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Case 10-66454-fra13 Doc 27 Filed 02/01/11

DISTRICT OF OREGON

**FILED**

February 01, 2011

Clerk, U.S. Bankruptcy Court

Below is an Order of the Court.



Certified to be a true and correct copy of the original filed in my office.

Dated 2-23-11  
**Charlene Hiss, Clerk, U.S. Bankruptcy Court**

By [Signature] Deputy

[Signature]  
**FRANK R. ALLEY**  
 U.S. Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT  
 DISTRICT OF OREGON

In re:  
**Richard Paul Jansky**  
**Alexis Denise Campbell-Jansky**

Debtor(s)

) Case No. 10-66454-aer13  
 )  
 ) ORDER VALUING PROPERTY PURSUANT  
 ) TO 11 U.S.C. §506 AND AVOIDING WHOLLY  
 ) UNSECURED LIEN IN A CHAPTER 13 CASE

THIS MATTER came before the Court on debtor's *Motion to Value Property Pursuant to 11 U.S.C. §506 and Avoid Wholly Unsecured Lien in a Chapter 13 Case*. The Court having reviewed the records and files herein, and having determined that no timely response has been filed to debtor's motion,

IT IS HEREBY ORDERED that the lien of Citibank, N.A., recorded in Klamath County, State of Oregon on July 12, 2006, as Reference No./Book No./Reel No./Other Identifying Reference M06-14032

, against debtor's real property located at 1960 Harriman Avenue, Klamath Falls Oregon 97601, a legal description of which is (attach exhibit if necessary) See Attached Exhibit A

is wholly unsecured, is avoided, and is no longer a lien against the real property referenced herein.

IT IS FURTHER ORDERED that if this case is dismissed or converted to one under Chapter 7, the lien avoided by this order shall be reinstated.

IT IS FURTHER ORDERED that any claim formerly secured by the avoided lien will be treated as a secured claim to the extent previously paid by the Chapter 13 Trustee, and an unsecured claim for the remainder, without prejudice to any other objections to the claim.

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PRESENTED BY:

/s/ Lars H. Olsen

Debtor/Debtor's Attorney

Name: Lars H. OlsenOSB#: 91387

cc: Debtor; Debtor's Attorney; Trustee; Lienholder (Insert address if not ECF Participant): Citibank, N.A., c/o Eugene M. McQuade, CEO, 3900 Paradise Road, Suite 127, Las Vegas, NV 89109

1317.5 (12/1/10)

EXHIBIT A

ALL THAT REAL PROPERTY SITUATED IN THE COUNTY OF KLAMATH, STATE OF OREGON, DESCRIBED AS:

A PORTION OF LOTS 5 AND 6, BLOCK 72, BUENA VISTA ADDITION TO THE CITY OF KLAMATH FALLS, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF KLAMATH COUNTY, OREGON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEASTERLY CORNER OF BLOCK 72, BUENA VISTA ADDITION, WHICH POINT IS ALSO THE NORTHEASTERLY CORNER OF LOT 6 OF SAID BLOCK, AND RUNNING THENCE SOUTH 37° 09' WEST, ALONG THE WESTERLY LINE OF HARRIMAN AVENUE 92.6 FEET TO THE CORNER COMMON TO LOTS 5 AND 6; THENCE CONTINUING SOUTH 37° 09' WEST, ALONG SAID WESTERLY LINE OF HARRIMAN AVENUE 50 FEET TO THE MOST SOUTHERLY CORNER OF LOT 5; THENCE AT RIGHT ANGLES NORTH 52° 51' WEST A DISTANCE OF 60 FEET TO A POINT ON THE LINES BETWEEN LOTS 4 AND 5 OF SAID BLOCK 72; THENCE NORTH 13° 51' EAST A DISTANCE OF 34.4 FEET TO A POINT ON THE LINE BETWEEN LOTS 5 AND 6; THENCE SOUTH 52° 51' EAST ALONG SAID LINE BETWEEN LOTS 5 AND 6 A DISTANCE OF 41.9 FEET TO A POINT; THENCE AT RIGHT ANGLES NORTH 37° 09' EAST A DISTANCE OF 62.0 FEET TO A POINT ON THE SOUTHERLY LINE OF PRESCOTT STREET; THENCE FOLLOWING SAID SOUTHERLY LINE OF PRESCOTT STREET NORTH 89° 31' EAST A DISTANCE OF 50.0 FEET TO THE POINT OF BEGINNING.