

U.S. COURTS

Les Bock
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CHARTERED
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MAY - 4 1998

REC'D _____ FILED _____
CAMERON S. BURKE
CLERK IDAHO

Attorneys for John Deere Company

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF IDAHO

In Re)

TERRY HIPWELL,)

Debtor.)

) Case No. 96-02095
) Chapter 12

) ORDER GRANTING RELIEF
) FROM AUTOMATIC STAY

The Court, having reviewed the Motion to Enforce Stipulation for Relief from Automatic Stay Re: John Deere Company ("Motion") and no objections having been filed by Debtor, Debtor's counsel and Trustee, finds as follows:

1. On April 1, 1998, John Deere Company ("John Deere"), by written Motion, moved the Court to terminate the automatic stay existing on the below-described property to allow John Deere to foreclose its security interest in the same.

2. The subject property ("Collateral") is described as follows:

- A. Case 2470 Tractor (Id. No. 8793720);
- B. John Deere 4600 Plow 5 Bottom (Id. No. 12847);
- C. Miller Disk 18' Offset (Id. No. 48525);
- D. John Deere 4630 Tractor (Id. No. 4630H012320R);
- E. International Harvester 1480 Combine & 22' International Harvester 810 Platform (Id. No. 01882); and
- F. Four 14.9 x 46 tractor tires and two 12.4 x 32 tractor tires.

3. Timely notice of Source One's Motion was duly given to the Debtor, Debtor's counsel, and the Trustee pursuant to terms of the January 23, 1997 Stipulation.

4. Cause exists as set forth in the Motion filed by John Deere for the termination of the automatic stay in that the Debtor has breached the terms of the Stipulation and has not offered adequate protection for the use of the Collateral.

THE COURT ORDERS the following:

A. the automatic stay is terminated as against John Deere; and

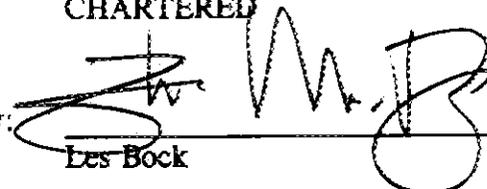
B. John Deere may proceed to foreclose on its interest in the Collateral as provided by applicable state law.

Dated: 5/1/98


U.S. Bankruptcy Court Judge

APPROVED BY:

DILLION, BOSCH, DAW & BOCK,
CHARTERED

By: 
Les Bock

FOLEY & FREEMAN

By: _____
Howard R. Foley
Attorney for Debtor

RONALD D. SCHOEN

By: _____
Ronald D. Shoen, Chapter 12 Trustee

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ORDER - 2

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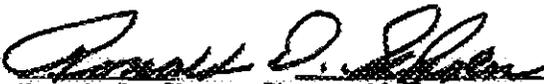
DILLION, BOSCH, DAW & BOCK,
CHARTERED

By: _____
Les Bock

FOLEY & FREEMAN

By: _____
Howard R. Foley
Attorney for Debtor

RONALD D. SCHOEN

By: 
Ronald D. Schoen, Chapter 12 Trustee

ORDER - RECEIVED DILLION
BOSCH & DAW, CHRS.

APR 22 1998

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