

Fill in this information to identify the case:

Debtor 1	Sand Castle South Timeshare Owners Association, Inc.
Debtor 2	
(Spouse, if filing)	
United States Bankruptcy Court	District of South Carolina
Case number:	19-02764

FILED
 U.S. Bankruptcy Court
 District of South Carolina
 7/2/2019
 Laura A. Austin, Clerk

SAND CASTLE TOA
 19-02764

**Official Form 410
 Proof of Claim**



04/19

Read the instructions before filling out this form. This form is for making a claim for make a request for payment of an administrative expense. Make such a request according to 11 U.S.C. § 503.

Claim 1002

1 to

Filers must leave out or redact information that is entitled to privacy on this form or on any attached documents. Attach redacted copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, and security agreements. Do not send original documents; they may be destroyed after scanning. If the documents are not available, explain in an attachment.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Fill in all the information about the claim as of the date the case was filed. That date is on the notice of bankruptcy (Form 309) that you received.

Part 1: Identify the Claim

1. Who is the current creditor?	SUSAN G NOACK	
	Name of the current creditor (the person or entity to be paid for this claim)	
	Other names the creditor used with the debtor	
2. Has this claim been acquired from someone else?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. From whom?	
3. Where should notices and payments to the creditor be sent? Federal Rule of Bankruptcy Procedure (FRBP) 2002(g)	Where should notices to the creditor be sent?	Where should payments to the creditor be sent? (if different)
	SUSAN G NOACK	
	Name	Name
	1105 ARTIC QUILL RD HERNDON, VA 20170	
	Contact phone 5716411227	Contact phone
	Contact email HERSHEY.SCRUFF@GMAIL.COM	Contact email
	Uniform claim identifier for electronic payments in chapter 13 (if you use one):	
4. Does this claim amend one already filed?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Claim number on court claims registry (if known) Filed on MM/DD/YYYY	
5. Do you know if anyone else has filed a proof of claim for this claim?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Who made the earlier filing?	

Part 2: Give Information About the Claim as of the Date the Case Was Filed

<p>6. Do you have any number you use to identify the debtor?</p>	<p><input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Last 4 digits of the debtor's account or any number you use to identify the debtor: _____</p>
<p>7. How much is the claim?</p>	<p>\$ 15900.00</p> <p>Does this amount include interest or other charges? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Attach statement itemizing interest, fees, expenses, or other charges required by Bankruptcy Rule 3001(c)(2)(A).</p>
<p>8. What is the basis of the claim?</p>	<p>Examples: Goods sold, money loaned, lease, services performed, personal injury or wrongful death, or credit card. Attach redacted copies of any documents supporting the claim required by Bankruptcy Rule 3001(c). Limit disclosing information that is entitled to privacy, such as healthcare information.</p> <p>PAID IN FULL OWNERSHIP INTEREST IN ONE 'SUPREME RED' VACATION TIMESHARE WEEK</p>
<p>9. Is all or part of the claim secured?</p>	<p><input type="checkbox"/> No <input checked="" type="checkbox"/> Yes. The claim is secured by a lien on property. Nature of property: <input checked="" type="checkbox"/> Real estate. If the claim is secured by the debtor's principal residence, file a <i>Mortgage Proof of Claim Attachment</i> (Official Form 410-A) with this <i>Proof of Claim</i>. <input type="checkbox"/> Motor vehicle <input type="checkbox"/> Other. Describe: _____</p> <p>Basis for perfection: Warranty Deed</p> <p>Attach redacted copies of documents, if any, that show evidence of perfection of a security interest (for example, a mortgage, lien, certificate of title, financing statement, or other document that shows the lien has been filed or recorded.)</p> <p>Value of property: \$ 15900.00</p> <p>Amount of the claim that is secured: \$ 15900.00</p> <p>Amount of the claim that is unsecured: \$ 0.00 (The sum of the secured and unsecured amounts should match the amount in line 7.)</p> <p>Amount necessary to cure any default as of the date of the petition: \$ 0.00</p> <p>Annual Interest Rate (when case was filed) _____ % <input checked="" type="checkbox"/> Fixed <input type="checkbox"/> Variable</p>
<p>10. Is this claim based on a lease?</p>	<p><input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Amount necessary to cure any default as of the date of the petition. \$ _____</p>
<p>11. Is this claim subject to a right of setoff?</p>	<p><input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Identify the property: _____</p>

12. Is all or part of the claim entitled to priority under 11 U.S.C. § 507(a)? No Yes. Check all that apply: Amount entitled to priority

A claim may be partly priority and partly nonpriority. For example, in some categories, the law limits the amount entitled to priority.

