Attorney or Party Name, Address, Telephone & FAX Numbers, and California state Bar Number	FOR COURT USE ONLY
Law Offices of Marcus Gomez 12749 Norwalk Blvd., Ste 204-A	
Norwalk, CA 90650	provide the second of the second seco
	FILED
	0.000
☐ Individual appearing without counsel	JUL -3 2008
Attorney for: Raymond Vargas	CLERK U.S. BANKRUPTCY COURT CLERK U.S. BENERUPTCY COURT
UNITED STATES BANKRUPTCY COURT	CLERK U.S. BANKRUP IC. CENTRAL DISTRICT OF CALIFORNIA BY BY
CENTRAL DISTRICT OF CALIFORNIA	The state of the s
In re:	CHAPTER: 13
	CASE NO.: LA08-17036 VZ
· · · · · · · · · ·	
	DATE: TWY 16, 2008
	CTRM: 1360 FLOOR: (3th FLOOR
NOTICE OF MOTION AND MOTION IN INDIVIDUAL CASE	
CONTINUING THE AUTOMATIC STAY AS THE CO	
(with supporting declarat	ions)
(INIOVAITI. Taymona taigas	
1. NOTICE IS HEREBY GIVEN to COUNTRYWIDE HOME LOANS ("Secur	rod Croditarii occori) Truston (if any) and affected
creditors("Responding Parties"), their attorneys (if any), and other interested parti-	ies that on the above date and time and in the indicated
courtroom, Movant in the above-captioned matter will move this Court for an Or as to certain creditors and actions described in the Motion on the grounds set for	rder imposing a stay or continuing the automatic stay
	oran maio didonos monori.
2. Hearing Location: Z 255 East Temple Street, Los Angeles	411 West Fourth Street, Santa Ana
21041 Burbank Boulevard, Woodland Hills	1415 State Street, Santa Barbara
☐ 3420 Twelfth Street, Riverside	
3. a. This Motion is being heard on REGULAR NOTICE pursuant to Local in	Poplementary Dula 2012 4 - March 15 this
Motion, you must file a written response to this Motion with the Bankru	iptcy Court and serve a copy of it upon the Moyant's
attorney (or upon Movant, if the Motion was filed by an unrepresented in 14 days before the above hearing and appear at the hearing of this Mo	ndividual) at the address set forth above no less than
b. This Motion is being heard on SHORTENED TIME. If you wish to oppo	
written response or evidence must be filed and served:	The the meter, year must appear at the hearing. They
at the hearing \mathbf{k} at least $\underline{}$ court days before the hear	ring.
(1) A Motion for Order Shortening Time was not required (according to	the calendaring procedures of the assigned judge).
(2) A Motion for Order Shortening Time was filed per Local Bankruptc such motion and order have been or are being served upon the ap	by Rule 9075-1(b) and was granted by the Court and opropriate creditor(s) and trustee, if any.
(3) A Motion for Order Shortening Time has been filed and remains per will be served with another notice or an order that will specify the Motion and the deadline for filing and serving a written opposition to	date, time and place of the hearing on the attached
 You may contact the Bankruptcy Clerk's Office to obtain a copy of an approved concount Form F 4001-1M.RES), or you may prepare your response using the formation. 	urt form for use in preparing your response (Optional at required by Local Bankruptcy Rule 1002-1.

Mation for Order I	mnosing a Stay or Continuin	g the Automatic Stay - Page 2 c	f 4001-1M.IS
In re	(SHORT TITLE)	<u></u>	CHAPTER: 13
Raymond Vargas	·	Debtor(s).	CASE NO.: LA08-17036 VZ
5. If you fail to file a written right to oppose the Motio	response to the Motion or fail ton and may grant the requested	o appear at the hearing, the Court n I relief.	nay treat such failure as a waiver of your
•		Law Offices of Marcus Gomez	
		Print Law Firm Name (if applica	ble)
Marcus Gomez	vant or Attorney for Movant	Signature of Individual Movant of	or Attorney for Movant

