

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

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

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

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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

Lisa R. Wetzler      KS #14173

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COMMISSIONERS, JOHNSON COUNTY, KS

### **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**



**EXHIBIT TO ADMINISTRATIVE 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 1<sup>st</sup> 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).