

Form 3015-1 - Chapter 13 Plan

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA**

MODIFIED CHAPTER 13 PLAN

In re:

William Earl Crane

Dated: October 15, 2004

DEBTOR

Case No. 04-33614

*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 \$1600.00.
- b. After the date of this plan, the debtor will pay the trustee \$2800.00 per month for 59 months, beginning within 30 days after the filing of this plan for a total of \$ 165,200.00.
- c. The debtor will also pay the trustee \$.
- d. The debtor will pay the trustee a total of \$166,800.00 [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% for a total of \$16,680.00 [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.

	<i>Estimated</i>	<i>Monthly</i>	<i>Beginning in</i>	<i>Number of</i>	<i>TOTAL</i>
<i>Creditor</i>	<i>Claim</i>	<i>Payment</i>	<i>Month #</i>	<i>Payments</i>	<i>PAYMENTS</i>
a. Attorney Fees	\$ <u>1250.00</u>	\$ <u>1250.00</u>	<u>1</u>	<u>1</u>	\$ <u>1250.00</u>
b. IRS priority	\$ <u>38,088.55</u>	\$ <u>1731.30</u>	35	22	\$ <u>38,088.55</u>
c. Minn. Dept of Revenue	\$ <u>6,932.00</u>		\$ <u>315.10</u>	<u>35</u>	- - - 2 2 - - -
	\$ <u>6,932.00</u>				
d. Washington Co Property Tax		\$ <u>14,140.00</u>	\$ <u>642.73</u>	<u>35</u>	- - - 2 2 - - -
		\$ <u>14,798.00</u>			

Property tax to be paid as priority regardless of claim designation

e. TOTAL \$ 61,068.55

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. BANK IONE second mortgage will be paid directly by debtor
- b.

5. HOME MORTGAGES IN DEFAULT [§ 1322(b)(5)] — The trustee will cure defaults (plus interest at the rate of **0** 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.

<i>Creditor</i>	<i>Amount of</i>	<i>Monthly</i>	<i>Beginning in</i>	<i>Number of</i>	<i>TOTAL</i>
	<i>Default</i>	<i>Payment</i>	<i>Month #</i>	<i>Payments</i>	<i>PAYMENTS</i>
a. CIT Group*	\$ <u>43,177.00</u>	\$ <u>2530.00</u>	<u>2</u>	<u>17</u>	\$ <u>43,177.00</u>
b. _____	\$ _____	\$ _____	_____	_____	\$ <u>0.00</u>
c. _____	\$ _____	\$ _____	_____	_____	\$ _____

d. TOTAL

\$ 43,177.00

* The debtor shall have ten (10) days after receipt of written notice to the debtor and his attorney to cure a default in post-petition mortgage payments. If the debtor does not cure the default within ten (10) days, CIT Group shall be entitled to relief from the automatic stay without a hearing or further notice to the debtor, by filing with the court an affidavit of compliance with this provision.

6. OTHER LONG-TERM SECURED CLAIMS IN DEFAULT [§ 1322 (b)(5)] — The trustee will cure defaults (plus interest at the rate of 8 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.

<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. TOTAL					\$ _____

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 4 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).

<i>Creditor</i>	<i>Claim Amount</i>	<i>Secured Claim</i>	<i>Monthly Payment</i>	<i>Beginning in Month #</i>	<i>Number of Payments</i>	<i>TOTAL PAYMENTS</i>
a. IRS secured	\$ 34,722.00	\$ 34,722.00	\$ 2500.00	19	15	\$ 37,500.00
b. _____	\$ _____	\$ _____	\$ _____	_____	_____	\$ _____
c. _____	\$ _____	\$ _____	\$ _____	_____	_____	\$ _____
d. TOTAL						\$ 37,500.00

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: _____

- 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 \$ 8374.45 (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 \$ 0.00 _____.
- b. The debtor estimates that the debtor's total unsecured claims (excluding those in ¶ 7 and ¶ 8) are \$ 209,555.83 _____.
- c. Total estimated unsecured claims are \$ 209,555.83 [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 WILL FILE AS AND WHEN DUE ANY AND ALL POST PETITION FEDERAL TAX RETURNS OF ANY KIND; AND WILL TIMELY PAY AS AND WHEN DUE ANY AND ALL POST PETITION FEDERAL TAX LIABILITIES OF ANY KIND. DEBTOR'S FAILURE TO FILE AS AND WHEN DUE ANY AND ALL POST PETITION FEDERAL TAX RETURNS OF ANY KIND; OR FAILURE TO TIMELY PAY AS AND WHEN DUE ANY AND ALL POST PETITION FEDERAL TAX LIABILITIES OF ANY KIND, WILL CONSTITUTE GROUNDS FOR DISMISSAL.

