

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION-FLINT

IN RE:

CHAPTER 13
CASE NO:
JUDGE DANIEL S. OPPERMAN

Debtor(s)

_____ /

**STIPULATION FOR ENTRY OF ORDER ALLOWING DEBTORS TO ENTER INTO
PERMANENT MORTGAGE LOAN MODIFICATION WITH [NAME OF CREDITOR] AND
MODIFYING CHAPTER 13 PLAN**

Debtor(s), _____; Creditor, _____; and the Standing Chapter 13 Trustee, Carl L. Bekofske, hereby stipulate to entry of an Order Allowing Debtors to Enter Into Permanent Mortgage Loan Modification With Creditor, *[Name of Creditor]*, and Modifying Chapter 13 Plan in the form attached as "Exhibit A."

/s/ _____
Carl L. Bekofske P10645
Melissa Caouette P62729
Leo J. Foley, Jr. P76060
Chapter 13 Standing Trustee
400 N. Saginaw Street, Suite 331
Flint MI 48502
(810) 238-4675
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/s/ _____
Attorney for Debtor(s)

/s/ _____
Attorney for Creditor

**UNITED STATES BANKRUPTCY COURT
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IN RE:

**CHAPTER 13
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Debtor(s)
_____ /

**ORDER ALLOWING DEBTORS TO ENTER INTO PERMANENT MORTGAGE LOAN
MODIFICATION WITH [NAME OF CREDITOR] AND MODIFYING CHAPTER 13 PLAN**

THIS CAUSE came before the Court on the Stipulation of Debtor(s), _____; Creditor, _____; and the Standing Chapter 13 Trustee, Carl L. Bekofske, for entry of an Order Allowing Debtors to Enter Into Permanent Mortgage Loan Modification with Creditor, *[Name of Creditor]* and Modifying Chapter 13 Plan, and this Court, having reviewed the Stipulation and proposed Order, having determined that entry of this Order is consistent with the provisions of Title 11, United States Code, having determined that entry of this Order is not adverse to any party in interest, and being otherwise fully advised in the premises,

IT IS HEREBY ORDERED and adjudged as follows:

1. Debtor(s) Permanent Loan Modification with Creditor is approved as follows:
 - a. Effective _____, 20__, the outstanding principal balance under the Mortgage Loan is \$_____.
 - b. The maturity date of the Mortgage Loan is _____, 20__.
 - c. The interest rate on the outstanding balance is __% per annum. This rate *[is/is not]* fixed for the remainder of the loan term.
 - d. Effective _____, 20__, Debtor(s) ongoing Class 2 mortgage payment shall be \$_____ per month, including Principal and Interest plus escrow amounts for property insurance and property taxes. The payment amount shall be subject to future adjustments for changes in insurance and taxes as provided for in the mortgage and consistent with the requirements of applicable Federal and State Law.
 - e. The property securing this mortgage is located at _____.
2. Effective _____, 20__, payments pursuant to the Loan Modification approved in this Order shall be made by the Chapter 13 Trustee, addressed to_____. Trustee shall make these payments as part of the Trustee's normal disbursement cycle and consistent with the terms of Debtor(s) confirmed Chapter 13 Plan as modified herein.
3. Upon the conclusion of Debtor(s) Chapter 13 case, whether by discharge, dismissal or otherwise, Debtor(s) shall be responsible for making all future payment pursuant to the terms of the Mortgage Loan documents.
4. The Mortgage Loan shall be deemed contractually current as of _____, 20__. The Chapter 13 Trustee shall not make further disbursements on any accrued but unpaid balance on Creditor's Class 4.1 post-petition mortgage payments or on Creditor's Class 4.2 pre-petition arrearage claim accruing prior to the date stated in this Paragraph 4.
5. Except as modified in this Order, the terms and conditions of the Loan and Mortgage documents between Debtor(s) and Creditor shall remain in full force and effect.

6. The treatment of the claim of Creditor in Debtor(s) Chapter 13 Plan as confirmed (and as modified, if at all) is modified as necessary to comply with the provisions of this Order, including but not limited to, the change in Creditor's Class 4.1 mortgage payment and suspension of disbursements on Creditor's Class 4.2 pre-petition arrearage claim.
7. Entry of this Order is without prejudice to debtor filing any further plan modification that debtor deems appropriate.

IT IS FURTHER ORDERED and adjudged that except as expressly modified herein, Debtor(s) Plan as confirmed (and as later modified, if at all) shall remain in full force and effect.

“Exhibit A”