

B 10 (Official Form 10) (12/11)

UNITED STATES BANKRUPTCY COURT _____ DISTRICT OF <u>SOUTH CAROLINA</u>		PROOF OF CLAIM
Name of Debtor: The Cliffs at High Carolina Golf & Country Club, LLC		Case Number: 12-01231
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): Atlas Environmental, Inc.		COURT USE ONLY
Name and address where notices should be sent: c/o Martin L. White, Esq. Johnston, Allison & Hord, P.A. Post Office Box 36469 Charlotte, NC 28236 Telephone number: 704-998-2218		<input type="checkbox"/> Check this box if this claim amends a previously filed claim. Court Claim Number: _____ (If known) Filed on: _____
email: mwhite@jahlaw.com Name and address where payment should be sent (if different from above): Telephone number: _____ email: _____		
1. Amount of Claim as of Date Case Filed: \$ 99,813.35 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.		<div style="border: 1px solid black; padding: 5px; width: fit-content; margin: 0 auto;"> RECEIVED MAR 30 2012 BMC GROUP </div>
2. Basis for Claim: _____ (See instruction #2)		
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 the claim is secured by a lien on property or a right of setoff, attach required redacted documents, and provide the requested information. Nature of property or right of setoff: <input checked="" type="checkbox"/> Real Estate <input type="checkbox"/> Motor Vehicle <input type="checkbox"/> Other Describe: _____ Value of Property: \$ <u>not known</u> Annual Interest Rate _____ % <input type="checkbox"/> Fixed or <input type="checkbox"/> Variable (when case was filed)		Amount of arrearage and other charges, as of the time case was filed, included in secured claim, if any: \$ _____ Basis for perfection: <u>N.C. Gen. Stat. § 44A-13</u> (mechanic's lien) Amount of Secured Claim: \$ <u>99,813.35</u> Amount Unsecured: \$ <u>-0.00</u>
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).		Amount entitled to priority: \$ <u>0.00</u>
<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)(____).		
*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)		



B 10 (Official Form 10) (12/11)

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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.

If the documents are not available, please explain:

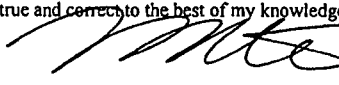
8. Signature: (See instruction #8)

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.
- (Attach copy of power of attorney, if any.) (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: Martin L. White
 Title: Attorney at Law
 Company: Johnston, Allison & Hord, P.A.
 Address and telephone number (if different from notice address above): _____

 3-30-12

(Signature) Martin L. White (Date) 03/30/12

Telephone number: 704-998-2218 email: mwhite@jahlaw.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.



PO Box 882
Canton, NC 28716

Invoice

Date	Invoice #
1/3/2011	111

Bill to
The Cliffs at High Carolina Golf & Country Club, LLC
Attn: Accounts Payable
3589 Highway 11
Travelers Rest, SC 29690

Due Date	Terms	Project
1/3/2011	Due on receipt	CC-1000-10-High Carol...

Item	Description	Quantity	Rate	Service to	Amount
515	Stream Stability field studies, analyses, observations, and quantifications (development, submittal to DWQ, correspondence with DWQ, and DWQ approval of monitoring plan)	1	3,000.00	12/30/2010	3,000.00
515	Stream Stability field studies, analyses, observations, and quantifications (fieldwork for annual report including cross sections, longitudinal profiles, stream bed and bank condition analyses, wetland condition analyses, and photographs; data analyses; and annual monitoring report preparation and submittal to DWQ) (6 stream impacts monitoring sites and 9 stream cart bridge crossing monitoring sites)	1	16,000.00	12/30/2010	16,000.00
410	Fish Survey field species, analyses, observations, and quantifications (development, submittal to DWQ, correspondence with DWQ, and DWQ approval of monitoring plan)	1	2,500.00	12/30/2010	2,500.00
410	Fish Survey field species, analyses, observations, and quantifications (fieldwork for annual report including fish shocking, water temperature, conductivity, dissolved oxygen, trout spawning survey, pebble count, daily stream temperature readings during August, macro-invertebrate sampling, and habitat evaluations; data analyses; and annual monitoring report preparation and submittal to DWQ) (4 trout monitoring sites)	1	8,000.00	12/30/2010	8,000.00
305	Trout Buffer Permitting field studies, analyses, observations, and quantifications (tree removal plan revisions and correspondences with DLR)	1	2,000.00	12/30/2010	2,000.00
510	Water Quality / Quantity Sampling field studies, analyses, observations, and quantifications (development, submittal to DWQ, correspondence with DWQ, and DWQ approval of monitoring plan)	1	6,000.00	12/30/2010	6,000.00

