



BANKRUPTCY AUCTION

Diane L. Jensen, Trustee

DATE CHANGED: AUGUST 17, 2015 @ 2:00 P.M.

LOCATION: Pavese Law Firm, 1833 Hendry Street, Fort Myers, Florida 33901
(Our parking lot is accessible by Jackson Street. We are on the corner of Martin Luther King and Hendry Streets)

ALL SALES FINAL AT CLOSE OF BIDDING – NO GUARANTEES ARE GIVEN ON ANY PROPERTY, PERSONAL OR OTHERWISE AND NO REFUNDS GIVEN FOR ANY REASON

Check back on our website www.paveselaw.com for any updates.

NO CASH PAYMENTS – NO CASH PAYMENTS – NO CASH PAYMENTS

PAYMENT: SEE PARAGRAPH “B” UNDER BIDDING RULES FOR DETAILS ABOUT WRITING CHECKS OVER \$5,000.00. We cannot commingle funds from different cases. A separate check is required for each case on which you intend to bid. Please bring sufficient check stock to do that. **PAYMENT MUST BE IN FULL, AT CLOSE OF BIDDING. THIS APPLIES TO ALL PROPERTY BEING SOLD. NO GUARANTEES, NO REFUNDS, BUYER RESPONSIBLE FOR CHECKING TITLE ON REAL ESTATE PRIOR TO BIDDING.**

VIEWING: Unless otherwise noted:

⇒ **LOCATION FOR VIEWING VEHICLES:** VEHICLES can be viewed at Auto Brokers of Ft Myers, 16210 San Carlos Blvd., Fort Myers, FL 33908, from 10 a.m. until 12 noon, *on day of sale*. **BUYER WILL BE REQUIRED TO PAY STORAGE FEES IN CASH WHICH WILL BE POSTED ON EACH VEHICLE ON DAY OF SALE. STORAGE MUST BE PAID IN CASH BY BUYER BEFORE VEHICLE WILL BE RELEASED. STORAGE IS CALCULATED THROUGH THE DAY AFTER SALE. IF YOU DO NOT PICK UP THE VEHICLE ON THAT DAY, YOU WILL BE RESPONSIBLE FOR STORAGE AT \$25.00 PER DAY, PER VEHICLE, FOR EACH DAY AFTER THAT BY AUTO BROKERS, WHICH STORAGE MUST BE PAID IN CASH PRIOR TO PICKING UP ANY VEHICLE. PLEASE NOTE THAT THE VIEWING TIME PERIOD STATED IS THE ONLY TIME THAT THE VEHICLES WILL BE AVAILABLE FOR VIEWING.** Please be aware that the parties running Auto Brokers may be conducting other business at the time of the viewing. They are hired only to make the vehicles available for viewing, and they are under no obligation to answer any questions concerning the vehicles being offered by the Trustee. Please do not make inquiry of them as to their opinion on condition or values of vehicles. You will need to make your own determination regarding those issues. If you wish to start a vehicle, you may do so. Please be aware that there is a good chance the battery will be dead, so you will need to bring your own power source (battery pack) to start the vehicle. Vehicles are not

allowed to be driven. Please do not disrupt their business in any way, including distracting their other customers or asking for special or extended viewing times (storage area will be locked precisely at 12 noon). Even though the vehicles are in a fenced area, please do not just show up and try to view them through the fence. We would appreciate your cooperation in respecting that this is private property.

