Attorney or Party Name, Address, Telephone & FAX Nos., State Bar No. & Email Address	FOR COURT USE ONLY		
<ul> <li>Individual appearing without attorney</li> <li>Attorney for:</li> </ul>			
UNITED STATES BANKRUPTCY COURT CENTRAL DISTRICT OF CALIFORNIA DIVISION			
In re:	CASE NO.: CHAPTER 13		
	DEBTOR'S MOTION FOR AUTHORITY TO REFINANCE REAL PROPERTY UNDER LBR 3015-1(p)		
Debtor(s).	[No Hearing Required]		

Debtor moves this court for an order authorizing the Debtor to refinance the real property, described below, pursuant to the terms and conditions described herein.

- 1. Debtor's Chapter 13 Plan (Plan) was confirmed on: \_\_\_\_\_\_.
- 2. Debtor wishes to refinance the real property (Property) located at:

The Property is more particularly described in Exhibit "A" attached hereto.

Debtor wishes to modify the Plan for early payment of the Plan as described in the *Motion to Modify Plan* submitted by Debtor concurrently with this motion.

This form is mandatory. It has been approved for use in the United States Bankruptcy Court for the Central District of California.

Debtor also requests authority to execute a promissory note secured by a deed of trust         4. From the proceeds of this loan, the following encumbrances of record against the Property will be pair escrow:         a)		requests authority to borrow the sum of \$ from Name:s:		3.
escrow: a) b) c) <pc>c) c) <pcc><pco> c) <pcc><pco> c) c) c) c) c)</pco></pcc></pco></pcc></pc>	d of trust on the Property.	also requests authority to execute a promissory note secured by a	– Debtor also reque	
<ul> <li>there will remain the approximate sum of \$; OR</li> <li>no proceeds will remain.</li> <li>(a) The chapter 13 trustee is hereby authorized to make demand upon escrow for sufficient funds Plan with a:    % dividend to unsecured creditors; OR    % dividend as indicated in the confirmed plan.     After escrow's payment of the encumbrances listed above, any remaining funds shall be paid dire     OR     (b) The chapter 13 trustee is hereby authorized to make demand upon escrow for the balance rei     escrow's payment of the encumbrances listed above even though the amount is insufficient to     Plan. The refinance is in the best interest of the creditors.</li> <li>7. The escrow is being processed by:     Escrow company name:     Address:    </li></ul>	ll be paid through		escrow: a) b)	4.
Plan with a:      % dividend to unsecured creditors; OR        % dividend as indicated in the confirmed plan.         After escrow's payment of the encumbrances listed above, any remaining funds shall be paid dire         OR         (b) The chapter 13 trustee is hereby authorized to make demand upon escrow for the balance relescrow's payment of the encumbrances listed above even though the amount is insufficient to Plan. The refinance is in the best interest of the creditors.         7. The escrow is being processed by:         Escrow company name:         Address:		re will remain the approximate sum of \$; OR	there will rem	5.
Escrow company name:	paid directly to debtor. lance remaining after	Plan with a: 100% dividend to unsecured creditors; OR 	Plan with 100% After escrow's OR (b) The chap escrow's	6.
Facsimile:		company name:	Escrow company	7.
<ul> <li>a. Exhibit "A" – Legal Description with street address</li> <li>b. Exhibit "B" – Escrow Instructions and Documents</li> <li>c. Exhibit "C" – Estimated Closing Statement</li> <li>d. Exhibit "D" – Schedules I and J of the bankruptcy petition</li> </ul> 9. Debtor agrees to provide to chapter 13 trustee a certified copy of the escrow closing statement within close of escrow as a condition to any approval of this motion. Date:		ile: officer:	Facsimile: Escrow officer:	
close of escrow as a condition to any approval of this motion. Date:Attorney for Debtor I declare under penalty of perjury that the following is true and correct. Date:		hibit "A" – Legal Description with street address hibit "B" – Escrow Instructions and Documents hibit "C" – Estimated Closing Statement	<ul> <li>a. Exhibit "A" – I</li> <li>b. Exhibit "B" – I</li> <li>c. Exhibit "C" – I</li> </ul>	8.
Attorney for Debtor         I declare under penalty of perjury that the following is true and correct.         Date:	nt within 14 days of the			9.
I declare under penalty of perjury that the following is true and correct.			ate:	Da
			leclare under penal	l de
Debtor			ate:	Da
				_
Date: Joint Debtor			ate:	Da

## **PROOF OF SERVICE OF DOCUMENT**

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:

A true and correct copy of the foregoing document entitled: **DEBTOR'S MOTION FOR AUTHORITY TO REFINANCE REAL PROPERTY UNDER LBR 3015-1(p)** will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

1. <u>TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF)</u>: Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (*date*) \_\_\_\_\_\_\_, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

Service information continued on attached page

## 2. SERVED BY UNITED STATES MAIL:

On (*date*) \_\_\_\_\_\_, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge <u>will be completed</u> no later than 24 hours after the document is filed.

Service information continued on attached page

## 3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (state method

for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (*date*) \_\_\_\_\_\_, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Date

Printed Name

Signature

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