

**IN THE UNITED STATES BANKRUPTCY COURT
Middle District of Florida - Jacksonville Division**

In the Matter of:	}	
	}	Case No. 3:11-bk-04848
Herbert Walter Mylius	}	
Penelope Audino Mylius	}	Chapter 13
S.S. # xxx-xx-8492;xxx-xx-1420	}	
Debtor(s)	}	

**ORDER GRANTING DEBTOR'S MOTION TO DETERMINE
SECURED STATUS OF J.P. MORGAN CHASE BANK, N.A., CLAIM # 7
AND TO STRIP LIEN EFFECTIVE UPON DISCHARGE**

THIS CASE is before the Court on the Debtor's Motion to Determine Secured Status of **J.P. MORGAN CHASE BANK, N.A.**, 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. The second mortgage held by **J.P. MORGAN CHASE BANK, N.A.**, 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 9139 SE 120th Loop Summerfield, FL 34491, and is more particularly described as follows:

LEGAL DESCRIPTION

4. LEGAL DESCRIPTION. The mortgage held by **J.P. MORGAN CHASE BANK, N.A.** recorded on July 18, 2006, SEC 03 TWP 17 RGE 23 PLAT BOOK 008 PAGE 001 SPRUCE CREEK COUNTRY CLUB CASTLE PINES LOT 41 of the official records of Marion 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 **J.P. MORGAN CHASE BANK, N.A.**'s lien prior to the entry of the Debtor's discharge. Further, if this case is converted to 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.

Done and Ordered in Jacksonville, Florida on December 29, 2011

Paul M. Glenn

PAUL M. GLENN
UNITED STATES BANKRUPTCY JUDGE

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J.P. MORGAN CHASE BANK 270 PARK AVE. NEW YORK NY 10017 US
CT CORPORATION SYSTEM 1200 S. PINE ISLAND ROAD PLANTATION FL 33324 US
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RECORDED IN THE US BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION
J.B. VOL. 54 . NO. 7472