UNITED STATES BANKRUPTCY COURT FOR THE NORTHERN DISTRICT OF TEXAS DALLAS DIVISION

In re:)	
ERICKSON RETIREMENT COMMUNITIES, LLC, et al.,)	Case No. 09-37010 (SGJ)
, , ,	j	Chapter 11
Debtors.)	(Jointly Administered)

JOHNSON COUNTY'S APPLICATION FOR PAYMENT OF ADMINISTRATIVE EXPENSE CLAIM FOR 2010 REAL PROPERTY TAXES

COMES NOW, the Board of County Commissioners of Johnson County, Kansas ("Johnson County"), by and through its counsel, and files this Application for Payment of Administrative Expense pursuant to 11 U.S.C. §503(b)(1)(B) and 11 U.S.C. §507(a)(2), and in support thereof would show as follows:

- 1. Debtors filed a voluntary petition under Chapter 11 of the United States Bankruptcy Code on October 19, 2009.
- 2. The Debtors are obligated to the County for 2010 real property taxes under K.S.A. 79-1804, incurred post-petition by the Debtors in the amount \$1,729,323.11 pursuant to 11 U.S.C. \$503(b)(1)(B) and 11 U.S.C. \$507(a)(2) and sections 1.2 and 2.1 of the Fourth Amended Plan of Reorganization effective April 30, 2010. Because the specific amount of debt has not been determined under Kansas law, the estimated amount of the 2010 taxes is based on the amount for the previous year, pursuant to 11 U.S.C. \$502(c).
- 3. Copies of the administrative expense claim and tax records are attached as "Exhibit A".

WHEREFORE, premises considered, Johnson County respectfully asks that the Court, after due consideration of this Administrative Expenses Claim for 2010 Real Property Taxes, approve the same and order the Debtors to pay the 2010 taxes owing to the County as set forth in

Paragraph Two (2), and any additional charges that have accrued since the filing of the bankruptcy petition by the Debtors, and for such other relief as may be appropriate.

Respectfully submitted,

s/ Lisa R. Wetzler

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CERTIFICATE OF SERVICE

I hereby certify that on May 5, 2010, a true and correct copy of the foregoing document was filed electronically with the Court using the CM/ECF system, which sent notification to all parties of interest participating in the CM/ECF system.

s/ Lisa R. Wetzler

EXHIBIT A

UNITED STATES BANKRUPTCY COURT DISTRICT OF PROOF OF CI				
Name of Debtor:		Case Number:		
NOTE: This form should not be used to make a claim for an administrative expense 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.				
Name of Creditor (the person or other entity to whom the debtor owes money or property): Name and address where notices should be sent:		Check this box to indicate that this claim amends a previously filed claim. Court Claim Number:		
Telephone number:	(If known) Filed on:			
e and address where payment should be sent (if different from above):		☐ Check this box if you are aware that anyone else has filed a proof of claim relating to your claim. Attach copy of statement giving particulars.		
Telephone number:	☐ Check this box if you are the debtor or trustee in this case.			
1. Amount of Claim as of Date Case Filed: \$	5. Amount of Claim Entitled to Priority under 11 U.S.C. §507(a). If any portion of your claim falls in one of the following categories, check the box and state the amount.			
☐ 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.		Specify the priority of the claim.		
2. Basis for Claim: (See instruction #2 on reverse side.) 3. Last four digits of any number by which creditor identifies debtor: 3a. Debtor may have scheduled account as: (See instruction #3a on reverse side.) 4. Secured Claim (See instruction #4 on reverse side.) Check the appropriate box if your claim is secured by a lien on property or a right of setoff and provide the requested information. Nature of property or right of setoff: Real Estate Motor Vehicle Other Describe: Value of Property: Annual Interest Rate % Amount of arrearage and other charges as of time case filed included in secured claim, if any: \$ Basis for perfection: Amount Unsecured: \$ 6. Credits: The amount of all payments on this claim has been credited for the purpose of making this proof of claim. 7. Documents: Attach 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. You may also attach a summary. Attach redacted copies of documents providing evidence of perfection of a security interest. You may also attach a summary. (See instruction 7 and definition of "redacted" on reverse side.) DO NOT SEND ORIGINAL DOCUMENTS. ATTACHED DOCUMENTS MAY BE DESTROYED AFTER SCANNING. If the documents are not available, please explain: Date: Signature: The person filing this claim must sign it. Sign and print name and title, if any, of the crother person authorized to file this claim and state address and telephone number if different from the other person authorized to file this claim and state address and telephone number if different from the other person authorized to file this claim and state address and telephone number if different from the other person authorized to file this claim and state address and telephone number if different from the other person authorized to file this claim and state address and telephone number if different from the other person authorized to file				
address above. Attach copy of power of attorney, if any.				

EXHIBIT TO ADMINSTRATIVE EXPENSE CLAIM OF

JOHNSON COUNTY, KANSAS

Administrative Expense Claim for 2010 Real Property Taxes

The claim asserted herein is secured and is entitled to consideration as such under Chapter 79 of the Kansas Statutes Annotated.

Chapter: 11

Case No.: 09-37024 sgj

Joint Administration: 09-37010 sgj

Property Account No.: NP18660000 0001

Debtor: Kansas Campus, LLC

Claim Amount: \$1,729,323.11

Estimated **2010 Real Property Taxes** as allowed under 11 U.S.C. §502(c).

Interest on the 2010 taxes accrues at a rate of **7%** pursuant to K.S.A. 79-2004(a) and K.S.A. 79-2968 as allowed under 11 U.S.C. §511.

Pursuant to K.S.A. 79-1804, real estate tax obligations are assessed and incurred as of January 1st of the applicable tax.

Because the specific amount of the debt has not been determined under Kansas Law, the estimated amount of the 2010 taxes is based on the amount for the previous year. Johnson County reserves the right to amend this claim, if necessary, once the specific amount of the debt has been determined pursuant to state law.

The claim asserted herein is for taxes and shall be allowed under 11 U.S.C. §503(b)(1).