


UNITED STATES BANKRUPTCY COURT		District of South Carolina	PROOF OF CLAIM
Name of Debtor: Terrell Fitz and Debra D. Johnson		Case Number: 12-01230	<p style="text-align: center;">COURT USE ONLY</p> <input type="checkbox"/> Check this box if this claim amends a previously filed claim. Court Claim Number: _____ (If known) Filed on: _____
NOTE: Do not use this form to make a claim for an administrative expense that arises after the bankruptcy filing. You may file a request for payment of an administrative expense according to 11 U.S.C. § 503.			
Name of Creditor (the person or other entity to whom the debtor owes money or property):			
Name and address where notices should be sent: Terrell Fitz and Debra D. Johnson 2290 Loring Oak Place Marietta, GA 30064 Telephone number: (404) 427-1615		fjohnsonegi@gmail.com email: fjohnsonegi@gmail.com	<input type="checkbox"/> Check this box if you are aware that anyone else has filed a proof of claim relating to this claim. Attach copy of statement giving particulars.
Name and address where payment should be sent (if different from above):		RECEIVED JUN 15 2012 BMC GROUP	
1. Amount of Claim as of Date Case Filed:		\$ <u>75,000.00</u>	
If all or part of the claim is secured, complete item 4. If all or part of the claim is entitled to priority, complete item 5. <input type="checkbox"/> Check this box if the claim includes interest or other charges in addition to the principal amount of the claim. Attach a statement that itemizes interest or charges.			
2. Basis for Claim: <u>Membership Initiation Deposit</u> (See instruction #2)			
3. Last four digits of any number by which creditor identifies debtor:	3a. Debtor may have scheduled account as: <u>See Schedule 1 Attached</u> (See instruction #3a)	3b. Uniform Claim Identifier (optional): _____ (See instruction #3b)	
4. Secured Claim (See instruction #4) Check the appropriate box if the claim is secured by a lien on property or a right of setoff, attach required redacted documents, and provide the requested information.		Amount of arrearage and other charges, as of the time case was filed, included in secured claim, if any: \$ _____	
Nature of property or right of setoff: <input type="checkbox"/> Real Estate <input type="checkbox"/> Motor Vehicle <input type="checkbox"/> Other Describe:		Basis for perfection: _____	
Value of Property: \$ _____		Amount of Secured Claim: \$ _____	
Annual Interest Rate _____ % <input type="checkbox"/> Fixed or <input type="checkbox"/> Variable (when case was filed)		Amount Unsecured: \$ _____	
5. Amount of Claim Entitled to 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 priority and state the amount.			
<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 the case was filed or the debtor's business ceased, 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)(____).	
		Amount entitled to priority: \$ _____	
Cliffs POC  01332			
*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 any 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 the definition of "redacted".)

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

See attached settlement statement.

If the documents are not available, please explain:

8. Signature: (See instruction #8)

Check the appropriate box.

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

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: Terrell Fitz Johnson

Title: _____

Company: _____

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

2290 Loring Oak Place
Marietta, GA 30064

(Signature)

(Date)

06/12/2012

Telephone number: (404) 317-7189 email: fjohnsonegi@gmail.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.

INSTRUCTIONS FOR PROOF OF CLAIM FORM

The instructions and definitions below are general explanations of the law. In certain circumstances, such as bankruptcy cases not filed voluntarily by the debtor, exceptions to these general rules may apply.

Items to be completed in Proof of Claim form

Court, Name of Debtor, and Case Number:

Fill in the federal judicial district in which the bankruptcy case was filed (for example, Central District of California), the debtor's full name, and the case number. If the creditor received a notice of the case from the bankruptcy court, all of this information is at the top of the notice.

Creditor's Name and Address:

Fill in the name of the person or entity asserting a claim and the name and address of the person who should receive notices issued during the bankruptcy case. A separate space is provided for the payment address if it differs from the notice address. The creditor has a continuing obligation to keep the court informed of its current address. See Federal Rule of Bankruptcy Procedure (FRBP) 2002(g).

1. Amount of Claim as of Date Case Filed:

State the total amount owed to the creditor on the date of the bankruptcy filing. Follow the instructions concerning whether to complete items 4 and 5. Check the box if interest or other charges are included in the claim.

2. Basis for Claim:

State the type of debt or how it was incurred. Examples include goods sold, money loaned, services performed, personal injury/wrongful death, car loan, mortgage note, and credit card. If the claim is based on delivering health care goods or services, limit the disclosure of the goods or services so as to avoid embarrassment or the disclosure of confidential health care information. You may be required to provide additional disclosure if an interested party objects to the claim.

