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8 Attorneys for Maricopa County

9 **IN THE UNITED STATES BANKRUPTCY COURT**  
10 **FOR THE DISTRICT OF DELAWARE**

11 In Re:  
12 BUILDING MATERIALS HOLDING  
13 CORPORATION, *et al.*,  
14 Debtors.

15 CHAPTER 11

16 Case No. 1:09-bk-12074-KJC

17 **MARICOPA COUNTY'S NOTICE OF**  
18 **PERFECTED LIENS AND RESPONSE**  
19 **TO DEBTORS' MOTION FOR AN**  
20 **ORDER, PURSUANT TO SECTIONS 105**  
21 **AND 363 OF THE BANKRUPTCY CODE**  
22 **AND BANKRUPTCY RULES 2002, 6004**  
23 **AND 9014, (I) AUTHORIZING THE**  
24 **PRIVATE SALE BY THE DEBTORS OF**  
25 **THE PROPERTY FREE AND CLEAR OF**  
**LIENS, CLAIMS, ENCUMBRANCES**  
**AND OTHER INTERESTS, (II)**  
**APPROVING THE PURCHASE**  
**AGREEMENT AND (III) GRANTING**  
**RELATED RELIEF**

26 Maricopa County, by and through its undersigned counsel, hereby provides notice that it  
27 claims a perfected statutory lien in accordance with A.R.S. § 42-17153 (2008).

28 The real property located at 7777 N. 70<sup>th</sup> Avenue, Glendale, Arizona located in Maricopa  
29 County is encumbered with fully perfected tax liens in the amount of \$89,798.15 plus accruing  
30 interest. The taxes are secured pursuant to A.R.S. § 17153. Interest accrues at the statutory rate  
31 of 16% per annum until paid in full, if not timely paid. *See*, 11 U.S.C. § 511 and A.R.S. §

1 18053. The liens represent the 2009 tax liabilities on real estate parcels 143-24-004R and 143-  
2 24-004T. The Purchase Agreement provides that all real estate taxes and assessments shall be  
3 prorated at the time of Closing.

4 Maricopa County has no objections to the sale as long as the tax liabilities are fully paid  
5 at closing from the proceeds of the sale in accordance with A.R.S. § 42-17153.

6 RESPECTFULLY SUBMITTED this 29th day of December, 2009.

7  
8 AIKEN SCHENK HAWKINS & RICCIARDI P.C.

9  
10 BY: /s/ Barbara Lee Caldwell  
11 BARBARA LEE CALDWELL  
Attorney for Maricopa County

12 COPY of the foregoing mailed, or served  
13 via electronic notification\* or fax\*\* or if so marked,  
14 this 29th day of December, 2009, to:

15 United States Trustee  
16 844 King Street, Room 2207  
17 Lockbox #35  
18 Wilmington, DE 19899-0035

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12 /s/  
13 Joanne Granville

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