

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION
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In re:

Case No. 3:13-bk-07189-JAF
Chapter 13

Byron Winston Arnold, Jr.,

Debtor.

**ORDER GRANTING DEBTOR'S AMENDED MOTION TO
VALUE CLAIM ONE (1) OF ACORN PARKE HOMEOWNERS
ASSOCIATION AND TO STRIP LIEN EFFECTIVE UPON DISCHARGE**

THIS CASE is before the Court on the Debtors' Amended Motion to Value Claim One (1) secured by the homestead property lien held by ACORN PARKE HOMEOWNERS ASSOCIATION and to Strip Lien (the "Motion") filed December 23, 2014 and said Creditor has failed to file a written response to the Motion in accordance with Rule 2002-4, Local Bankruptcy Rules. Accordingly, it is **ORDERED**:

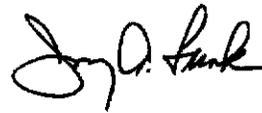
1. The Amended Motion to Value Claim One (1) is GRANTED pursuant to 11 U.S.C. §506(a) and the lien is voided pursuant to 11 U.S.C. §506(d).
2. The value of that portion of Claim One (1) secured by Real Property (Homestead) located at 10932 Acorn Park Dr E, Jacksonville FL is \$0.00. The balance of this claim shall be treated as unsecured.
3. The legal description of this property is as follows:

Lot 62 ACORN PARKE, according to the plat thereof, as recorded in Plat Book 54, pages 58, 58A, 58B and 58C, of the current Public Records of Duval County, Florida.
4. The lien held by ACORN PARKE HOMEOWNERS ASSOCIATION recorded on November 14, 2012 at Book 16144, Page 26, Instrument No. 2012256434 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 ACORN PARKE HOMEOWNERS ASSOCIATION's lien prior to the entry of the Debtor's discharge.

5. This order does not prohibit ACORN PARKE HOMEOWNERS 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 29th day of January, 2015



Jerry A. Funk
United States Bankruptcy Judge

Attorney Christopher R. DeMetros is directed to serve a copy of this order on interested parties and file a proof of service withing 3 days of entry of the order.

RECORDED IN THE US BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF FLORIDA,
JACKSONVILLE DIVISION
J.B. VOL. 34, NO. 8146