Cliffs at High Carolina. Thank you for your continued business and prompt payment.

Total



PO Box 882
Canton, NC 28716

Invoice

Date	Invoice
1/3/2011	111

Bill To
The Cliffs at High Carolina Golf & Country Club, LLC Attn: Accounts Payable 3589 Highway 11 Travelers Rest, SC 29690

Due Date	Terms	Project
1/3/2011	Due on receipt	CC-1000-10-High Carol...

Item	Description	Quantity	Rate	Service	Amount
510	Water Quality / Quantity Sampling field studies, analyses, observations, and quantifications (fieldwork for annual report including establishing the 5 monitoring sites, correspondence with project team regarding chemicals that will be applied and thus should be included in the testing analyses, collection of baseline sample; data analyses; and annual monitoring report preparation and submittal to DWQ)	1	12,000.00	12/30/2010	12,000.00
505	Turbidity / Site Assessment field studies, analyses, observations, and quantifications (development, submittal to DWQ, correspondence with DWQ, and DWQ approval of monitoring plan)	1	6,000.00	12/30/2010	6,000.00
505	Turbidity / Site Assessment field studies, analyses, observations, and quantifications (fieldwork for annual report including turbidity sampling after each 0.5" rain event since golf course construction began at the 6 monitoring sites; data analyses; and annual monitoring report preparation and submittal to DWQ)	1	9,000.00	12/30/2010	9,000.00
306	Trout Buffer Permitting office documentation, analysis, assessment, and quantification (fieldwork, office preparation, agency correspondences, agency office meetings in Raleigh, and agency site meetings to revise and finalize the trout buffer variance package; this work included revising maps, creating new maps, revising the cover letter, buffer impact tables, summary matrix, and profiles; and correspondences and meetings with the project team)	1	30,000.00	12/30/2010	30,000.00
301	Permitting office documentation, analysis, assessment, and quantification (SELC Settlement Agreement Correspondence)	1	1,000.00	12/30/2010	1,000.00
Reimb Gr...	Overnight Postage to DLR; 11.15.2010		38.70	12/5/2010	38.70
	Overnight Postage to DLR; 07.07.2010		23.20	12/5/2010	23.20
	Overnight Postage to DWQ; 07.01.2010		21.85	12/5/2010	21.85
	Overnight Postage to DWQ and K&L Gates; 10.07.2010		38.90	12/5/2010	38.90
	70 miles; 10.19.2010		49.00	12/5/2010	49.00
	32 miles; 11.16.2010		22.40	12/5/2010	22.40

Cliffs at High Carolina. Thank you for your continued business and prompt payment.

Total

Phone # 828-712-9205 Fax # 828-648-8802 jrobertson@atlasenvi.com
Page 2

www.atlasenvi.com

Customer Total Balance



PO Box 882
Canton, NC 28716

Invoice

Date	Invoice #
1/3/2011	111

Bill To
The Cliffs at High Carolina Golf & Country Club, LLC Attn: Accounts Payable 3589 Highway 11 Travelers Rest, SC 29690

Due Date	Terms	Project
1/3/2011	Due on receipt	CC-1000-10-High Carol...

