

**UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF FLORIDA**

In re:

JERRY DANIEL QUEEN,

Debtor.

Case No.: 3:14-bk-03553-JAF

Chapter 13

**ORDER ON DEBTOR'S MOTION TO DETERMINE SECURED STATUS OF BENEFICIAL
FLORIDA, INC. AND ITS SUCCESSORS AND ASSIGNS AND TO STRIP LIEN
EFFECTIVE UPON DISCHARGE**

This case is before the Court on the Motion to Determine Secured Status of Beneficial Florida, Inc., its successor by merger or other successors and assigns, and to Strip Lien Effective Upon Discharge (Doc. No. 14) (the "Motion") filed by Jerry Daniel Queen (the "Debtor"), and the Court, having considered Motion, and considering the Motion was served with the negative notice legend pursuant to Local Rule 2002-4, and having neither heard nor received any opposition to the relief requested by the Motion within the time stated by the Motion, it is

ORDERED

1. The Motion is granted.
2. The collateral, being real property located at 14264 Normandy Boulevard, Jacksonville, Florida (the "Collateral"), is encumbered by a valid first mortgage lien (the "First Mortgage") and a valid second mortgage lien (the "Second Mortgage") having unpaid principal balances at the time this Order is entered which exceed the value of the Collateral.
3. The Collateral is more particularly described as follows:

ALL THAT CERTAIN LAND SITUATE IN DUVAL COUNTY, FLORIDA, VIZ:
MAP SHOWING BOUNDARY SURVEY OF THAT CERTAIN PIECE, PARCEL,
OR TRACT OF LAND LYING IN AND BEING PART OF THE SOUTHEAST
QUARTER OF THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 3
SOUTH, RANGE 24 EAST, DUVAL COUNTY, FLORIDA, BEING MORE
PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE EAST BOUNDARY OF
SAID SECTION 17 WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF
NORMANDY BOULEVARD AND/OR STATE ROAD NO. 228, A 100-FOOT

RIGHT-OF-WAY AS NOW ESTABLISHED; THENCE, S. 55 DEG 57 MIN 53 SEC W., BY AND ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 526.64 FEET FOR A POINT OF BEGINNING; THENCE S. 33 DEG 58 MIN 40 SEC E., A DISTANCE OF 138.72 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF NATHAN HALE ROAD, A 60-FOOT RIGHT-OF-WAY AS NOW ESTABLISHED; THENCE, S. 23 DEG 16 MIN 14 SEC W., BY AND ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 256.02 FEET TO THE INTERSECTION OF SAID NORTHERLY RIGHT-OF-WAY LINE WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID NORMANDY BOULEVARD; THENCE, N. 55 DEG 57 MIN 53 SEC E., A DISTANCE OF 215.32 FEET TO THE POINT OF BEGINNING. TAX MAP OR PARCEL ID NO.: 002269-0000

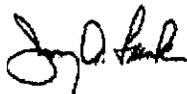
4. The Collateral is also encumbered by a junior lien recorded in the Official Public Records of Duval County, Florida at Book 13125 and Page 1395 (the "Third Mortgage"), which, as of the date of this Order, has no value over and above the First and Second Mortgage upon which the Third Mortgage can attach.

5. Pursuant to 11 U.S.C. § 506(a), the Third Mortgage is wholly unsecured.

6. Notwithstanding the foregoing, this Order is not recordable or enforceable until the Debtor receives a Discharge in this bankruptcy case (the "Discharge").

7. Upon entry of the Discharge, the Third Mortgage is avoided and extinguished automatically without further order, provided, however, that if the Debtor fails to receive a Discharge, the Third Mortgage shall survive and remain fully enforceable and this Order shall have no further force and effect.

DONE AND ORDERED this 2nd day of October, 2014 in Jacksonville, Florida.



Jerry A. Funk
United States Bankruptcy Judge

"RECORDED IN THE US BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF FLORIDA,
JACKSONVILLE DIVISION

J.B. VOL. 54 NO. 8063

Thomas C. Adam is directed to serve a copy of this order on interested parties and file a proof of service within three (3) days of entry of the order.