

UNITED STATES BANKRUPTCY COURT
DISTRICT OF OREGON

In re

Case No. _____
Amended

Debtor

**MOTION TO AVOID JUDICIAL LIEN ON
REAL PROPERTY PURSUANT TO
11 U.S.C. § 522(f)(1)(A)**

Notice to lienholder: _____ [*enter name of lienholder*]

If you oppose the proposed course of action or relief sought in this motion, you must file a written objection with the bankruptcy court no later than 14 days after the date listed in the certificate of service below. If you do not file an objection, the court may grant the motion without further notice.

Your objection must set forth the specific grounds for objection and your relation to the case. The objection must be received by the clerk of court at 1050 SW 6th Ave. #700, Portland OR 97204 or 405 E 8th Ave. #2600, Eugene OR 97401 by the deadline specified above or it may not be considered.

[*Check one:*]

Within that same time, you must also serve the objection on [*enter name, address, and phone number of movant or movant's attorney*]:

You need not serve the objection because the movant's counsel is an ECF participant and will receive notice electronically.

If the court sets a hearing, you will receive a separate notice listing the hearing date, time, and other relevant information.

Motion

Debtor moves to avoid the judicial lien on real property referenced below and alleges as follows—

1. Name and Federal Rule of Bankruptcy Procedure 7004 service address of lienholder whose lien is to be avoided:

2. The nature of the judicial lien, the present balance owing under it, and the date when it was obtained [*include case name, number, county, state, date on which judgment was docketed, and any transcription information*]:

3. Street address and legal description [*attach exhibit if necessary*] of real property to which judicial lien attaches:

4. Date petition filed: _____

5. Fair market value of real property on the petition date: \$_____

6. Names of and amounts due to all senior lienholders:

7. Present balance owing to senior lienholders plus junior consensual liens on petition date excluding any precomputed interest or other unearned charges:

8. The description of statutory authority for and amount of impaired exemptions:

9. Other relevant facts:

10. Debtor is therefore entitled to avoid the lien referenced in paragraph 2 above [*check one*]
—

in full so that it no longer remains a lien against debtor's interest in the real property.

in the amount of \$_____ so that it remains a lien against debtor's interest in the real property in the amount of \$_____.

Debtor's or Debtor's Attorney's Signature

OSB#, if attorney

Address

Phone #

Debtor's address if not provided above and last 4 digits of Taxpayer ID#

Certificate of Service

I certify that on _____, copies of this motion and all attachments thereto were served on the debtor, lienholder, and any other party named in this motion. A list of the names, addresses, and methods for service on all parties served using paper is attached.

Signature

OSB# (if attorney)