

DEBTOR(S)' CHAPTER 13 PLAN *AMENDED*
AND MOTIONS FOR VALUATION AND LIEN AVOIDANCE

Plan Summary

- A. The Debtor's Plan Payment is scheduled at _____ per month [Pay Order, Direct Pay] for _____ months. The gross amount to be paid into the plan is _____.
- B. The Plan proposes to pay in full all allowed priority, special class and secured claims to the extent of the value of the collateral and approximately _____ % of the unsecured allowed claims. THIS PLAN DOES NOT ALLOW CLAIMS. You must file a proof of claim to receive distributions under any plan that may be confirmed.
- C. Value of non-exempt assets _____.
- D. Current monthly income _____, - expenses _____ = available for plan _____.
- E. The total amount to be paid into the Plan shall be increased for tax refunds as set forth in the Standing Order for Chapter 13 Case Administration in this Division. These additional receipts shall be disbursed according to the provisions of the Plan.

Plan Provisions

I. Vesting of Estate Property

Upon confirmation of the plan, all property of the estate shall (shall not) vest in the Debtor(s), and shall (shall not) remain as property of the estate subject to the automatic stay of 11 U.S.C. §362.

II. Executory Contracts/Unexpired Leases/Contracts for Deed

Pursuant to 11 U.S.C. §1322(b)(7) of the Bankruptcy Code, the Debtor(s) hereby elects to assume the following executory contracts, if any:

Pursuant to 11 U.S.C. §1322(b)(7) of the Bankruptcy Code, the Debtor(s) hereby elects to reject the following executory contracts, if any:

III. Specific Treatment for Payment of Allowed Claims

1. DIRECT PAYMENTS BY DEBTOR TO CREDITORS; SURRENDER OF COLLATERAL

- A. Debtor shall pay the following creditors directly:

Creditor Name	Remarks	Debt Amount	Monthly Payment
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- B. Debtor shall surrender the following collateral:

Creditor Name	Remarks	Debt Amount	Collateral Surrendered
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2. PAYMENTS BY TRUSTEE

A. Administrative Expenses (including Attorney’s fees)

The Trustee may receive up to 10% of all sums disbursed, except on any funds returned to the debtor.

Creditor	Estimated Amount of Debt	Payment Method 1. Before 2. After 3. Along with Secured creditors	Remarks
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B. Arrearage Claims – Direct Pay Creditors

Creditor/Collateral	Est. Claim	Est. Value Of Collateral	Mo. Pmt or Method of Disbursement	Interest Rate	Anticipated Total to Pay	Other Treatment/Remarks
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C. Secured Creditors; Adequate Protection Payments; *MOTIONS TO VALUE COLLATERAL*

*The Trustee shall pay allowed secured claims, which require the filing of a proof of claim, to the extent of the value of the collateral or the amount of the claim, whichever is required by Bankruptcy Code Section 1325(a)(5), plus interest thereon at the rate specified in this Plan. **Failure of the secured creditor to object to the proposed value will be deemed acceptance of the plan under Section 1325(a)(5)(A).** Except for secured claims for which provision is made to pay the full amount of the claim notwithstanding the value of the collateral, the portion of any allowed claim that exceeds the value of the collateral shall be treated as an unsecured claim under Section III(2)(E).*

In the first disbursement following the filing of a claim by a creditor holding an allowed claim secured by personal property, the Trustee shall commence making adequate protection payments in the amount set out below, unless otherwise ordered by the Court. Such payments shall cease upon confirmation of the plan.

Creditor/Collateral	Adequate Protection Payment	Other Treatment/Remarks
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The Debtor moves to value collateral described below in the amounts indicated. The Debtor(s) declares, under penalty of perjury, that the foregoing values as stated in the above Motion and the Plan for the secured debt are true and correct and to the best of their knowledge represent the replacement value, pursuant to Section 506(a)(2), of the assets held for collateral.

Debtor

Co-Debtor

Objections to Valuation of collateral proposed by this plan must be filed no later than ten (10) days prior to the confirmation hearing date. If no timely objection is filed, the relief requested may be granted in conjunction with confirmation of the plan. Following confirmation of the plan, specific monthly payments shall be made as follows:

Creditor/Collateral	Est. Claim	Value Of Collateral	Monthly Payment-	Interest Rate	Anticipated Total to Pay	Other Treatment/ Remarks
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Secured creditors shall retain their liens on the collateral which is security for their claims until the earlier of the payment of the underlying debt determined under non-bankruptcy law, or discharge under 11 U.S.C. Section 1328. In addition, if this case is dismissed or converted without completion of the plan, such liens shall also be retained by the creditors to the extent recognized by applicable non-bankruptcy law.

D. Priority Creditors

Creditor	Estimated Amount of Debt	Payment Method 1. Before 2. After 3. Along with Secured creditors	Remarks
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E. General Unsecured Creditors, [including claims from rejection of contracts, leases and contracts for deed] Unless otherwise provided below, payments to creditors with allowed general unsecured claims shall be made on a pro rata basis as funds become available after payment of other creditors. It is estimated that distribution to the general unsecured creditors will commence in the ____ month of the Plan.

F. Cure claims on Assumed Executory Contracts, Contracts for Deed & Leases:

Creditor	Estimated Amount Of Debt	Monthly Payment or Method of Disbursement	Remarks
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Totals:

Administrative Claims _____
 Arrearage Claims _____
 Secured Claims _____
 Priority Claims _____
 Unsecured Claims _____
 Cure Claims _____

G. Supplemental Plan Provisions

(a) **MOTION TO AVOID LIENS UNDER 11 U.S.C. § 522(f)**

Debtor moves to avoid the following liens that impair exemptions. Objections to Lien Avoidance as proposed in this plan must be filed no later than ten (10) days prior to the confirmation hearing date. If no timely objection is filed, the relief requested may be granted in conjunction with confirmation of the plan. (Debtor must list the specific exempt property said lien impairs and the basis of the lien, i.e. judicial, nonpurchase-money security interest, etc.)

Creditor	Property subject to lien	Amount of Lien to be Avoided	Remarks

(b) The following are the Supplemental Plan Provisions:

None

IV. General Information

Notice: Local Rule 3002 provides, in part:

“Every Creditor filing a Proof of Claim in all cases shall transmit a copy with attachments, if any, to the Debtor’s Attorney (or the Debtor if the Debtor is pro se) and the Trustee appointed in the case.”

Creditors are hereby notified that WITHOUT FURTHER NOTICE the Plan may be amended at the Meeting of Creditors. Any amendment may affect your status as a creditor. The Debtor’s estimate of how much the Plan will pay, projected payments and estimates of the allowed claims may also change. The following information is an attempt to advise Creditors of the status of the case based on the information known at the time of its preparation. Any special concerns of a creditor may justify attendance at the Meeting of Creditors and such other action as may

be appropriate under the circumstances. The deadline for the filing of objections to confirmation is ten days prior to the confirmation hearing. More detailed information is on file at the office of the United States Bankruptcy Clerk in Austin, Texas.

Respectfully submitted this _____ day of _____, 200_____.

Debtor
Address

Co-Debtor
Address

Attorney for Debtor
Address/Phone & Fax Number

Certificate of Service

The Debtor(s) shall be responsible for service of the plan on the Trustee and all parties in interest.

ATTACH PROPOSED PAYMENT SCHEDULE, IF AVAILABLE.