3. Last Four Digits of Any Number by Which Creditor Identifies Debtor:

State only the last four digits of the debtor's account or other number used by the creditor to identify the debtor.

3a. Debtor May Have Scheduled Account As:

Report a change in the creditor's name, a transferred claim, or any other information that clarifies a difference between this proof of claim and the claim as scheduled by the debtor.

3b. Uniform Claim Identifier:

If you use a uniform claim identifier, you may report it here. A uniform claim identifier is an optional 24-character identifier that certain large creditors use to facilitate electronic payment in chapter 13 cases.

4. Secured Claim:

Check whether the claim is fully or partially secured. Skip this section if the claim is entirely unsecured. (See Definitions.) If the claim is secured, check the box for the nature and value of property that secures the claim, attach copies of lien documentation, and state, as of the date of the bankruptcy filing, the annual interest rate (and whether it is fixed or variable), and the amount past due on the claim.

5. Amount of Claim Entitled to Priority Under 11 U.S.C. § 507 (a).

If any portion of the claim falls into any category shown, check the appropriate box(es) and state the amount entitled to priority. (See Definitions.) A claim may be partly priority and partly non-priority. For example, in some of the categories, the law limits the amount entitled to priority.

6. Credits:

An authorized signature on this proof of claim serves as an acknowledgment that when calculating the amount of the claim, the creditor gave the debtor credit for any payments received toward the debt.

7. Documents:

Attach redacted copies of any documents that show the debt exists and a lien secures the debt. You must also attach copies of documents that evidence perfection of any security interest. You may also attach a summary in addition to the documents themselves. FRBP 3001(c) and (d). If the claim is based on delivering health care goods or services, limit disclosing confidential health care information. Do not send original documents, as attachments may be destroyed after scanning.

8. Date and Signature:

The individual completing this proof of claim must sign and date it. FRBP 9011. If the claim is filed electronically, FRBP 5005(a)(2) authorizes courts to establish local rules specifying what constitutes a signature. If you sign this form, you declare under penalty of perjury that the information provided is true and correct to the best of your knowledge, information, and reasonable belief. Your signature is also a certification that the claim meets the requirements of FRBP 9011(b). Whether the claim is filed electronically or in person, if your name is on the signature line, you are responsible for the declaration. Print the name and title, if any, of the creditor or other person authorized to file this claim. State the filer's address and telephone number if it differs from the address given on the top of the form for purposes of receiving notices. If the claim is filed by an authorized agent, attach a complete copy of any power of attorney, and provide both the name of the individual filing the claim and the name of the agent. If the authorized agent is a servicer, identify the corporate servicer as the company. Criminal penalties apply for making a false statement on a proof of claim.

DEFINITIONS**INFORMATION****Debtor**

A debtor is the person, corporation, or other entity that has filed a bankruptcy case.

Creditor

A creditor is a person, corporation, or other entity to whom debtor owes a debt that was incurred before the date of the bankruptcy filing. See 11 U.S.C. §101 (10).

Claim

A claim is the creditor's right to receive payment for a debt owed by the debtor on the date of the bankruptcy filing. See 11 U.S.C. §101 (5). A claim may be secured or unsecured.

Proof of Claim

A proof of claim is a form used by the creditor to indicate the amount of the debt owed by the debtor on the date of the bankruptcy filing. The creditor must file the form with the clerk of the same bankruptcy court in which the bankruptcy case was filed.

Secured Claim Under 11 U.S.C. § 506 (a)

A secured claim is one backed by a lien on property of the debtor. The claim is secured so long as the creditor has the right to be paid from the property prior to other creditors. The amount of the secured claim cannot exceed the value of the property. Any amount owed to the creditor in excess of the value of the property is an unsecured claim. Examples of liens on property include a mortgage on real estate or a security interest in a car. A lien may be voluntarily granted by a debtor or may be obtained through a court proceeding. In some states, a court judgment is a lien.

A claim also may be secured if the creditor owes the debtor money (has a right to setoff).

Unsecured Claim

An unsecured claim is one that does not meet the requirements of a secured claim. A claim may be partly unsecured if the amount of the claim exceeds the value of the property on which the creditor has a lien.

Claim Entitled to Priority Under 11 U.S.C. § 507 (a)

Priority claims are certain categories of unsecured claims that are paid from the available money or property in a bankruptcy case before other unsecured claims.

