

UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF FLORIDA  
JACKSONVILLE DIVISION

In Re:

Case No.: 3:13-bk-02164-PMG  
Chapter 7

HELEN TERESA SCAFF HAGAN and  
CARL MERLIN HAGAN,

Debtors.

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**ORDER GRANTING DEBTORS' VERIFIED MOTION TO DETERMINE EXTENT OF  
WELLS FARGO BANK, N.A.'S LIEN ON DEBTORS' REAL PROPERTY**

THIS CASE came on for consideration of DEBTORS' VERIFIED MOTION TO DETERMINE EXTENT OF WELLS FARGO BANK, N.A.'S LIEN ON DEBTORS' REAL PROPERTY (Original Docket Number 22, Renewed Docket Number 28) (the "Motion") Having considered the Motion and the absence of any record objection to the relief requested in the Motion by any party in interest, the Court deems the Motion to be uncontested. If Wells Fargo Bank N.A. has not timely filed a proof of claim in this case, the Motion is not deemed to be an informal proof of claim except for the purpose of initiating the debtor's ability to request relief pursuant to 11 U.S.C. § 506(a).

There are two parcels of real property that are the subject of the Motion. The first is located at 5050 Scaff Road #R, St. Augustine, Florida, 32092. The property is more particularly described as follows:

Start at the Southeast (S.E.) corner of The Andrew Pacetti Donation, Section Thirty-Seven (37), Township Six (6) South, Range Twenty-Eight (28) East, running West Twenty (20) chains to a post, thence North Six Hundred Eleven (611) feet to the Point of Beginning; thence North Four Hundred Twenty (420) feet to a post known as Anthony Solano's Southeast (S.E.) corner, thence West Four Hundred Twenty (420) feet; thence South Four Hundred Twenty (420) feet; Thence East Four Hundred Twenty (420) feet to the Point of Beginning.

Parcel ID Number 027830-0010

The second is located at 5050 Scaff Road #L, Saint Augustine, Florida 32092. The property is more particularly described as follows:

**Parcel 1:** Begin at the Southeast (S.E.) corner of The Andrew Pacetti Donation, Section Thirty-Seven (37), Township Six (6) South, Range Twenty-Eight (28) East, thence running West Twenty (20) chains to a post which is known as Vinton Pacetti's Southeast Corner and is the Point of Beginning; run thence North Four-Hundred Twenty (420) feet; thence West Two-Hundred Ten (210) feet; thence South Four-Hundred Twenty (420) feet; thence East Two-Hundred Ten (210) feet to the Point of Beginning, being two acres, more or less.

**Parcel 2:** Start at the Southeast (S.E.) corner of Andrew Pacetti Donation, Section Thirty-Seven (37), Township Six (6) South, Range Twenty-Eight (28) East, running West Twenty (20) chains to a post, then North Four-Hundred Twenty (420) Feet to a post, which is the Point of Beginning; thence North Six-Hundred Eleven (611) Feet to a post known as Anthony Solano's Southeast (S.E. Corner; thence West Two-Hundred Ten (210) Feet; thence South Six-Hundred Eleven (611) Feet; Thence East Two-Hundred Ten (210) Feet to the Point of Beginning.

**Parcel 3:** Start at the Southwest (S.W.) corner of land described in Deed Book 123, Page 497, of the Public Records of Saint Johns County, Florida; run thence North a distance of One-Thousand Thirty-One (1,031) Feet to the Southwest (S.W.) corner of land now or formerly of Anthony Solano; run thence West a distance of Two-Hundred Ten (210) Feet; run thence South a distance of One-Thousand Thirty-One (1,031) Feet; run thence East a distance of Two-Hundred Ten (210) Feet to the Point of Beginning; said above-described land being part of Section Thirty-Seven (37), Township Six (6) South, Range Twenty-Eight (28) East.

**Less and Except:** Start at the Southeast (S.E.) corner of The Andrew Pacetti Donation, Section Thirty-Seven (37), Township Six (6) South, Range Twenty-Eight (28) East, running West Twenty (20) chains to a post, thence North Six Hundred Eleven (611) feet to the Point of Beginning; thence North Four Hundred Twenty (420) feet to a post known as Anthony Solano's Southeast (S.E.) corner, thence West Four Hundred Twenty (420) feet; thence South Four Hundred Twenty (420) feet; Thence East Four Hundred Twenty (420) feet to the Point of Beginning.

Parcel ID Number 027830-0000

Accordingly, it is hereby

ORDERED:

1. The Motion is GRANTED.

2. The mortgage lien held by Wells Fargo Bank N.A. recorded in the Official Records

of Saint Johns County, Florida in OR Book 2880, Page 1002, recorded on March 9, 2007, shall be

deemed void, and shall be extinguished automatically as to the subject property at 5050 Scaff

Road #L, Saint Augustine, Florida 32092, as described above, without further court order, upon the recordation in the public records of a certified copy of this Order together with (a) a certified copy to the Debtors' Chapter 7 discharge order in this case or (b) such other paper as the court may specify by separate order.

2. This Order does not modify Wells Fargo Bank N.A.'s mortgage lien on the property at 5050 Scaff Road #R, St. Augustine, Florida, 32092, as described above.

DATED this October 23, 2013, in Jacksonville, Florida.

*Paul M. Glenn*

PAUL M. GLENN  
UNITED STATES BANKRUPTCY JUDGE

Attorney Kathryn D. Masters is directed to serve a copy of this order on interested parties and file a proof of service within three days of entry of the order.

Copies to:

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107A 11<sup>th</sup> Street  
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Gregory L. Atwater, Bankruptcy Trustee  
PO Box 1865  
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United States Trustee  
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Orlando, FL 32801

Wells Fargo Bank N.A.  
P.O. Box 31557  
Billings, MT 59107-1557

RECORDED AND INDEXED  
FOR THE PUBLIC RECORDS OF  
SANTA FE COUNTY  
OCT 23 2013 54 7816