12. SUMMARY OF PAYMENTS —

Trustee's Fee [Line 2]	\$	16,680.00
Priority Claims [Line 3(e)]	\$	61,068.55

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA

In re:

William Earl Crane

Debtor(s)

Case No. 04-33614

**NOTICE OF CHAPTER 13 PLAN MODIFICATION
NOTICE OF CONFIRMATION HEARING DATE**

PLEASE FIND HERE-ENCLOSED AND SERVED UPON YOU A COPY OF THE ABOVE NAMED DEBTORS' MODIFIED CHAPTER 13 PLAN; AND

PLEASE TAKE NOTICE THAT A CONFIRMATION HEARING DATE HAS BEEN SET AS FOLLOWS:

**HEARING ON CONFIRMATION OF PLAN
10/28/04
10:30 AM
U.S. BANKRUPTCY COURT
COURTROOM 228B, U.S. COURTHOUSE
316 N ROBERT STREET
ST. PAUL MINNESOTA 55101**

Sincerely,

/e/ Urosh Piletich
Urosh Piletich
Piletich and Skokan P.A.
1675 So. Greeley Street
Suite 100
Stillwater MN 55082
(651) 351-1975

**United States Bankruptcy Court
For the District of Minnesota**

In Re:

William Earl Crane

Debtor(s)

Case No. 04-31866

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true copy of the Modified Chapter 13 Plan and Notice of Confirmation Hearing was served by U.S. Mail to the the following parties in interest at the addresses as forth below on 10/18/04:

Jazmine Z Keller
Chapter 13 Standing Trustee
310 Plymouth Building
12 S 6th Street
Minneapolis MN 55402

United States Trustee
1015 US Courthouse
300 South Fourth Street
Minneapolis MN 55415

and all the parties listed on the attached Matrix

DATED this __18th__ day of __October__ 2004

PILETICH and SKOKAN P.A.

/e/ Urosh Piletich

Urosh Piletich, Attorney for Debtor(s)

POST OFFICE ADDRESS:

PILETICH and SKOKAN P.A.
1675 SOUTH GREELEY STREET
SUITE 100
STILLWATER MN 55082
(651) 351-1975
FACSIMILE: 651-351-3975
MN State Bar No.: 027849X

ANCHOR BANK
C/O GARY L PHLEGER
1055 E WAYZATA BLVD STE 300
WAYZATA MN 55391

BANK1ONE
PO BOX 260164
BATON ROUGE LA 70826-0164

C&H PACKAGING COMPANY
C/O CAMERON S MCLELLAND ESQ.
50 EAST FIFTH ST STE 300
SAINT PAUL MN 55101

CAPITAL ONE
C/O BALOUGH BECKER LTD
4150 OLSON MEM HWY STE 200
MINNEAPOLIS MN 55422-4811

CIT
715 S. METROPOLITAN AVE
PO BOX 24330
OKLAHOMA CITY OK 73124

INTERNAL REVENUE SERVICE
316 N ROBERT STOP 5700
SAINT PAUL MN 55101

JENNINGS STATE BANK
C/O ROSSO & SEIERSTAD PA
PO BOX 130668
SAINT PAUL MN 55113-0006

MN DEPT. OF REVENUE
BANKRUPTCY SECTION
PO BOX 64447
SAINT PAUL MN 55164-0447

OSCEOLA MEDICAL CENTER
301 RIVER STREET
PO BOX 218
OSCEOLA WI 54020

SEARS
86 ANNEX
ATLANTA GA 30386-0001

ST.CROIX VALLEY SURGICAL
PO BOX 597
OSCEOLA WI 54020

US DEPARTMENT OF EDUCATION
PO BOX 4169
GREENVILLE TX 75403

WASHINGTON COUNTY GOV'T CTR
FINANCIAL SERVICES PO BOX 3804
STILLWATER MN 55082-0006

WILFORD & GESKE
PO BOX 25915
6043 HUDSON ROAD STE 290
WOODBURY MN 55125

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA

In re:

William Earl Crane
Debtor(s).

SIGNATURE DECLARATION

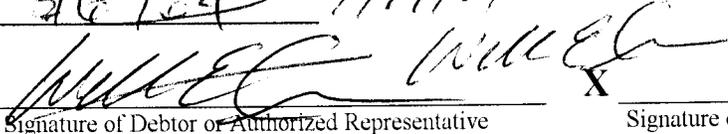
Case No. _____

- 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: 26 Feb 2/14/04

X  X

Signature of Debtor or Authorized Representative

Signature of Joint Debtor

William Earl Crane

Printed Name of Debtor or Authorized Representative

Printed Name of Joint Debtor

Form ERS 1 (Rev. 10/03)