

2

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF INDIANA
HAMMOND DIVISION

IN RE:
Kyran Barraki Sims

CASE NO. 06-61966-1
CHAPTER 13


Debtor

FILED
OCT 18 2006
CHRISTOPHER M. DETORO CLERK
U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF INDIANA

AGREED ENTRY

Comes now Countrywide Home Loans, Inc., ("Countrywide"), by counsel, and Debtor, by counsel, and agree as follows:

1. Countrywide shall withdraw its objection to the debtor's motion to extend the stay.
2. In the event that the debtor's case is dismissed or that Countrywide later obtains relief from the automatic stay or in the event that the debtor converts to Chapter 7 and is granted a discharge or in the event that the debtor obtains a hardship discharge under Chapter 13 and does not complete her plan payments, Countrywide is hereby granted *in rem* relief from the automatic stay as to the property at 3737 Nebraska Drive, Hammond, IN 46323 of any subsequent proceeding, pursuant to 11 U.S.C. §362(d)(4) effective the later of the date that the case is dismissed, the date that relief from the automatic stay is granted Countrywide, the date of the Chapter 7 discharge or the date that the debtor is granted a Chapter 13 hardship discharge.
3. In the event of a plan payment default, which causes a post-petition default, Countrywide may file a Notice of Default and the Court shall set a hearing to determine whether or not to grant Countrywide relief from the automatic stay (subject to the terms of paragraph 2 above).
4. The debtor and his spouse, Lannora S. Sims currently are married and reside together and are neither separated nor divorced. Counsel for Countrywide shall serve a copy of the Court approved Agreed Entry upon Lannora S. Sims and absent an objection from Lannora S. Sims within 20 days after the date of the service of the agreement, the agreement shall be binding (specifically the *in rem* portion of the agreement as to the property at 3737 Nebraska Drive, Hammond, IN 46323) as to Lannora S. Sims in the event she subsequently files a petition under Title 11 of the United States Code.
6. Countrywide may file an amended claim for any post-petition attorney's fees associated with this case.
7. Countrywide may record this agreement with the Lake County Recorder's Office so that any subsequent transferee takes the property subject to this agreement.
8. Countrywide may file with the Recorder's Office a "Termination of Agreed Entry" at any time, which shall terminate the effect of this agreement. In any event, the effectiveness of this Agreed Entry shall terminate within 2 years from the later of the date that this debtor's case is dismissed, Countrywide is actually granted relief from the automatic stay, the debtor is granted a Chapter 7 discharge under this case number or the debtor is granted a Chapter 13 hardship discharge under this case number.

By: 
Christopher M. Detoro
Clerk
This is to certify that this is a true and exact copy of the original.

SO ORDERED THIS: Jan 14, 2006

APPROVED: 
JUDGE, UNITED STATES BANKRUPTCY COURT

\$14
CK# 189528
100
CM

Kylan Sims 10-18-06

Ricardo B. Casas 10-18-06
Attorney for Debtor Date

Michael J. Kulak 10-18-06
Attorney for Creditor Date

I affirm, under the penalties for perjury, that
I have taken reasonable care to redact each
Social Security number in this document,
unless required by law.

Diana Smith

Unterberg + Associates, P.C.

8050 Cleveland Place
Merrillville, IN 46410

