

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION

IN RE:

CASE NUMBER:

RANDALL B. WHITNEY and
VIRGINIA B. WHITNEY,

CHAPTER 13

Debtors.

CHAPTER 13 PLAN

The Debtors submit the following Chapter 13 Plan:

1. The future earnings of the Debtors are submitted to the supervision and control of the Trustee, and the Debtors shall pay to the Trustee the sum of \$6,898.33 per month for the duration of the sixty (60) month plan.

2. From the payments so received, the Trustee shall make disbursements as follows:

A. Priority Claims.

(1.) The fees and expenses of the Trustee shall be paid over the life of the plan at the rate of ten percent (10%) of the amount of all payments under the plan.

(2.) The Internal Revenue Services holds a priority claim for taxes in the amount of \$145,234.00. The Debtors will pay \$2,420.57 per month on this priority claim through the life of the Plan to pay this claim in full.

B. Secured Claims.

(1.) Chase Bank, P.O. Box 9001871, Louisville, Kentucky 40290, holds a first mortgage on the Debtors' homestead. The Debtors shall pay the creditor the normal monthly payment sum of \$1,902.00 per month for sixty (60) months.

(2.) HSBC Mortgage Services, 1301 Tower Road, Schaumburg, Illinois 60173, holds a second mortgage on the Debtors' homestead. The Debtors shall pay the creditor the normal monthly payment sum of \$200.00 per month for sixty (60) months.

(3.) Bayview Loan Servicing, P.O. Box 3042, Milwaukee, Wisconsin 53201-3042, holds a first mortgage on the Debtors' office building. The Debtors shall pay the creditor the normal monthly payment sum of \$1,435.92 for sixty (60) months.

(4.) Spinnaker Resorts, P.O. Box 29352, Phoenix, Arizona 85038 holds a first mortgage on the Debtor's Time Share. The Debtors will surrender this property.

C. Unsecured Claims.

(1.) Unsecured creditors, including those secured creditors who have deficiency claims or whose liens have been avoided and who timely file proofs of claim shall receive distribution pro-rata. The Trustee shall distribute \$250.00 each month among those unsecured creditors whose claims are timely filed and allowed for months 1 through 60 of the plan.

(2.) Any claim filed after the claims bar date shall receive no distribution under this plan, unless specifically provided for above.

(3.) All creditors shall retain their liens to the extent permitted by 11 U.S.C. §506(d).

(4.) The Debtors do not reject any executory contracts.

(5.) Title to all property of the estate shall revert in the Debtors upon confirmation of this plan.

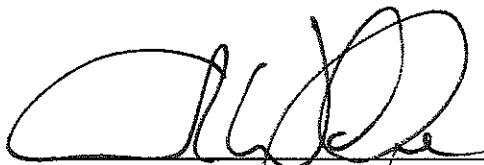
(6.) Except as provided for in this plan, the order confirming the plan, or other Court order, no interest, late charges, penalties or attorneys' fees will be paid to or accessible by any creditor. 11 USC Section 1327(a) provides:

“The provisions of a confirmed plan bind the debtors and each creditor, whether or not the claim of such creditor is provided for by the plan, and whether or not such creditor has objected to, has accepted or has rejected the plan.”

(7.) Once the Debtors successfully complete the Chapter 13 Plan and a discharge is entered by the Court, no creditor will be allowed to add late charges, penalties, interest or attorneys' fees from the beginning of time through the date of discharge.

DATED this 1st day of December, 2009.

DORAN, WOLFE, ANSAY & KUNDID

A handwritten signature in black ink, appearing to read 'A. Wolfe', is written over a horizontal line.

Aaron R. Wolfe, Esquire
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