**SO ORDERED: March 10, 2005.**

**Basil H. Lorch III**
**United States Bankruptcy Judge**

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

| | | |
|---|---|---|
| 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[1] |

**ORDER GRANTING**
**DEBTORS' MOTION TO ABANDON PROPERTY PURSUANT TO SECTION 554 OF THE BANKRUPTCY CODE**

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This matter is before the Court on the Debtors' Motion To Abandon Property Pursuant To Section 554 Of The Bankruptcy Code (Docket No. 700) (the "Motion") filed on

[1] On June 15, 2004, the Court entered an Order Granting Motion for Joint Administration of Kiel Bros. Oil Company, Inc. ("Kiel Bros.") (Case No. 04-92128-BHL-11) and KP Oil, Inc. ("KP") (Case No. 04-92129-BHL-11) under Case No. 04-92128-BHL-11. The Kiel Bros. and KP bankruptcy cases (the "Cases") were filed in the New Albany Division of the United States Bankruptcy Court for the Southern District of Indiana. On June 17, 2004, by order of the Court, the Cases were transferred to the Indianapolis Division. Kiel Bros. has been assigned a new case number of 04-11121-BHL-11 and KP has been assigned a new case number of 04-11167-FJO-11 and the Cases are jointly administered under 04-11121-BHL-11.

December 16, 2004 by Kiel Bros. Oil Company, Inc. ("Kiel") and KP Oil, Inc. ("KP"), the above-captioned debtors and debtors-in-possession (collectively, the "Debtors") and the Indiana Department of Environmental Management's (IDEM) Objection To Motion To Abandon Real Estate (Docket No. 747) (the "Objection"). A hearing on this matter was held February 2, 2005 (the "Hearing"). In the Motion, Debtors sought entry of an order authorizing Debtors. to abandon the Real Estate.[2]

The Court, having reviewed the Motion, the Objection and attending to argument of counsel at the Hearing and being otherwise duly advised, now GRANTS the Motion, it appearing to the Court that the Motion has been made for good cause. Accordingly,

IT IS HEREBY ORDERED that Debtors are authorized, pursuant to 11 U.S.C. § 554, to abandon the Real Estate.

The entry of this Order is without prejudice to any claims IDEM may assert in this case subject to any prior Orders establishing dates for filings proofs of claim or administrative claims, nor does it prejudice any rights IDEM may have with respect to the Real Estate or with respect to claims, rights, or remedies against third parties.

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Distribution:

Core Group
2002 List

Wallace and Josephine Ridgley
R.R. 2, Box 50F

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[2] Capitalized terms used herein and not defined shall have the same meaning ascribed to them as in the Motion. The Real Estate to be abandoned has a street address of 335 West Main Street, Jasonville, Indiana.

Jasonville, IN 47438

**BAE SYSTEMS**
**Enterprise Systems Incorporated**
**11487 Sunset Hills Road**
**Reston, Virginia 20190-5234**

# CERTIFICATE OF SERVICE

District/off: 0756-1 User: jweiss Page 1 of 1 Date Rcvd: Mar 14, 2005
Case: 04-11121 Form ID: pdfOrder Total Served: 1

The following entities were served by first class mail on Mar 16, 2005.
aty Baker & Daniels, Baker & Daniels, 300 N. Meridian St, Ste 2700, Indianapolis, IN 46204-1782

The following entities were served by electronic transmission.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****
NONE. TOTAL: 0

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

**First 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: Mar 16, 2005** **Signature:** Joseph Speetjens