

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION

In re:

PHYLLIS ARLENE WOOD

CASE NO.: 3:11-BK-06447

Debtor(s).

PHYLLIS ARLENE WOOD

Plaintiff(s)

vs.

ADV. NO.:3:11-ap-00834

MERRILL LYNCH CREDIT CORPORATON

Defendant.

**JUDGMENT DETERMINING SECURED STATUS OF MERRILL LYNCH CREDIT
CORPORATIN AND TO STRIP LIEN EFFECTIVE UPON DISCHARGE**

THIS CASE is before the Court on Debtor/Plaintiff's Adversary Proceeding filed to determine the secured status of MERRILL LYNCH CREDIT CORPORATION and to strip its lien effective upon discharge. Based on upon the joint stipulation of the parties to this adversary proceeding, it is

ORDERED:

1. MERRILL LYNCH CREDIT CORPORATION shall be treated, for the purposes of this case, as a non-priority general unsecured claim and shall be paid as such in accordance with the Debtor's Chapter 13 Plan upon filing of its timely proof of claim.

2. The real property that is the subject of this Adversary Proceeding is located at4131 Piney Branch Court, Jacksonville, FL 32257, and is more particularly described as

LOT 12B, RAINTREE UNIT 2, ACCORDING TO PLAT THEREOF AS RECORDED IN PLAT BOOK 39, PAGES 51, 51A AND 51B, OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

3. The mortgage held by MERRILL LYNCH CREDIT CORPORATION recorded on October 31, 2007 at Official Record Book 14251, Page 263 of the official records of Duval, Florida shall be deemed void and shall be extinguished automatically, without further court order, upon entry of the Debtor's discharge in the underlying Chapter 13 case; provided however, that the court reserves jurisdiction to consider, if appropriate, the avoidance of MERRILL LYNCH CREDIT CORPORATION lien prior to the entry of the Debtor's discharge. Further, if this case is converted to a case under Chapter 7, or if this case is dismissed, the mortgage will no longer be considered void and shall be restored as a secured debt.

Done and ordered in Jacksonville, Florida on December 20, 2011.

BY THE COURT

Paul M. Glenn
Paul M. Glenn
United States Bankruptcy Judge

Copies furnished to:

Douglas W. Neway, Chapter 13 Trustee, PO Box 4308, Jacksonville, FL 32201

Nancy Draughon, Esq. Debtor's Attorney, 3733 University Blvd. W. Suite 212, Jacksonville, FL 32217

Merrill Lynch Credit Corporation, Steven G. Powrozek, Esq., Attorney for Defendant, 4630 Woodland Corporate Blvd. Suite 100, Tampa, FL 33614

Wood, Phyllis Arlene, 4131 Piney Branch Court, Jacksonville, FL 32257,

RECORDED IN THE US BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF FLORIDA,
JACKSONVILLE DIVISION
J.B. VOL. 54, NO. 7460