Redacted

A document has been redacted when the person filing it has masked, edited out, or otherwise deleted, certain information. A creditor must show only the last four digits of any social-security, individual's tax-identification, or financial-account number, only the initials of a minor's name, and only the year of any person's date of birth. If the claim is based on the delivery of health care goods or services, limit the disclosure of the goods or services so as to avoid embarrassment or the disclosure of confidential health care information.

Evidence of Perfection

Evidence of perfection may include a mortgage, lien, certificate of title, financing statement, or other document showing that the lien has been filed or recorded.

Acknowledgment of Filing of Claim

To receive acknowledgment of your filing, you may either enclose a stamped self-addressed envelope and a copy of this proof of claim or you may access the court's PACER system (www.pacer.psc.uscourts.gov) for a small fee to view your filed proof of claim.

Offers to Purchase a Claim

Certain entities are in the business of purchasing claims for an amount less than the face value of the claims. One or more of these entities may contact the creditor and offer to purchase the claim. Some of the written communications from these entities may easily be confused with official court documentation or communications from the debtor. These entities do not represent the bankruptcy court or the debtor. The creditor has no obligation to sell its claim.

However, if the creditor decides to sell its claim, any transfer of such claim is subject to FRBP 3001(e), any applicable provisions of the Bankruptcy Code (11 U.S.C. § 101 *et seq.*), and any applicable orders of the bankruptcy court.

Schedule 1

In re The Cliffs at Keowee Springs Golf & Country Club, LLC

Case No. 12-01230

Debtor

(If known)

SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS (Continuation Sheet)

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE	CODEBTOR		CONTINGENT			AMOUNT OF CLAIM
	HUSBAND, WIFE, JOINT OR COMMUNITY	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM, IF CLAIM IS SUBJECT TO SETOFF, SO STATE	UNLIQUIDATED		DISPUTED	
Vendor No. <u>s11622</u> JEREZ, JOHN AND TAMMY 120 SANTIAGO DR JUPITER, FL 33458		MEMBER DUES CREDITS				\$3,300.06
Vendor No. <u>s14245</u> JEREZ, JOHN AND TAMMY 120 SANTIAGO DR JUPITER, FL 33458		MEMBER MEMBER INITIATION DEPOSIT	X			\$35,000.00
Vendor No. <u>s14225</u> JOHNS, FOSTER 100 GRENADINE STREET METAIRIE, LA 70005		MEMBER MEMBER INITIATION DEPOSIT	X			\$100,000.00
Vendor No. <u>s14347</u> * JOHNSON, [NO FIRSTNAME LISTED] [ADDRESS NOT AVAILABLE]		MEMBER MEMBER INITIATION DEPOSIT	X			\$80,000.00
Vendor No. <u>s14196</u> KAUTZ, THOMAS 312 NORTH EAST 12TH AVENUE FORT LAUDERDALE, FL 33301		MEMBER MEMBER INITIATION DEPOSIT	X			\$75,000.00
Vendor No. <u>s14181</u> KAZIAN, JASON 8 COUPLES COURT GREENVILLE, SC 29609		MEMBER MEMBER INITIATION DEPOSIT	X			\$35,000.00
Vendor No. <u>s11623</u> KELLY, KEVIN AND MARY ELLEN 2063 KINSMON DRIVE MARIETTA, GA 30062		MEMBER DUES CREDITS				\$2,950.08
Vendor No. <u>s14246</u> KELLY, KEVIN AND MARY ELLEN 2063 KINSMON DRIVE MARIETTA, GA 30062		MEMBER MEMBER INITIATION DEPOSIT	X			\$35,000.00
Vendor No. <u>s14292</u> KELLY, WILLIAM 122 HUNTINGWOOD COURT SIX MILE, SC 29682		MEMBER MEMBER INITIATION DEPOSIT	X			\$175,000.00

* My name is Terrell Fitz Johnson and I am a member of the Cliffs Keowee Springs Golf and Country Club. I was recently made aware of the pending litigation. I have received no notices and was unaware of any deadlines regarding claims. I have enclosed my settlement statement (redacted) for when I purchased the property at the Cliffs Keowee Springs. Please refer to Item 518 of the attached settlement statement showing proof of a \$75,000 membership payment. *I believe the Johnson mentioned above may be me.*

A. U.S. DEPARTMENT OF HOUSING & URBAN DEVELOPMENT SETTLEMENT STATEMENT	B. TYPE OF LOAN:				
	1. <input type="checkbox"/> FHA	2. <input type="checkbox"/> FmHA	3. <input checked="" type="checkbox"/> CONV UNINS.	4. <input type="checkbox"/> VA	5. <input type="checkbox"/> CONV. INS.
	6. FILE NUMBER: 05-0611C			7. LOAN NUMBER:	
B. MORTGAGE INS CASE NUMBER:					