- Domestic support obligations (including alimony and child support) under 11 U.S.C. § 507(a)(1)(A) or (a)(1)(B). \$ _____
- Up to \$3,025* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use. 11 U.S.C. § 507(a)(7). \$ _____
- Wages, salaries, or commissions (up to \$13,650*) earned within 180 days before the bankruptcy petition is filed or the debtor's business ends, whichever is earlier. 11 U.S.C. § 507(a)(4). \$ _____
- Taxes or penalties owed to governmental units. 11 U.S.C. § 507(a)(8). \$ _____
- Contributions to an employee benefit plan. 11 U.S.C. § 507(a)(5). \$ _____
- Other. Specify subsection of 11 U.S.C. § 507(a)(_) that applies \$ _____

* Amounts are subject to adjustment on 4/1/22 and every 3 years after that for cases begun on or after the date of adjustment.

Part 3: Sign Below

The person completing this proof of claim must sign and date it. FRBP 9011(b).

If you file this claim electronically, FRBP 5005(a)(2) authorizes courts to establish local rules specifying what a signature is.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157 and 3571.

Check the appropriate box:

- I am the creditor.
- I am the creditor's attorney or authorized agent.
- I am the trustee, or the debtor, or their authorized agent. Bankruptcy Rule 3004.
- I am a guarantor, surety, endorser, or other codebtor. Bankruptcy Rule 3005.

I understand that an authorized signature on this Proof of Claim serves as an acknowledgment that when calculating the amount of the claim, the creditor gave the debtor credit for any payments received toward the debt.

I have examined the information in this Proof of Claim and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on date 7/2/2019
MM / DD / YYYY

/s/ SUSAN NOACK
Signature

Print the name of the person who is completing and signing this claim:

Name SUSAN NOACK
First name Middle name Last name

Title _____

Company _____

Address 1105 ARTIC QUILL RD
Identify the corporate servicer as the company if the authorized agent is a servicer
Number Street
HERNDON, VA 20170

City State ZIP Code
Contact phone 5716411227 Email HERSHEY.SCRUFF@GMAIL.COM

This instrument prepared by and, upon recordation, return to:

Weinstock & Seavo, P.C.
 3405 Piedmont Road, N.E.
 Suite 300
 Atlanta, Georgia 30305

STATE OF SOUTH CAROLINA)
) WARRANTY DEED
 COUNTY OF HORRY)
) ANNUAL TIMESHARE INTEREST

KNOW ALL MEN BY THESE PRESENTS, THAT in the State aforesaid for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration in hand paid by Grantee, the receipt whereof is hereby acknowledged, SAND CASTLE SOUTH CONDO, LLC, a limited liability company organized and existing under the laws of the State of South Carolina, the address of which is 406 North Kings Highway, Myrtle Beach, South Carolina 29577 ("Grantor") has granted, bargained, sold and released, and by these Presents does grant, bargain, sell and release unto Susan G. Noack whose address is 1105 Artie Quill Rd. Herndon, VA 20170 ("Grantee") as Individual, in fee simple, the following described property:

Timeshare Interest(s) consisting of an undivided 1/52nd interest(s) in fee simple as tenant in common in each of the below-described Timeshare Unit(s) of Sand Castle South Horizontal Property Regime (the "Condominium"), together with the corresponding undivided interest in the Common Elements which are appurtenant to such Timeshare Interest, as well as the recurring (i) exclusive right of Grantee in every calendar year, commencing with the calendar year identified as the date of this instrument, to reserve, use and occupy an Assigned Unit within the Sand Castle South Timeshare Ownership Plan of the Condominium; (ii) exclusive right to use and enjoy the Common Furnishings located within or otherwise appurtenant to such Assigned Unit; and (iii) the non-exclusive rights to use and enjoy the Common Elements of the Condominium, for their intended purposes, all during the Vacation Week(s) as shall properly have been reserved in accordance with the provisions of the then-current Rules and Regulations of Sand Castle South Timeshare Owners Association, Inc., and all pursuant to the Supplemental Declaration for Sand Castle South Timeshare Ownership Plan recorded at Deed Book 3255, Page 567, *et seq.*, of the records of the R.O.D. Office for Horry County, South Carolina, as amended or supplemented (the "Supplemental Declaration"), and the Master Deed for Sand Castle South Horizontal Property Regime recorded at Deed Book 3114, Page 478, *et seq.*, of the records of the R.O.D. Office for Horry County, South Carolina, as amended or supplemented, to which such Supplemental Declaration and Master Deed the Timeshare Interest(s) is subject. Unless the context otherwise requires, the terms used herein shall have the same meanings as those set forth in the Supplemental Declaration. Said Property being a portion of the property conveyed to Sand Castle South Condo, LLC by Cherokee Motels, Inc., by deed recorded on June 16, 2006 in the R.O.D. Office for Horry County in Deed Book 3114, Page 462.

TIMESHARE UNIT NUMBER: <u>919</u>	UNIT TYPE: <u>1 BEDROOM</u>	DESIGNATED SEASON: <u>SUPREME RED</u>
INITIAL USE YEAR: <u>2009</u>		
VACATION WEEK NUMBER: <u>29 A</u> [together with "A" (Annual Timeshare Interest)]		

The aforesaid Vacation Week is designated an Annual Vacation Week. An Annual Vacation Week allows occupancy and use of a Timeshare Unit each and every year. An Annual Vacation Week is designated with an "A," indicating a full Timeshare Interest.

