

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION

IN RE:)
)
JONATHAN ERIC MARTIN and) CASE NO.: 12-00984-JAF
KIMBERLY MICHELLE MARTIN) CHAPTER 13
)
)
Debtors.)

**ORDER GRANTING DEBTORS' MOTION TO DETERMINE SECURED STATUS OF
CLAIM EIGHT (8) OF DEUTSCHE BANK NATIONAL TRUST COMPANY c/o
OCWEN LOAN SERVICING, LLC 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 Deutsche Bank National Trust Company (Claim Eight) and to Strip Lien (the "Motion") filed August 30, 2012 and said Creditor having failed to file a written response to the Motion in accordance with Rule 2002--4, Local Bankruptcy Rules, it is

ORDERED:

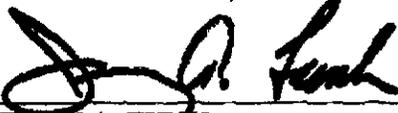
1. The Motion to Determine Secured Claim Status of Claim Eight (8) is GRANTED pursuant to 11 U.S.C. §506(a) and the mortgage lien is voided pursuant to 11 U.S.C. §506(d).
2. The value of that portion of Claim Eight (8) secured by Real Property (Homestead) is \$0.00. The balance of this claim shall be treated as unsecured.
3. The legal description of this property is as follows:

See attached Schedule "C"
4. The mortgage held by Deutsche Bank National Trust Company recorded on October 17, 2005 at OR Book 01359, Pages 0244 through 0251, of the official records of Nassau 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 Deutsche Bank National Trust Company's lien prior to the entry of the Debtors' discharge. Further, if this case

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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 10 day of October 2012 at Jacksonville, Florida


JERRY A. FUNK
United States Bankruptcy Judge

Copies to:

Debtors, Jonathan and Kimberly Martin, P.O. Box 854, Hilliard, FL 32046
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
Registered Agent for Creditor, Ocwen Loan Servicing, LLC, c/o Corporation Service Company, 1201 Hays Street, Tallahassee, FL 32301-2525
Creditor, Sandra P. Charria, Ocwen Loan Servicing, LLC, Attn: Bankruptcy Department, 1661 Worthington Road, Suite 100, West Palm Beach, FL 33409

RECORDED IN THE US BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF FLORIDA,
JACKSONVILLE DIVISION
F.B. NO. 54 NO. 141635

Schedule "C"

A portion of Lot 5, Cornwall Farm Land Company plat of North Florida Pecan, Fruit and Truck Farms, as recorded in the Public Records of Nassau County, Florida, in Plat Book "O", Page 31, being also a portion of the Northeast 1/4 of Section 16, Township 3 North, Range 24 East, Town of Hilliard, Nassau County, Florida.

Said portion being more particularly described as follows;

For a point of reference commence at the Northwest corner of Section 16, aforesaid and run South 01 degrees 53 minutes 50 seconds East along the West line of said Section and along the centerline of Pine Forrest (formally Henry Smith Road), a 80.0 foot right-of-way, a distance of 1341.36 feet to where said centerline is intersected by the Westerly extension of the Southerly right-of-way line of Ingram Road (a 40.0 foot right-of-way); thence North 89 degrees 03 minutes 35 seconds East along said Westerly extension, and along said right-of-way a distance of 142.18 feet to the POINT OF BEGINNING.

From the POINT OF BEGINNING thus described continue North 89 degrees 03 minutes 35 seconds East, along the Southerly right-of-way line of Ingram Road aforesaid, a distance of 102.20 feet; thence South 02 degrees 00 minutes 23 seconds East, departing said right-of-way, a distance of 205.19 feet; thence South 89 degrees 03 minutes 22 seconds West, a distance of 102.38feet; thence North 01 degrees 57 minutes 24 seconds West, a distance of 205.19 feet to the POINT OF BEGINNING.

The Northerly 15.0 feet of the foregone described lands subject to a utility easement.