

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

IN RE: SCOTT J. TERRAZZANO

CASE NO.: 3:13-bk-06955-PMG

Debtor

**ORDER GRANTING DEBTOR'S MOTION TO DETERMINE SECURED STATUS
OF SECOND MORTGAGE OF ATLANTIC COAST BANK ON 11544
SUMMERHAVEN AND TO STRIP LIEN EFFECTIVE UPON DISCHARGE**

THIS CASE is before the Court on the Debtor's Motion to Determine Secured Status of Second Mortgage of Atlantic Coast Bank on 11544 Summerhaven (Docket No. 7) and to Strip Lien (the "Motion") which was served upon all interested parties on November 25, 2013 with Local Rule 2002-4 negative notice legend informing the parties of their opportunity to object within 30 days of the date of service. No party filed an objection within the time permitted. The Court therefore considers the matter to be unopposed. It is

ORDERED:

1. The Motion is **GRANTED**.
2. The claim by Atlantic Coast Bank shall be treated as an unsecured claim in the Chapter 11 Case.
3. The real property (the "Real Property") that is subject of the Motion is located at 11544 Summer Haven Blvd., North, Jacksonville, Florida 32258, and more particularly described as follows:

The following described land, situate, lying and being in the County of Duval, State of Florida, to Wit: Lot 43, Manors of Summer Haven, according to the plat thereof, as recorded in Plat Book 51, pages 28, 28A-28D, of the current records of Duval County, Florida.

4. The mortgage held by Atlantic Coast Bank recorded on May 9, 2007 at Book 13971, Page 1710, Document No. 2007154364, 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 11 case; provided, however, that the Court reserves jurisdiction to consider, if appropriate, the avoidance of Atlantic Coast Bank's 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 Chapter 11 case is dismissed, the mortgage will no longer be considered void and shall be restored as a secured debt.

DATED this 31 day of December, 2018, in Jacksonville, Florida.

Paul M. Glenn

PAUL M. GLENN
United States Bankruptcy Judge

Taylor J. King, Attorney for Debtor, 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 BY THE CLERK OF DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
JACKSONVILLE DIVISION
S.B. VOL: 54 NO. 7852