

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

**In re: Nettie Robinson  
Debtor.**

**Case No: 3:13-bk-06001-PMG  
Chapter 13**

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**ORDER GRANTING DEBTOR'S MOTION TO DETERMINE  
SECURED STATUS OF BISCAYNE ESTATES EAST COMMUNITY  
ASSOCIATION AND TO STRIP LIEN EFFECTIVE UPON DISCHARGE**

THIS CASE came on for consideration on the Debtor's Motion to Determine Secured Status of **BISCAYNE ESTATES EAST COMMUNITY ASSOCIATION** and to Strip Lien (the "Motion") (Doc. No. 21) pursuant to negative notice provisions of Local Rule 2002-4. The Court, considering the Motion and the absence of any record objection to the relief requested in the Motion by any party in interest, deems the Motion to be uncontested.

The real property (the "Real Property") that is the subject of the Motion is located at 11615 Longwood Key Dr. East, Jacksonville, FL 32218, more particularly described as follows:

**LOT 21, BISCAYNE ESTATES EAST, UNIT ONE, ACCORDING TO THE  
PLAT THEREOF RECORDED IN PLAT BOOK 45, PAGES 9, 9A, 9B, AND 9C  
OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA**

Accordingly, it is hereby

ORDERED:

1. The Motion is GRANTED.
2. Claim No. 6 filed by **BISCAYNE ESTATES EAST COMMUNITY ASSOCIATION** shall be treated as an unsecured claim in this Chapter 13 case.
3. The Claim of Lien on the Real Property held by **BISCAYNE ESTATES EAST COMMUNITY ASSOCIATION** recorded on April 26, 2011, at Book 15583, Page 860,

**Document No. 2011092828** of the official records of Duval County, Florida, shall be deemed void, and shall be extinguished automatically, without further court order, upon entry of the Debtor's discharge in this Chapter 13 case, provided, however, that the Court reserves jurisdiction to consider, if appropriate, the avoidance of **BISCAYNE ESTATES EAST COMMUNITY ASSOCIATION'S** Claim of Lien prior to the entry of the Debtor's discharge.

4. This order does not prohibit **BISCAYNE ESTATES EAST COMMUNITY ASSOCIATION** from asserting, at any time prior to the time when the lien is avoided by this order upon 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 Jacksonville, Florida, this 15th day of August, 2014



Paul M. Glenn  
United States Bankruptcy Judge

Attorney Clayton T. Miller is directed to serve a copy of this order on interested parties and file a proof of service within three (3) days of entry of the order.

RECORDED IN THE US BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF FLORIDA,  
JACKSONVILLE DIVISION  
J.B. VOL. 54, NO. 8027