

UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION

IN RE:

CASE NUMBER: 8:10-bk-00778-CPM  
CHAPTER 11

Marcial Eduardo Solorzano

Debtor.

---

**AGREED ORDER GRANTING RELIEF FROM THE AUTOMATIC STAY**  
**(RE: 411 and 413 60<sup>th</sup> Dr East, Bradenton, FL 34203)**

This Case is before the Court on the Motion for Relief from Stay (Docket No.413) filed by Bank of America, National Association ("Secured Creditor") on August 29, 2013. Based on the agreement of the parties and the Court being otherwise fully advised on the matter, it is

**ORDERED:**

1. The Motion for Relief from Automatic Stay is GRANTED.
2. The Automatic Stay imposed by 11 U.S.C. § 362 is terminated as to the Secured Creditor's interest in the following property located at 411 and 413 60<sup>th</sup> Dr East, Bradenton, FL 34203:

**PARCEL 1: THE WEST ½ OF LOT 11, FLORIDA OAKS SUBDIVISION, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 21, PAGES 175 AND 176, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA**

**PARCEL 2: THE EAST ½ OF LOT 11, FLORIDA OAKS SUBDIVISION, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 21, PAGES 175 AND 176, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA**

3. The Agreed Order Granting Relief from Stay is entered for the sole purpose of allowing Secured Creditor to obtain an *in rem* judgment against the property described above. Secured Creditor shall not seek an *in personam* judgment against Debtor.
4. The Movant's request to waive the 14-day stay period pursuant to Bankruptcy Rule 4001(a)(3) is granted.

5. Bankruptcy attorneys' fees and costs in the amount of \$401.00 are awarded for the prosecution of this Motion for Relief from Stay, which are recoverable *in rem* in any foreclosure judgment but cannot be sought from the Debtor *in personam*.

The Law Offices of Buddy D. Ford, P.A.  
Attorney for the Debtor  
115 North MacDill Avenue  
Tampa, Florida 33609-1521  
Tel: (813) 877-4669  
Fax: (813) 877-5543  
Email: eric@tampaesq.com

By: /s/ Eric Jacobs  
Eric Jacobs, Esq.  
Florida Bar Number 85992

ELIZABETH R. WELLBORN, P.A.  
Attorney for Secured Creditor  
350 Jim Moran Blvd., Suite 100  
Deerfield Beach, Florida 33442  
Tel: (954) 354-3544  
Fax: (954) 354-3545  
Email: csalamone@erwlaw.com

By: /s/ Christopher P. Salamone  
Christopher P. Salamone, Esquire  
Florida Bar Number 0075951

Done and Ordered in Tampa, Florida, \_\_\_\_\_.

---

CATHERINE PEEK MCEWEN  
UNITED STATES BANKRUPTCY JUDGE

Copies furnished to all parties on the attached service list below:

Christopher P. Salamone, Esq.  
Elizabeth R. Wellborn, P.A.  
350 Jim Moran Blvd., Suite 100  
Deerfield Beach, Florida 33442  
[csalamone@erwlaw.com](mailto:csalamone@erwlaw.com)  
*Attorney for Creditor*

Marcial Eduardo Solorzano  
5611 28th Street W.  
Brandenton, FL 34207

Buddy D. Ford  
115 N. MacDill Avenue  
Tampa, FL 33609-1521

United States Trustee - TPA, 11  
501 E Polk Street  
Tampa, FL 33602