Print Name of Individual Movant or Attorney for Movant

		Moti	ion for Order Imposing a Sta	y or Continuing the Au	utomatic Stay <i>- Page</i> 3 c	of	F 4	<u> 1001</u>	-1N	<u> 1.1S</u>
In	ı re			PRT TITLE)		CHAPTER	13			
	Raym	ond '	Vargas	Debtor(s).	CASE NO	: LA08-1	7036 \	/Z		
ľ	мот	ION		NG A STAY OR C COURT DEEMS Raymond Vargas		AUTOMA	TIC ST	AY A	AS TH	ΗE
1.	The	Prop	perty or Debt at Issue:							
	a.	X	Movant moves for an order imp	osing a stay with respec	ct to the following property	("this Prope	rty" or "th	e Prop	erty"):	
			☐ Vehicle (describe year, mai Vehicle Identification Numb Location of vehicle (if know	er:	odel):					
			Equipment (describe manu. Serial number(s): Location (if known):	facturer, type, and char	acteristics):					
		ļ	Other Personal Property (d	escribe type, identifying	information, and location):					
			Real Property Street Address: 13055 Des Apt./Suite No.: City,State, Zip Code: Cerri Legal description or do □ See attached co	tos, CA 90703 cument recording numb	er(include county of record	ing):				
	credi	tor)_ 446. s, ac	ddresses and collateral, are des	reditor/Lessor"). Additi	to se onal creditors who are the s on sheets attached. (Attac	cure the ubject of this th additional	sum (motion, sheets a	of app and the us nece	proxim eir resp ssary)	ective
	b.	区 (Movant moves for an order imp concerning the debt/lease owed	osing a stay with resp to the <u>Secured Creditor</u>	ect to <i>any and all actions</i> a r <u>s/Lessors</u> as described in t	against the his motion;	Debtor ai and/or	nd the (estate	taken
	c. [Movant moves for an order imp			-1 -11 1 i		tha Dal	htor on	od tha
	d. l	ا لـ •	Movant moves for an order con estate taken concerning the deb	tinuing the automatic t/lease owed to the <u>Sec</u>	stay with respect to <i>any an</i> <u>ured Creditor/Lessor</u> , and/c	a all actions or	agamst	ine De	ULUI AII	id the
	е. [☐ r	Movant moves for an order con t	tinuing the automatic	stay as to all creditors.					
)	Case	His	tory:				_			
	а. [A voluntary $\ \square$ An involuntary was filed concerning the present			□ 7	□ 11	□ 12	2 X	13
	þ. [An Order of Conversion to Chap was entered on (specify date):	ter	1 🗌 12 🗍 13					
	с. [] F	Plan was confirmed on (specify of	date):						
				(Continued on ne	ext page)					

		M	otion for Order Imposing a Stay or Continuing the Automatic Stay - Page 4	of F 4001-1M.IS
	In re		(SHORT TITLE)	CHAPTER: 13
	Rayı	mond	d Vargas Debtor(s).	CASE NO.: LA08-17036 VZ
	d.	×	Other bankruptcy cases filed by or against this Debtor have been pending within the this case. These cases and the reasons for dismissal are:	e past year preceding the petition date in
			Case Name: Raymond Vargas Case Number: LA08-15420 vz Chapter: 13 Date Filed: 04/23/08 Date Dismissed: Relief from stay re this property □ was ▼ was not granted Reason for dismissal: Untimely file documents.	
			2. Case Name: Case Number: Date Filed: Chapter: Date Dismissed: Relief from stay re this property Reason for dismissal:	
			□ See attached continuation page	
	e.		As of the date of this motion the Debtor \square has \square has not filed a statement of intention	tions regarding this Property as required
			under 11 U.S.C.§521(a)(2). If a statement of intentions has been filed, Debtor \Box therein.	has \square has not performed as promised
	f.	×	The first date set for the meeting of creditors under 11 U.S.C.§341(a) is/was 7/3/08 not fixed a later date for performance by Debtor of the obligations described at 11 Uapplicable) is	and the court ☐ has 🗷 has J.S.C.§521(a)(2). The extended date (if
	g.		In a previous case(s), as of the date of dismissal there was \Box an action by	the Secured Creditor/Lessor under 11
			U.S.C.§362(d) still pending or \square such action had been resolved by an order termin to such creditor.	ating, conditioning or limiting the stay as
3.	The	equi	ity in the property is calculated as follows:	
	a.	2. 3. 4. 5. 6. 7.	Creditor/Lien amount: Countrywide Home Loans \$ 644 Creditor/Lien amount: Homecoming Loans \$ 122 Creditor/Lien amount: \$	005.39
	b.	2. 3. 4. 5. 6. 7. 8.	Total Liens Debtor's Homestead Exemption Equity in the Property (subtract lines 6 and 7 from line 1 and enter here) \$	
	_		See attached continuation page(s)	
		_	s for Continuing The Stay:	a do.
	a.	1. X	Pursuant to 11 U.S.C.§362(c)(3) the stay should be continued on the following ground. The present case was filed in good faith notwithstanding that a prior single or join debtor which was pending within the year preceding the petition date was dismissional.	nt case filed by or against the individual

