

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION

In re:

CASE NO.:3:12-bk-2957

JEFFREY C. TANCHAK and

BRIDGET C. TANCHAK

Debtor(s).

**ORDER GRANTING DEFENDANTS' MOTION TO DETERMINE SECURED STATUS
OF PECAN PARK HOMEOWNERS ASSOCIATION, INC AND TO STRIP LIEN
EFFECTIVE UPON DISCHARGE (POC09)**

Upon consideration of the Debtors' Motion to Determine Secured Status of Pecan Park Homeowners Association, Inc and to Strip Lien Effective upon Discharge (POC09), which was served upon all interested parties on August 13, 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 to avoid the lien is **GRANTED**.
2. Creditor, Pecan Park Homeowners Association, Inc., (the "Creditor") filed a proof of claim (POC09) in the amount of \$4,042.69, allegedly secured by a lien on the Debtors' property at 1332 Azteca Drive, Jacksonville, FL 32218, recorded on October 22, 2009 in the Duval County Records in OR Book 15045, Page 2293. The property is more particularly described as follows:

Lot 12, LEXINGTON PARK PHASE ONE, according to the plat thereof as recorded in Plat Book 60, Page 68-75, Public Records of Duval County, Florida
3. The value of Creditor's interest in said property is \$0.00, and therefore is not an allowed secured claim, and shall be treated as an unsecured claim.

4. Creditor's lien is void and automatically extinguished pursuant to 11 USC 506(d) upon entry of an Order of Discharge pursuant to 11 USC 727, 1141, or 1328.

DONE AND ORDERED on September 23, 2013.

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

Robert D Bernard, counsel for Debtors, is directed to serve a copy of this order on interested parties and file a proof of service within 3 days of entry of the order.

U.S. BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

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