Item	Description	Quantity	Rate	Service	Amount
	60 miles; 11.05.2010		42.00	12/5/2010	42.00
	100 miles; 11.15.2010		70.00	12/5/2010	70.00
	60 miles; 11.22.2010		42.00	12/5/2010	42.00
	280 miles; 12.28.2010		196.00	1/2/2011	196.00
	Total Reimbursable Expenses				544.05

Cliffs at High Carolina. Thank you for your continued business and prompt payment.				Total	\$96,044.05
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Phone # 828-712-9205	Fax # 828-648-8802	jrobertson@atlasenvi.com	www.atlasenvi.com
Page 3			Customer Total Balance \$100,618.35



PO Box 882
Canton, NC 28716

Invoice

Date	Invoice
2/11/2011	119

Bill To
The Cliffs at High Carolina Golf & Country Club, LLC Attn: Accounts Payable 3589 Highway 11 Travelers Rest, SC 29690

Due Date	Terms	Project
2/11/2011	Due on receipt	CC-1000-10-High Carol...

Item	Description	Quantity	Rate	Service	Amount
301.1	Permit Application Modification for Pond Dredging (fieldwork to determine depth of dredging necessary; package preparation including plan view and cross sections of dredging; agency correspondence; and client correspondence); partial billing	1	6,900.00	1/21/2011	6,900.00
505	Turbidity / Site Assessment field studies, analyses, observations, and quantifications (fieldwork for annual report including turbidity sampling after each 0.5" rain event since golf course construction began at the 6 monitoring sites; data analyses; and annual monitoring report preparation and submittal to DWQ)	1	1,500.00	1/27/2011	1,500.00
Reimb Gr...	85 miles; 01.02.2011; Turbidity Fieldwork		59.50	1/2/2011	59.50
	60 miles; 01.27.11; Turbidity Fieldwork		84.00	1/30/2011	84.00
	60 miles; 01.21.2011; Meeting with Don Nickell		42.00	1/30/2011	42.00
	Total Reimbursable Expenses				185.50

Cliffs at High Carolina. Thank you for your continued business and prompt payment.				Total	\$8,585.50
Phone #	828-712-9205	Fax #	828-648-8802	jrobertson@atlasenvi.com	
				www.atlasenvi.com	
				Customer Total Balance	\$100,618.35



PO Box 882
Canton, NC 28716

Invoice

Date	Invoice
3/8/2011	125

Billed To
The Cliffs at High Carolina Golf & Country Club, LLC
Attn: Accounts Payable
3589 Highway 11
Travelers Rest, SC 29690

Due Date	Terms	Project
3/8/2011	Due on receipt	CC-1000-10-High Carol...

Item	Description	Quantity	Rate	Service	Amount
301.1	Permit Application Modification for Pond Dredging (fieldwork to determine depth of dredging necessary; package preparation including plan view and cross sections of dredging; agency correspondence; and client correspondence); partial billing	1	337.50	2/11/2011	337.50
505	Turbidity / Site Assessment field studies, analyses, observations, and quantifications (fieldwork for annual report including turbidity sampling after each 0.5" rain event since golf course construction began at the 6 monitoring sites; data analyses; and annual monitoring report preparation and submittal to DWQ)	1	1,500.00	2/28/2011	1,500.00
Reimb Gr...	80 miles; 02.02.2011; Turbidity Fieldwork		56.00	2/2/2011	56.00
	70 miles; 02.05.2011; Turbidity Fieldwork		49.00	2/5/2011	49.00
	Total Reimbursable Expenses				105.00
Reimb Gr...	70 miles; 02.25.11; Turbidity Fieldwork		49.00	2/27/2011	49.00
	70 miles; 02.28.11; Turbidity Fieldwork		49.00	4/3/2011	49.00
	Total Reimbursable Expenses				98.00

Cliffs at High Carolina. Thank you for your continued business and prompt payment.				Total	\$2,040.50
Phone #	828-712-9205	Fax #	828-648-8802	www.atlasenvi.com	
				Customer Total Balance	\$100,618.35



PO Box 882
Canton, NC 28716

Invoice

Date	Invoice
5/6/2011	130

Bill to:
The Cliffs at High Carolina Golf & Country Club, LLC
Attn: Accounts Payable
3589 Highway 11
Travelers Rest, SC 29690

Due Date	Terms	Project
5/6/2011	Due on receipt	CC-1000-10-High Carol...

