

IN THE UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF FLORIDA  
JACKSONVILLE, DIVISION

IN RE:

CHAPTER: 13

CASE NO.: 3:14-BK-05615-PMG

CARRIE JONES,  
Debtor.

ORDER GRANTING AMENDED MOTION TO DETERMINE SECURED STATUS OF  
CITIFINANCIAL AND STRIPPING LIEN EFFECTIVE UPON DISCHARGE

THIS CASE is before the Court on the Debtor's Amended Motion to Determine Secured Status of Mortgage Company and to Strip Lien (the "Motion"). The motion was served on all interested parties with the 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 Debtor's Amended Motion to Determine Secured Status of CitiFinancial and Strip Lien Effective upon Discharge filed December 18, 2014 is GRANTED.
2. The Value of the real Property is \$190,000.00. Thus because it is undisputed that Wells Fargo Financial, holds a lien on the property superior to that of CitiFinancial, in the amount of \$209,155.00, the Debtor has no equity securing the Creditor's obligation; accordingly, the Creditor shall be treated as an unsecured creditor subject to "strip-off" pursuant to 11 U.S.C. §506.

3. The real property (the "Real Property") that is subject to the motion is located at 5349 Julington Ridge Dr. South, Jacksonville, Fl 32258, and more particularly described as follows in the LEGAL DESCRIPTION attached hereto and incorporated herein as Exhibit 1.

4. The mortgage held by, CitiFinancial, recorded on, 09/12/2007, at **Book 14181, Page 784** of the official records 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 13 case; provided, however, that the Court reserved jurisdiction to consider, if appropriate, the avoidance of CitiFinancial's lien prior to the entry of the Debtor's discharge.

DONE and ORDERED in Jacksonville, Florida this 22nd day of January, 2015.

*Paul M. Glenn*

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Paul M. Glenn  
United States Bankruptcy Judge

Attorney George J. Beckus 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.

RECORDED IN THE US BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF FLORIDA,  
JACKSONVILLE DIVISION  
J. B. VOL. 54 NO. 8740

THE LAND REFERRED TO IN THIS EXHIBIT IS LOCATED IN THE COUNTY OF  
DUVAL AND THE STATE OF FLORIDA IN DEED BOOK 11557 AT PAGE 569  
AND DESCRIBED AS FOLLOWS.

LOT 108, JULINGTON FOREST, UNIT 4, ACCORDING TO THE PLAN THEREOF  
RECORDED IN PLAT BOOK 38, PAGE 83 AND 83A, CURRENT PUBLIC  
RECORDS OF DUVAL COUNTY, FLORIDA.

**Exhibit 1**

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