

UNITED STATES BANKRUPTCY COURT
DISTRICT OF VERMONT



In re:

JOHN J. LAWLOR and
BARBARA JEAN NOTTELL,
Debtors.

Chapter 13 Cases
04-11018
04-11019

JOHN J. LAWLOR, BARBARA JEAN NOTTELL
and JAN M. SENSENICH, CHAPTER 13 TRUSTEE
OF THE ESTATES OF JOHN J. LAWLOR and
BARBARA JEAN NOTTELL,
Plaintiffs,
v.

Adversary Proceeding
04-1060

CHITTENDEN TRUST CO. d/b/a
MORTGAGE SERVICE CENTER,
Defendant.

Appearances: *Michelle Kainen, Esq.*
White River Junction, Vt.
For the Plaintiffs/Debtors

Jan M. Sensenich, Esq.
White River Junction, Vt.
For the Chapter 13 Trustee

Shireen T. Hart, Esq.
Eggleston & Cramer, Ltd.
Burlington, Vt.
For the Defendant

ORDER
GRANTING PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT

For the reasons set forth in the memorandum of decision of even date,

IT IS HEREBY ORDERED that

1. summary judgment is appropriate in this case;
2. the Plaintiffs' motion for summary judgment is GRANTED; and
3. the mortgage of Chittenden Trust Co. d/b/a/ Mortgage Service Center against the Debtors' homestead property is hereby AVOIDED.

SO ORDERED.

December 15, 2005
Rutland, Vermont

A handwritten signature in cursive script, reading "Colleen A. Brown".

Colleen A. Brown
United States Bankruptcy Judge