TOGETHER with all and singular, the Rights, Members, Hereditaments and Appurtenances to the said Timeshare Interests belonging, or in anywise incident or appertaining.

TO HAVE AND TO HOLD, all and singular, the said Timeshare Interests before mentioned unto the said Grantee subject, however, to the rights, conditions and restrictions that constitute covenants running with the land, all as set forth herein.

AND Grantor does hereby bind itself and its Successors and Assigns to warrant and forever defend, all and singular, the said Timeshare Interests unto the said Grantee, and its successors and assigns, against all persons whomsoever lawfully claiming, or to claim the same or any part thereof.

Instrument#: 2010000052190, DEED BK:
 3461 PG: 2625 DOCTYPE: 001 05/27/2010
 at 09:37:15 AM, 1 OF 3 COUNTY STAMPS:
 \$17.60 STATE STAMPS: \$41.60 BALLERY
 V. SKIPPER, HORRY COUNTY, SC
 REGISTRAR OF DEEDS

IN WITNESS WHEREOF, Grantor has caused this instrument to be signed and sealed this 4th day of August, 2008.

GRANTOR:

SAND CASTLE SOUTH CONDO, LLC,
a South Carolina limited liability company.

By: [Signature]
Print Name: Jason Shroff
Print Title: Authorized Agent

Signed, sealed and delivered
in the presence of:

Unofficial Witness

Print Name: William W. McLean

Unofficial Witness

Print Name: N. K. F. Feuch

STATE OF SOUTH CAROLINA
COUNTY OF HORRY

I, the undersigned Notary Public for South Carolina, do hereby certify that Sand Castle South Condo, LLC, a South Carolina limited liability company, by Jason Shroff, its Authorized Agent, personally appeared before me this day, and in the presence of the two witnesses above named, acknowledged the execution of the foregoing instrument on behalf of Sand Castle South Condo, LLC.

Witness my hand and seal this 4th day of August, 2008.

[Signature]
Notary Public

My Commission Expires: 8/8/2011

DOR Form
Rev. 05/19/06

STATE OF SOUTH CAROLINA)
)
COUNTY OF HORRY)

AFFIDAVIT FOR TAXABLE OR EXEMPT TRANSFERS

PERSONALLY appeared before me the undersigned, who being duly sworn, deposes and says:

- 1. I have read the information on this affidavit and I understand such information.
- 2. The property being transferred is located at 2007 South Ocean Blvd, Myrtle Beach, S.C. 29577 bearing County Tax Map Number 187-01-02-195, was transferred by Sand Castle South Condo, LLC. To Susan G. Noack, on August 4, 2008.
- 3. Check one of the following: The deed is

- (a) subject to the deed recording fee as a transfer for consideration paid or to be paid in money or money's worth.
- (b) _____ subject to the deed recording fee as a transfer between a corporation, a partnership, or other entity and a stockholder, partner, or owner of the entity, or is a transfer to a trust or as a distribution to a trust beneficiary.
- (c) _____ exempt from the deed recording fee because (See information section of affidavit):
_____ (If exempt, please skip items 4 - 7, and go to item 8 of this affidavit.)

If exempt under exemption #14 as described in the information section of this affidavit, did the agent and principal relationship exist at the time of the original sale and was the purpose of this relationship to purchase the realty? Check Yes _____ or No _____

4. Check one of the following if either item 3(a) or item 3(b) above has been checked (See information section of this affidavit.):

- (a) The fee is computed on the consideration paid or to be paid in money or money's worth in the amount of \$15,900.00
- (b) _____ The fee is computed on the fair market value of the realty which is _____.
- (c) _____ The fee is computed on the fair market value of the realty as established for property tax purposes which is _____.

5. Check Yes _____ or No to the following: A lien or encumbrance existed on the land, tenement, or realty before the transfer and remained on the land, tenement, or realty after the transfer. If "Yes," the amount of the outstanding balance of this lien or encumbrance is:

6. The deed recording fee is computed as follows:

- (a) _____ Place the amount listed in item 4 above here: \$15,900.00
- (b) _____ Place the amount listed in item 5 above here: 0 (If no amount is listed, place zero here.)
- (c) _____ Subtract Line 6(b) from Line 6(a) and place result here: \$15,900.00

7. The deed recording fee due is based on the amount listed on Line 6(c) above and the deed recording fee due is: \$59.20

8. As required by Code Section 12-24-70, I state that I am a responsible person who was connected with the transaction as:

Seller

9. I understand that a person required to furnish this affidavit who willfully furnishes a false or fraudulent affidavit is guilty of a misdemeanor and, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than one year, or both.

Responsible Person Connected with the Transaction

Esan Shroff

Print or Type Name Here

SWORN to before me this 4 day of August, 2008

[Signature]
Notary Public for SC
My Commission Expires: 4/2011