

IN RE:  
DALE AND ADORY BEUTEL

SECOND MODIFIED CHAPTER 13 PLAN  
DATED: 10/25/2004  
CASE NO. 04-43576 RJK

**1. PAYMENTS BY DEBTOR**

- a. As of the date of the plan, debtor has paid the trustee \$1,050.00  
b. After the date of this plan, debtor will pay the trustee \$300.00 per month for 56 months or until all allowed unsecured claims are paid in full, whichever comes first. Payments will begin within 30 days after filing of the plan.  
c. The debtor will also pay the trustee \_\_\_\_\_  
d. The Debtor will pay the trustee a total of: \$17,850.00 {line 1a + line 1b +line 1c}

**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 fee of 10% for a total of: \$1,785.00 [line 1d x .10] or such lesser percentage as may be fixed by the Attorney General. For the purposes of this plan, month one (1) is the month following the month in which the debtor make's the 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 Sec. 507 of the Code, including the following. The amounts listed are estimates only. The trustee will pay the amounts actually allowed.

<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	\$1,000.00	\$225.00	1	4	\$1,000.00
b. Internal Revenue Service					
c. Minn Dept of Revenue					
d. other					
e. TOTAL	\$1,000.00	\$225.00			\$1,000.00

**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. NEW CENTURY MORTGAGE WILL BE PAID DIRECTLY.  
b. THE VACUUM WILL BE SURRENDERED TO PRIME ACCEPTANCE CORP.

**5. HOME MORTGAGES IN DEFAULT (sec. 1322(b)(5))** The trustee will cure defaults (plus interest at the rate of 8% 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 regular payments which come due after the date the petition was filed. The creditors will retain their liens. The amount of defaults are estimates only. The trustee will pay the actual amounts of default.

<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.	\$0.00	\$0.00			
b.					
c.					
d. other					
e. TOTAL	\$0.00	\$0.00			\$0.00

**6. OTHER LONG-TERM SECURED CLAIMS IN DEFAULT (sec 1322(b)(5))** The trustee will cure defaults (plus interest at the rate of 8 percent per annum) on other claims as follows and the debtor will maintain 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 actual amount of default.

<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.					
c.					
d. other					
e. TOTAL	\$0.00	\$0.00			\$0.00

**7. OTHER SECURED CLAIMS[sec 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% The creditor's allowed secured claim shall be the creditor's allowed claim or 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).**

Creditor	Amount of Claim	Secured Claim	Monthly Payment	Beginning in Month #	Number of payments	TOTAL PAYMENTS
a.	\$0.00	\$0.00	\$0.00			\$0.00
b.						
c.						
d. other						
e. TOTAL	\$0.00	\$0.00			\$0.00	\$0.00

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

- a. The debtor estimates 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 the 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 paragraphs 1, 2, 3, 4, 5, 6, 7, and 8, their pro rata share of approximately \$15,065.00 line 1(d) minus lines 2, 3(e), 5(e), 6(e), 7(e) and 8(b)

- a. The debtor estimates that the total unsecured claims by creditors listed in paragraph 7 are \$0.00
- b. The debtor estimates that the total unsecured claims (excluding those in #7 & #8) are \$236,214.15
- c. Total estimated unsecured claims are \$236,214.15 [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 #2,3,4,5,6,7,8 or 9 shall be paid to the holders of nonpriority unsecured claims for which proofs of claim were tardily filed.

**11. OTHER PROVISIONS** Property tax claims shall be paid per claim, whether filed as secured or priority.

Upon payment of the secured portion of debts listed in #6 & 7, liens shall be released by creditors.

County tax obligations shall be paid as secured or priority at the discretion of the trustee based on the proof of claim.

Debtor(s) certify that all projected disposable income has been dedicated to the plan for the first three years in compliance with 11 U.S.C.

