

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

In re:

PAUL STEPHEN HULSEY, and
LAURA ELIZABETH HULSEY

Debtors.

Case No.: 3:10-bk-00097-PMG

Chapter 13

**ORDER GRANTING MOTION TO DETERMINE SECURED
STATUS OF BENEFICIAL FLORIDA, INC., CLAIM 18-1
AND TO STRIP LIEN EFFECTIVE UPON DISCHARGE**

THIS CASE came on for consideration of the Debtors' Motion to Determine Secured Status of Beneficial Florida, Inc., Claim #18-1, and to Strip Lien effective upon discharge (the "Motion", doc no 63). The motion was filed on negative notice pursuant to local Rule 2002-4, and no objections were filed during the time period for responses. The Court has reviewed the Motion together with the records, and makes the following findings:

ORDERED

1. The Motion is Granted.
2. Beneficial Florida, Inc., claim no. 18-1 shall be treated as an unsecured claim in this Chapter 13 case.
3. The real property that is the subject of the motion is located at 1128 Stonehedge Trail Lane, St. Augustine, FL 32092, and more particularly described as follows:

Lot 179, St. John's Golf & Country Club, Unit One,
as recorded in Map Book 40, Pages 39 through 71,
of the public records of St. Johns County, Florida.
4. The second mortgage held by Beneficial Florida, Inc. recorded in O.R. 2809, PG 1076-1081 on 11/1/2006, of the Official Public Records in St. Johns County, Florida, in the amount of \$73,333.73 shall be deemed void, and shall be extinguished

automatically, without further court order, upon entry of the Debtors' discharge in the Chapter 13 case; provided, however, that the Court reserves jurisdiction to consider, if appropriate, the avoidance of Beneficial Florida, Inc., claim 18-1 mortgage 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.

DONE AND ORDERED November 30, 2011 at Jacksonville, Florida



Paul M. Glenn
Chief United States Bankruptcy Judge

Copies furnished to:
Debtors
Debtors' Attorney
Trustee
US Trustee

RECORDED IN THE US BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF FLORIDA,
JACKSONVILLE DIVISION
F.B. VOL. 54, NO. 7456