

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA**

MODIFIED CHAPTER 13 PLAN

In Re: Vernetta E. Durant SSN: xxx-xx-4725

Dated: August 23, 2004
Bkry Case No. 04-41907

DEBTOR

In a joint case, debtor means debtors in this plan.

1. PAYMENTS BY DEBTOR –

- a. As of the date of this plan, the debtor has paid the trustee \$250.00, this includes the \$125.00 the Trustee has on hand for distribution.
- b. After the date of this plan, the debtor will pay the trustee \$125.00 per month for 38 months, beginning September 2004 for a total of \$4,750.00.
- c. The debtor will also pay the trustee \$None.
- d. The debtor will pay the trustee a total of \$4,875.00, this includes the \$125.00 the Trustee has on hand for distribution, from: the date of this modified plan.

- 2. PAYMENTS BY TRUSTEE -** The trustee will make payments only to creditors for which proofs of claim have been filed, make payments monthly as available, and collect the trustee's percentage fee of 10% for a total of \$443.00 [line 1(d) x .10] or such lesser percentage as may be fixed by the Attorney General. For purposes of this plan, month one (1) is the month following the month in which the debtor makes the debtor's first payment. Unless ordered otherwise, the trustee will not make any payments until the plan is confirmed. Payments will accumulate and be paid following confirmation. The Trustee's fee of \$443.00 is from the date of this modified plan.

- 3. PRIORITY CLAIMS -** The trustee shall pay in full all claims entitled to priority under §507, including the following. The amounts listed are estimates only. The trustee will pay the amounts actually allowed. Remaining balances due under the modified plan.

<i>Creditor</i>	<i>Estimated Claim</i>	<i>Monthly Payment</i>	<i>Beginning in Month #</i>	<i>Number of Payments</i>	<i>TOTAL PAYMENTS</i>
a. Attorney Fees	\$ 1,351.00	\$ 56.00	1	25	\$ 1,351.00
b.	\$	\$			\$
c.	\$	\$			\$
d.	\$	\$			\$
e. TOTAL					\$ 1,351.00

- 4. LONG-TERM SECURED CLAIMS NOT IN DEFAULT -** The following creditors have secured claims. Payments are current and the debtor will continue to make all payments, which come due after the date the petition was filed directly to the creditors. The creditors will retain their liens.

- a. Secretary of Housing
- b.

- 5. HOME MORTGAGES IN DEFAULT [§ 1322(b)(5)] -** The trustee will cure defaults on claims secured only by a security interest in real property that is the debtor's principal residence as follows. The debtor will maintain the regular payments, which come due after the date the petition was filed. The creditors will retain their liens. The amounts of default are estimates only. The trustee will pay the actual amounts of default. Remaining balances due under the modified plan.

<i>Creditor</i>	<i>Amount of Default</i>	<i>Monthly Payment</i>	<i>Beginning in Month #</i>	<i>Number of Payments</i>	<i>TOTAL PAYMENTS</i>
a. TCF Mortgage	\$ 2,338.00	\$ 57.00/113.00	1/26	25/8	\$ 2,338.00
b.	\$	\$			\$
c.	\$	\$			\$
d. TOTAL:					\$ 2,338.00

- 6. OTHER LONG-TERM SECURED CLAIMS IN DEFAULT [§ 1322 (b)(5)] -** The trustee will cure defaults (plus interest at the rate of 8 per cent per annum) on other claims as follows and the debtor will maintain the regular payments which come due after the date the petition was filed. The creditors will retain their liens. The amounts of default are estimates only. The trustee will pay the actual amounts of default. Remaining balances due under the modified plan.

<i>Creditor</i>	<i>Amount of Default</i>	<i>Monthly Payment</i>	<i>Beginning in Month #</i>	<i>Number of Payments</i>	<i>TOTAL PAYMENTS</i>
a.	\$	\$			\$
b. TOTAL					\$ None

7. **OTHER SECURED CLAIMS** [§ 1325(a)(5)] The trustee will make payments to the following secured creditors having a value as of confirmation equal to the allowed amount of the creditor's secured claim using a discount rate of 8 percent. The creditor's allowed secured claim shall be the creditor's allowed claim or the value of the creditor's interest in the debtor's property, whichever is less. The creditors shall retain their liens. NOTE: NOTWITHSTANDING A CREDITOR'S PROOF OF CLAIM FILED BEFORE OR AFTER CONFIRMATION, THE AMOUNT LISTED IN THIS PARAGRAPH AS A CREDITOR'S SECURED CLAIM BINDS THE CREDITOR PURSUANT TO 11 U.S.C. § 1327 AND CONFIRMATION OF THE PLAN WILL BE CONSIDERED A DETERMINATION OF THE CREDITOR'S ALLOWED SECURED CLAIM UNDER 11 U.S.C. § 506(a). Remaining balances due under the modified plan.

