**UNITED STATES BANKRUPTCY COURT**

**SOUTHERN DISTRICT OF NEW YORK**

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In re: Chapter

,  Case No. ( )

Debtor

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**ORDER AVOIDING JUDICIAL LIENS PURSUANT TO 11 U.S.C. § 522(f)**

Upon the motion, [by notice of presentment] [made in the chapter 13 plan in this case] [Dkt. No. \_\_ ] (with the exhibits thereto, the “Motion”), of the debtor herein, (the “Debtor”) for an order pursuant to 11 U.S.C. § 522(f) avoiding the judicial lien(s) of described therein and herein on the Debtor’s real property located at (the “Property”) as impairing the Debtor’s homestead exemption; and there being due and sufficient notice of the Motion and the opportunity for a hearing thereon, including on [each of ] the judicial lienor[s]; and [there being no opposition to the requested relief] [upon the objection dated ]; and no additional notice or a hearing being required; and, after due deliberation, the Court having determined that [each of] the foregoing judicial lien[s] [fully] impairs the Debtor’s homestead exemption [to the extent reflected herein]; and good and sufficient cause appearing, it is hereby

**ORDERED**, that the Motion is granted; and it is further

**ORDERED**, that pursuant to 11 U.S.C. § 522(f), the fixing of the judicial lien of against Property and its proceeds, recorded in County Supreme Court on *[date]* , and bearing Index No. [Instrument No. \_\_\_\_\_\_\_\_\_\_\_\_], in the amount of $ , is avoided [with the exception of $\_\_\_\_\_]; and it is further

**ORDERED**, that the Clerk of County, New York shall mark on its records that the foregoing judicial lien of against the Property and its proceeds has been avoided under 11 U.S.C. § 522(f) pursuant to Bankruptcy Court Order; provided, that the Debtor may record a copy of this Order with such Clerk as alternative notice thereof; and it is further

**[ORDERED**, that pursuant to 11 U.S.C. § 522(f), the fixing of the judicial lien of \_\_\_\_ against Property and its proceeds, recorded in County Supreme Court on *[date]* , and bearing Index No. [Instrument No.], in the amount of $ , is avoided; and it is further

**ORDERED**, that the Clerk of County, New York shall mark on its records that the foregoing judicial lien of against the Property and its proceeds has been avoided under 11 U.S.C. § 522(f) pursuant to Bankruptcy Court Order; provided, that the Debtor may record a copy of this Order with such Clerk as alternative notice thereof;[[1]](#footnote-1) and it is further

**ORDERED**, that this Order is deemed to be a separate order with respect to each judicial lien avoided hereby.]

Dated: XXX, New York

[date]

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_­­\_\_\_\_\_

HONORABLE

UNITED STATES BANKRUPTCY JUDGE

1. Add such paragraphs for each additional lien avoided. [↑](#footnote-ref-1)