

Attorney or Party Name, Address, Telephone & FAX Nos., State Bar No. & Email Address James E. Till (State Bar No. 200464) TILL LAW GROUP 120 Newport Center Drive Newport Beach, CA 92660 Telephone: (949) 524-4999 Email: james.till@till-lawgroup.com	FOR COURT USE ONLY
<input type="checkbox"/> Individual appearing without attorney <input checked="" type="checkbox"/> Attorney for: Debtor and Debtor-in-Possess	

**UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA - RIVERSIDE DIVISION**

In re: CONGREGATION BNAI CHAIM OF MURRIETA HOT SPRINGS, Debtor(s).	CASE NO.: 6:23-bk-15822-MH CHAPTER: 11 <p style="text-align: center;">NOTICE OF SALE OF ESTATE PROPERTY</p>
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Sale Date: June 11, 2024	Time: 2:00 pm
Location: Courtroom 301, 3420 Twelfth Street, 3rd Floor, Riverside, CA 92501	

Type of Sale: Public Private **Last date to file objections:** May 28, 2024

Description of property to be sold:

Real property located at 29500 Via Princesa, Murrieta, CA 92563 consisting of an approximately 7,686 square foot religious facility on 2.29 acres of land.

Terms and conditions of sale:

See attached Notice of Hearing on Debtor's Motion for Order: (1) Authorizing Sale of Real Property Located at 29500 Via Princesa, Murrieta, CA 92563 Free and Clear of All Liens, Interests, Claims and Encumbrances with such Liens, Interests, Claims and Encumbrances to Attach to Proceeds Pursuant to 11 U.S.C. 363(b) and (f); (2) Approving Overbid Procedures; (3) Determining Buyer or Successful Bidder is Entitled to Protection Pursuant to 11 U.S.C. 363(m)

Proposed sale price: 1750000.00

This form is mandatory. It has been approved for use in the United States Bankruptcy Court for the Central District of California.

Overbid procedure (if any):

See attached Notice of Hearing

If property is to be sold free and clear of liens or other interests, list date, time and location of hearing:

June 11, 2024 at 2:00 p.m., before the Honorable Mark D. Houle, United States Bankruptcy Judge in Courtroom 301, United States Bankruptcy Court, 3420 Twelfth Street, 3rd Floor, Riverside, CA 92501

Contact person for potential bidders (include name, address, telephone, fax and/or email address):

James E. Till
Till Law Group
120 Newport Center Drive
Newport Beach, CA 92660
Telephone: 949-524-4999
Email: james.till@till-lawgroup.com

Date: 05/20/2024

1 James E. Till (State Bar No. 200464)
2 TILL LAW GROUP
3 120 Newport Center Drive
4 Newport Beach, CA 92660
5 Telephone: (949) 524-4999
6 Email: james.till@till-lawgroup.com

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8 Attorneys for Congregation Bnai
9 Chaim of Murrieta Hot Springs,
10 Debtor and Debtor-in-Possession

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12 **UNITED STATES BANKRUPTCY COURT**
13 **CENTRAL DISTRICT OF CALIFORNIA – RIVERSIDE DIVISION**

14 In re:

15 CONGREGATION BNAI CHAIM OF
16 MURRIETA HOT SPRINGS,

17 Debtor and Debtor-
18 in-Possession.

Case No. 6:23-bk-15822-MH

Chapter 11

**NOTICE OF HEARING REGARDING
DEBTOR’S MOTION FOR ORDER:**

**(1) AUTHORIZING SALE OF REAL
PROPERTY LOCATED AT 29500 VIA
PRINCESA, MURRIETA, CA 92563 FREE
AND CLEAR OF ALL LIENS, INTERESTS,
CLAIMS, AND ENCUMBRANCES WITH
SUCH LIENS, INTERESTS, CLAIMS, AND
ENCUMBRANCES TO ATTACH TO
PROCEEDS PURSUANT TO 11 U.S.C.
§§ 363(b) AND (f);**

**(2) APPROVING OVERBID
PROCEDURES;**

**(3) DETERMINING BUYER OR
SUCCESSFUL BIDDER IS ENTITLED TO
PROTECTION PURSUANT TO 11 U.S.C. §
363(m)**

HEARING:

Date: June 11, 2024

Time: 2:00 p.m.