Item	Description	Quantity	Rate	Serviced	Amount
511.1	Water Quality / Quantity Sampling office documentation, analysis, assessment, and quantification	1	115.00	3/10/2011	115.00
510	Water Quality / Quantity Sampling field studies, analyses, observations, and quantifications	2	85.00	3/14/2011	170.00
308.1	Trout Buffer Permitting client coordination, correspondence, and analysis	1	115.00	3/14/2011	115.00
306.1	Trout Buffer Permitting office documentation, analysis, assessment, and quantification	1	115.00	3/29/2011	115.00

Cliffs at High Carolina. Thank you for your continued business and prompt payment.

Total \$515.00

Phone # 828-712-9205 Fax # 828-648-8802 jrobertson@atlasenvi.com

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Customer Total Balance \$100,618.35



PO Box 882
Canton, NC 28716

Invoice

Date	Invoice #
5/6/2011	133

Bill To
The Cliffs at High Carolina Golf & Country Club, LLC Attn: Accounts Payable 3589 Highway 11 Travelers Rest, SC 29690

Due Date	Terms	Project
5/6/2011	Due on receipt	CC-1003-11-High Carol...

Item	Description	Quantity	Rate	Served	Amount
301.1	Permitting office documentation, analysis, assessment, and quantification	5	115.00	4/21/2011	575.00

High Carolina Waterline Permit Extension. Thank you for your business.	Total	\$575.00
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Phone # 828-712-9205	Fax # 828-648-8802	jrobertson@atlasenvi.com	www.atlasenvi.com
			Customer Total Balance \$100,618.35



PO Box 882
Canton, NC 28716

Invoice

Date	Invoice #
8/17/2011	147

Bill to
The Cliffs at High Carolina Golf & Country Club, LLC Attn: Accounts Payable 3589 Highway 11 Travelers Rest, SC 29690

Due Date	Terms	Project
8/17/2011	Due on receipt	CC-1000-10-High Carol...

Item	Description	Quantity	Rate	Service Date	Amount
306.1	Trout Buffer Permitting office documentation, analysis, assessment, and quantification	1	115.00	5/26/2011	115.00
302.1	Permitting agency coordination, correspondence, strategic planning, and negotiation	1	115.00	6/3/2011	115.00

Cliffs at High Carolina. Thank you for your continued business and prompt payment.				Total	\$230.00
Phone #	828-712-9205	Fax #	828-648-8802	www.atlasenvi.com	
				Customer Total Balance	\$100,618.35

jrobertson@atlasenvi.com



PO Box 882
Canton, NC 28716

Invoice

Date	Invoice #
8/17/2011	148

Bill To
The Cliffs at High Carolina Golf & Country Club, LLC
Attn: Accounts Payable
3589 Highway 11
Travelers Rest, SC 29690

Due Date	Terms	Project
8/17/2011	Due on receipt	CC-1003-11-High Carol...

Item	Description	Quantity	Rate	Served	Amount
302.1	Permitting agency coordination, correspondence, strategic planning, and negotiation	1	115.00	5/27/2011	115.00

High Carolina Waterline Permit Extension. Thank you for your business.

Total \$115.00

Phone # 828-712-9205 Fax # 828-648-8802 jrobertson@atlasenvi.com

www.atlasenvi.com

Customer Total Balance \$100,618.35



PO Box 882
Canton, NC 28716

Invoice

Date	Invoice
11/9/2011	153

BILL TO
The Cliffs at High Carolina Golf & Country Club, LLC
Attn: Accounts Payable
3589 Highway 11
Travelers Rest, SC 29690

Due Date	Terms	Project
11/9/2011	Due on receipt	CC-1000-10-High Carol...

