

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION

In re:

Arthur Robert Shilling, JR

Case No: 3:12-BK-01133-JAF

Debtor(s)

ORDER GRANTING MOTION TO DETERMINE SECURED STATUS OF WELLS FARGO BANK, N.A. CLAIM 11 AND TO STIP LIEN EFFECTIVE UPON DISCHARGE

THIS CASE came on for consideration on the Debtor(s), Arthur Robert Shilling's, Motion to Determine Secured Status of Navy Federal Credit Union and to Strip Lien pursuant to negative notice provision of the Local Rule 2002-4. The Court, considering the Motion and the absence of any record objection to the relief requested in the Motion by any party interest, deems the Motion to be uncontested.

The real property that is the subject of the Motion is located at 2887 Navajo Rd. Orange Park, FL 32073

LEGAL ADDRESS: Lot 12, Block 3 of Hollycrest Subdivision, according to the plat thereof as recorded in Plat Book 7, Pages 51-52 of the Public Records of Clay County, Florida. Parcel Identification Number: 38-04-25-008477000-00

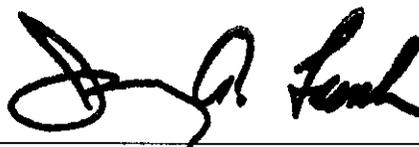
Accordingly, it is hereby

ORDERED:

1. The Motion is Granted;
2. Claim no. 11 filed by Wells Fargo Bank, N.A. shall be treated as an unsecured claim in this chapter 13 case;
3. The Mortgage on the Real Property held by Wells Fargo Bank, N.A. recorded on June 08, 2007 at Book 2906, Pages 1668-1672 Instrument# 2007035271 of the official records of Clay County, Florida in the amount of \$50,000.00, 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 Wells Fargo Bank, N.A. mortgage lien prior to the entry of the Debtor's discharge.

4. This order does not prohibit Wells Fargo Bank, N.A. from asserting, at any time prior to the time when the lien is avoided by this order upon entry of the Debtor's discharge, any rights it may have as a defendant in any foreclosure proceeding brought by a senior mortgagee, including the right to claim excess proceeds from any foreclosure sale.

DONE and **ORDERED** at Jacksonville, Florida on May 31, 2013.



Jerry A. Funk
United States Bankruptcy Judge

RECORDED IN THE US BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA,
JACKSONVILLE DIVISION
FILE NO. 13-7720

Attorney, Tony A. Turner 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".