Courtroom: 301

3420 Twelfth Street, 3rd Floor
Riverside, CA 92501

1 **TO THE OFFICE OF THE UNITED STATES TRUSTEE, AND ALL INTERESTED**
2 **PARTIES:**

3 **PLEASE TAKE NOTICE** that a hearing will be held on June 11, 2024, at 2:00 p.m. in
4 Courtroom 301, of the United States Bankruptcy Court, located at 3420 Twelfth Street, 3rd Floor,
5 Riverside, CA 92501 to consider the motion (“Motion”) filed by Congregation Bnai Chaim of Murrieta
6 Hot Springs, debtor and debtor-in-possession (the “Debtor”) in the above-captioned chapter 11 case
7 (the “Bankruptcy Case”), for an order authorizing the sale (the “Sale”) of real property located at 29500
8 Via Princesa, Murrieta, CA 92563 (the “Property”) which is comprised of an approximately 7,686
9 square foot religious facility situated on 2.29 acres of land in the City of Murrieta, CA to Lighthouse
10 Education Center Inc. (the “Buyer”). A copy of the Motion is served concurrently with this Notice.

11 **PLEASE TAKE FURTHER NOTICE** that Debtor seeks Court approval to sell the Property
12 to Buyer pursuant to the terms and conditions set forth collectively in the *Commercial Purchase*
13 *Agreement and Joint Escrow Instructions* dated April 20, 2024, between the Debtor and the Buyer (the
14 “Purchase Agreement”), attached as Exhibit 1 to the Motion, whereby the Buyer would purchase from
15 the Debtor the Property for One Million Seven Hundred Fifty Thousand Dollars (\$1,750,000.00),
16 subject to this Court’s approval. The Sale Agreement provides for a 90-day close of escrow after
17 acceptance, with certain contingencies as set forth on Addendum “A” to the Purchase Agreement. The
18 Property will be sold pursuant to 11 U.S.C. §§ 363(b)(1) and (f), free and clear of all liens, interests,
19 claims, and encumbrances, with such liens, interests, claims, and encumbrances to attach to the Sale
20 proceeds, with the same priority and rights of enforcement as previously existed.

21 **PLEASE TAKE FURTHER NOTICE** that Debtor seeks Court approval to sell the Property
22 to Buyer subject to overbid, and requests that the Court determine that Buyer is entitled to a good faith
23 determination pursuant to 11 U.S.C. § 363(m).

24 **PLEASE TAKE FURTHER NOTICE** that in addition to the foregoing, Debtor seeks Court
25 approval of the bidding procedures as set forth in the Motion. Debtor further seeks Court approval to
26 pay the brokers’ commissions, normal and customary escrow closing costs, and the specified
27 undisputed liens on the Property through escrow as set forth herein. The proposed Sale to Buyer is
28 subject to overbid. If the Court does not approve Buyer as purchaser of the Property, Escrow shall be

1 cancelled, and Buyer’s exclusive remedy shall be the return of the Deposit to Buyer. Buyer has agreed
2 if there is an overbid to increase the Purchase Price by \$50,000.

3 **PLEASE TAKE FURTHER NOTICE** that any party wishing to participate in the overbid
4 process must notify Debtor in writing directed to James E. Till via email addressed to james.till@till-
5 lawgroup.com, of his/her/its intention to do so no later than **5:00 p.m. (PT) on June 7, 2024**, and must
6 provide evidence of his/her/its financial ability to close.