·i	Mot	on fo	r Order Imposing a Stay or Continuing the Automatic Stay - Page 5 o	of F 4001-1M.IS
In re			(SHORT TITLE)	CHAPTER: 13
Raym	ond	Varga	S Debtor(s).	CASE NO.: LA08-17036 VZ
		a. 🗆 B. K	The prior dismissal was of a case not refiled under Chapter 7 after dismis Good faith is shown because Attorney mistakenly miss the date to file mis	
			□ See attached continuation page(s)	
2	. 🗷] Ti	ne Property is of consequential value or benefit to the estate because:	
	,	4 . \square	The fair market value of the Property is greater than all liens on the propert supported by declarations attached (describe separately as to each prope	
	E	3. 🖼	The Property is necessary to a reorganization for the following reasons:un-ethicals employees.	
			□ See attached continuation page	
	(: □	The Secured Creditor/Lessor's interest can be adequately protected by (deprotection):	
3	×	Th	□ See attached continuation page the presumption of a bad faith filing under 11 U.S.C.§362(c)(3)(C)(i) is overcome.	e in this case as to <i>all creditors</i> because:
	Δ	🗆	The prior dismissal was pursuant to the creation of a debt repayment plan.	
	В	×	Debtor's failure to file or amend the petition or other documents as required dismissal was excusable because such failure was caused by the negligen	by the court or Title 11 and resulting in
	С	. 🗆	Debtor's failure to file or amend the petition or other documents as require dismissal was excusable because	
			□ See attached continuation page	
	D	. 🗆	Debtor's failure to provide adequate protection as ordered by the court in the	ne prior case is excusable because
			□ See attached continuation page	
	E		Debtor's failure to perform the terms of a confirmed plan in the prior case is	excusable because
			□ See attached continuation page	
	F.		There has been a substantial change in the personal or financial affairs of the case(s) as follows:	
			this, the Court may conclude that this case, if a case under Chapter 7, will re 11 or 13, in a confirmed plan that will be fully performed. □ See attached continuation page	sult in a discharge or, if under Chapter

In re				(SHORT TITLE)	raye o c	CHAPTER:	F 4001-11VI.13
Rayn	non	d Var	gas	, , , , , , , , , , , , , , , , , , ,	Debtor(s).		LA08-17036 VZ
		G.	X	For the following additional reasons Debtor is a veteran of the meet with attorney with in reason time to file the missing docur	army and	 	
	4.		The this	□ See attached continuation page presumption of a bad faith filing as to the Secured Creditor/Less case because	or under 1	1 U.S.C.§362	(c)(3)(C)(ii) is overcome
				ee attached continuation page			
0		J. 6.		. •			
Gro a.	_			osing a Stay: to 11 U.S.C. §362(c)(4) this case was filed in good faith and gro			- L
			The	Property is of consequential value or benefit to the estate becau all liens on the property as shown above in paragraph 3 and as	se the fair	market value	of the Property is greate
	2.	X	The	Property is of consequential value or benefit to the estate becaus ollowing reasons: This is debtor only place of residence, Debtor dulent employees offering lower interest rate when in reality his	a tha Pron	arty is nacoss	any to a rearranization fo
	3.		The S	e attached continuation page Secured Creditor/Lessor's interest can be adequately protected ction):	by (descri	be Movant's	proposal for adequate
			See	e attached continuation page			
b.	×	The	prese	nt case was filed in good faith notwithstanding that the prior sing ading within the year preceding the petition date were dismissed	gle or joint , because:	cases filed by	or against the individua
		1. []]	he prior dismissal was of a case not refiled under Chapter 7 afte	er dismissa	al under 11 U.	S.C. § 707(b);
		2. [8	lood faith is shown because Debto's attorney failed to file in time	ely matter	the petition a	nd amended document
			<u></u>	See attached continuation page			
c. I		The	presu	nption of a bad faith filing under 11 U.S.C.§362(c)(4)(D)(i) is over	ercome in t	this case as to	all creditors because:
		1. 🗀	_	ebtor had a substantial excuse in failing to file or amend the peti Title 11, resulting in the prior dismissal(s) as follows:	tion or othe	er documents	as required by the court
		_		See attached continuation page			
		2. 🗆		ebtor's failure to file or amend the petition or other documents a smissal was as the result of the negligence of Debtor's attorney	s required ;	by the court	or Title 11 and resulting
				(Continued on next page)			