- ⇒ **NOTICE REGARDING CASES WHERE VEHICLE BEING SOLD SUBJECT TO LIENS:** In any case where a vehicle is sold subject to a lien, **THE BUYER WILL BE RESPONSIBLE FOR PAYING THE LIEN DIRECTLY TO THE LIENHOLDER WITHIN SEVEN (7) DAYS OF THE ISSUANCE OF THE BILL OF SALE.** If the Trustee's Office is notified by the creditor that the lien has not been paid, the buyer will be barred from participation in any future auctions conducted by our office, and is subject to any other remedies under the law.
- ⇒ **FURNITURE AND HOUSEHOLD GOODS** will be viewed via photographs at auction site. City location only is given in this notice. Precise address to be provided to winning bidder. Jewelry and other small items will be at auction site for viewing. Appraised values, if known, will be provided at auction. If Trustee does not feel she is obtaining bids commensurate with the value of any particular asset, she has the right to withdraw any item from bidding. Minimum bids will be determined at auction. Regardless of any appraisal, or stamped markings on jewelry, Buyer is entirely responsible for making his/her own determination as to values. **TRUSTEE MAKES NO GUARANTEES AS TO VALUES AND THERE WILL BE NO REFUNDS.**
- ⇒ **GUNS:** If any guns are being auctioned, they will be viewed at auction site on day of sale. A copy of your driver's license will be made at the time you pick up a gun. **Buyer information will be provided to any governmental agency upon such request, without further notice to the buyer.**
- ⇒ **REAL ESTATE:** Payment must be made in full, at the close of bidding. **A separate check must be issued from the buyer to the Clerk of the County in which the property is located to pay documentary stamps and recording costs. The Trustee's office will record the documents.** The Buyer will be provided with a Bill of Sale at the time of the sale. The Trustee will then forward to the buyer a recorded Trustee's Deed and other documentation necessary to complete the transaction, usually within ten business days. All real estate is sold subject to any outstanding liens, taxes, encumbrances of record. It is the buyer's responsibility to check on taxes and any other liabilities against the title and the marketability of title prior to bidding on the property. Trustee will disclose any known liens, mortgages, taxes, etc., of which she has knowledge, but our office does not conduct a title or encumbrance search (including taxes and assessments) prior to offering the property for sale. There will be no refunds for real estate purchased.
- ⇒ If you wish to receive auction notices via email, please send an email to suehedges@paveselaw.com Use "Bankruptcy Auction" in the reference line to avoid deletion of your message.

DOCUMENTATION FOR VEHICLES AND REAL ESTATE: The buyer will be provided with documentation necessary to transfer title on vehicles. It may be the title itself, or it may be an Application for Duplicate title. The Buyer is responsible for transferring the title within 30 days of the receipt of said documentation, as well as any and all fees involved. For real estate, the Trustee's office will record a Trustee's Deed, certified copy of the Trustee's appointment and an Affidavit with a copy of the Court's Sale Notice attached (see "Real Estate" above). **IMPORTANT: IF THE BUYER FAILS TO TRANSFER TITLES AND THEN AT A LATER DATE NEEDS DUPLICATE DOCUMENTS, IT IS THE BUYER'S RESPONSIBILITY TO OBTAIN HIS OR HER OWN LEGAL COUNSEL FOR PREPARATION OF SAME. TRUSTEE WILL NOT PROVIDE DOCUMENTS AGAIN AT A LATER DATE.**

TRUSTEE MAKES NO REPRESENTATION AS TO AUTHENTICITY OR VALUE OF ANY ITEM, INCLUDING JEWELRY, AND ONCE THE SALE IS COMPLETED, THERE WILL BE NO REFUNDS MADE. ALL SALES ARE FINAL.

SPECIAL NOTES:

If you have not yet provided a copy of your 2015 Florida State Sales Tax Resale Certificate, please do so prior to the auction, or we will be required to collect 6% sales tax. Do not expect us to copy it for you on sale day. I can accept them by email. If you have any questions, please email SueHedges@PaveseLaw.com. Submitting your questions by email will give me an opportunity to do the proper research and get back to all concerned. Please be sure to check our Firm's website: PaveseLaw.com for any updates to this notice prior to the auction date. We are emailing this initial notice only once. If there are any updates, they will be posted to our website as they become available.

BLACK, WILLIAM DONALD & BLACK, PENNY, 14-05166:

- 2006 CDQ 18' aluminum pontoon boat VIN TJZ103L8I506, paper title and 2005 Manr (Marine Master) trailer, VIN 5JUBT23156T020836; NOTE: the trailer has considerable rust. Trailer and boat brought to AutoBrokers via flatbed truck. Described in appraisal as: Triton 180 SCR-F gold pontoon boat with Mercury 50 engine on single axel trailer
- gold 10k band 2.2 grams with nine 2mm round diamonds; gold 14k 8.3 grams ring with 1.5 tcw with one 5.5mm x approx. 3mm diamonds and four 3mm round diamonds and twelve 1.5mm diamonds; gold 14 k gentleman's band 6.4 grams with ten 2mm diamonds; gold 14 k band 4.5 grams; gold 14k band with five 4.5mm diamonds; three stone ring with three 4.5mm and twenty-five 1.5mm diamonds (one stone missing and one broken)

DIMIERY, GIANLUCA, 14-11152:

Business tools: Craftsman 6300 watt electric start generator; Diamond back bicycle; Honda GCV 160 pressure washer; The Magnet Source magnetic floor sweeper; wet saw for tile, Ridgid air compressor, air tank, assorted floor scrapers, Dewalt tilt lock ½" drive drill, mixer blade, Milwaukee electric sawzall, two Milwaukee 7-1/4" blade circular saws, Vaper pneumatic drill and wrench, Dewalt saw, plate joiner, biscuit cutter, three grinders, finish nail gun, deck gun, belt sander, stud finder, Estwing axe hammer, under cut saw, bag hand tools, Dewalt radio, palm sander, Feinmaster, Dewalt jig saw, fat max set sockets, glue gun, Bosch chipping hammer, and Ridgid shop vacuum
Location Naples

FRANKHAUSER, WAYNE & FRANKHAUSER, NANCY, 15-02062:

NOTE for all assets being sold in Frankhauser case: Buyers must maintain possession of assets until 8/24/15 when notice time expires. Title to unliened vehicle will be provided at that time.

