) :  
Golf Agronomics Sand & Hauling, Inc.

Name and address where notices should be sent:  
29347866900677  
Golf Agronomics Sand & Hauling  
Koger Bradford  
Holcombe Bomar PA  
PO Box 1897  
Spartanburg, SC 29304

RECEIVED

MAY 18 2012

BMC GROUP

Creditor Telephone Number (864-594-5300) email:

Name and address where payment should be sent (if different from above):  
Golf Agronomics Sand & Hauling, Inc.  
2165 - 17th Street  
Sarasota, FL 34234  
Attention: Sharen Frawley

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 (800)-626-1359 email:

1. AMOUNT OF CLAIM AS OF DATE CASE FILED \$ 15,087.03

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: Construction services and materials

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

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.

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: \$ 15,087.03

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): \$

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)

**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

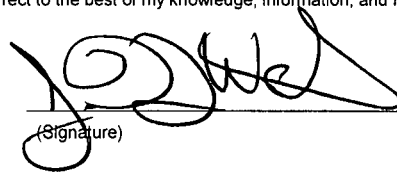
**8. SIGNATURE:** (See instruction #8)

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. (See Bankruptcy Rule 3004.)       I am a guarantor, surety, indorser, or other codebtor. (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: J. Hayes Walsh & A. Todd Darwin  
 Title: Attorneys  
 Company: Holcombe Bomar, PA



May 15, 2012

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

PO Box 1897  
Spartanburg, SC 29304-1897  
864-594-5300

(Signature)

(Date)

Telephone number:      email:

tdarwin@holcombebomar.com

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

STATE OF SOUTH CAROLINA )

COUNTY OF PICKENS )

Golf Agronomics Sand & Hauling Inc., )

Plaintiff, )

vs. )

The Cliffs at Keowee Vineyards Golf & Country Club, LLC; Wells Fargo Bank, National Association, )

Defendants. )

IN THE COURT OF COMMON PLEAS

**NOTICE AND CERTIFICATE OF MECHANIC'S LIEN**

Inst # 201117371 DocType:L/MECH Page 1 of 9 BKL:2011 PG:3539 12/09/2011 at 11:25:51 AM, Fee:\$15.00 PAUL MCGUFFIN REGISTER OF DEEDS PICKENS CO., SC

**NOTICE IS HEREBY GIVEN:**

That the undersigned does hereby file a Mechanic's Lien on behalf of the Plaintiff above-named against the real estate described below for construction goods, materials, equipment, services, products and labor furnished in the amount of Fifteen Thousand Eighty-Seven and 03/100 (\$15,087.03) Dollars, for a reasonable attorney's fee, and for the costs of this action. Said lien for construction goods, materials, equipment, services, products and labor furnished by Plaintiff and actually used in the improvements located on the real estate described herein which The Cliffs at Keowee Vineyards Golf & Country Club, LLC, and Wells Fargo Bank, National Association, (collectively "Defendants"), may now have and claim an interest in. Notice of this mechanic's lien is hereby given to said Defendants to the extent of their interests, whether fee simple or leasehold, in the subject real estate at times relevant hereto.

A verified statement of account is attached as Exhibit "A". Said materials, equipment, and/or labor were actually used in the construction and improvement of the real estate described in the attached Exhibit "B", by virtue of an agreement with, or by consent of The Cliffs at Keowee Vineyards Golf & Country Club, LLC, or a person or persons authorized by, or rightfully acting for said companies, or by virtue of, upon information and belief, the authorization of said companies. The first item of labor or service or materials were actually furnished on June 10, 2011, and the last item of labor or service or materials was actually furnished on September 12, 2011. Less than ninety (90) days have elapsed since the date that the last materials and/or labor were furnished.

The Plaintiff is authorized and qualified to do business in the State of South Carolina and is a materialman supplier rather than a contractor.

Plaintiff has and claims a mechanic's lien upon and against any interest of the Defendants in the real property described herein, specifically including all improvements thereon, together with the interest of any and all other persons or entities having actual or record notice hereof, to the full extent permitted by law.

The legal description of the property subject to this mechanic's lien is attached as Exhibit "B" hereto and incorporated herein by reference.