Creditor	Claim Amount	Secured Claim	Monthly Payment	Beginning in Month #	Number of Payments	TOTAL PAYMENTS
a.	\$	\$	\$			\$
b.	\$	\$	\$			\$
c.	\$	\$	\$			\$
d.	\$	\$	\$			\$
e.	\$	\$	\$			\$
f. TOTAL						\$ None

8. **SEPARATE CLASS OF UNSECURED CREDITORS** - In addition to the class of unsecured creditors specified in ¶ 9, there shall be a separate class of non-priority unsecured creditors described as follows: None.

- a. The debtor estimates that the total claims in this class are \$ None.
- b. The trustee will pay this class \$ None.

9. **TIMELY FILED UNSECURED CREDITORS** - The trustee will pay holders of non-priority unsecured claims for which proofs of claim were timely filed the balance of all payments received by the trustee and not paid under ¶ 2, 3, 5, 6, 7, and 8 their pro rata share of approximately \$743.00 [line 1(d) minus lines 2, 3(e), 5(d), 6(b), 7(f), and 8(b)].

- a. The debtor estimates that the total unsecured claims held by creditors listed in ¶ 7 are \$None.
- b. The debtor estimates that the debtor's total unsecured claims (excluding those in ¶ 7 and ¶ 8 are \$14,012.00.
- c. Total estimated unsecured claims are \$14,012.00 [line 9(a) + line 9(b)].

10. **TARDILY FILED UNSECURED CREDITORS** - All money paid by the debtor to the trustee under ¶ 1, but not distributed by the trustee under ¶ 2, 3, 5, 6, 7, 8, or 9 shall be paid to holders of non-priority unsecured claims for which proofs of claim forms were tardily filed.

11. **OTHER PROVISIONS** - The trustee may distribute funds not allocated above at his discretion. The tax authorities including the federal government, state revenue and property taxes shall be paid per claim whether filed as priority or secured. The plan shall allow debtors current child support obligation to be paid through payroll deduction, and the back child support obligation shall be paid in full inside the plan. All child support debt classified as non-priority shall be paid in full by the Trustee, as a separate class. Upon the completion of payment of the secured portion of any claim, the property securing said claim shall vest in the debtor(s) free and clear of any lien, claim or interest of the secured creditor and the secured creditor shall execute whatever documents necessary to release lien on title to security.

Debtor shall pay the regular monthly post-petition mortgage payment to TCF Mortgage Corporation ("TCF") on the first day of the month, commencing May 1, 2004, and continuing each month thereafter. In the event the debtor fails to make any of the above payments as and when due, the attorney for TCF shall serve Notice, by first class mail, alleging the debtor's failure to pay said payment. Unless the debtor cures the default within ten (10) days after service of said Notice, TCF shall be entitled to ex-parte relief from the automatic stay.

12. **SUMMARY OF PAYMENTS** -

Trustee's Fee [Line 2]).....	\$	443.00
Priority Claims [Line 3(e)].....	\$	1,351.00
Home Mortgage Defaults [Line 5(d)].....	\$	2,338.00
Long-Term Debt Defaults [Line 6(b)].....	\$	None
Other Secured Claims [Line 7(f)].....	\$	None
Separate Class [Line 8(b)].....	\$	None
Unsecured Creditors [Line 9].....	\$	743.00
TOTAL [must equal Line 1(d)].....	\$	4,875.00

Insert Name, Address, Telephone and License Number of Debtor's Attorney:
 Robert J. Hoglund #210997
 P.O. Box 130938
 Roseville, Minnesota 55113

Signed /e/ Vernetta E. Durant
 DEBTOR

(651) 628-9929

Signed /e/
 DEBTOR (if joint case)

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA

In Re:
Vernetta E. Durant,

Chapter 13 Case
Bkry Case No: 04-41907

**UNSWORN CERTIFICATE
OF SERVICE**

Debtor(s).