	M	otion for	Order Imposi	ng a Stay	or Contin	uing the Au	utomatic St	ay - Page 7	of	F 4001-1M.IS
In re	e			(SHOR	RT TITLE)				CHAPTER:	13
Ra	ymon	d Vargas	.					Debtor(s).	CASE NO.:	LA08-17036 VZ
		3. 🗆	Debtor's failu							e is excusable because
			□ See attache							
		4. 🗆	Debtor's failur							pecause
			□ See attache	ed continuat	tion nage					
		5.	There has bee	en a substar	ntial chang	ge in the pers	sonal or finar	ncial affairs of t	he Debtor sinc	e the dismissal of the pric
				irt may cond	clude that	this case, if	a case unde	er Chapter 7, n		(from ded with a discharge or, i
		6. 🗆	For the following	ng addition	al reasons					
				·			· · · · · · · · · · · · · · · · · · ·			
d.		The pres	□ See attached	faith as to	the Secur			r 11 U.S.C. § 3	362(c)(4)(D)(ii)) is overcome in this case
		□ See att	ached continua	ation page				·· <u></u>		
. Ev	idenc	e in Supp	ort of Motion:	(Import	ant Note:	Declaratio	n(s) in supc	ort of the Mo	tion MUST be	e attached hereto.)
a.		Movant si		ched Decla	ration(s) o	n the Court				de evidence in support of
b.		Other Dec	claration(s) are	also attach	ned in supp	port of this M	fotion.			
C.		Movant's⊸	quests that the claims and the s are attached	Property s	ider as adr et forth in	missions the Debtor's(s')	statements r Schedules.	nade by Debto Authenticated	r(s) under pen I copies of the	alty of perjury concerning relevant portions of the
đ.			lence (specify)	-	weston	^				
. 🗆	An o	ptional M	lemorandum o	of Points a	nd Autho	rities is atta	ched to this	s Motion.		
HERE quest	FORE	i, Movant	prays that thi	is Court is:	sue an Oi	rder Imposi	ng a Stay aı	nd granting th	ne following (specify forms of relief
•	•	the Auton	natic Stay be co	ontinued in	effect as t	o all creditor	rs until furthe	er order of the	court.	
. 🗆	That									operty until further order

	Motion for Order Imposing a Stay or Continuing the	he Automa	tic Stay <i>- Page 8 o</i>	of	F 4001-1M.IS		
In re	(SHORT TITLE)			CHAPTER:	13		
Ray	ymond Vargas		Debtor(s).	CASE NO.:	LA08-17036 VZ		
3. 🗷	That the Automatic Stay be continued in effect as to the to the Secured Creditor/Lessor until further order of the		reditor/Lessor with re	spect to actio	ns to collect the debt ower		
4. 🔲	That a Stay be imposed as to all creditors until further of	order of the	court.				
5. 🗷	That a Stay be imposed as to the Secured Creditor/Les	ssor with res	spect to the Property	until further o	rder of the court.		
6.	That a Stay be imposed as to the Secured Creditor/Creditor/Lessor until further order of the court.	/Lessor with	respect to actions t	to collect the	debt owed to the Secured		
7. 🗆	For adequate protection of the Secured Creditor/Lessor by (specify proposed adequate protection)						
8. □	For other relief requested, see attached continuation pag	ge.					
Dated:	7-2-08	Respect	tfully submitted,				
		Marcus	Gomez				
		Movant	Name				
		Law Of	fices of Marcus Gom	ez			
	·	Firm Na	me of Attorney for Mo	ovant (if applic	cable)		
		By: Sigi	nature 2				
		N ame:	Marcus Gomez Typed Name of India	vidual Movant	or Attorney for Movant		
	DECLARATION	ION OF N	NOVANT				
the foreg upon the and faith	I, Marcus Gomez and the foregoing motion consisting ofpages, and to oing is true and correct to the best of my knowledge. If refer business records of Movant kept in the ordinary course of fully record information as to the debtor's account on or records. Executed this	erence is ma of business of near the da	I materials incorporat de to balances owing, of Movant by persons	my testimony whose respo	nsibility it is to accurately		
	(Signat	ature of decla	arant)				

