

**UNITED STATES BANKRUPTCY COURT  
District of Minnesota**

In Re:  
**JOHN G. HERNANDEZ**  
8688  
**GWENDOLYN D. HERNANDEZ**  
7936

**CHAPTER 13 PLAN**

Dated: 08/16/2004

Case No.

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 **\$400.00** per **Month** for **48** months, beginning within 30 days after the filing of this plan for a total of **\$19,200.00**.
- c. The debtor will also pay the trustee: **\$0.00**
- d. The debtor will pay the trustee a total of **\$19,200.00** [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 **\$1,920.00** [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
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**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
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**None**

**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>WELLS FARGO HOME MORTGAGE INC</b>	<b>\$ 3,848.95</b>	<b>\$ 360.00</b>	<b>1</b>	<b>11</b>	<b>\$3,960.00</b>
		<b>\$ 2.34</b>	<b>12</b>	<b>1</b>	<b>\$137.34</b>
<b>TOTAL</b>					<b>\$4,097.34</b>

**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
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**None**

**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 0.00 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
<b>AFFINITY PLUS FEDERAL CREDIT UNION</b>	<b>\$ 5,019.40</b>	<b>\$ 3,480.00</b>	<b>\$ 111.33</b>	<b>12</b>	<b>1</b>	<b>\$111.33</b>
			<b>\$ 180.00</b>	<b>13</b>	<b>18</b>	<b>\$3,240.00</b>

