

**UNITED STATES BANKRUPTCY COURT  
District of Minnesota**

In Re:  
**Allen F. Boit**  
**4065**  
**Jewel A. Marks Boit**  
**7391**

**CHAPTER 13 PLAN - SECOND AMENDED**

Dated:

Case No. **04-60443**

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 **\$0.00**.
- b. After the date of this plan, the debtor will pay the trustee **\$135.00** per **Month** for **36** months, beginning within 30 days after the filing of this plan for a total of **\$4,860.00**.
- c. The debtor will also pay the trustee: **\$0.00**

d. The debtor will pay the trustee a total of **\$4,860.00** [line 1(a) + line 1(b) + line 1(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 10.00% for a total of **486.00** [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.

**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.

Creditor	Estimated Claim	Monthly Payment	Beg. in Month #	No. of Payments	TOTAL PAYMENTS
<b>Attorney Fees</b>	\$ <b>0.00</b>	\$ <b>0</b>	<b>0</b>	<b>0</b>	\$ <b>0</b>

**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.

Name of Creditor	Description Of Property
<b>First National Bank</b>	<b>1995 Chevy Ext Cab 4x4 (\$3,500) 2001 Kawasaki 4 W</b>
<b>First National Bank</b>	<b>W1/2 SE1/4 SE1/4 -35-145-42 Mahnommen County, Minne</b>
<b>Conseco Finance Loan Co</b>	<b>W1/2 SE1/4 SE1/4 -35-145-42 Mahnommen County, Minne</b>
<b>SBA</b>	<b>W1/2 SE1/4 SE1/4 -35-145-42 Mahnommen County, Minne</b>

**5. HOME MORTGAGES IN DEFAULT [§ 1322(b)(5)] -** The trustee will cure defaults (plus interest at the rate of 8.00 percent 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.

Creditor	Amount of Default	Monthly Payment	Beg. in Month #	No. of Payments	TOTAL PAYMENTS
<b>None</b>	\$ <b>0.00</b>	\$ <b>0.00</b>	<b>0</b>	<b>0</b>	\$ <b>0.00</b>
<b>TOTAL</b>					\$ <b>0.00</b>



Unsecured Creditors [Line 9(c)]  
TOTAL [must equal Line 1(d)]

**\$130,279.72**  
**\$4,860.00**

Kevin T. Duffy  
Bar no: 134-600  
Duffy Law Office  
P.O. Box 715  
1008 West Second Street  
Thief River Falls, MN 56701  
218-681-8524

Signed: **s/ Allen F. Boit**

Allen F. Boit, DEBTOR

Signed: **s/ Jewel A. Marks Boit**

Jewel A. Marks Boit, JOINT DEBTOR

VERIFICATION

We, Allen F. Boit and Jewel A. Boit, declare under penalty of perjury that the foregoing First Amended Chapter 13 Plan is true and correct according to the best of our knowledge, information and belief.

Date: 10-14-04

X Allen F. Boit  
Signature of Debtor or Authorized Representative

Allen F. Boit  
Printed Name of Debtor or Authorized Representative

X Jewel A. Marks Boit  
Signature of Joint Debtor

Jewel A. Marks Boit  
Printed Name of Joint Debtor

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MINNESOTA

IN RE:

Boit, Allen  
Marks-Boit, Jewel, Debtors.

Bankruptcy Case No. 04-60443-DDO  
Chapter 13 Case

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UNSWORN CERTIFICATE OF SERVICE

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I, Tonya R. Klemetson, declare under penalty of perjury that on October 14, 2004, I mailed copies of the foregoing **Second Amended Chapter 13 Plan** by first class mail postage prepaid to each entity named below at the address stated below for each entity:

United States Trustee  
1015 U. S. Courthouse  
300 South 4<sup>th</sup> Street  
Minneapolis, MN 55415

Mr. Michael J. Farrell  
Chapter 12 Trustee  
P.O. Box 519  
Barnesville, MN 56514

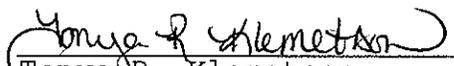
David L. Johnson  
McNarie, Larson & Carlson, Ltd.  
51 Broadway Ste 600  
PO Box 2189  
Fargo, ND 58108

Allen & Jewel Boit  
1482 State Hwy 200  
Mahnomen, MN 56557

Wells Fargo  
730 Center AVE  
Fargo, ND 56560

Executed on: October 14, 2004.

Signed:

  
Tonya R. Klemetson  
DUFFY LAW OFFICE  
P.O. Box 715  
Thief River Falls, MN 56701  
218-681-8524

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MINNESOTA

In re: Boit, Allen F.  
Boit, Jewel A.

SIGNATURE DECLARATION

Debtor(s).

Case No. 04-60443

- PETITION, SCHEDULES & STATEMENTS  
 CHAPTER 13 PLAN  
 SCHEDULES AND STATEMENTS ACCOMPANYING VERIFIED CONVERSION  
 AMENDMENT TO PETITION, SCHEDULES & STATEMENTS  
 MODIFIED CHAPTER 13 PLAN  
 OTHER (Please describe: 2nd Amended Chp. 13 Plan)

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: 10-14-04

Allen F. Boit  
Signature of Debtor or Authorized Representative

Allen F. Boit  
Printed Name of Debtor or Authorized Representative

Jewel A. Marks Boit  
Signature of Joint Debtor

Jewel A. Marks Boit  
Printed Name of Joint Debtor