**See Exhibit "B" attached hereto.**

**Address: 221A Clubhouse Drive, Sunset, South Carolina 29685  
Tax Map No. 4133-00-16-4867**

**{END OF DOCUMENT. SIGNATURE AND NOTARY ON NEXT PAGE.}**

HOLCOMBE BOMAR, P.A.

By: J. Hayes Walsh  
Koger M. Bradford (SC Bar No. 844)  
J. Hayes Walsh (SC Bar No. 70261)  
Attorneys for Plaintiff  
Post Office Drawer 1897  
Spartanburg, SC 29304  
(864) 594-5300

December 8, 2011

Spartanburg, South Carolina

**SWORN TO** and subscribed before me  
this 8<sup>th</sup> day of December, 2011.

Rhonda [Signature]  
Notary Public for State of South Carolina  
My commission expires: 12/15/2013  
{Affix Seal}

EXHIBIT A

STATEMENT

Golf Agronomics Sand & Hauling  
2165 17th Street  
Sarasota, FL 34234  
800-542-9531 Toll Free  
941-955-4690 Fax

Statement Date: 11/18/11  
Salesperson: Robert Hamrick

CLIFFS @ KEOWEE VINYARDS  
P.O. BOX 1549  
TRAVELERS REST, SC 29690

Customer No.: CLIKEOW

DATE	REFERENCE	DESCRIPTION	CHARGE	CREDIT	BALANCE
06/15/11	0051502-IN		2,784.66		2,784.66
06/15/11	0051515-IN		1,631.98		1,631.98
07/07/11	0051876-IN		3,757.31		3,757.31
07/29/11	0052340-IN		3,376.16		3,376.16
08/11/11	0052454-IN		1,568.90		1,568.90
09/15/11	0053065-IN		1,968.02		1,968.02

I verify that the balance stated is a true and accurate accounting for that which is presently due and owing Golf Agronomics Sand & Hauling, Inc. by Cliffs @ Keowee Vinyards, and futher, that no portion thereof has been paid.

Golf Agronomics Sand & Hauling, Inc.  
By: [Signature]  
Name: Richard Colyer  
Title: President

SWORN to before me this 18<sup>th</sup> day of November 2011  
Sharen Frawley  
Notary Public for Florida  
My Commission Expires: 10/25/2015



CURRENT	30 DAYS	60 DAYS	90 DAYS	120 DAYS	BALANCE DUE
0.00	0.00	1,968.02	4,945.06	8,173.95	15,087.03

15,087.03

EXHIBIT B



### Legal Description

#### **BOAT STORAGE:**

ALL that certain piece, parcel or lot of land with all improvements thereon or hereafter constructed thereon situate, lying and being in the County of Pickens, State of South Carolina, being shown and designated as 8.54 acres, more or less, as shown on one plat entitled "Survey for The Cliffs at Keowee Vineyards Golf & Country Club, LLC", prepared by Lindsey and Associates, Inc., dated December 16, 2009, recorded December 21, 2009 in the Register of Deeds Office for Pickens County, State of South Carolina, in Plat Book 594 at Page 193, reference to said plat is hereby made for a more complete metes and bounds description thereof.

Derivation: Deed from Keowee Investment Group, LLC recorded in the Office of the Register of Deeds for Pickens County on 6-8, 2010 in Deed Book 1324 at page 306.

#### **CLUB POINT:**

ALL that certain piece, parcel or lot of land with all improvements thereon or hereafter constructed thereon situate, lying and being in the County of Pickens, State of South Carolina, being shown and designated as .21 acre, more or less, as shown on plat entitled "Survey of The Cliffs at Keowee Vineyard Club Cottages Lots CP-6 thru CP-13", prepared by Lindsey & Associates, PLS 16498, dated June 27, 2006, last revised January 22, 2007, recorded January 23, 2007 in the Register of Deeds Office for Pickens County, State of South Carolina, in Plat Book 569 at Pages 14 and 15, reference to said plat is hereby made for a more complete metes and bounds description thereof.

Derivation: Deed from Keowee Investment Group, LLC recorded in the Office of the Register of Deeds for Pickens County on 6-8, 2010 in Deed Book 1324 at page 309.

