

RECORDED IN THE US BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF FLORIDA,
JACKSONVILLE DIVISION
J.B. VOL. 54 NO. 8264

ORDERED.

Dated: July 09, 2015



Paul M. Glenn
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION

IN RE: STEPHEN B. WILLIAMS
 ROSALIND R. WILLIAMS

CASE NO.: 3:14-bk-00797-PMG

Debtors

ORDER GRANTING MOTION TO DETERMINE SECURED STATUS
AND TO STRIP LIEN EFFECTIVE UPON DISCHARGE – SECOND MORTGAGE
OF HANCOCK BANK AGAINST DEBTORS’ PROPERTY LOCATED AT
3731 DUVAL STREET, JACKSONVILLE BEACH, FLORIDA 32250

THIS CASE is before the Court on the Debtors’ Motion to Determine Secured Status of Hancock Bank and to Strip Lien Upon Discharge (the “Motion”, Docket No. 88) which was served the secured creditor on May 26, 2015 with Local Rule 2002-4 negative notice legend informing the secured creditor of its opportunity to object within 30 days of the date of service. Hancock Bank failed to file an objection within the time permitted. The Court therefore considers the matter to be unopposed. Accordingly, it is

ORDERED:

1. The Motion is **GRANTED**.
2. Claim held by Hancock Bank shall be treated as an unsecured claim in the Chapter 11 Case.

3. The real property (the "Real Property") that is subject of the Motion is located at 3731 Duval Street, Jacksonville Beach, Florida 32250, and more particularly described as follows:

Lot 7, Block D-5, PONTE VEDRA, according to the plat thereof as recorded in Plat Book 15, Pages 48 and 48A of the Public Records of Duval County, Florida.
4. The second mortgage held by Hancock Bank, as recorded on December 8, 2003, Doc #: 20033396759; O.R. Book 11514, Pages 357-363 in 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 11 case; provided, however, that the Court reserves jurisdiction to consider, if appropriate, the avoidance of Hancock Bank lien prior to the entry of the Debtors' discharge. Further, if this case is converted to a case under Chapter 7, or if this Chapter 11 case is dismissed, the mortgage will no longer be considered void and shall be restored as a secured debt.

Bryan K. Mickler, Attorney for Debtors, is directed to serve a copy of this Order on interested parties who are not CM/ECF users and file a proof of service within three (3) days of entry of the Order.