

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION

IN RE:)
)
JACK WOLFE, JR.) CASE NO.: 3:11-bk-03256-PMG
) CHAPTER: 13
Debtor)
_____)

**ORDER GRANTING DEBTOR'S MOTION TO DETERMINE SECURED
STATUS OF THE HUNTINGTON NATIONAL/FRANKLIN CREDIT CLAIM
NO. 6-1 AND TO STRIP LIEN EFFECTIVE UPON DISCHARGE**

THIS CASE came on for consideration of the Debtor's Motion to Determine Secured Status of **THE HUNTINGTON NATIONAL/FRANKLIN CREDIT CLAIM NO. 6-1** and to strip lien effective upon discharge (the "Motion") (Docket No. 24). The motion was filed on negative notice pursuant to local Rule 2002-4, and no objections were filed during the time period for responses. The Court has reviewed the Motion together with the record, and makes the following findings:

ORDERED

1. The Motion is GRANTED.
2. **THE HUNTINGTON NATIONAL/FRANKLIN CREDIT CLAIM NO. 4-1** shall be treated as an unsecured claim in this Chapter 13 case.
3. The real property, that is the subject of the Motion is located at 8232 N. Daisy Lane, Jacksonville, Florida 32244 and more particularly described as follows:

LOT 74, Argyle Forest East Village, Unit 9, according to Plat thereof recorded in Plat Book 39, pages 59 and 59A, of the current Public Records Duval County, Florida.

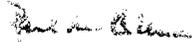
4. The second mortgage held by **THE HUNTINGTON NATIONAL/FRANKLIN CREDIT CLAIM NO. 6-1** recorded on 12/22/2000, at Book 9835, page 1188, Instrument No. 2000294497, of the official records in Duval County Florida, shall be deemed void, and shall be extinguished automatically, without further court order, upon entry of the Debtor's discharge in the

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S.B. VOL. 54, NO. 7398

Chapter 13 case; provided, however, that the Court reserves jurisdiction to consider, if appropriate, the avoidance of **THE HUNTINGTON NATIONAL/FRANKLIN CREDIT CLAIM NO. 6-1** mortgage lien prior to the entry of the Debtor's discharge.

DONE and **ORDERED** ~~in Chambers~~ at Jacksonville, Florida on September 1, 2011.

BY THE COURT



PAUL M. GLENN
Chief United States Bankruptcy Judge

Copies furnished to:

Jack Wolf, Jr., 8232 N. Daisy Lane, Jacksonville, FL 32244

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The Huntington National Bank/Franklin Credit, Attn: Sharon McCann, P.O. Box 2301, Jersey City, NJ 07303

U.S. Chapter 13 Trustee, Douglas W. Neway, Esquire, P.O. Box 4308, Jacksonville, Florida 32201

Melanie Sacks, Esquire, 1646 Emerson Street, Jacksonville, Florida 32207