

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA

In Re:

Melissa Joell Martin,

BKY 04-31050

Debtor(s).

**UNSWORN DECLARATION OF
SERVICE BY MAIL**

I, **Marian Edman**, an employee of Halverson Law Office, 600 South Second Street, Mankato, Minnesota, deposes and says that on October 21, 2004, she served the attached **Second Amended Plan of Reorganization** on the attached list by depositing true and correct copies thereof in the United States Mail at Mankato, Minnesota, with postage prepaid in an envelope addressed to said individuals.

By /e/ Marian Edman
600 South Second St.
Mankato, MN 56001

US TRUSTEE
1015 US COURTHOUSE
300 S 4TH ST
MINNEAPOLIS MN 55415

WELLS FARGO BANK MN
PO BOX 4116
PORTLAND OR 97208

WEINSTEIN TREIGER & RILEY
2101 4TH AVE STE 900
SEATTLE WA 98121

MN DEPT OF REVENUE
BANKRUPTCY SECTION
PO BOX 64447
ST PAUL MN 55164

STATE OF MINNESOTA
DEPT OF MANPOWER SERVICES
390 N ROBERT ST
ST PAUL MN 55101

US ATTORNEY
600 US COURTHOUSE
300 S 4TH ST
MINNEAPOLIS MN 55415

BLUE EARTH COUNTY SHERIFF
BLUE EARTH COUNTY COURTHOUSE
MANKATO MN 56001

WELLS FARGO BANK
1600 MADISON AVE
MANKATO MN 56001

RETAILERS NATIONAL BANK
PO BOX 59231
MINNEAPOLIS MN 55459-0231

MENARDS RETAIL SERVICES
DEPT 7680
CAROL STREAM IL 60116-7680

HARRIS BANK
PO BOX 6201
CAROL STREAM IL 60197-6201

CREDITORS INTERCHANGE
PO BOX 1335
BUFFALO NY 14240-1335

BANK ONE CARDMEMBER SERVICE
PO BOX 94014
PALATINE IL 60094-4014

MICHAEL J FARRELL
PO BOX 519
BARNESVILLE MN 56514

**UNITED STATES BANKRUPTCY COURT
District of Minnesota**

In Re:
Melissa Joell Martin
8981

CHAPTER 13 PLAN

Dated: 2nd Amended Plan 10/11/2004

Case No. 04-31050

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 **\$1,277.18**.
- b. After the date of this plan, the debtor will pay the trustee **\$159.99** per **Month** for **36** months, beginning within 30 days after the filing of this plan for a total of **\$5,759.64**
- c. The debtor will also pay the trustee: **\$0.00**
- d. The debtor will pay the trustee a total of **\$7,036.82** [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 **\$703.68** [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	\$ 1,250.00	\$ 143.99	1	9	\$ 1,250.00
TOTAL					\$ 1,250.00

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.

Name of Creditor Harris Bank	Description Of Property 2000 Toyota Sienna
Name of Creditor Wells Fargo Bank	Description Of Property Homestead Located at 55892 River Fort Drive, Mankato, MN 56001
Name of Creditor Wells Fargo Bank	Description Of Property Homestead Located at 55892 River Fort Drive, Mankato, MN 56001

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

6. OTHER LONG-TERM SECURED CLAIMS IN DEFAULT [§ 1322(b)(5)] - The trustee will cure defaults (plus interest at the rate of 8.00 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

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 8.00 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
NONE	\$ 0.00 \$	0.00 \$	0.00	0	0 \$	0.00

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 **\$5,083.14** [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 \$

b. The debtor estimates that the debtor's total unsecured claims (excluding those in ¶ 7 and ¶ 8) are **\$19,514.46**

c. Total estimated unsecured claims are **\$19,514.46** [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** - The debtor shall contribute all actual monthly disposable income to the trustee for distribution to the debtor's creditors through the debtor's Chapter 13 plan for the first 36 months of the plan.

12. **SUMMARY OF PAYMENTS -**

Trustee's Fee [Line 2]	<u>703.68</u>
Priority Claims [Line 3(e)]	<u>\$1,250.00</u>
Home Mortgage Defaults [Line 5(d)]	<u>\$0.00</u>
Long-Term Debt Defaults [Line 6(d)]	<u>\$0.00</u>
Other Secured Claims [Line 7(d)]	<u>\$0.00</u>
Separate Class [Line 8(b)]	<u>\$0.00</u>
Unsecured Creditors [Line 9(c)]	<u>\$5,083.14</u>
TOTAL [must equal Line 1(d)]	<u>\$7,036.82</u>

Signed:


Melissa Joell Martin, DEBTOR

Mark C. Halverson
Bar no: 124217
Halverson Law Office
600 South Second Street
P.O. Box 3544
Mankato, MN 56002-3544
1-507-345-1535