


ORDERED.

Dated: April 09, 2019



Karen S. Jennemann  
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF FLORIDA  
ORLANDO DIVISION  
[www.flmb.uscourts.gov](http://www.flmb.uscourts.gov)

In re	)	
	)	
CATHERINE ECKLEY BENTLEY,	)	Case No. 6:17-bk-00294-KSJ
	)	Chapter 7
Debtor.	)	
_____	)	

**ORDER SUSTAINING TRUSTEE’S OBJECTION AND  
REDUCING DEBTOR’S HOMESTEAD EXEMPTION**

This case came before the Court for trial and consistent with the Memorandum Opinion issued simultaneously with this order, it is

**ORDERED:**

1. Trustee’s Objection to Debtor’s Claimed Exemptions (Doc. No. 44) is **SUSTAINED**.
2. By separate order in the related adversary proceeding 6:17-ap-00119-KSJ, an equitable lien and constructive trust in the amount of \$112,767.04 is imposed on the Home at:

**Unit 806, The Aquarius Oceanfront Condominium, according to the plat thereof recorded in Map Book 32, Page(s) 100 through 106, and being further described in that certain Declaration of Condominium thereof, recording in Official Records Book 1395, Page 99, of the Public Records of Volusia County, Florida**

**Parcel Identification No.: 3234-18-00-J060**

**Address: 1575 Ocean Shore Boulevard, Apartment 806, Ormond Beach, Florida, 32176.**

3. Pursuant to 11 U.S.C. § 522(o), the Debtor's homestead exemption also is reduced by \$112,767.04, upon which let execution lie.
4. From April 8, 2019, until paid in full, interest will continue to accrue at a daily rate of \$12.68.
5. The Chapter 7 Trustee shall have full authority to administer and to liquidate the Home to collect this reduced homestead amount and to enforce the related equitable lien and constructive trust for the benefit of creditors, specifically Susan Kolb. The Chapter 7 Trustee, in addition, may recover from the sale proceeds of the Home any costs incurred in collecting amounts allowed in this Order. Any excess proceeds obtained from the sale of the Home shall be promptly forwarded to the Debtor's probate estate for administration by the Florida state courts.

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The Clerk is directed to serve a copy of this order on all interested parties.