

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW MEXICO

**FILED**  
12:00 MIDNIGHT

JUN 21 2001

IN RE

FURRS' SUPERMARKET'S, INC.

CLERK OF COURT  
United States Bankruptcy Court  
Abuquerque, New Mexico  
CASE NO. 11-01-10779 SA

DEBTOR.

OBJECTION BY LOS ALAMOS COUNTY, NM TO MOTION FOR ORDER APPROVING  
SALE OF SOME OR ALL OF DEBTOR'S OPERATING ASSETS AND GRANTING RELIEF

Los Alamos County, NM (hereinafter "Claimant"), Claimant herein, files this its Objection to the Motion of Furr's Supermarkets, Inc. for Order Approving Sale of Some or all of Debtor's Operating Assets and Granting Relief, and for cause would show unto the Court the following:

1. Furr's Supermarkets, Inc. ("Debtor") operates a store in Los Alamos County, NM at 535 Central Ave, Los Alamos, New Mexico (the "store").
2. Claimant has the following secured claims against Debtor: (a) \$59,346.87 for pre-petition utility services provided by Claimant to Debtor; (b) \$16,279.00 for post-petition utility services provided by Claimant to Debtor; and (c) \$5,603.98 for 2000 real estate taxes.
3. New Mexico law creates a lien on real estate being serviced by a municipal utility. 3-23-6 NMSA. New Mexico law creates a lien on real property subject to real estate taxes. 7-38-48 NMSA. Both liens are superior to virtually all other liens.
4. The store, which Debtor proposes to sell, is subject to delinquent real estate taxes and delinquent utility bills, both of which claims are secured by liens on the store.

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5. Claimant has no objection to the sale of the store if Claimant's liens are paid in full at the time of closing from the proceeds of the sale.

WHEREFORE, Los Alamos County, New Mexico, a claimant herein, requests that the court deny the sale of the store or, in the alternative, require that the secured claims of Los Alamos County, as set forth herein, be paid from the proceeds of the sale of the store at the time of closing and for such other and further relief to which it may show itself justly entitled.

Respectfully submitted,

LAW OFFICE OF GERALD R. VELARDE

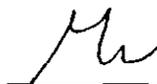


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ATTORNEYS FOR LOS ALAMOS COUNTY

CERTIFICATE OF SERVICE

I hereby certify that on June 21, 2001, a true and correct copy of the above and foregoing pleading was served by first class U.S. Mail, postage prepaid, on each of the parties identified below.



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Gerald R. Velarde

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