IN THE UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

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In re:	)	Chapter 11
	)	
Kiel Bros. Oil Company, Inc., and	)	Case No. 04-11121-BHL-11
KP Oil, Inc.	)	Case No. 04-11167-FJO-11
	)	
Debtors.	)	Jointly Administered under
	)	Case No. 04-11121-BHL-11

LIMITED OBJECTION TO DEBTORS' MOTION FOR ORDER UNDER 11 U.S.C. §§ 105, 363, 365, AND 1146(C) AND FED.R.BANKR.P.2002, 6004 AND 6006: (A) APPROVING SALE OF REAL ESTATE ASSETS; (B) APPROVING THE ASSUMPTION, ASSIGNMENT AND SALE OF DEBTORS' INTERESTS UNDER CERTAIN LEASES AND EXECUTORY CONTRACTS; (C) APPROVING THE REJECTION OF CERTAIN LEASES AND (D) GRANTING RELATED RELIEF

Comes now Harold E. Peterson, a lessor and party-in-interest herein, by counsel, and in response to the Debtor's Motion for Order under 11 U.S.C. §§ 105, 363, 365, and 1146(C) and Fed.R.Bankr.P.2002, 6004 and 6006: (A) Approving Sale of Real Estate Assets; (B) Approving the Assumption, Assignment and Sale of Debtors' Interests Under Certain Leases and Executory Contracts; (C) Approving the Rejection of Certain Leases and (D) Granting Related Relief (hereinafter "the Sale Motion"), respectfully files this Limited Objection simply to clarify the scope of what the debtor intends to sell, and the effect of said sale on the lease held by Harold E. Peterson. As basis therefor, Harold E. Peterson states as follows:

1. The debtor leases one (1) site from Harold E. Peterson, located at 13208 Shelbyville Road, Louisville, Kentucky 40243, in Jefferson County, Kentucky, and referred to as Store No. C-73.

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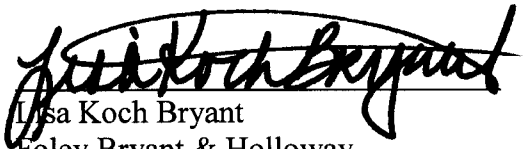
2. The debtor's Sale Motion authorizes the debtor to "sell, assume and assign, free and clear of all liens, claims and encumbrances....properties comprised of premises which the Debtors lease from third parties under non-residential real property leases".

3. Harold E. Peterson respectfully submits that said Sale Motion is somewhat ambiguous, with regard to how the leases are to be "sold....free and clear of all liens, claims and encumbrances".

4. Harold E. Peterson submits that any assumption and assignment of his lease must be pursuant to the original contract terms, unless the parties agree otherwise.

WHEREFORE, Harold E. Peterson respectfully requests that this Honorable Court clarify the scope of the sale, assumption and assignment of its leased premises, "free and clear of all liens, claims and encumbrances", to ensure that any lease assumption/assignment is pursuant to the original contract terms.

Respectfully submitted,



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CERTIFICATE OF SERVICE

The undersigned certifies that a true and correct copy of the foregoing was this 13th day of August, 2004, served by facsimile or first-class mail upon the following:

See attached matrix

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