

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION**

**IN RE:**

**Suzanne Elaine Gardner**

**Debtor(s).**

**CASE NO. 13-bk-01260-CPM  
CHAPTER 13**

\_\_\_\_\_ /

**ORDER GRANTING MOTION FOR RELIEF FROM CO-DEBTOR STAY AS  
PROPERTY BEING SURRENDERED (Doc. 34)**

This case is before the Court upon the Motion for Relief from Co-Debtor Stay (Doc. 34) filed by WELLS FARGO BANK, NA ("Movant"), a secured creditor in the above-styled case. The Court, having considered said Co-Debtor Motion is of the opinion that it is appropriate to enter an Order, it is,

**ORDERED:**

1. The Motion for Relief from Co-Debtor Stay (Doc. 34) filed by Movant, is granted as to the Co-Debtor, Corbin A. Gardner.

2. The co-debtor stay provided by 11 U.S.C. § 1301 is terminated as to Movant its Successors and/or Assigns. Accordingly, the co-debtor stay is modified to permit the Movant to commence and prosecute a mortgage foreclosure action in state court against real property, the legal description of which is described below.

**LOT 1, BLOCK 9, SOLANA BAY, ACCORDING TO MAP OR PLAT  
THEREOF RECORDED IN PLAT BOOK 100, PAGES 81 THROUGH 89.  
THE IMPROVEMENTS THEREON BEING KNOWN AS 8548 SANDY  
BEACH STREET, TAMPA, FL 33634. BEING THE SAME PROPERTY**

**CONVEYED TO ELIZABETH CARLSON FROM PULTE HOME CORPORATION, BY SPECIAL WARRANTY DEED DATED DECEMBER 31, 2004, AND RECORDED ON JANUARY 11, 2005, IN O.R. BOOK 14585, PAGE 1, AS CLERK'S NO. 2005015291, AMONG THE LAND RECORDS OF HILLSBOROUGH COUNTY, FLORIDA.**

**8548 Sandy Beach Street, Tampa, FL 33634.**

Dated: \_\_\_\_\_.

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CATHERINE PEEK MCEWEN  
UNITED STATES BANKRUPTCY JUDGE

Attorney Joseph B. Battaglia is directed to serve a copy of this order on interested parties and file a proof of service within 3 days of entry of the order.