

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

In re:
City of Detroit, Michigan
Debtor.

Chapter 9 No. 13-53846
Hon. Thomas J. Tucker

**STIPULATION FOR AN ORDER RESOLVING
MOTION FOR RELIEF AND DECLARING THE AUTOMATIC
STAY VOID AB INITIO AND VALIDATING FORECLOSURE
SALE AND WAIVING THE PROVISIONS OF FRBP 4001(a)(3)**

Fifth Third Bank, as servicer for Fifth Third Mortgage Company, by and through counsel, Trott & Trott, P.C, having filed the *Motion for Relief and Declaring the Automatic Stay Void Ab Initio and Validating Foreclosure Sale and Waiving the Provisions of FRBP 4001(a)(3)* (the “Motion”); and The City of Detroit, Michigan, by and through its counsel, Miller, Canfield, Paddock, and Stone, P.L.C., having informally objected to the Motion; no other parties having objected to the Motion; and the parties having resolved The City of Detroit’s objections hereby stipulate to the entry of the proposed order attached as Exhibit A.

Wherefore, the parties respectfully requests that the aforementioned relief be granted.

AGREED:

TROTT LAW, P.C.

MILLER, CANFIELD, PADDOCK
AND STONE, P.L.C.

By /s/ John P. Kapitan
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**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN**

In re:
City of Detroit, Michigan
Debtor.

Chapter 9 No. 13-53846
Hon. Thomas J. Tucker

**ORDER GRANTING STIPULATION RESOLVING MOTION FOR RELIEF AND
DECLARING AUTOMATIC STAY VOID AB INITIO AND VALIDATING
FORECLOSURE SALE AND WAIVING THE PROVISION OF FRBP 4001(a)(3)**

This matter having originally come before this Court on the *Motion for Relief and Declaring the Automatic Stay Void Ab Initio and Waiving the Provisions of FRBP4001(a)(3)* (the “Motion”) filed by Fifth Third Bank, as servicer for Fifth Third Mortgage Company with respect to the property commonly known as 20245 Mendota St., Detroit, MI 48221 situated in the City of Detroit, County of Wayne in the State of Michigan with a legal description of:

Lot(s) 4275, including ½ the adjoining vacated public alley at the rear thereof, Blackstone Park Subdivision No. 6 as recorded in Liber 52 on Page(s) 91 and 92 of Plats.

and the approximate market value of the property is \$38,926.00; and the Foreclosure Sale Bid being approximately \$55,104.92; and the property having been sold at Sheriff's Sale on March 6, 2014; and the City of Detroit, Michigan, by and through its counsel, Miller, Canfield, Paddock and Stone, P.L.C. having informally objected to the Motion; and the parties having resolved the objections; and the Court being otherwise advised in the premises:

IT IS HEREBY ORDERED that the Automatic Stay is vacated *nunc pro tunc* to September 1, 2013 as to Movant with respect to the property located at 20245 Mendota St., Detroit, MI 48221.

IT IS FURTHER ORDERED that Fed. R. Bankr. P. 4001(a) (3) is waived.