

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

**IN RE:**

_____	:	<b>Case No.</b> _____ <b>JAD</b>
_____	:	<b>Chapter</b> ____
<i>Debtor(s)</i>	:	
_____	:	
_____	:	
<i>Movant(s),</i>	:	
<b>v.</b>	:	<b>Related to Document No.</b> _____
_____	:	
_____	:	
<i>Respondent(s).</i>	:	

**ORDER CONFIRMING SALE OF PROPERTY  
FREE AND DIVESTED OF LIENS**

This \_\_\_\_\_ (*Date*), on consideration of the \_\_\_\_\_  
 \_\_\_\_\_ (*Party*) *Motion for Sale of Property Free and Divested of Liens* to \_\_\_\_\_  
 \_\_\_\_\_ (*Buyer name and address*) for  
 \$ \_\_\_\_\_ (*Price*), after hearing held in Courtroom \_\_\_\_\_  
 \_\_\_\_\_ (*Location Of Hearing*) this date.

Regarding said Motion the Court finds:

(1) That service of the Notice of Hearing and Order setting hearing on said Motion for private sale of real property free and divested of liens of the above named Respondents, was effected on the following secured creditors whose liens are recited in said Motion for sale, viz:

**DATE OF SERVICE**

**NAME OF LIENOR AND SECURITY**

*(Date of each service)*

*(Name and address of each)*

(2) That sufficient general notice of said hearing and sale, together with the confirmation hearing thereon, was given to the creditors and parties in interest by the Movant as shown by the certificate of service duly filed and that the named parties were duly served with the Complaint/Motion.

(3) That said sale hearing was duly advertised on the Court's website pursuant to W.PA.LBR 6004-1(c) on \_\_\_\_\_ (Date), in \_\_\_\_\_ (Publication) on \_\_\_\_\_ (Date) and in the \_\_\_\_\_ (Publication) on \_\_\_\_\_ (Date), as shown by the Proof of Publications duly filed.

(4) That at the sale hearing no higher offers were received and no objections to the sale were made which would result in cancellation of said sale.

(5) That the price of \$ \_\_\_\_\_ (Price) offered by \_\_\_\_\_ (Buyer) is a full and fair price for the property in question.

(6) That the purchaser is acting in good faith with respect to the within sale in accordance with *In re Abbotts Dairies of Pennsylvania, Inc.*, 788 F.2d 143 (3d Cir. 1986).

**IT IS ORDERED, ADJUDGED AND DECREED** that the private sale by (Warranty) deed of the real property described in the Motion as \_\_\_\_\_ (Description) is hereby confirmed to \_\_\_\_\_ (Buyer name and address) for \$ \_\_\_\_\_ (Price), free and divested of the liens herein described; and, that the \_\_\_\_\_ (Movant) shall make, execute and deliver to the purchaser above named the necessary deed and/or other documents required to transfer title to the property purchased upon compliance with the terms of sale.

**IT IS FURTHER ORDERED** that the liens, claims and interests of all Respondents, including but not limited to \_\_\_\_\_ (Name(s) of Lienor(s) and Security), be, and they hereby are divested from the property being sold, if and to the extent they may be determined to be valid liens against the sold property, and transferred to the proceeds of sale, and that the within decreed sale shall be free, clear and divested of said liens, claims and interests;

**FURTHER ORDERED** that after due notice to the claimants, lien creditors, and interest holders, and no objection on their parts having been made or, if made, resolved/overruled, the incidental and related costs of sale and of the within bankruptcy proceeding, shall be paid in advance of any distribution to said lien creditors.

**FURTHER ORDERED** that applicable real estate taxes and ordinary closing costs, municipal lien claims, including the realtor commission approved by the Court in the amount of \$ \_\_\_\_\_ (amount), \_\_\_\_\_ (Itemize here any other proposed disbursements), shall immediately be paid at closing. Failure of the closing agent to timely make disbursement required by this Order will subject the closing agent to monetary sanctions after notice and hearing.

**FURTHER ORDERED** that the Movant shall serve a copy of the within Order on each Respondent (i.e., each party against whom relief is sought) and its attorney of record, if any, upon any attorney or party who answered the motion or appeared at the hearing, the attorney for the debtor, the purchaser, and the attorney for the purchaser, if any, and file a certificate of service.

**FURTHER ORDERED** that closing shall occur within thirty (30) days of this Order and the Movant shall file a report of sale within seven (7) days following closing.

**FURTHER ORDERED** that this Confirmation Order survives any dismissal or conversion of the within case.

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**JEFFERY A. DELLER**  
United States Bankruptcy Court