

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF HAWAII**

Debtor(s):

Case No.:
Chapter 13

Related ECF No.:

**ORDER GRANTING CHAPTER 13 DEBTOR'S
MOTION TO APPROVE SALE OF REAL PROPERTY**

Due notice having been given and the court having reviewed the motion and supporting documents and any responses, and for good cause, the Debtor's motion to approve the sale of the property described below in accordance with the attached purchase contract and other exhibits is GRANTED.

Subject Property:	Purchase Price:
	Buyer(s):

The proceeds of the sale shall be distributed as follows.

1. Payment of Liens

The liens listed below shall be paid in full, or in accordance with any short sale approved by the lienholder, within a reasonable time after the date of closing of the sale. Each lienholder may submit an updated payoff demand to escrow so that the lienholder may be paid in full at the time the sale closes. Unless and until the sale closes, each lienholder shall retain its lien for the full amount due under its loan or other basis for the lien. Upon entry of this order, the Trustee shall suspend plan distributions to lienholders being paid in full until the earlier of (i) 90 days, or a later date with the Trustee's consent, after the entry of this order or (ii) the filing of a notice of cancellation of sale. If a notice of cancellation of sale is filed, the Trustee shall promptly resume distributions to lienholders, including the distributions suspended during the interrupted period. If the sale closes, the suspended distributions being held by the Trustee will be paid on other claims.

The amounts listed below are the Debtor's good faith estimates. Each lienholder may submit an updated payoff demand to escrow so that each lienholder may be paid in full at the time the sale closes. Within a reasonable time after receiving payment, each lienholder shall amend or withdraw its proof of claim in the bankruptcy case.

Liens to be paid from sale proceeds

2. Closing Costs

Costs of closing to be paid from the sale proceeds include real estate brokerage commissions, taxes, title and escrow charges, recording and transfer charges, and other customary charges. Closing costs include any demand by the Chapter 13 Trustee (“Trustee Demand”) for payment of any statutory fees related to the payment of liens (mortgage, deed of trust, tax, judgment liens, and the like) and lien arrearages that otherwise would have been paid through plan distributions. Closing costs do not include the Debtor’s attorney fees which will be paid by the Trustee following court approval of a fee application.

3. Remaining Proceeds

After payment of liens and closing costs, net proceeds shall be distributed as follows.

Net proceeds shall be paid to the Debtor(s) and any additional sellers.

All net proceeds shall be paid to the Chapter 13 Trustee as a supplemental plan payment that increases the Debtor’s total payments under the confirmed plan and that the trustee will distribute to creditors. Funds to be sent to:

Nima Ghazvini, Chapter 13 Trustee
P.O. Box 1251
Memphis, TN 38101-1251.

Proceeds in the amount \$ _____ shall be paid to the Chapter 13 Trustee as a supplemental plan payment, subject to the Trustee’s statutory fee, that increases the Debtor’s total payments under the confirmed plan and that is earmarked for payment, after court approval, of the Debtor’s attorney fees related to this sale. Proceeds to be sent to the Trustee at the address above, with the balance paid to the Debtor(s).

4. Stay of Order

If checked: The 14-day stay of this order under Fed. R. Bankr. P. 6004(h) does not apply, as requested in the motion.

If checked: The 14-day stay of this order under Fed. R. Bankr. P. 8002 does not apply, as requested in the motion.

5. Report of Sale

Within 14 days after the date of closing of the sale, Escrow shall provide the Debtor's attorney with a final settlement statement so that a report of sale may be filed promptly with the court.

6. Modification of Confirmed Plan (*Check one box if the court has confirmed a plan*)

If and when the sale closes and all claims are paid in full, the plan shall be modified to shorten the plan's duration.

This order does not modify the confirmed plan.

7. Other Provisions

END OF ORDER

Submitted by: