

Sale of Riverview sought

Court asked to end liability for new owner of cemetery

By **TERRI SANGINITI**
Staff reporter

A Riverview Cemetery bankruptcy trustee has filed a court motion to abandon all assets of the 129-year-old Wilmington cemetery's estate to pave the way for its sale.

If the motion were approved, a new owner would not be held liable for actions of the current owner.

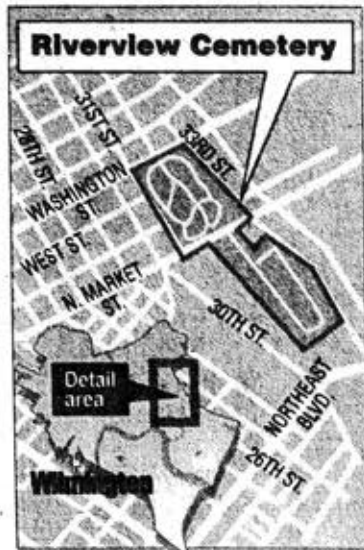
"This action makes it more appealing for a new owner to take over," state Deputy Attorney General Olha Rybakoff said.

Riverview filed for

Chapter 7 bankruptcy in June, saying there was no more money to maintain the cemetery's 87 acres and 36,000 graves.

The filing came six months after the state Attorney General's Office charged the cemetery's owners - the Independent Order of Odd Fellows Grand Lodge, Lodges No. 1 and No. 34, and the Knights of Pythias Grand Lodge of Pennsylvania - with consumer fraud.

The Attorney General's Office took 85 complaints from the public about upkeep and mismanagement



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at the cemetery at 33rd and North Market streets.

Court-appointed trustee Jeffrey L. Burch filed the motion in U.S. Bankruptcy

Court last week, asking the court to grant relief because the property is burdensome and the assets no longer benefit the estate.

Anyone who opposes the motion has until 4 p.m. Jan. 24 to respond. A hearing has been scheduled for Feb. 1 in Bankruptcy Court.

Burch lists the cemetery's assets as a parcel of land, books and records worth a market value of \$1,250,000, and a 2000 Buick LeSabre worth \$16,000.

Walt Mateja, the cemetery's former executive director, is continuing to make car and insurance payments on the vehicle and drive it "as compensation for his providing a minimum degree of security and maintenance for

the cemetery property," court records stated.

Mateja is listed in the June 4 bankruptcy filing as being owed \$90,316 for his services to the cemetery.

An unnamed party is interested in acquiring the property "upon abandonment from the estate for no consideration to the debtor," court records said.

Odd Fellows' attorney Dennis Phifer said the solution under consideration would be in the "best interest of the community and the people presently buried at the cemetery."

The state's fraud suit in Chancery Court is nearing a settlement, Rybakoff said.

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