7 **PLEASE TAKE FURTHER NOTICE** that to be a qualified overbidder (“Qualified
8 Overbidder”), each party participating in the overbid process (except for Buyer, who has already paid
9 the Deposit to Debtor), must remit to Debtor a deposit in the amount of **\$50,000** (“Overbid Deposit”)
10 in the form of a cashier’s check (no other form of payment shall be accepted) made payable to
11 “Congregation Bnai Chaim of Murrieta Hot Springs” to be received by Debtor’s counsel at Till Law
12 Group, 120 Newport Center Drive, Newport Beach, Ca 92660 at least 24 hours prior to the hearing on
13 the Motion, i.e., **by no later than 2:00 p.m. on June 10, 2024**. Once the Overbid Deposit has been
14 deposited in the mail, the Qualified Overbidder must provide tracking information for the Overbid
15 Deposit to Debtor via email addressed to james.till@till-lawgroup.com. The Overbid Deposit shall
16 not be refundable if such party is the successful bidder and is thereafter unable to complete the purchase
17 of the Property per the terms of the proposed Sale.

18 **PLEASE TAKE FURTHER NOTICE** that the initial overbid for the Property shall be
19 **\$1,800,000.00**, with subsequent overbids being made in minimum increments of **\$10,000.00**.

20 **PLEASE TAKE FURTHER NOTICE** that Debtor expresses no opinion as to whether there
21 are tax consequences to the Sale.

22 **PLEASE TAKE FURTHER NOTICE**, that the Sale Agreement is the result of an arms-
23 length negotiation between the Debtor and the Buyer, wherein an agreement was reached that allowed
24 the Debtor to monetize the estate’s interest in the Property.

25 **PLEASE TAKE FURTHER NOTICE** that Rule 9013-1(f) of the Local Bankruptcy Rules
26 (“Local Rules”) requires that any opposition or response to the Motion shall comply with Local Rule
27 9013-1(f)(2) and be filed with the Clerk of the Bankruptcy Court and served upon: (i) counsel for the
28 Debtor at the address set forth in the upper left corner of the first page of this pleading, and (ii) Office

1 of the United States Trustee, 3801 University Avenue, Suite 720, Riverside, CA 92501-3200 so that it
2 is received not later than fourteen (14) days prior to the hearing.

3 **PLEASE TAKE FURTHER NOTICE** that pursuant to Local Rule 9013-1(h), failure to
4 timely file and serve a response or objection may be deemed to constitute consent to the relief
5 requested by the Debtor in the Motion.

6 DATED: May 20, 2024

TILL LAW GROUP

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8 By: /s/ James E. Till
9 James E. Till
Counsel for Debtor and Debtor in Possession

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PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:
120 Newport Center Drive, Newport Beach, CA 92660

A true and correct copy of the foregoing document entitled: **NOTICE OF SALE OF ESTATE PROPERTY** will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On *(date)* 05/20/2024, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

See attached NEF service list

Service information continued on attached page

2. SERVED BY UNITED STATES MAIL:

On *(date)* _____, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on *(date)* _____, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

Service information continued on attached page

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

05/20/2024

Martha Araki

/s/ Martha Araki

Date

Printed Name

Signature

In re Congregation Bnai Chaim of Murrieta Hot Springs

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):

- Attorneys for Debtor Congregation Bnai Chaim of Murrieta Hot Springs: **James E Till**: james.till@till-lawgroup.com; martha.araki@till-lawgroup.com; myrtle.john@till-lawgroup.com; sfritz@till-lawgroup.com
- Attorneys for Interested Parties Irving Michlin and Richard Hershman: **Donald W Reid**: don@donreidlaw.com; 5969661420@filings.docketbird.com
- Interested Party/Courtesy NEF: **Robert B Rosenstein**: robert@thetemeculalawfirm.com; sylvia@thetemeculalawfirm.com; leah@thetemeculalawfirm.com; paul@thetemeculalawfirm.com
- United States Trustee (RS): ustpreion16.rs.ecf@usdoj.gov; **Adam Feuerstein, Everett L Green, Cameron C Ridley**: abram.s.feuerstein@usdoj.gov; everett.l.green@usdoj.gov; cameron.ridley@usdoj.gov