#### **LAKE HOUSE:**

ALL that certain piece, parcel or lot of land with all improvements thereon or hereafter constructed thereon situate, lying and being in the County of Pickens, State of South Carolina, being shown and designated as 4.68 acres, more or less, and 5.29 acres, more or less, totaling 9.97 acres, more or less, as shown on one plat entitled "Survey for Keowee Investment Group, LLC", prepared by Robert E. Threatt, PLS 15519, dated July 7, 1998, last revised December 5, 2005, recorded January 25, 2006 in the Register of Deeds Office for Pickens County, State of South Carolina, in Plat Book 543 at Page 7, reference to said plat is hereby made for a more complete metes and bounds description thereof.

Derivation: Deed from Keowee Investment Group, LLC recorded in the Office of the Register of Deeds for Pickens County on 6-8, 2010 in Deed Book 1324 at page 312.

**MARINA, POOL:**

ALL that certain piece, parcel or lot of land with all improvements thereon or hereafter constructed thereon situate, lying and being in the County of Pickens, State of South Carolina, being shown and designated as 2.30 acres, more or less, on plat entitled "Survey for The Cliffs at Keowee Vineyards Golf & Country Club, LLC, Property of Keowee Investment Group, LLC", prepared by Lindsey and Associates, Inc., dated December 16, 2009 and recorded March 29, 2010 in the Register of Deeds Office for Pickens County, State of South Carolina, in Plat Book 594 at Page 322, reference to said plat is hereby made for a more complete metes and bounds description thereof.

Derivation: Deed from Keowee Investment Group, LLC recorded in the Office of the Register of Deeds for Pickens County on 6-8, 2010 in Deed Book 1324 at page 315.

**WELLNESS & TENNIS COURTS:**

ALL that certain piece, parcel or lot of land with all improvements thereon or hereafter constructed thereon situate, lying and being in the County of Pickens, State of South Carolina, being shown and designated as 4.57 acres, more or less, and 3.39 acres, more or less, totaling 7.96 acres, more or less, as shown on one plat entitled "Survey for The Cliffs at Keowee Vineyards Golf & Country Club, LLC", prepared by Lindsey and Associates, Inc., dated December 16, 2009 and recorded on April 26, 2010 in the Register of Deeds Office for Pickens County, State of South Carolina, in Plat Book 595 at Page 4, reference to said plat is hereby made for a more complete metes and bounds description thereof.

Derivation: Deed from Keowee Investment Group, LLC recorded in the Office of the Register of Deeds for Pickens County on 6-8, 2010 in Deed Book 1324 at page 318.

**GOLF COURSE AND CLUBHOUSE**

ALL those certain pieces, parcels or lots of land lying and being situate in the State of South Carolina, County of Pickens, being shown and designated as Golf Area #1, containing 57.053 acres; Golf Area #2, containing 47.269 acres; Golf Area #3, containing 18.772 acres; and Golf Area #4, containing 62.758 acres, more or less, according to plat entitled "Survey for The Cliffs at Keowee Vineyards Golf & Country Club, LLC, Overall Golf Course Boundary Cliffs at Keowee Vineyards" dated December 23, 2008, prepared by Neal H. O'Connor, Jr., PLS #15190, and recorded in the Office of the Register of Deeds for Pickens County in Plat Book 593 at page 107 on December 30, 2008, reference to which plat is hereby made for a more complete and accurate description.

Derivation: Deed from Keowee Investment Group, LLC dated December 30, 2008 and recorded on December 31, 2008 in Deed Book 1230 at page 129, Office of the Register of Deeds for Pickens County.

### **EQUESTRIAN**

ALL that certain piece, parcel or lot of land with all improvements thereon or hereafter constructed thereon situate, lying and being in the County of Pickens, State of South Carolina, being shown and designated as 16.13 acres, more or less, as shown on one plat entitled "Survey for Keowee Investment Group, LLC" prepared by Robert E. Threatt, PLS 15519, dated April 28, 2003, recorded May 1, 2003 in the Office of the Register of Deeds for Pickens County, State of South Carolina, in Plat Book 474 at page 14, reference to said plat is hereby made for a more complete metes and bounds description thereof.

Derivation: This being a portion of the same property conveyed to The Cliffs at Keowee Vineyards Golf & Country Club, LLC by deed from Keowee Investment Group, LLC dated January 22, 2010 and recorded January 29, 2010 in Deed Book 1300 at Page 36 in the Register of Deeds Office for Pickens County, State of South Carolina.