*The trustee may distribute excess funds, if any, at his discretion.*

Trustee's fee [line 2].....	\$1,785.00
Priority claims [line 3e].....	\$1,000.00
Home Mortgage Defaults [line 5(e)].....	\$0.00
Long Term Debt Defaults [line 6(e)]. .....	\$0.00
Other Secured Claims [line 7(e)].....	\$0.00
Separate Class [line 8(b)].....	\$0.00
Unsecured Creditors [line 9(c)].....	\$15,065.00
<b>TOTAL [must equal line 1(d)].....</b>	<b>\$17,850.00</b>

ROBERT L KALENDA  
 919 WEST ST GERMAIN ST STE 2000  
 ST CLOUD MN 56301  
 (320)255-8840

SIGNED:   
 DEBTOR

SIGNED:   
 JOINT DEBTOR

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MINNESOTA  
FOURTH DIVISION

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Dale & Adory Beutel

Chapter 13 Bankruptcy

Debtors.

Bky.No.04-43576

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NOTICE OF MODIFICATION OF  
CHAPTER 13 PLAN BEFORE CONFIRMATION

TO: ALL INTERESTED PARTIES

1. Pursuant to Local Rule 3015-2, Debtors, by their undersigned attorney, Robert L. Kalenda, hereby give notice that the Court will hold a confirmation hearing on the Second Modified Chapter 13 Plan at 10:00 a.m. on November 18, 2004, in US Courthouse Courtroom 8 West, 300 S. 4<sup>th</sup> Street, Minneapolis, Minnesota.

Dated: 10-28-04

KALENDA & ASSOCIATES

By: /e/ Robert L. Kalenda  
Robert L. Kalenda  
Attorney for Debtor(s)  
919 West St. Germain, Suite 2000  
St. Cloud, MN 56301  
(320) 255-8840  
MN Registration #53260



DALE E BEUTEL  
1928 PRAIRIE ROSE LN  
ST CLOUD MN 56303

ACADEMY COLLECTION AGENC  
10965 DECATOR RD  
PHILADELPHIA PA 19154-32

BANK CARD SERVICES  
PO BOX 15137  
WILMINGTON DE 19850-5137

BANK CARD SERVICES WACHO  
PO BOX 94014  
PALATINE IL 60094-4014

BANK ONE  
C/O ACADEMY COLLECTION A  
10965 DECATUR RD  
PHILADELPHIA PA 19154-32

CITICARDS  
PO BOX 6419  
THE LAKES NV 88901-6419

MBNA  
PO BOX 15137  
WILMINGTON DE 19886-5137

NCO FINANCIAL SYSTEMS  
3700 ISLAND EMPIRE DR  
ONTARIO CA 91763

NEW CENTURY MORTGAGE  
17701 COWAN 2ND FL  
IRVINE CA 92614

PHILIPS & COHEN ASSOC  
695 RANOCAS RD  
WESTHAMPTON NJ 08060

PRIME ACCEPTANCE CORPORA  
200 W JACKSON BLVD  
CHICAGO IL 60606

PROVIDIAN  
PO BOX 9150  
PLEASANTON CA 94566-9150

US BANK  
PO BOX 790408  
ST LOUIS MO 63179-0408

US BANK READY RESERVE  
PO BOX 790408  
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US DEPARTMENT OF EDUCATI  
PO BOX 530260  
ATLANTA GA 30353-0260

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PO BOX 530260  
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WELLS FARGO  
P O BOX 5185  
SIOUX FALLS SD 57117

WOLPOFF & ABRAMSON  
5350 SPECTRUM DR ATE J  
FREDERICK, MD 21703

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MINNESOTA

In re: DALE AND ADORY BEUTEL

SIGNATURE DECLARATION

Debtor(s).

Case No. 04-43576-RJK

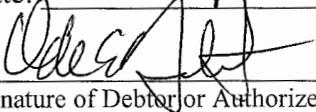
- PETITION, SCHEDULES & STATEMENTS  
 CHAPTER 13 PLAN  
 SCHEDULES AND STATEMENTS ACCOMPANYING VERIFIED CONVERSION  
 AMENDMENT TO PETITION, SCHEDULES & STATEMENTS  
 MODIFIED CHAPTER 13 PLAN  
 OTHER (Please describe: )

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

10/26/2004



Signature of Debtor or Authorized Representative

Dale E. Beutel

Printed Name of Debtor or Authorized Representative



Signature of Joint Debtor

Adory L. Beutel

Printed Name of Joint Debtor