**ATTACHMENT B to Chapter 13 Plan/Plan Confirmation Order**

**(11 U.S.C. § 506: valuation/lien avoidance)**

This court makes the following findings of fact and conclusions of law:

**1. Creditor Lienholder/Servicer:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

**2. Subject Lien:** Date (*specify*) \_\_\_\_\_\_\_\_\_\_\_\_\_\_ and place (*specify*): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

of recordation of lien; Recorder's instrument number and/or document recording number: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

**3. Collateral:**

a. Real property (street address, city, county and state, where located, legal description or map/book/page number, including county of recording): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. [ ]  See attached page.

b. Other collateral: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. [ ]  See attached page.

**4. Secured Claim Amount Determination**

 a. Value of Collateral: …………………………………………………………………………… $\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

b. Amounts of Senior Liens (reducing equity in the property to which the Subject Lien can attach):

 (1) First lien: ……………………………………….……….. ($\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_)

 (2) Second lien: ……………………………………………. ($\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_)

 (3) Third lien: ………….……….…………………………… ($\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_)

 (4) Additional senior liens (*attach list*): …………………. ($\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_)

 Subtotal: ………..………………………………………………………………………. ($\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_)

c. Secured Claim Amount (negative results should be listed as -$0-): $\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Unless otherwise ordered, any allowed claim in excess of this Secured Claim Amount is to be treated as a nonpriority unsecured claim and is to be paid pro rata with all other nonpriority unsecured claims in Class 5A of the Plan.

**5. Lien avoidance:** Debtor’s request to avoid the Subject Lien is granted as follows. The effective date of avoidance of the Subject Lien (Lien Avoidance Effective Date) will be upon:

 [ ]  completion of the Chapter 13 Plan, or [ ]  receipt of a Chapter 13 discharge in this case.

**6. Retention of lien until avoidance:** The Creditor Lienholder will retain the Subject Lien for the full amount due under the corresponding note and deed of trust, mortgage or lien if the Debtor's Chapter 13 case is dismissed or converted to any other chapter under the Bankruptcy Code, or if the collateral is sold or refinanced, prior to the Lien Avoidance Effective Date.

**7. Retention of rights upon foreclosure of other lien:** In the event that the Creditor holder of any other lien on the Collateral forecloses on its interest and extinguishes the Creditor Lienholder’s lien rights prior to the Lien Avoidance Effective Date, the Creditor Lienholder’s lien will attach to any proceeds greater than necessary to pay the senior lien(s) from the foreclosure sale.

[ ]  See attached page(s) for more liens/provisions.

|  |
| --- |
| **CERTIFICATION:** I acknowledge that the Chapter 13 Trustee has no duty to verify the accuracy of the information provided in this attachment. I declare under penalty of perjury under the laws of the United States of America that the information provided in this attachment accurately reflects the contents of the written request to modify secured claims in the Plan (LBR Form F 3015-1.01.CHAPTER13.PLAN, Part 2, Section IV.C.), as modified by any oral or written findings of fact or conclusions of law by the court, to the best of my knowledge after reasonable inquiry. Executed on (date):       By: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Print name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, [ ]  Attorney for Debtor or [ ]  Debtor appearing without an attorney |