

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION

In re:

CASE NO.: 3:11-bk-00171-PMG

RICHARD CHARLES O'CONNOR, JR. and
LAURA ANN O'CONNOR,

CHAPTER 13

Debtors.

**ORDER GRANTING DEBTORS' MOTION TO DETERMINE
SECURED STATUS OF DUVAL FEDERAL CREDIT UNION
(CLAIM NO. 7) AND TO STRIP LIEN EFFECTIVE UPON DISCHARGE**

THIS CASE is before the Court on the Debtors' Motion to Determine Secured Status of Duval Federal Credit Union (Claim No. 7) and to Strip Lien (the "Motion"). For the reasons stated on the record in open court that shall constitute the decision of the Court, it is

ORDERED:

1. The Motion is GRANTED.
2. Claim No. 7 filed by Duval Federal Credit Union shall be treated as an unsecured claim in the Chapter 13 Case.
3. The real property (the "Real Property") that is the subject of the Motion is located at
1404 Sherbrook Court, Fruit Cove, Florida 32259, and more particularly described as follows:

LOT 54, RIVER OAKS PLANTATION UNIT TWO, ACCORDING TO THE PLAT THEREOF RECORDED IN MAP BOOK 29, PAGES 11, 12, 13, 14, 15, 16, 17, 18, OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA.

RE# 000632-0540

4. The mortgage held by Duval Federal Credit Union recorded on February 4, 2008, instrument No. 2008006608, of the official records of St. Johns 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 Duval Federal Credit Union'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 13 case is dismissed, the mortgage will no longer be considered void and shall be restored as a secured debt.

Dated June 6, 2012, in Jacksonville, Florida.

Paul M. Glenn

Paul M. Glenn
United States Bankruptcy Judge

Copies furnished to:

- Office of the US Trustee, 135 W. Central Blvd., Ste 620, Orlando, FL 32801
- Trustee, Douglas W. Neway, PO Box 4308, Jacksonville, FL 32201
- Undine C. Pawlowski, Esq., 4075 A1A S., Ste 200, St. Augustine, FL 32080
- Richard and Laura O'Connor, 1404 Sherbrook Cr., Fruit Cove, FL 32259;
- American Home Mortgage Services, Inc., 1525 S. Beltline Rd., Ste 100 N, Coppell, TX 75019
- Adam M. Wolfe, Petitt Wofle Craine Worrell Porter, LLC, 4830 W Kennedy Blvd., Ste 475, Tampa, FL 33609;
- Atlantic Coast Bank, c/o James E. Sorenson, Williams, Gautier, Gwynn, DeLoach & Sorenson, P.A., PO Box 4128, Tallahassee, Florida 32315;
- Duval Federal Credit Union, c/o Michael J. Barker, Quintairos, Prieto, Wood & Boyer, P.A., 1 Independent Drive, #1650, Jacksonville, FL 32202;

FILED IN THE US BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF FLORIDA,
JACKSONVILLE DIVISION
F.B. NO. 54, NO. 7570