

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION

IN RE:
ANITA B. JONES

CASE NO. 13-06702-PMG

Debtor.

**ORDER GRANTING DEBTOR'S MOTION TO DETERMINE
SECURED STATUS OF LIEN OF COMMUNITY FIRST CREDIT UNION
AND TO STRIP LIEN EFFECTIVE UPON DISCHARGE**

THIS CASE came on for consideration of the Debtor's Motion to Determine Secured Status of Community First Credit Union and to Strip Lien (Doc No. 10) (the "Motion") pursuant to the negative notice provisions of Local Rule 2002-4. Having considered the Motion and the absence of any record objection to the relief requested in the Motion by any party in interest, the Court Deems the Motion to be uncontested. If Community First Credit Union has not timely filed a proof of claim in this case, the Motion is not deemed to be an informal proof of claim except for the purpose of initiating the Debtor's ability to request relief pursuant to U.S.C § 506(a).

Accordingly, it is hereby:

ORDERED:

1. The Motion is Granted.
2. The real property (the "Real Property") that is the subject of the Motion is located at 6715 Simca Drive, Jacksonville, FL 32277, and more particularly described as follows:

**LOT 25, FAIRWAYS FOREST, ACCORDING TO PLAT
THEREOF RECORDED IN PLAT BOOK 34, PAGES 50,
50A, 50B, AND 50C, OF THE CURRENT PUBLIC
RECORDS OF DUVAL COUNTY, FLORIDA.**

3. If Community First Credit Union has timely filed a proof of claim, the claim shall be treated as an unsecured claim in this case.

4. The lien on the Real Property held by Community First Credit Union recorded on June 22, 2010 at book 15283, page 1239, Document No. 2010144249 of the Official Records of Duval County, Florida shall be deemed void, and shall be extinguished automatically, without further court order, upon the recordation in the public records of a certified copy of this Order together with (a) a certified copy of the Debtor's Chapter 7 discharge order in this case or (b) such other paper as the Court may specify by separate order.

5. This Order does not prohibit Community First Credit Union from asserting, at any time prior to the 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 21st day of February, 2014



**PAUL M. GLENN
UNITED STATES BANKRUPTCY JUDGE**

Attorney Eugene H. Johnson, Esq. is directed to serve a copy of this order on interested parties and file a proof of service within 3 days of the entry of this order.

I certify the foregoing to be true
and correct copy of the original.
CLERK OF COURT
U. S. BANKRUPTCY COURT

By: M. Sumner

Dated: February 24, 2014

"RECORDED IN THE US BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF FLORIDA,
JACKSONVILLE DIVISION
J.B. VOL. 54 NO. 7896"