

02091880

FILED AND ENTERED
ON DOCKET

'02 AUG 13 P12:37

U.S. BANKRUPTCY COURT
PATRICIA GRAY, CLERK

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

In Re:
GARY HILL,
KIMBERLY HILL,

Case No. BK-N 01-30398
Chapter 13

**STIPULATION AND ORDER TO
AUTHORIZE REFINANCING
TRANSACTION AND COMPLETE PLAN**

Debtor(s)

Date of Hearing:
Time of Hearing:

WILLIAM A. VAN METER, TRUSTEE
P.O. Box 6630
Reno, Nevada 89513
775-324-2500

The Debtors, GARY HILL and KIMBERLY HILL, by and through their attorney, SEAN P. PATTERSON, ESQ., and the Standing Chapter 13 Trustee, WILLIAM A. VAN METER, hereby agree and stipulate as follows:

1. The Debtors have refinanced their residence and wish to use the proceeds of the refinancing to complete their Chapter 13 Plan.

2. The Debtor's confirmed plan provides for payment of pre-bankruptcy arrears and delinquent property taxes to Aames Home Loan and Douglas County Treasurer. To facilitate closing of the transaction without unreasonable complications and delay, the Debtors and the Trustee agree that the claims of these creditors may be paid by the title company handling the transaction pursuant to the demands of these creditors and that the Trustee shall receive a direct fee based on what would have been paid to the Chapter 13 trust had the funds been paid to the Trustee and disbursed by the Trustee pursuant to the terms and conditions of the Debtor's confirmed plan. Based on the Trustee's records, the amounts that would have been paid under the plan to these creditors as of August 2, 2002 pursuant to the terms of the plan are \$25,628.00 (Ames Home Loan) and \$6,706.27 (Douglas County claim not including

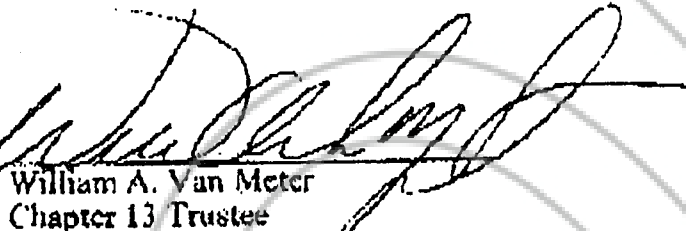
1 amended claim that improperly included post-petition arrears) for a total of \$32,334.27. Based
2 on the Trustee's current percentage fee of 8.7% the Trustee shall receive a direct fee on this distribution
3 from the title company at close of escrow in the amount of \$3,081.14 (\$32,334.27/.913-\$32,334.27).

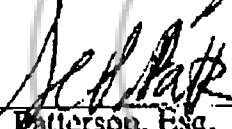
4 2. The Trustee shall make no further distributions to Aames Home Loan and the Douglas
5 County Treasurer.

6 3. From the remaining proceeds from the refinance of the Debtors' residence the title
7 company shall pay to the Trustee \$34,056.00 for the purpose of paying all remaining allowed claims
8 in full. The Debtors will supplement this amount to the extent necessary to satisfy all allowed claims
9 and to the extent this amount is more than is necessary to satisfy all allowed claims, the surplus will be
10 refunded by the Trustee to the Debtors.

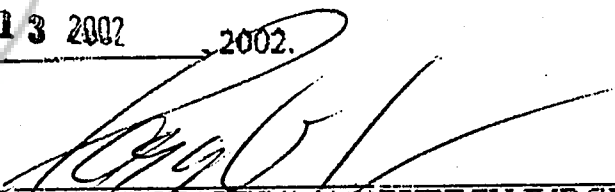
11 Dated this 8 Day of August, 2002.

12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
WILLIAM A. VAN METER, TRUSTEE
P.O. Box 6630
Reno, Nevada 89513
775-324-2500

11
12
13 
14 William A. Van Meter
15 Chapter 13 Trustee

16 
17 Sean P. Patterson, Esq.
18 Attorney for Debtors

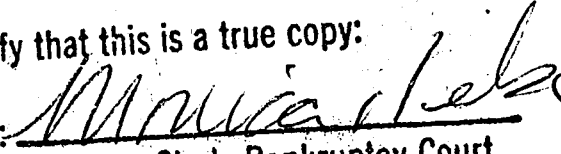
19 IT IS SO ORDERED this 13 Day of AUG 2002.

20
21 
22 UNITED STATES BANKRUPTCY JUDGE

23
24
25 SEAL

26 Gary and Kimberly Hill
27 Case No. 01-30398
28 Stipulation and Order

I certify that this is a true copy:

Attest: 
Deputy Clerk, Bankruptcy Court

WILLIAM A. VAN METER, TRUSTEE
P.O. Box 6630
Reno, Nevada 89513
775-324-2500

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

amended claim that improperly included post-petition arrears) for a total of \$32,334.27. Based on the Trustee's current percentage fee of 8.7% the Trustee shall receive a direct fee on this distribution from the title company at close of escrow in the amount of \$3,081.14 (\$32,334.27/.913-\$32,334.27).

2. The Trustee shall make no further distributions to Aames Home Loan and the Douglas County Treasurer.

3. From the remaining proceeds from the refinance of the Debtors' residence the title company shall pay to the Trustee \$34,056.00 for the purpose of paying all remaining allowed claims in full. The Debtors will supplement this amount to the extent necessary to satisfy all allowed claims and to the extent this amount is more than is necessary to satisfy all allowed claims, the surplus will be refunded by the Trustee to the Debtors.

Dated this ____ Day of _____, 2002..



William A. Van Meter
Chapter 13 Trustee

Sean P. Patterson, Esq.
Attorney for Debtors

IT IS SO ORDERED this ____ Day of _____, 2002.

GREGG W. ZIVE

UNITED STATES BANKRUPTCY JUDGE

Gary and Kimberly Hill
Case No. 01-30398
Stipulation and Order

REQUESTED BY
Stewart Title of Douglas County
IN OFFICIAL RECORDS OF
DOUGLAS CO., NEVADA

2002 SEP -5 PM 4: 16

LINDA SLATER
RECORDER

\$ 16.00 PAID PL DEPUTY

0551516
BK0902PG1386

2 393