- television stand (from master bedroom); ~~foot stool~~; jewelry box; blue upholstered glider and stool; microfiber barrel chair; vintage leather sofa; ~~television stand (from living room)~~; Technics CD changer; Curtis Mathis VCR; Yamaha receiver; ~~Sony DVD~~; barrel chair; lamps and decorator items; 2 bar stools; laminate head board mattress and springs and 2 laminate night stands; five drawer chest; bar high table and 4 plastic rattan chairs; two 750 Trek bicycles; Little Giant ladder system; rods and reels; also set of four tires on rims. Location: Fort Myers **(Items that are crossed off are NOT included in sale)**
- sheared beaver jacket
- 14K chain (4.4g); 17g flat chain; 9.0g ring; 10.0g bracelet; 14k 18.6g bracelet; 4.1g hoops; semi-precious stone bracelet (12g); pendant with star sapphire; smokey topaz 3.6g 10k; twelve 2mm diamonds with blue stone ring; 2.3g semi-precious stone ring; 3.3g gold ring with purple stone 5.1g; ring with purple oval stone 3.1g; amethyst pendant 6.4g; ring with 4 rows of channel set melee diamonds 6.0g; Seiko watch, 28.0g total weight with diamond bezel; and pendant with less than 1mm diamond 6.5g.; costume jewelry
- camera equipment
- Dell desktop computer
- Two Bose units
- 2005 Mercedes C230, VIN WDBRF40J65A687717, electronic title, subject to lien to Capital Bank of \$3,490.24 as of 4/20/15; miles 123,051; check engine light comes on, headlight fog, windshield crack, front bumper damage
- 2004 Toyota Prius, VIN JTDKB20U140047447, paper title, 198,363 miles, maintenance required, front end in primer and needs painting and striping

HOGGS-PEREZ, CATHERINE S. & PEREZ, SATURNINO, 15-02063:

- 2003 Ford Taurus station wagon, VIN 1FAFP58223A153640, with paper title, 118,117 miles, keyless entry lock doesn't work (perhaps belt), interior rear latch & rear window motors broken, door locks broken. rear cup holder broken, headlight fog, paint front & rear bumpers (easily viewable)
- Glock 27, SN LHN899
- pine chest; dining room table, chairs and china cabinet; mower; bicycle; garage items including refrigerators and miscellaneous items; white dresser; single bed; wood cabinet and night stand. Location Cape Coral

LAWRENCE, ANN LAVERNE, 15-03881:

2008 Toyota Scion XB, VIN JTLKE50E981028778, with paper title, 64,673 miles, front bumper & hood bug damage, backup camera broken, paint scratches along complete left side, paint damage read bumper, front tires show wear bar, dash blue stain, front floor mat hole, water pump may need replacing

MERRITT, PATRICK WILLIAM, 15-03909:

2002 Suzuki motorcycle, VIN JS1VT52A322100921, with paper title, Towed in on flatbed, seat rip left side shield missing, no battery, no brakes

NICOTRA, ANDREW A. & NICOTRA, COLLEEN, 15-01692:

light wood table, 8 chairs and china cabinet; round table and 4 chairs; hall table and 2 chairs; Bose radio acoustic Wave system; wing back chair; office desk and 2 shelves; books, DVDs and CDs; Husky 5000, 6250 starting watts generator. Location: Port Charlotte

NUNEZ, CARLOS ALBERTO & OSPINA, BIBIANA, 15-00593:

- black end table; chair with upholstered seat and back; stone effect hall table; rug; lamp; round table and 3 chairs; microwave; dishwasher; dishes; pots; pans; hall table with glass. Location: Naples
- 14k chain(broken clasp) 4.8 grams; 14k bracelet (personalized, scrap value) 11.5 grams; 18K bracelet 2.9 grams; hoop earrings 1.0 gram; 18k gold chain 17.9 grams; 18k bracelet 9.8 grams; 18k ring 3.4 grams; 18k diamond ring with faux stone 1.9 grams; 14k diamond engagement ring with baguettes and marquise 4mmx2mm, 3.7 grams with band, 0.7 grams; gent's band 3.2 grams

