

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA**

MODIFIED CHAPTER 13 PLAN

IN RE: Randy Beuning

Dated:
CASE NO. 04-43501

(In a joint case, debtor means debtors in this plan)

_____ / Debtor(s)

1. PAYMENTS BY DEBTOR --

- a. As of the date of this plan, the debtor has paid the trustee \$ 0.00 .
- b. After the date of this plan, the debtor will pay the trustee \$ 379.58 *monthly* for 52 months, beginning within 30 days after the filing of this plan for a total of \$ 19,738.16 .
- c. The debtor will also pay the trustee _____
- d. The debtor will pay the trustee a total of \$ 19,738.16 [line 1(a)+line1(b)+line1(c)].

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 \$ 1,973.82 [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 debtors make 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.

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.

<u>CREDITOR</u>	<u>ESTIMATED CLAIM</u>	<u>MONTHLY PAYMENT</u>	<u>BEGINNING IN MONTH #</u>	<u>NUMBER OF PAYMENTS</u>	<u>TOTAL PAYMENTS</u>
<i>Attorney Fees</i>	<i>800.00</i>	<i>66.67</i>	<i>1</i>	<i>12</i>	<i>800.00</i>
TOTAL				\$	800.00

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.

CREDITOR
Cenlar

5. HOME MORTGAGES IN DEFAULT [§1322(b)(5)] -- The trustee will cure defaults (plus interest at the rate of 0.00 per cent per annum) 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.

<u>CREDITOR</u>	<u>AMOUNT OF DEFAULT</u>	<u>MONTHLY PAYMENT</u>	<u>BEGINNING IN MONTH #</u>	<u>NUMBER OF PAYMENTS</u>	<u>TOTAL PAYMENTS</u>
<i>Cenlar</i>	<i>2,400.00</i>	<i>213.24</i>	<i>1</i>	<i>12</i>	<i>2,558.88</i>
TOTAL				\$	2,558.88

6. OTHER LONG-TERM SECURED CLAIMS IN DEFAULT [§1322(b)(5)] -- The trustee will cure defaults (plus interest at the rate of 0.00 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.

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 6.50 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).

<u>CREDITOR</u>	<u>CLAIM AMOUNT</u>	<u>SECURED CLAIM</u>	<u>MONTHLY PAYMENT</u>	<u>BEGINNING IN MONTH #</u>	<u>NUMBER OF PAYMENTS</u>	<u>TOTAL PAYMENTS</u>
<i>State Bank of Cold Spring</i>	<i>2,700.00</i>	<i>2,600.00</i>	<i>155.00</i>	<i>1</i>	<i>18</i>	<i>2,789.96</i>
TOTAL						\$ 2,789.96

8. SEPARATE CLASS OF UNSECURED CREDITORS -- In addition to the class of unsecured creditors specified in ¶ 9, there shall be a separate class of nonpriority unsecured creditors described as follows:

- a. The debtors estimate that the total claims in this class are \$ 0.00.
- b. The trustee will pay this class \$ 0.00.

9. TIMELY FILED UNSECURED CREDITORS -- The trustee will pay holders of nonpriority 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 \$ 11,615.51 [line 1(d) minus the totals of Paragraphs 2, 3, 5, 6, 7, and line 8(b)].

- a. The debtor estimates that the total unsecured claims held by creditors listed in ¶ 7 are \$ 100.00.
- b. The debtor estimates that the debtors' total unsecured claims (excluding those in ¶ 7 and 8) are \$ 36,659.94.
- c. Total estimated unsecured claims are \$ 36,759.94 [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 nonpriority unsecured claims for which proofs of claim were tardily filed.

11. OTHER PROVISIONS --

12. SUMMARY OF PAYMENTS --

Trustee's Fee [Paragraph 2] _____	\$	<u>1,973.82</u>
Priority Claims [Paragraph 3 Total] _____	\$	<u>800.00</u>
Home Mortgage Defaults [Paragraph 5 Total] _____	\$	<u>2,558.88</u>
Long-Term Debt Defaults [Paragraph 6 Total] _____	\$	<u>0.00</u>
Other Secured Claims [Paragraph 7 Total] _____	\$	<u>2,789.96</u>
Separate Class [Line 8(b)] _____	\$	<u>0.00</u>
Unsecured Creditors [Paragraph 9] _____	\$	<u>11,615.51</u>
TOTAL [must equal Line 1(d)] _____	\$	<u>19,738.16</u>

NAME OF LAW FIRM: *Heller Law Firm*
Stephen L. Heller
606 25th Avenue South #110
St. Cloud, MN 56301

Signed /s/ Randy Beuning
 Debtor: *Randy Beuning*

Signed _____

Phone: *320-654-8000*
 License Number: *246347*

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MINNESOTA
FOURTH DIVISION**

IN RE: Randy Beuning,) Case No: 04-43501
Debtor) Chapter 13

**NOTICE OF HEARING
ON PRE-CONFIRMATION MODIFIED PLAN**

Please take notice that a hearing on the pre-confirmation modified plan dated October 7, 2004, will be presented to the court for confirmation on October 21, 2004, at 10:00 a.m. at the U.S. Courthouse, Courtroom 8 West, 300 South 4th Street, Minneapolis, MN 55415.

Date this 7th day of October, 2004.

HELLER LAW FIRM, P.A.



Stephen L. Heller - 246347
Attorney for Debtor
606 25th Avenue South, Suite 110
St. Cloud, MN 56301
320-654-8000

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA

In re: Randy Beuning

SIGNATURE DECLARATION

Debtor(s).

Case No. 04-43501

- PETITION, SCHEDULES & STATEMENTS
- CHAPTER 13 PLAN
- SCHEDULES AND STATEMENTS ACCOMPANYING VERIFIED CONVERSION
- AMENDMENT TO PETITION, SCHEDULES & STATEMENTS
- MODIFIED CHAPTER 13 PLAN
- OTHER (Please describe: Notice of Hearing on Pre-Confirmation Modified Plan
Amended Summary of Schedules, Amended Schedules B, D, E, F)

I [We], the undersigned debtor(s) or authorized representative of the debtor, **make the following declarations under penalty of perjury:**

- 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;
- The information provided in the "Debtor Information Pages" submitted as a part of the electronic commencement of the above-referenced case is true and correct;
- **[individual debtors only]** If no Social Security Number is included in the "Debtor Information Pages" submitted as a part of the electronic commencement of the above-referenced case, it is because I do not have a Social Security Number;
- I consent to my attorney electronically filing with the United States Bankruptcy Court my petition, statements and schedules, amendments, and/or chapter 13 plan, as indicated above, together with a scanned image of this Signature Declaration and the completed "Debtor Information Pages," if applicable; and
- **[corporate and partnership debtors only]** I have been authorized to file this petition on behalf of the debtor.

Date: 10-7-04

X Randy G. Beuning
Signature of Debtor or Authorized Representative

X _____
Signature of Joint Debtor

Randy G. Beuning
Printed Name of Debtor or Authorized Representative

Printed Name of Joint Debtor