I, Robin Nori, employed by Hoglund, Chwialkowski, Greeman & Bergmanis, P.L.L.C., attorneys licensed to practice law in this Court, with office address of 1611 West County Road B, Suite 106, Roseville, Minnesota 55113, declare that on September 1, 2004, I served the Notice of Hearing and Motion to Modify the Chapter 13 Plan, and modified Chapter 13 Plan, to each of the entities named below, by mailing to each of them a copy thereof by enclosing the same in an envelope with first class mail postage prepaid, and depositing the same in the post office in Roseville, Minnesota, addressed to each of the entities as follows:

Ms. Jasmine Z. Keller, Trustee
310 Plymouth Building
12 South Sixth Street
Minneapolis, Minnesota 55402

United States Trustee
1015 United States Courthouse
300 South Fourth Street
Minneapolis, Minnesota 55415

Vernetta E. Durant
3626 Humboldt Avenue North
Minneapolis, Minnesota 55412

all creditors/parties in interest listed on matrix (see attached)

And I declare, under penalty of perjury, that the foregoing is true and correct.

Dated: September 1, 2004

Signed: /e/ Robin Nori
Paralegal

APRIA HEALTHCARE
PO BOX 1450 NW 7140
MINNEAPOLIS MN 55485

CENTERPOINT ENERGY/MINNEGASCO
PO BOX 1297
MINNEAPOLIS MN 55472

CHILDRENS HEALTH CARE
PO BOX 86 12183 SDS
MINNEAPOLIS MN 55488

CITY OF MINNEAPOLIS WATER DEPT
350 S 5TH ST
MINNEAPOLIS MN 55472

FORD MOTOR CREDIT
PO BOX 88306
CHICAGO IL 60680

MCC GROUP INC
10125 CROSSTOWN CIRCLE #100
EDEN PRAIRIE MN 55344

MESSERLI & KRAMER
ATTORNEYS AT LAW
3405 ANNAPOLIS LANE N #300
PLYMOUTH MN 55447

MILLENIUM CREDIT CONSULTANTS
PO BOX 18160
WEST SAINT PAUL MN 55118

PARK RIDGEWAY APARTMENTS
4219 OREGON AVE N
NEW HOPE MN 55428

PEDIATRIC RADIOLOGY
14700 - 28TH AVE N #30
MINNEAPOLIS MN 55447

QWEST
PO BOX 1301
MINNEAPOLIS MN 55483

SEED ACADEMY
1300 OLSON MEMORIAL HWY
MINNEAPOLIS MN 55411

TCF BANK
801 MARQUETTE AVE
MINNEAPOLIS MN 55402

TIME WARNER CABLE
801 PLYMOUTH AVE N
MINNEAPOLIS MN 55411

XCEL ENERGY
PO BOX 9477
MINNEAPOLIS MN 55484-9477

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA

In re:

Vernetta E. Durant,

Bankruptcy Case Number: 04-41907

SIGNATURE DECLARATION

Debtor(s).

- () PETITION, SCHEDULES & STATEMENTS
() CHAPTER 13 PLAN
() SCHEDULES & STATEMENTS ACCOMPANYING VERIFIED CONVERSION
() AMENDMENT TO PETITION, SCHEDULES & STATEMENTS
(X) MODIFIED CHAPTER 13 PLAN/MOTION FOR HEARING
() OTHER: (Please describe) _____
() VERIFICATION: I (We), debtor(s) named in the attached amended schedules, declare under penalty of perjury that the foregoing is true and correct.

I [We] Vernetta E. Durant, the undersigned debtor(s) or authorized individual, **hereby declare under penalty of perjury** that the information I have given my attorney and provided in the electronically filed petition, statements, schedules, amendments, and/or chapter 13 plan, as indicated above, is true and correct. I consent to my attorney electronically filing my petition, a scanned image of this declaration, statements, and schedules, amendments, and/or chapter 13 plan, as indicated above, with the United States Bankruptcy Court. I understand that a scanned image of this declaration is to be converted to PDF, and either inserted as the last page in the electronic submission or electronically submitted within five days after the above-named document have been electronically submitted.

[] [If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under Chapter 7, 11, 12 or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7. I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.

[] [If petitioner is a corporation or partnership] I declare under penalty of perjury that the information provided in the petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor. The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

Date: 8/3/04

Vernetta E. Durant
Signature of Debtor or Authorized Individual

Signature of Joint Debtor

Vernetta E. Durant
Printed Name of Debtor or Authorized Individual

Printed Name of Joint Debtor

HOGLUND, CHWIALKOWSKI, GREEMAN & BERGMANIS, P.L.L.C.

Signed: /e/ Robert J. Hoglund
Robert J. Hoglund #210997
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Telephone Number: (651) 628-9929