C. NOTE: *This form is furnished to give you a statement of actual settlement costs. Amounts paid to and by the settlement agent are shown. Items marked "POC" were paid outside the closing; they are shown here for informational purposes and are not included in the totals.*
1 0 3 9 8 (05-0611C PFD-05-0611C/24)

D. NAME AND ADDRESS OF BORROWER: 	E. NAME AND ADDRESS OF SELLER: The Cliffs at Keowee Springs, LLC 301 Beaver Dam Road Travelers Rest, SC 29690 TIN: 54-2151342	F. NAME AND ADDRESS OF LENDER: Carolina First Bank
--	---	---

G. PROPERTY LOCATION: Lot 108 The Cliffs @ Keowee Springs, Phase II Sunset, SC 29685 Pickens County, South Carolina Lot 108, The Cliffs at Keowee Springs, Phase II	H. SETTLEMENT AGENT: 57-1014449 Olson, Smith, Jordan & Cox, P.A. PLACE OF SETTLEMENT 600 College Avenue Clemson, SC 29631	I. SETTLEMENT DATE: November 1, 2005
--	---	---

J. SUMMARY OF BORROWER'S TRANSACTION	K. SUMMARY OF SELLER'S TRANSACTION
100. GROSS AMOUNT DUE FROM BORROWER:	400. GROSS AMOUNT DUE TO SELLER:
101. Contract Sales Price 490,000.00	401. Contract Sales Price 490,000.00
102. Personal Property	402. Personal Property
103. Settlement Charges to Borrower (Line 1400) 3,870.75	403.
104. Working Capital Contribution to Cliffs @ Keowee Sp 108.34	404.
105. Deed Preparation	405.
<i>Adjustments For Items Paid By Seller in advance</i>	<i>Adjustments For Items Paid By Seller in advance</i>
106. City Taxes to	406. City Taxes to
107. 05 Tx Pd By Seller to	407. 05 Tx Pd By Seller to
108. Assessments 11/02/05 to 01/01/06 72.31	408. Assessments 11/02/05 to 01/01/06 72.31
109. Golf Membership 75,000.00	409. Golf Membership 75,000.00
110.	410.
111.	411.
112.	412.
120. GROSS AMOUNT DUE FROM BORROWER 569,051.40	420. GROSS AMOUNT DUE TO SELLER 565,072.31
200. AMOUNTS PAID BY OR IN BEHALF OF BORROWER:	500. REDUCTIONS IN AMOUNT DUE TO SELLER:
201. Deposit or earnest money 10,000.00	501. Excess Deposit (See Instructions)
202. Principal Amount of New Loan(s) 365,075.00	502. Settlement Charges to Seller (Line 1400) 75,228.00
203. Existing loan(s) taken subject to	503. Existing loan(s) taken subject to
204.	504. Payoff of first Mortgage to Regions Bank 199,922.16
205.	505. Payoff of second Mortgage
206.	506.
207.	507. (Deposit disb. as proceeds)
208.	508.
209.	509.
<i>Adjustments For Items Unpaid By Seller</i>	<i>Adjustments For Items Unpaid By Seller</i>
210. City Taxes to	510. City Taxes to
211. 05 Tx Pd By Seller to	511. 05 Tx Pd By Seller to
212. Assessments to	512. Assessments to
213.	513.
214.	514.
215.	515.
216.	516.
217.	517. Prepaid Club Dues to Cliffs Golf & Country Club 15,000.00
218.	518. Golf Membership to Cliffs Golf & Country Club 75,000.00
219.	519.
220. TOTAL PAID BY/FOR BORROWER 375,075.00	520. TOTAL REDUCTION AMOUNT DUE SELLER 365,150.16
300. CASH AT SETTLEMENT FROM/TO BORROWER:	600. CASH AT SETTLEMENT TO/FROM SELLER:
301. Gross Amount Due From Borrower (Line 120) 569,051.40	601. Gross Amount Due To Seller (Line 420) 565,072.31
302. Less Amount Paid By/For Borrower (Line 220) (375,075.00)	602. Less Reductions Due Seller (Line 520) (365,150.16)
303. CASH (X FROM) (TO) BORROWER 193,976.40	603. CASH (X TO) (FROM) SELLER 199,922.15

The undersigned hereby acknowledge receipt of a completed copy of pages 1&2 of this statement & any attachments referred to herein.