Motion for Order Impo	sing a Stay or Continuing the Au	itomatic Stay - Page 9 d	of F 4001-1M.IS
In re	(SHORT TITLE)		CHAPTER: 13
Raymond Vargas		Debtor(s).	CASE NO.: LA08-17036 VZ
	PROOF OF	SERVICE	
STATE OF CALIFORNIA COUNTY OF LOS ANGELES			
I am over the age of 18 and n	ot a party to the within action. My b	usiness address is as follo	ws:
12749 Norwalk Blvd., Ste 204 Norwalk, CA 90650	4-A		
STAY UNDER 11 U.S.C. § 36 placing a true and correct cop	TICE OF MOTION and MOTION FOR	ORDER IMPOSING A STA the interested parties at the postage thereon fully preparations.	al Bankruptcy Rule 9013-1, I served the AY OR CONTINUING THE AUTOMATION of last known address in this action be aid in the United States Mail at
	d Motion have been served pursuan licates that the notice and service re		
Bankruptcy Rule 7004-1(b), spe	and addresses of all parties and o ecify capacity in which service is mad rgest unsecured creditors, etc.)	counsel that have been se le; e.g., Debtor(s), Debtor's(erved. (In the manner set forth in Loca 's') Attorney, Trustee, Trustee's Attorney
declare under penalty of perjury u	under the laws of the United States o	of America that the foregoin	ng is true and correct.
Dated: 7-2-38			5
Alejandro B. Sandoval		John Marie	DOUNT .
Typed Name	Signature	8	•

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	Hearing Date: Time:	Courtroom:	Floor:
	(1) A hearing on the Motion will be held on the fol		and in the specified location:
	b. Granted: It is further ordered as follows:		
	a. Denied: The underlying Motion may be brough	ght on regular notice.	
	Order Shortening Time is:	no and decidiations s	abilitica in support the eoi, the Motion to
2.	Having considered the Motion for Order Shortening Tim	ne and declarations s	ubmitted in support thereof, the Motion fo
	b. Specify the Title of the Motion:		
	a. Specify date of filing of Motion:		
1.	On the following date, Movant filed the following Motion notice pursuant to Local Bankruptcy Rule 9075-1(b):	n together with a Mot	ion to have the matter heard on shortene
		otcy Rule 9075-1(
		ORTENING TIME	
ļ 		Respondent(s).	(No Hearing Required)
;	VS.		CASE NUMBER LA08-17036 VZ
		Movant(s),	CASE NUMBER 1 222 (Table 1)
	Raymond Vargas		4-
Ĺ		Debtor.	
	Raymond Vargas		
	n re:		
	UNITED STATES BANKRUPTCY COU CENTRAL DISTRICT OF CALIFORNI		
-	Attorney for Raymond Vargas		
	Norwalk, CA 90650		
- 1	Law Offices of Marcus Gomez 12749 Norwalk Blvd., Ste 204-A		

(This Order is continued on the next page.)

411 West Fourth Street, Santa Ana

□ 1415 State Street, Santa Barbara

☐ 21041 Burbank Boulevard, Woodland Hills

□ 3420 Twelfth Street, Riverside

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Order Shortening Time [Local Bankruptcy Rule 9075-1(b)] - Page 2

F 9075-1 In re CHAPTER 13 Raymond Vargas

							Debtor.	CASI	E NUMBER	LA08-	-17036 VZ	
	(2)	Те	lepho	onic notice of the he	earing shall be giv	en to the follow	ing parties	no la	iter than th	ne folk	owing date ar	nd time
		a.	Sp	pecify deadline for g	giving of telephon	ic notice:	Date:			Time	ə <i>:</i>	
		b.	Sp	pecify names of par	ties to be given te	elephonic notic	e: [.	See Attacl	hed P	'age	
	(3)			notice of the hearir wing method of de		o the following	parties no l	later	than the f	ollow	ing date and t	ime by
		a.		Personal Deliver	ry or Facsimile		Overnight	Mail			First Class M	lail
		b.	Sp	ecify deadline for g	jiving of written no	otice:	Date:			Time	:	
		C.	Spe	ecify names of part	ties to be given w	ritten notice:		3	See Atta	ached	l Page	
	(4)			e moving papers, c ties no later than th							ed on the fol	lowing
		a.		Personal Deliver	y or Facsimile		Overnight	Mail			First Class	Mail
		b.	Spe	ecify deadline for se	ervice:		Date:			Time:		
		C.	Spe	ecify names of parti	ies to be served:				See Atta	ched	Page	
	(5)			osition to the Moti s, and served upon								
		a.		Personal Delivery	or Facsimile		Overnight M	Mail	[_	First Class	Mail
		b.	Spe	ecify deadline for se	ervice of oppositio	n:	Date:		7	Time:		
	(6)			ation by Movant est ve must be filed at			written not	tice a	and servic	e was	s completed a	ıs set
Dated:												
					<u></u> 1U	NITED STATES	S BANKRUI	PTC	Y JUDGE	-		