REQUENA, ALFREDO JOEL & REQUENA, BARBARA, 15-01153:

pine stand; glass top table and 4 chairs; and 2 single beds. Location: Naples

RIVERA, JOHN & RIVERA, EMELINDA, 15-04637:

2006 Ford F150, VIN 1FTRW12W86FA16451, paper title

NOTE: Buyer must maintain possession of vehicle until 8/24/15 when court notice time expires. Title will be provided at that time

SPEARS, DANIEL B. & SPEARS, TERI K., 15-03046:

1974 Charger fiberglass boat, VIN 0449F, and 2000 Evinrude motor. Debtor states not working.

Appraisal description: "bilge pump not working, nails coming through bottom, fish finder not working, rusted trailer not road worthy". Viewing by pictures at auction. Location: Port Charlotte

BIDDING RULES AND GENERAL INFORMATION RE: BANKRUPTCY AUCTIONS CONDUCTED BY DIANE L. JENSEN, TRUSTEE. PLEASE READ BEFORE MAKING ANY TELEPHONIC INQUIRY:

A. **BIDDING PROCESS:** Registration begins 15 minutes prior to bidding time. Bidding is in the form of an open auction. Items are bid on a per case basis. If there are several items in one case, bidding will be in lot or bulk, at the discretion of the Trustee. **THERE WILL BE NO TELEPHONIC BIDDING AT A PUBLIC AUCTION.**

B. **PAYMENT METHOD:** NO CASH PAYMENTS. Payment must be made at the close of bidding, by check, money order, or cashier's check. If you are not on our preapproval list, your check will be accepted up to \$5,000.00. To get approval for writing checks in excess of \$5,000.00, you will need to have your bank provide a letter addressed to Diane L. Jensen, Trustee, stating that they will cover your check up to a specific amount. That letter must be received by 3 p.m. the last **business day prior** to the sale. If you wish to FAX it, our FAX No. is 239-332-2243. The letter **MUST** state that the bank will guarantee payment of your check.

C. **MAILING LISTS:** We maintain an email group notification list only. If you wish to receive copies of future mailings via US Mail, please forward six **business size** self-addressed, **stamped** envelopes to Diane Jensen, Trustee, P. O. Drawer 1507, Fort Myers, FL 33902-1507.

D. **CONDITION OF ASSETS:** Every effort has been made to provide as complete and accurate description as possible. We make no representations as to the condition of anything that is being sold. **EVERYTHING** is sold in "as-is, where-is" condition. **NO GUARANTEES. NO REFUNDS.** If bidding on a vehicle, please bring along a set of jumper cables and a gas can in case you are the high bidder. Chances are that you will need either or both of them.

E. **DOCUMENTATION PROVIDED AT CLOSE OF SALE:** A Bill of Sale will be provided upon payment. You will need this document to show to the person/landlord currently in possession of the property. Arrangements should be made within two calendar days of the sale to pick up the items. If the items are located at a facility and rent is accruing, items must be removed within two calendar days. If it takes longer, the buyer would assume responsibility for the rent for any additional time needed, and would have to negotiate with the landlord directly. Many self-storage, mini-warehouses, may require the buyer to put up a security deposit to assure that the unit is left in a reasonable condition. The Trustee has no control over this, and will not intervene in a security deposit dispute if one arises between the buyer and the landlord.

F. **FLORIDA STATE SALES TAX:** Trustee is REQUIRED by the State of Florida to collect Sales Tax at the current rate on all sales of personal property. If you wish to request tax exempt status on sales, you are required to provide an Annual Resale Certificate to us. The Certificate must include the name and address of purchaser, the effective date and number of the dealer's certificate of registration, and the dealer's signature. With regard to the sale of vehicles, sales tax will be collected by the Trustee unless you furnish a Resale Certificate, TOGETHER WITH a copy of your vehicle dealer's license. The Bill of Sale on tax exempt sales will contain the name of the business or person holding the sales tax certificate. IF YOU HAVE NOT COMPLIED WITH THIS REQUIREMENT AT THE TIME OF THE AUCTION, sales tax will be collected. NO EXCEPTIONS!

QUESTIONS: If, **AFTER CAREFULLY READING THE ABOVE,** you still have questions, please contact Sue Hedges via email (preferred method) or at (239) 336-6263 prior to 3:30 on the day BEFORE the sale. ALL LONG DISTANCE CALLS ARE RETURNED COLLECT. Sue will not be available by telephone on the sale day. Email: suehedges@paveselaw.com.