

U. S. COURTS

MAR 26 2003

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

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UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF IDAHO
AT BOISE

In Re:

RICHARD STEVEN GORDON and
BARBARA LYNN GORDON,

Debtors

BANKRUPTCY NO. 01-288

CHAPTER NO. 13

ORDER FOR RELIEF FROM AUTOMATIC
STAY

THIS MATTER, coming on regularly before the undersigned Bankruptcy Judge upon Notice of Failure to Pay of The Bank of New York as Trustee and its successors and assigns, by its attorneys Robinson Tait, P.S., for an Order terminating the automatic stay of lien enforcement under Bankruptcy Code § 362 as it affects Petitioner and permitting Petitioner to proceed to enforce its lien against that parcel of real property described as follows:

PARCEL I: LOT 7, BLOCK 2, CANYON ESTATES SUBDIVISION, OWYHEE COUNTY, IDAHO, ACCORDING TO THE OFFICIAL PLAT FILED AS INSTRUMENT NO. 225491, RECORDS OF OWYHEE COUNTY, IDAHO. PARCEL II: AN EASEMENT FOR INGRESS AND EGRESS AND UTILITIES OVER LOT 19, BLOCK 2, CANYON ESTATES SUBDIVISION, OWYHEE COUNTY, IDAHO, ACCORDING TO THE OFFICIAL PLAT FILED AS INSTRUMENT NO. 225491,

commonly known as 3806 Wagon Wheel Drive, Homedale, ID 83628, and the Court finding the delinquency under the Order for Adequate Protection has not been cured;

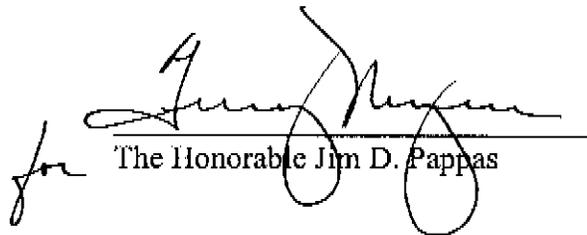
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1 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the automatic stay of
2 lien enforcement is terminated as to any actions in the foreclosure of its collateral as it affects
3 Pctitioner, Trustee, and Successor Trustee of its Deed of Trust;

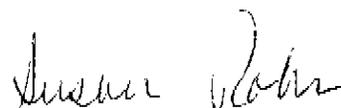
4 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that this order shall be
5 effective immediately notwithstanding provisions of Federal Rules of Bankruptcy Procedure,
6 Rule 4001(a)(3) providing otherwise;

7
8 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Petitioner, Trustee
9 and Successor Trustee (if applicable) of the Deed of Trust are authorized to commence or
10 continue an action against said real property pursuant to the laws of the State of Idaho, including
11 but not limited to judicial and/or nonjudicial foreclosure and eviction, if necessary.
12

13 DONE this 25th day of March, 2003.

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for The Honorable Jim D. Pappas

17 Presented by:

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19 
20 Susan J. Robinson, ISB# 4460
21 Robinson Tait
22 Attorneys for The Bank of New York as Trustee
23 and its successors and assigns
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CERTIFICATE OF MAILING

I hereby certify that on March 26, 2003, a true and correct copy of the foregoing was mailed, postage prepaid, first class to the following:

Richard Steven Gordon
Barbara Lynn Gordon
Rt 1 Box 3806
Homedale, ID 83628

Cyrus J. Roedel
355 W. Myrtle St. #102
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Deputy Clerk