Order Shortening Time [Local Bankruptcy Rule 9075-1(b)] - Page 3

F 9075-1

In re Raymo	nd Vargas		CHAPTER 13
- Tayino		Debtor.	CASE NUMBER LA08-17036 VZ

PROOF OF SERVICE BY MAIL

STATE OF CALIFORNIA			
COUNTY OF LOS ANGELES			
I am employed in the above co- 12749 NORWALK BLVD., STE 204-A NORWALK, CA 90650	unty. I am over the age of 18 and not a pa	arty to the within action. My business address	is:
	, I served the foregoing ORDER SHO parties at their last known address by plase fully prepaid in the United States Mail at N	ORTENING TIME UNDER LOCAL BANKRUP acing a true and correct copy thereof in a se IORWALK, Califo	aled
☑ See Attached List			
I declare under penalty of perjur	ry under the laws of the United States that t	the foregoing is true and correct.	
7-2-8	ALEJANDRO B. SANDOVAL	(And brown	
Date	Type Name	Signature	•
		· · · · · · · · · · · · · · · · · · ·	

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DECLARATION OF ATTORNEY MARCUS GOMEZ

1. I am an attorney at law duly licensed to practice in all the Courts of the State of California and the United States District Court Central and Southern Districts of California. If

called upon to testify as to the matter set forth in this declaration, I could and would competently

İ

I, Marcus Gomez, declare:

testify thereto based upon my personal knowledge.

2. I am the attorney for the Debtor Raymond Vargas.

3. I have obtained an appraisal value of the property located at 13055 Destino Lane Cerritos, CA

90703 online and is hereby attached and marked as Exhibit # A

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this declaration was executed at Norwalk, California on June 16, 2008

Marcus Gomez

EXHIBIT # 1

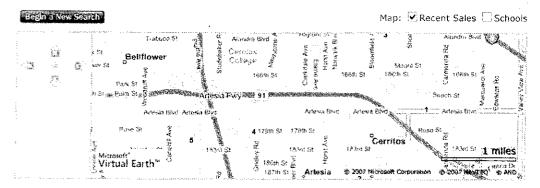
YAHOO! REAL ESTATE



Please Sign in. New User? Register Here.







	13055 DESTINO LN			4/3.00	2314	M. A. P. C. M. A. C.		The second secon
	Address Sale	Sale Price	Price Sale Date	Bed/Bath		Distance		
1	13150 ABANA PL	\$703,000	11/05/2007	4/3.00	2187	0.20	1	Get eppraisal
2	18832 CHRISTINA AVE	\$700,000	04/16/2007	4/2.00	2036	1 ()8	-	Get eppraisal
3	15713 ROPER AVE	\$730,000	03/12/2007	4/3 00	2151	1.30	-	Get eppraisai
4	11331 FELSON ST	\$650,000	05/24/2007	4/3.00	2098	2.28		Get eppraisal
5	18104 HOFFMAN AVE	\$638,000	03/28/2007	4/3 00	2289	3.08	1	Get eppraisal

Price Per Sq Ft Living Area Distance From Subject Sale Price



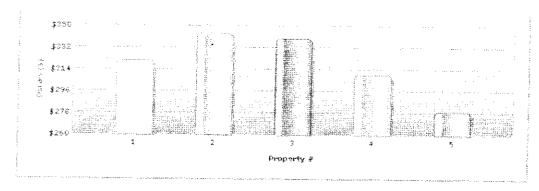
SPONSORS

Ov Applient Forgiveness Program lifts your sparits by not ra sing your rates.









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