## Holcombe Bomar, P.A.

100 Dunbar Street, Suite 200  
Spartanburg, SC 29306  
P.O. Box 1897  
Spartanburg, SC 29304

phone (864) 594-5300  
fax (864) 585-3844

[www.holcombebomar.com](http://www.holcombebomar.com)

William U. Gunn  
Koger M. Bradford  
Perry D. Boulier  
William B. Darwin, Jr.  
Robert M. Barrett  
Ginger D. Goforth  
W. McElhaney White  
A. Todd Darwin  
J. Hayes Walsh  
Nathaniel P. Mark  
Joshua T. Thompson  
Kyle T. Cielland

Neville Holcombe, 1902-1983  
Horace L. Bomar, 1912-1994

May 15, 2012

**Via Federal Express 952-404-5700**

BMC Group, Inc.  
Attention: Cliffs Claims Processing  
18675 Lake Drive East  
Chanhassen, MN 55317

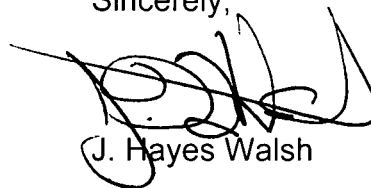
Re: Golf Agronomics Sand & Hauling, Inc., Creditor  
The Cliffs at Keowee Vineyards Golf & Country Club, LLC, Debtor  
Case No. 12-01226  
Our File No. 12033

Dear Sir or Madam:

Enclosed please find an original and one (1) copy of the Proof of Claim to be filed on behalf of Golf Agronomics Sand & Hauling, Inc. as Creditor in Bankruptcy Case No. 12-01226. Please also find enclosed a return envelope for your use in returning a clocked copy as acknowledgment of this filing.

Thank you.

Sincerely,



J. Hayes Walsh

/rsm

Enclosures

cc: Golf Agronomics Sand & Hauling, Inc.

From: (864) 594-5313  
Rhonda Mitchell  
HOLCOMBE BOMAR, P.A.  
100 DUNBAR STREET  
SPARTANBURG, SC 29306

Origin ID: SPAA



Ship Date: 17MAY12  
ActWgt: 3.0 LB  
CAD: 1424755/INET3250

Delivery Address Bar Code



SHIP TO: (952) 404-5700 BILL SENDER

Attention: Cliffs Claims Processing  
BMC GROUP, INC.  
18675 LAKE DR E

CHANHASSEN, MN 55317

Ref # GASH 12033  
Invoice #  
PO #  
Dept #

FRI - 18 MAY A1  
PRIORITY OVERNIGHT

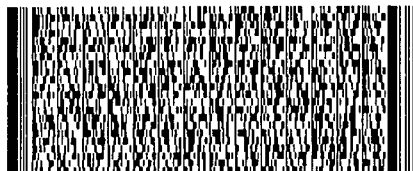
TRK# 7935 7739 3706

0201

NA FBLA

55317  
MN-US  
MSP

RECEIVED  
MAY 18 2012  
BMC GROUP



512G361AA/278

After printing this label:

1. Use the 'Print' button on this page to print your label to your laser or inkjet printer.
2. Fold the printed page along the horizontal line.
3. Place label in shipping pouch and affix it to your shipment so that the barcode portion of the label can be read and scanned.

Warning: Use only the printed original label for shipping. Using a photocopy of this label for shipping purposes is fraudulent and could result in additional billing charges, along with the cancellation of your FedEx account number.

Use of this system constitutes your agreement to the service conditions in the current FedEx Service Guide, available on fedex.com. FedEx will not be responsible for any claim in excess of \$100 per package, whether the result of loss, damage, delay, non-delivery, misdelivery, or misinformation, unless you declare a higher value, pay an additional charge, document your actual loss and file a timely claim. Limitations found in the current FedEx Service Guide apply. Your right to recover from FedEx for any loss, including intrinsic value of the package, loss of sales, income interest, profit, attorney's fees, costs, and other forms of damage whether direct, incidental, consequential, or special is limited to the greater of \$100 or the authorized declared value. Recovery cannot exceed actual documented loss. Maximum for items of extraordinary value is \$500, e.g. jewelry, precious metals, negotiable instruments and other items listed in our Service Guide. Written claims must be filed within strict time limits, see current FedEx Service Guide.