

**UNITED STATES BANKRUPTCY COURT
District of Minnesota**

In Re:
Terrance Clinton Milner
XXX-XX1672

CHAPTER 13 PLAN

Dated:

Case No. **04-60762**

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 **\$594.00** per **Month** for **36** months, beginning within 30 days after the filing of this plan for a total of **\$21,384.00**.
- c. The debtor will also pay the trustee: **\$0.00**

d. The debtor will pay the trustee a total of **\$21,384.00** [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 **2,138.40** [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
Attorney Fees	\$ 1,200.00	\$ 400.00	1	3	\$ 1,200.00
					\$ 1,200.00
TOTAL					

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 Key Home Equity Services	Description Of Property Debtor's Residence: Homestead real property locat
Name of Creditor US Bank	Description Of Property Debtor's Residence: Homestead real property locat

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
None	\$ 0.00	\$ 0.00	0	0	\$ 0.00
TOTAL					

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

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

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 6.5 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).

Creditor	Claim Amount	Secured Claim	Monthly Payment	Beg. in Month #	No. of Payments	TOTAL PAYMENTS
Affinity Plus	\$ 17,000.00	\$ 15,000.00	\$ 529.39	3	32	\$ 15,975.00
TOTAL						\$ 15,975.00

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: (Cosigned debts shall be paid at the contract rate of interest.):

Classification Creditor

None

- a. The debtor estimates that the total claims in this class are \$
- b. The trustee will pay this class \$

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 2070.60 [line 1(d) minus lines 2, 3(e), 5(d), 6(d), 7(d) and 8(b)].

- a. The debtor estimates that the total unsecured claims held by creditors listed in ¶ 7 are \$2,000.00
- b. The debtor estimates that the debtor's total unsecured claims (excluding those in ¶ 7 and ¶ 8) are \$66,095.48
- c. Total estimated unsecured claims are \$68,095.48 [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 - Title in the 2001 Pontiac Grand Prix will vest with Debtor upon payment of the secured portion of Affinity Plus's claim. Debtor shall receive a discharge upon completion of the 36 month plan or when 100% of timely filed unsecured claims are paid, whichever occurs first. Trustee shall not pay any untimely filed

12. SUMMARY OF PAYMENTS - unsecured claims. Debtor shall surrender the 1995 Polaris 4-Wheeler to Citi Financial.

Trustee's Fee [Line 2]	Debtor shall commit any net rent received from the duplex for the life of the plan.	2,138.40
Priority Claims [Line 3(e)]		\$1,200.00
Home Mortgage Defaults [Line 5(d)]		\$0.00
Long-Term Debt Defaults [Line 6(d)]		\$0.00
Other Secured Claims [Line 7(d)]		\$ 15,975.00
Separate Class [Line 8(b)]		\$0.00

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

\$ 2070.60
\$21,384.00

Signed: _____
Terrance Clinton Milner, DEBTOR

Wesley W. Scott
Bar no: 0264787
Schmidt & Lund
13 7th Avenue South
St. Cloud, MN 56301

320-252-0330

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA

In Re:

Bkty. Case No.: 04-60762

Terrance Clinton Milner
Debtor.

NOTICE OF CONFIRMATION HEARING

PLEASE TAKE NOTICE that the Confirmation Hearing on the Chapter 13 Plan is scheduled September 28, 2004 at 10:00 a.m., at the U. S. Bankruptcy Court, 205 PO Building, Courtroom 2, 118 South Mill Street, Fergus Falls, MN 56537.

Dated this 25th day of August, 2004.

SCHMIDT AND LUND



Wesley W. Scott - #0264787
Attorney for Debtor
13 South Seventh Avenue
St. Cloud, MN 56301
(320) 252-0330

SERVICE LIST

AFFINITY PLUS
FEDERAL CU 175 W
LAFAYETTE FRONTAGE RD
ST PAUL MN 55107

AT&T UNIVERSAL CARD
PO BOX 8117
S HACKENSACK NJ 07606

BANK OF AMERICA
PO BOX 5270
CAROL STREAM IL 60191

BENEFICIAL
138 2 STREET S
PARK SQ SHOPPING CENTER
WAITE PARK MN 56387

CAPITAL ONE
PO BOX 60000
SEATTLE WA 98190

CITI FINANCIAL
PO BOX 7490
ST CLOUD MN 56303

DISCOVER CARD
PO BOX 30395
SALT LAKE CITY UT 84130

KEY HOME EQUITY SERVICES
PO BOX 15145
ALBANY NY 12212

MBNA AMERICA
PO BOX 15137
WILMINGTON DE 19886

US BANK
PO BOX 790167
ST LOUIS MO 63179

WELLS FARGO
PO BOX 6412
CAROL STREAM IL 60197

WELLS FARGO FINANCIAL
PO BOX 98798
LAS VEGAS NV 89197

U S TRUSTEE
1015 U S COURTHOUSE
300 S FOURTH ST
MINNEAPOLIS MN 55415

MICHAEL J FARRELL
PO BOX 519
BARNESVILLE MN 56514

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA

In re: **Terrance Clinton Milner**

SIGNATURE DECLARATION

Debtor(s).

Case No. 04-60762

- 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 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: 8-24-04

Terrance C Milner
Signature of Debtor or Authorized Representative

Signature of Joint Debtor

TERRANCE C MILNER
Printed Name of Debtor or Authorized Representative

Printed Name of Joint Debtor