

IN THE UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF KANSAS (KANSAS CITY)

IN RE:)	
DICKINSON THEATRES, INC.,)))	Case No. BK: 12-22602 Chapter 11
Debtor.))	

NOTICE OF LIEN

COMES NOW the Oklahoma County Treasurer a secured creditor herein, and gives its Notice of Lien pursuant to 11 U.S.C. Section 546(b), respectfully showing the Court the following:

- 1. The undersigned, claimant herein, has its principal place of business at 320 Robert S. Kerr, Room 307, Oklahoma City, Oklahoma 73102.
- 2. The Debtor filed its voluntary petition under <u>CHAPTER 11</u> on <u>SEPTEMBER 21, 2012.</u>
- 3. The above named debtor and the debtors property, which is now property of the estate, is indebted to the Oklahoma County Treasurer for ad valorem property taxes as referenced by the respective Proof of Claim.
 - 4. Ad valorem property taxes constitute liens on the property of the

Debtor pursuant to 68 O.S. Sections 2925, 2929, 3101, 3102 and 3103. While the County maintains it has an ever present interest in taxable property, the assessment date of taxable property in Oklahoma is January 1st of the assessment year pursuant to 68 O.S. Section 2817, although the liens do not attach at that time.

- 5. To the extent (if any) that applicable law requires the County to take further action to perfect it's lien interest upon the Debtor's properties, the County recognizes that it may be stayed by the provisions of 11 U.S.C. Section 362 from taking such other action as may be required under applicable law to perfect it's interest. Accordingly, pursuant to the provisions of 11 U.S.C. Section 546(b), and for the purpose of perfecting it's lien interest in the Debtor's properties, to the extent, if any, that such interest has not been duly perfected previously, County hereby notifies the Debtor and all parties in interest that the County has a valid, duly perfected first priority lien interest in any and all of the Debtor's assessed and taxable real property pursuant to 68 O.S. Section 3101; a lien interest in any and all of the Same pursuant to 68 O.S. Section 2925 and 2929; and, a lien interest that is superior to all others filed subsequent to it in all other property of the Debtor pursuant to 68 O.S. Section 3102 and 3103; and, 11 U.S.C. Section 546(b).
- 6. This notification is not intended and shall not be construed as a waiver of, or an election of remedies with respect to, any of the rights and/or remedies that the County may have pursuant to applicable law, and all such rights are expressly reserved. Nothing herein contained shall be deemed to constitute an admission that

this Notice is necessary in order for the County to perfect its interest in the Debtor's properties.

Dated: OCTOBER 12, 2012

Respectfully submitted,

OKLAHOMA COUNTY TREASURER

By:

Tammy Jones, Pro Se Oklahoma County Treasurer 320 Robert S. Kerr, Room 307 Oklahoma City, Okla. 73102

(405)-713-1323

CERTIFICATE OF SERVICE

I hereby certify that on the <u>12TH</u> day of <u>OCTOBER</u>, 2012 a true and correct copy of the above and foregoing was mailed, postage prepaid, to the Clerk of the Court and the Debtor's Attorney.

SHARON L. STOLTE STINSON MORRISON & HECKER L.L.P. 1201 WALNUT, STE 2900 KANSAS CITY, MO 64106

U.S. BANKRUPTCY COURT DISTRICT OF KANSAS (KANSAS CITY) 161 ROBERT J. DOLE U.S. COURTHOUSE 500 STATE AVENUE KANSAS CITY, KS 66101

Tammy Jones

United States Bankruptcy Court District of Kansas

In re: Dickinson Theatres, Inc. Debtor

Case No. 12-22602-DLS

Chapter 11

CERTIFICATE OF NOTICE

District/off: 1083-2 User: knicole Page 1 of 2 Date Rcvd: Oct 15, 2012 Form ID: pdf020 Total Noticed: 1

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Oct 17, 2012.

+Dickinson Theatres, Inc., 6801 W 107th Street, Overland Park, KS 66212-1825

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center. NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 9): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Oct 17, 2012

Case 12-22602 Doc# 145 Filed 10/17/12

District/off: 1083-2 User: knicole Page 2 of 2 Date Rcvd: Oct 15, 2012

Form ID: pdf020 Total Noticed: 1

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on October 15, 2012 at the address(es) listed below: Benjamin Blaustein on behalf of Creditor Committee Unsecured Creditors Committee bblaustein@kelleydrye.com Brian M Holland on behalf of Creditor Little Rock Development Company, LLC bholland@lathropgage.com, stimper@lathropgage.com;mdscott@lathropgage.com Bruce E. Strauss on behalf of Creditor First Community Bank bruces@merrickbakerstrauss.com, bestrauss@mbslaw.psemail.com Cynthia F Grimes on behalf of Creditor Committee Unsecured Creditors Committee grimreb@gmail.com, cafrogley@aol.com Douglas Bacon on behalf of Creditor Spirit Master Funding LLC douglas.bacon@lw.com Eric R Wilson on behalf of Creditor Committee Unsecured Creditors Committee ewilson@kelleydrye.com Jennifer D Raviele on behalf of Creditor Committee Unsecured Creditors Committee jraviele@kelleydrye.com Joseph A DiPietro on behalf of U.S. Trustee U.S. Trustee joseph.a.dipietro@usdoj.gov Lisa R. Wetzler on behalf of Creditor Board of County Commissioners of Johnson County Kansas Lisa.Wetzler@jocogov.org Michael D. Fielding on behalf of Creditor Hawthorn Bank michael.fielding@huschblackwell.com, karen.shackelford@huschblackwell.com;Tricie.Loudon@huschblackwell.com;susan.williams@huschblackwe 11.com Paul M. Hoffmann on behalf of Debtor Dickinson Theatres, Inc. phoffmann@stinson.com Robert D. Maher on behalf of Creditor Hartley's Executive Cleaners, Inc. rmaher@mcdowellrice.com, jcummings@mcdowellrice.com
Ronald M Tucker on behalf of Creditor Simon Property Group, Inc. rtucker@simon.com, cmartin@simon.com;psummers@simon.com;Bankruptcy@simon.com Scott B Haines on behalf of Creditor Arrowhead Mall 2005, LLC sbhaines@martinpringle-kc.com Scott M. Brinkman on behalf of Creditor Spirit Master Funding LLC sbrinkman@bscr-law.com
Sharon L. Stolte on behalf of Debtor Dickinson Theatres, Inc. sstolte@stinson.com
Susan L Lissant on behalf of Creditor Missouri Department of Revenue ks@dor.mo.gov Susan P DeCoursey on behalf of Creditor Marks Nelson Vohland Campbell Radetic, LLC sdecoursey@cmplaw.net, gpappas@cmplaw.net;jdavis@cmplaw.net Thomas M. Mullinix on behalf of Creditor Jack Waters TMM@evans-mullinix.com, jeff@evans-mullinix.com;denise@evans-mullinix.com Timothy M Swanson on behalf of Debtor Dickinson Theatres, Inc. tswanson@stinson.com U.S. Trustee ustpregion20.wi.ecf@usdoj.gov W. Rick Griffin on behalf of Creditor NR 14 LLC wrgriffin@martinpringle.com, $\verb|mmcortez@martinpringle.com|| angoupil@martinpringle.com||$

Wesley F. Smith on behalf of Creditor Peoples Bank wsmith@stevensbrand.com, jackerman@stevensbrand.com;sdatumtate@stevensbrand.com;mcarroll@stevensbrand.com

TOTAL: 23