

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF UTAH (SALT LAKE CITY)

FILED** US Bankruptcy Court-UT
DEC 10 2018 PM 3:20

IN RE:)
)
)
THE FALLS AT BRICKTOWN LLC,) Case No. BK: 18-27766
) Chapter 11
)
Debtor.)

NOTICE OF LIEN

COMES NOW the Oklahoma County Treasurer a secured creditor herein, and gives its Notice of Lien pursuant to 11 U.S.C. Section 546(b), respectfully showing the Court the following:

1. The undersigned, claimant herein, has its principal place of business at 320 Robert S. Kerr, Room 307, Oklahoma City, Oklahoma 73102.

2. The Debtor filed its voluntary petition under CHAPTER 11 on OCTOBER 17, 2018.

3. The above named debtor and the debtors property, which is now property of the estate, is indebted to the Oklahoma County Treasurer for ad valorem property taxes as referenced by the respective Proof of Claim.

4 Ad valorem property taxes constitute liens on the property of the Debtor pursuant to 68 O.S. Sections 2925, 2929, 3101, 3102 and 3103. While the County maintains it has an ever present interest in taxable property, the assessment

date of taxable property in Oklahoma is January 1st of the assessment year pursuant to 68 O.S. Section 2817, although the liens do not attach at that time.

5 To the extent (if any) that applicable law requires the County to take further action to perfect its lien interest upon the Debtor's properties, the County recognizes that it may be stayed by the provisions of 11 U.S.C. Section 362 from taking such other action as may be required under applicable law to perfect its interest. Accordingly, pursuant to the provisions of 11 U.S.C. Section 546(b), and for the purpose of perfecting its lien interest in the Debtor's properties, to the extent, if any, that such interest has not been duly perfected previously, County hereby notifies the Debtor and all parties in interest that the County has a valid, duly perfected first priority lien interest in any and all of the Debtor's assessed and taxable real property pursuant to 68 O.S. Section 3101; a lien interest in any and all of the Debtor's assessed and taxable personal property which arises upon the sale of the same pursuant to 68 O.S. Section 2925 and 2929; and, a lien interest that is superior to all others filed subsequent to it in all other property of the Debtor pursuant to 68 O.S. Section 3102 and 3103; and, 11 U.S.C. Section 546(b).

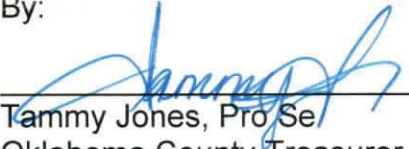
6. This notification is not intended and shall not be construed as a waiver of, or an election of remedies with respect to, any of the rights and/or remedies that the County may have pursuant to applicable law, and all such rights are expressly reserved. Nothing herein contained shall be deemed to constitute an admission that this Notice is necessary in order for the County to perfect its interest in the Debtor's properties.

Dated: NOVEMBER 29, 2018

Respectfully submitted,

OKLAHOMA COUNTY TREASURER

By:



Tammy Jones, Pro Se
Oklahoma County Treasurer
320 Robert S. Kerr, Room 307
Oklahoma City, Okla. 73102
(405)-713-1324
tammy.jones@oklahomacounty.org

CERTIFICATE OF SERVICE

I hereby certify that on the 29TH day of NOVEMBER, 2018 a true and correct copy of the above and foregoing was mailed, postage prepaid, to the following:

ELAINE A. MONSON
RAY QUINNEY & NEBEKER P.C.
36 SOUTH STATE STREET
14TH FLOOR
P.O. BOX 45385
SALT LAKE CITY, UT 84145-0385

U.S. TRUSTEE
OFFICE OF THE U.S. TRUSTEE
WASHINGTON FEDERAL BANK BLDG.
405 S. MAIN STREET, STE 300
SALT LAKE CITY, UT 84111

U.S. BANKRUPTCY COURT
DISTRICT OF UTAH
350 SOUTH MAIN #301
SALT LAKE CITY, UT 84101



Tammy Jones