Item	Description	Quantity	Rate	Served	Amount
303.1	Permitting client coordination, correspondence, and analysis	3	115.00	9/27/2011	345.00
302.1	Permitting agency coordination, correspondence, strategic planning, and negotiation	3	115.00	10/3/2011	345.00
	Postage; 09.27.11; Dam Safety Extension Request		18.30	11/6/2011	18.30

Cliffs at High Carolina. Thank you for your continued business and prompt payment.				Total \$708.30	
Phone #	828-712-9205	Fax #	828-648-8802	jrobertson@atlasenvi.com	
				www.atlasenvi.com	
				Customer Total Balance \$100,618.35	

11/11/1374

CLAIM OF LIEN ON REAL PROPERTY

7001 06
BUNCOMBE CO. WKS

1. NAME AND ADDRESS OF THE PERSON CLAIMING THE CLAIM OF LIEN ON REAL PROPERTY:

Atlas Environmental, Inc.
68 Poplar Street
P. O. Box 882
Canton, NC 28716

2. NAME(S) AND ADDRESS(ES) OF RECORD OWNER(S) OF THE REAL PROPERTY CLAIMED TO BE SUBJECT TO THE CLAIM OF LIEN ON REAL PROPERTY AT THE TIME THE CLAIM OF LIEN ON REAL PROPERTY IS FILED:

Longview Land Co., LLC
c/o Ronald D. Brondyke, Registered Agent
41 Club Village Way
Arden, NC 28704

Longview Land Co., LLC
Attn: James B. Anthony, Registered Agent
3598 Highway 11
Travelers Rest, SC 29690

3. GENERAL DESCRIPTION OF THE REAL PROPERTY UPON WHICH THE CLAIM OF LIEN ON REAL PROPERTY IS CLAIMED:

Those tracts of land and all improvements thereon commonly known as the "Cliffs at High Carolina" located in Buncombe County, North Carolina, and further identified by Parcel Identification Numbers 0608-20-1501-00000 (also known as Graybeard Mountain Road and described in Deed Book 4348 at Page 1142 in the Buncombe County Registry), 0607-36-0815-00000 (also known as 400 Spring Mountain Road and further described in Deed Book 4348 at Page 1142 in the Buncombe County Registry), and 0607-01-8823-00000 (also known as 1 High Carolina Parkway and further described in Deed Book 4370 at Page 1362 and in Plat Book 0108 at Page 0191 in the Buncombe County Registry). All three parcels shall hereinafter be referred to collectively as the "Property."

4. NAME AND ADDRESS OF THE PERSON, FIRM OR CORPORATION WITH WHOM OR WITH WHICH THE LIEN CLAIMANT CONTRACTED FOR THE FURNISHING OF LABOR AND/OR MATERIALS:

Longview Land Co., LLC
c/o Ronald D. Brondyke, Registered Agent
41 Club Village Way
Arden, NC 28704

Longview Land Co., LLC
Attn: James B. Anthony, Registered Agent
3598 Highway 11
Travelers Rest, SC 29690

5. DATE UPON WHICH LABOR AND/OR MATERIALS WERE FIRST FURNISHED UPON SAID PROPERTY BY THE LIEN CLAIMANT: September 22, 2010

6. DATE UPON WHICH LABOR AND/OR MATERIALS WERE LAST FURNISHED UPON SAID PROPERTY BY THE LIEN CLAIMANT: October 3, 2011
7. GENERAL DESCRIPTION OF THE LABOR PERFORMED AND/OR MATERIALS FURNISHED, AND THE AMOUNT CLAIMED THEREFOR:

Pursuant to a contractual agreement between Atlas Environmental, Inc. (hereinafter "Atlas") and Longview Land Co., LLC, Atlas furnished fieldwork and plan preparation of the following monitoring plans: stream stability, trout, water quality, and turbidity. Additionally, Atlas provided fieldwork, office work, agency correspondence, attendance at agency meetings in Raleigh, and attendance at agency site meetings to revise and finalize the trout buffer variance approval with the North Carolina Division of Land Resources. Services also included settlement agreement correspondence with the Southern Environmental Law Center regarding the 401/404 correspondence for pond dredging permit modification request, and Division of Land Resources approval. All of the services described herein were necessary for the improvement of the Property and did, in fact, improve the Property, for which there is currently due and owing to Atlas the principal amount of \$99,813.35, plus interest thereon at the highest rate allowed by law, plus attorneys' fees pursuant to N.C. Gen. Stat. § 44A-35.

