

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE:

_____	:	Case No. _____-TPA
_____	:	
<i>Debtor(s)</i>	:	Chapter _____
_____	:	
_____	:	Related to Doc No. _____
_____	:	
<i>Movant(s)</i>	:	
	:	
v.	:	
_____	:	
_____	:	
<i>Respondent(s)</i>	:	

ORDER CONFIRMING CHAPTER 13 POST PETITION FINANCING

AND NOW, this _____ (*Date*), on consideration of the (*Party*) _____ *Motion for Post Petition Financing*, filed a Document No. ("Motion"), after hearing held in: (the Bankruptcy Courtroom, U.S. Courthouse, 17 South Floor, Erie, PA 16501 **OR** Courtroom "C", 54th Floor, U.S. Steel Building, 600 Grant Street, Pittsburgh, PA), this date, the Court finds:

(1) That service of the *Notice of Hearing* and *Order* setting hearing on said *Motion* was effected on the following secured creditors whose liens are recited in said *Motion*, viz:

DATE OF SERVICE

NAME OF LIENOR AND SECURITY

(actual date of service for each creditor)

(Identify full name of each creditor in separate paragraphs with specifics of each claim, including filing information)

(actual date of service)

Ronda J. Winnecour, Ch. 13 Trustee,
Suite 3250, U.S. Steel Building
600 Grant Street
Pittsburgh, PA 15219

(2) That sufficient general notice of said hearing and sale, together with the confirmation hearing thereon, was given to the creditors and parties in interest by the Movant as shown by the certificate of serviced duly filed and that the named parties were duly served with the *Motion*.

NOW THEREFORE, it is hereby **ORDERED, ADJUDGED and DECREED** that the request to allow Movant to obtain financing from _____ (*Name and address of lender*) and to encumber property of the Debtor(s), that is, _____ (*Identify property subject to lien*) with a lien in the amount of \$_____ is **GRANTED**.

It is **FURTHER ORDERED** that the lien of the Lender identified above providing the requested financing shall, upon proper filing and recordation, be a first lien on the property identified above, which property is free and divested of the above liens and claims identified in Paragraph 1, above, and, the Movant is authorized to make, execute and deliver to the Lender, above named, the necessary mortgage and/or other documents required to effectuate the financing referred to herein;

It is **FURTHER ORDERED**, that the liens and claims identified in Paragraph 1, above, are transferred to the refinancing proceeds, if and to the extent they may be determined to be valid liens against the refinanced property;

It is **FURTHER ORDERED**, that the following expenses/costs shall immediately be paid at the time of closing in advance of the liens and claims identified in Paragraph 1, above. ***Failure of the closing agent to timely make and forward the disbursements required by this Order will subject the closing agent to monetary sanctions***, including among other things, a fine or the imposition of damages, after notice and hearing, for failure to comply with the above terms of this Order.

- (1) The following lien(s)/claim(s) and amounts: _____;
- (2) Delinquent real estate taxes, if any;
- (3) Current real estate taxes, pro-rated to the date of closing;
- (4) The costs of local newspaper advertising in the amount of \$_____;
- (5) The costs of legal journal advertising in the amount of \$_____;
- (6) The Court approved realtor commission in the amount of \$_____;
- (7) Court approved attorney fees in the amount of \$_____;
- (8) Chapter 13 Trustee "percentage fees" in the amount of \$_____ payable to "Ronda J. Winnecour, Ch. 13 Trustee, P.O. Box 2587, Pittsburgh, PA. 15230";
- (9) The "net proceeds" from the closing as identified on the HUD-1 to the Chapter 13 Trustee payable to "Ronda J. Winnecour, Ch. 13 Trustee, P.O. Box 1132, Memphis TN, 38101-1132"; and,
- (10) Other: _____

It is **FURTHER ORDERED** that:

- (1) ***Within seven (7) days of the date of this Order***, the Movant/Plaintiff shall serve a copy of the within *Order* on each Respondent/Defendant (i.e., each party against whom relief is sought) and its attorney of record, if any, upon any attorney or party who answered the motion or appeared at the hearing, the attorney for the debtor, the Closing Agent, the Purchaser, and the attorney for the Purchaser, if any, and file a certificate of service.
- (2) ***Closing shall occur within thirty (30) days of this Order.***
- (3) ***Within seven (7) days following closing***, the Movant/Plaintiff shall file a ***Report of Sale*** which shall include a copy of the HUD-1 or other Settlement Statement; and,

Thomas P. Agresti, Judge
United States Bankruptcy Court