Borrower:

Seller: The Cliffs at Keowee Springs, LLC

 an Authorized Agent

L. SETTLEMENT CHARGES

700. TOTAL COMMISSION Based on Price		\$ 486,000.00 @ 12.0000 %	58,320.00	PAID FROM	PAID FROM
Division of Commission (line 700) as Follows:				BORROWER'S	SELLER'S
701 \$ 48,600.00 to Cliffs Real Estate, Inc.				FUNDS AT	FUNDS AT
702 \$ 9,720.00 to IMI Resort Properties				SETTLEMENT	SETTLEMENT
703. Commission Paid at Settlement					58,320.00
704. _____ to _____					
800. ITEMS PAYABLE IN CONNECTION WITH LOAN					
801. Loan Origination Fee	0.4999 %	to Carolina First Bank		1,825.00	
802. Loan Discount	%	to _____			
803. Application Fee		to Carolina First Bank		75.00	
804. Appraisal		to Carolina First Bank		300.00	
805. Lender's Inspection Fee		to _____			
806. Mortgage Ins. App. Fee		to _____			
807. Assumption Fee		to _____			
808. _____					
809. _____					
810. _____					
811. _____					
900. ITEMS REQUIRED BY LENDER TO BE PAID IN ADVANCE					
901. Interest From 11/01/05 to 12/01/05 @ \$ _____ /day (30 days %)					
902. Mortgage Insurance Premium for _____ months to _____					
903. Hazard Insurance Premium for 1.0 years to _____					
904. _____					
905. _____					
1000. RESERVES DEPOSITED WITH LENDER					
1001. Hazard Insurance	months @ \$ _____	per month			
1002. Mortgage Insurance	months @ \$ _____	per month			
1003. City Taxes	months @ \$ _____	per month			
1004. 05 Tx Pd By Seller	months @ \$ _____	per month			
1005. Assessments	months @ \$ _____	per month			
1006. _____	months @ \$ _____	per month			
1007. _____	months @ \$ _____	per month			
1008. _____	months @ \$ _____	per month			
1100. TITLE CHARGES					
1101. Settlement or Closing Fee		to Olson, Smith, Jordan & Cox, P.A.		575.00	
1102. Title Examination		to Olson, Smith, Jordan & Cox, P.A.			
1103. Title Examination		to Christly			
1104. Title Insurance Binder		to Easley Title		75.00	
1105. Deed Preparation		to Olson, Smith, Jordan & Cox, P.A.			150.00
1106. Release Preparation		to Olson, Smith, Jordan & Cox, P.A.			50.00
1107. Attorney's Fees		to _____			
(includes above item numbers: _____)					
1108. Title Insurance		to _____		936.75	
(includes above item numbers: _____)					
1109. Lender's Coverage	\$ 365,075.00		75.00		
1110. Owner's Coverage	\$ 490,000.00		861.75		
1111. Wire Fee		to Olson, Smith, Jordan & Cox, P.A.		15.00	
1112. Courier Fees		to Olson, Smith, Jordan & Cox, P.A.		45.00	15.00
1113. _____					
1200. GOVERNMENT RECORDING AND TRANSFER CHARGES					
1201. Recording Fees: Deed \$ 10.00; Mortgage \$ 14.00; Releases \$ 20.00				24.00	20.00
1202. City/County Tax/Stamps: Deed 539.00; Mortgage _____					539.00
1203. State Tax/Stamps: Revenue Stamps 1,274.00; Mortgage _____					1,274.00
1204. _____		Pickens County Register of Deeds			
1205. _____		Pickens County Register of Deeds			
1300. ADDITIONAL SETTLEMENT CHARGES					
1301. Survey		to _____			
1302. Pest Inspection		to _____			
1303. Home Warranty					
1304. Cliffs Charity Donation		to Cliffs Charity Fund			4,660.00
1305. Infrastructure Escrow		to Nexsen, Adams, Kleemeier, LLC			10,000.00
1400. TOTAL SETTLEMENT CHARGES (Enter on Lines 103, Section J and 502, Section K)				3,870.75	75,228.00

By signing page 1 of this statement, the signatories acknowledge receipt of a completed copy of page 2 of this two page statement

Olson, Smith, Jordan & Cox, P.A.
Settlement Agent

Certified to be a true copy.

Jerril J. Johnson
2290 Long Oak Place
Marietta GA 30064

U.S. POSTAGE
PAID
KENNESAW, GA
JUN 12 2012
PERMIT
\$1.30
00060653-14



55317



1000

RECEIVED

JUN 15 2012

BMC GROUP

BMC Group, Inc
Attn: Cliffs Claims Processing
P.O. Box 3020

Chanhassen, MN 55317-3020