This the 28th of November, 2011.

LIEN CLAIMANT:

Atlas Environmental, Inc.

By: 

Martin L. White, NC State Bar No. 23330
Michael J. Hoefling, NC State Bar No. 38246
JOHNSTON, ALLISON & HORD, P.A.
Post Office Box 36469
Charlotte, North Carolina 28236
Telephone: 704-332-1181
Facsimile: 704-376-1628
Attorneys for Lien Claimant

STATE OF NORTH CAROLINA
COUNTY OF BUNCOMBE

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
12-CVS-_____

ATLAS ENVIRONMENTAL, INC.,)
)
 Plaintiff,)
)
 vs.)
)
 LONGVIEW LAND CO., LLC,)
)
 Defendant.)
 _____)

NOTICE OF LIS PENDENS

NOTICE IS HERBY GIVEN that:

1. In accordance with N.C. Gen. Stat. § 44A-13(c), a Proof of Claim has been filed in the Chapter 11 bankruptcy proceeding now pending in the United States Bankruptcy Court for the District of South Carolina in the name of: *The Cliffs at High Carolina golf & Country Club, LLC* and bearing Case No. 12-01231.

2. The nature and purpose of this action is to obtain a Judgment ordering the sale of that certain tracts of land and all improvements thereon located in Buncombe County, North Carolina identified by Parcel Identification Numbers 9698-64-7467-00000 (also known as High Carolina Parkway and described in Deed Book 4742 at Page 1604 and in Plat Book 0106 at Page 0066 in the Buncombe County Registry), 9698-33-3835-00000 (also known as High Carolina Parkway and described in Deed Book 4742 at Page 1604 in the Buncombe County Registry), and 9698-06-5232-00000 (also known as Patton Cove Road and described in Deed Book 4742 at Page 1604 and Deed Book 4832 at Page 1641 in the Buncombe County Registry).

3. This Notice of Lis Pendens is filed pursuant to the provisions of N.C. Gen. Stat. § 44A-13, and all persons are hereby advised to take notice of the same.

This the 30th day of March, 2012.



Martin L. White, NC State Bar No. 23330
JOHNSTON, ALLISON & HORD
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Telephone: 704/332-1181
Facsimile: 704/376-1628
Attorneys for Plaintiff Atlas Environmental, Inc.

District of South Carolina Claims Register

12-01231-jw The Cliffs at High Carolina Golf & Country Club, L

Chief Judge: John E. Waites **Chapter:** 11

Office: Spartanburg **Last Date to file claims:**

Trustee: **Last Date to file (Govt):** 08/27/2012

Creditor: (541969467)	Claim No: 1	Status:
Atlas Environmental, Inc.	<i>Original Filed</i>	<i>Filed by:</i> AT
	<i>Date:</i> 03/30/2012	<i>Entered by:</i> Laura E. F. Thompson
	<i>Original Entered</i>	<i>Modified:</i>
	<i>Date:</i> 03/30/2012	

Amount claimed: \$99813.35

Secured claimed: \$99813.35

History:

Details 1-1 03/30/2012 Claim #1 filed by Atlas Environmental, Inc., Amount claimed: \$99813.35 (Thompson, Laura)

Description: (1-1) Mechanic's Lien

Remarks:

Claims Register Summary

Case Name: The Cliffs at High Carolina Golf & Country Club, L

Case Number: 12-01231-jw

Chapter: 11

Date Filed: 02/28/2012

Total Number Of Claims: 1

Total Amount Claimed*	\$99813.35
Total Amount Allowed*	

*Includes general unsecured claims

The values are reflective of the data entered. Always refer to claim documents for actual amounts.

	Claimed	Allowed
Secured	\$99813.35	
Priority		
Administrative		