

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES BANKRUPTCY COURT
DISTRICT OF ARIZONA

In re:

Chapter 13

Case No.:

ORDER

Debtor(s).

On _____, Debtors filed a _____ to value the lien of _____ ("Lienholder") against the property commonly known as _____ and more fully described in Exhibit "A" hereto, which lien was recorded in _____ County on or about _____, as document number _____ ("Second Lien"). This Second Lien is in second position and is the approximate amount of \$_____. The first lien is held by _____ in the approximate amount of \$_____. The property is worth approximately \$_____. Therefore, there is no secured value in the amount of the Second Lien.

Lienholder having failed to file timely opposition to Debtor's motion, the Court hereby orders as follows:

1. For purposes of Debtors' Chapter 13 plan only, the Second Lien is valued at zero. Lienholder does not have a secured claim and the Second Lien may not be enforced, pursuant to 11 U.S.C. §§ 506, 1322(b)(2) and 1327, provided that the Chapter 13 case is completed and the Debtors' receive a discharge.
2. This order shall become part of Debtors' confirmed Chapter 13 Plan.

1 3. Upon entry of a discharge in Debtors' Chapter 13 case, the Second Lien shall be
2 voided for all purposes and, upon application by Debtors, the Court will enter an appropriate
3 form of judgment voiding the Second Lien.

4 4. If Debtors' Chapter 13 case is dismissed or converted to Chapter 7 before
5 Debtors obtain a discharge, this order shall cease to be effective and the Second Lien shall be
6 retained to the extent recognized by applicable non-bankruptcy law and, upon application by
7 Lienholder, the Court will enter an appropriate form of order restoring the Second Lien.

8 5. Except as provided by separate, subsequent order of this Court, the Second Lien
9 may not be enforced so long as this order remains in effect.

10 6. The Proof of Claim filed by Lienholder (Claim No. _____ on the Claims
11 Register), regarding this Second Lien, is hereby reclassified and shall be paid as a general
12 unsecured claim.

13
14 DATED AND SIGNED ABOVE.