

IN THE DELAWARE MUNICIPAL COURT, DELAWARE COUNTY, OHIO

70 North Union Street, Delaware, Ohio 43015 • Voice: 740.203.1560 • Facsimile: 740.203.1599 • www.municipalcourt.org

Instructions: Please, type or print in ink. Submit details of account/claim and attach contract(s) as required. Applications that are incomplete, unfounded, or lack required attachments may be rejected. Other proper forms are accepted. This form is not legal advice; for advice you must confer with an attorney.

**Line/area must be completed.*

In re Trusteeship of

*
Debtor _____

CASE NO: _____ CVH _____

Motion by Secured Creditor In Trusteeship

to Participate **for Release** *[check one]*

I. A. The Creditor: * _____ holds a chattel mortgage or other lien or encumbrance on the following property of the debtor: * _____

B. Said property is in possession of Debtor Creditor Unknown Other _____

II. Motion to Participate in Trusteeship. Creditor moves pursuant to R.C. § 2329.71 to participate in this Trusteeship, and further says the details of debt owing by Debtor are as follows:

A. Creditor Address * _____

B. Current due \$* _____ as of * _____, 20 ____; Account number * _____

C. Name(s) of prior owners of debt (if any) _____

D. Creditor obtained the lien or encumbrance by virtue of *[check one*]*

- 1. the written agreement, a copy of which is attached.
- 2. an oral agreement pursuant to which Creditor retains possession of the property.
- 3. levy on judgment a copy of which is attached.
- 4. Other *(explain)* _____

E. Creditor entered a written agreement with Debtor to participate in the trusteeship, a copy of the agreement is attached.

F. Creditor has reviewed Debtor's application for appointment of a Trustee and the orders of the court entered prior to this application. Pursuant to R.C. § 2329.70, Creditor moves the court for leave to participate in the Trusteeship so long as Debtor complies with the agreement mentioned in paragraph II(F), if any, and the orders of the court regarding payments to the Trustee, in which case and for so long as Debtor remains in compliance, Creditor shall be estopped to assert the lien or other encumbrance.

III. Motion for Release from Trusteeship. Now comes Creditor and moves the court to be released from the Trusteeship to pursue the chattel property and other remedies as permitted by law for the reason that Debtor has failed to comply with the agreement with Creditor, and/or orders of the court as follows: _____

IV. The undersigned served a copy hereof on Debtor/Attorney for Debtor on _____, 20 ____ by ordinary mail email hand delivery.

*X

Signature of Creditor, or Attorney for Creditor (if filed by atty.)

*

Print name SCR# (if filed by atty.*)

*

Phone Number of Creditor, or Creditor Attorney (if filed by atty.)

Attorney Street Address (if filed by atty.*)

*

email & facsimile number of Creditor, or Creditor Attorney (if filed by atty.)

Attorney City, State ZIP (if filed by atty.*)