

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

In Re:

Case No.: 8:13-BK-09456

CARMEN PALOU

Debtor(s).

Chapter 13

**ORDER GRANTING DEBTOR'S MOTION TO DETERMINE SECURED STATUS OF
OCWEN LOAN SERVICING AND TO STRIP LIEN EFFECTIVE UPON DISCHARGE**

THIS CASE came on for consideration of the Debtor's Motion to Determine Secured Status of OCWEN LOAN SERVICING and to Strip Lien (Doc No. 21) (the "Motion") pursuant to the negative notice provisions of Local Rule 2002-4. Having considered the motion and the absence of any record objection to the relief requested in the Motion by any party in interest, the Court deems the Motion to be uncontested. If OCWEN LOAN SERVICING has not timely filed a proof of claim in this case, the Motion is not deemed to be an informal proof of claim except for the purpose of initiating the Debtor's ability to request relief pursuant to 11 U.S.C. § 506(a).

The real property (the "Real Property") that is the subject of the Motion is located at **6603 Blossom Avenue Tampa, FL 33614**, and more particularly described as follows:

LEGAL DESCRIPTION

- 1 PINE CREST VILLA ADDITION NO 4
- 2 LOT 230 BLOCK K

Accordingly, it is hereby

ORDERED:

1. The Motion is GRANTED.
2. If OCWEN LOAN SERVICING timely filed a proof of claim, the claim shall be treated as an unsecured claim in this Chapter 13 case.
3. The mortgage on the Real Property held by OCWEN LOAN SERVICING recorded on [September 27, 2006], at Book 16989, Pages 274, Instrument No. 2006463870 of the official records of Hillsborough County, Florida, shall be deemed void, and shall be extinguished automatically, without further court order, upon the recordation in the public records of a certified copy of this Order together with (a) a certified copy of the Debtor's Chapter 13 discharge order in this case or (b) such other paper as the Court may specify by separate order. However, the Court reserves jurisdiction to consider, if appropriate, the avoidance of OCWEN LOAN SERVICING's mortgage lien prior to entry of the Debtor's discharge.

4. This Order does not prohibit OCWEN LOAN SERVICING from asserting, at any time prior to entry of the Debtor's discharge, any rights it may have as a defendant in any foreclosure proceeding brought by a senior mortgagee, including the right to claim excess proceeds from any foreclosure sale.

DONE and ORDERED in Chambers at Tampa, Florida, on _____.

MICHAEL G. WILLIAMSON
United States Bankruptcy Judge

Attorney Matthew Schulis 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.