

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION

IN RE:)
RANDALL LEE HOUSTON and)
MANDI DARLENE HOUSTON,) CASE NO. 11-06684-PMG
) CHAPTER 13
)
_____ Debtors.)

**CONSENT ORDER GRANTING DEBTORS' MOTION TO DETERMINE SECURED
STATUS OF CLAIM TWO (2) OF SUNTRUST BANK AND TO STRIP LIEN
EFFECTIVE UPON DISCHARGE**

THIS CASE is before the Court on the Debtors' Motion to Determine Secured Status of the Homestead property mortgage held by SunTrust Bank (Claim Two) and to Strip Lien (the "Motion") filed September 30, 2011 and the Debtors and the Creditor having indicated their consent, it is

ORDERED:

1. The Motion to Determine Secured Claim Status of Claim Two (2) is GRANTED pursuant to 11 U.S.C. §506(a) and the mortgage lien is voided pursuant to 11 U.S.C. §506(d).
2. The value of that portion of Claim Two (2) secured by Real Property (Homestead) is \$0.00. The balance of this claim shall be treated as unsecured.
3. The legal description of this property is as follows:

KNOWN AS: 2521 SORGHUM AVE.

ALL THAT CERTAIN LAND IN CLAY COUNTY, FLORIDA, TO-WIT:
LOT(S) 3, BLOCK 124 OF JACKSONVILLE SOUTH, UNIT 2 AS RECORDED
IN PLAT BOOK 11, PAGES 1-13, ET. SEQ. OF THE PUBLIC RECORDS OF CLAY
COUNTY, FLORIDA.

SUBJECT TO RESTRICTIONS, RESERVATIONS, EASEMENTS,
COVENANTS, OIL, GAS, OR MINERAL RIGHTS, IF ANY.

4. A copy of this Order may not be recorded in the public records until after the Debtors have received a Discharge. No sale of the property may occur free and clear of the Creditor's lien while the bankruptcy case is pending as the Bankruptcy Code provides that the lien be retained on the property until the Creditor's claim is paid in full or until the Debtors receive a Discharge.

5. The mortgage held by SunTrust Bank recorded on July 16, 2007 at Book 2922, Pages 667 through 675, Instrument No. 2007043638 of the official records of Clay County, Florida, shall be deemed void and shall be extinguished automatically, without further court order, upon entry of the Debtors' discharge in this Chapter 13 case; provided, however, that the Court reserves jurisdiction to consider, if appropriate, the avoidance of SunTrust Bank's lien prior to the entry of the Debtors' discharge. Further, if this case is converted to a case under Chapter 7, or if this Chapter 13 case is dismissed, the mortgage will no longer be considered void and shall be restored as a secured debt.

DATED this 17 day of January 2012 at Jacksonville, Florida



PAUL M. GLENN
United States Bankruptcy Judge

Copies to:

Debtors, Randall and Mandi Houston, 2521 Sorghum Avenue, Middleburg, FL 32068
Bankruptcy Law Firm of Lansing J. Roy, P.A., Debtors' Attorney, 1710 Shadowood Lane, Suite 210, Jacksonville, FL 32207

Douglas W. Neway, Trustee, P.O. Box 4308, Jacksonville, FL 32201-4308
United States Trustee's Office, 175 West Central Blvd, Suite 620, Orlando, FL 32801-2476
Designated Officer, SunTrust Bank, L Phillip Humann, CEO, 1 Park Place NE, Atlanta, GA 30303

Attorney for Creditor, SunTrust Bank, N.A., Nicole M Mariani, Esq., Kass Shuler, P.A., P.O. Box 800, Tampa, FL 33601

Creditor, Sylvia Kidd, Suntrust Bank, Attn: Support Services, P.O. Box 85092 Richmond, VA 23286

RECORDED IN THE US BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF FLORIDA,
JACKSONVILLE DIVISION

J.B. VOL. 54 . NO. 7478 .

Consent Order, Motion to Strip Lien, Claim Two, SunTrust Bank, N.A.
Case No.: 11-06684-PMG

Consented to by:

**BANKRUPTCY LAW FIRM OF
LANSING J. ROY, P.A.**



Christopher R. DeMetros, Esquire
Florida Bar No.: 0863467
Attorney for Debtors
1710 Shadowood Lane, Suite 210
Jacksonville, FL 32207
(904) 391-0030

KASS SHULER, P.A.



Nicole M. Mariani Esquire
Florida Bar No.: 69883
Attorney for SunTrust Bank, N.A.
P.O. Box 800
Tampa, FL 33601
(813) 229-0900, ext. 1343