

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

IN RE:
YEFIM L. DYKHNE
and LYUDMILA Y. DYKHNE,
Debtors.

CASE NO.: 14-bk-00194-JAF

**CONSENT ORDER GRANTING MOTION TO DETERMINE SECURED STATUS OF
SUNTRUST BANK (CLAIM 1) AND TO STRIP LIEN EFFECTIVE UPON DISCHARGE**

THIS CASE is before the Court on the Debtors' Motion To Determine Secured Status Of Second Mortgage Of SunTrust Bank (Claim 1) And To Strip Lien Effective Upon Discharge (the "Motion"). Based upon the consent of the Debtors and Creditor as evidenced by the signatures of their attorneys attached hereto, the Court finds it appropriate to grant the relief contained herein. Accordingly, it is

ORDERED as follows:

1. The Debtors' Motion To Determine Secured Status Of SunTrust Bank (Claim 1) And To Strip Lien Effective Upon Discharge is hereby **GRANTED** in part and **DENIED** in part.
2. The claim of SunTrust Bank (Claim 1) secured by the Debtors' homestead property is hereby valued at \$25,000.00. This amount shall be paid in full through the Chapter 13 Plan at an interest rate of 3%. Upon successful completion of the Chapter 13 Plan and payment of the said \$25,000, the mortgage and debt shall be satisfied in full and the lien shall be stripped. Should the Debtors fail to complete the Chapter 13 Plan, the original mortgage and note shall be reinstated.
4. The Debtors' homestead property is located at 909 Beckingham Drive, St. Augustine, FL 32092 and is more particularly described as:

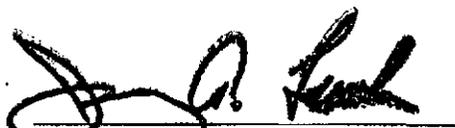
LOT 39, STONEHURST PLANTATION, UNIT ONE-E, ACCORDING TO THE PLAT THEREOF AS RECORDED IN MAP BOOK 46, PAGE(S) 90 THROUGH 93, INCLUSIVE OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA
5. The balance of this claim shall be treated as unsecured.

6. A copy of this Order shall not be recorded in the public records until the Debtor has received a Chapter 13 Discharge.

7. In the event this case is dismissed prior to the conclusion of the Plan or converted to a case under a different chapter of the Bankruptcy Code then the mortgage lien of the Creditor shall be deemed reinstated and the Court Order valuing the Property shall be null and void.

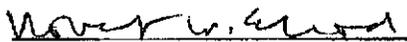
8. No sale of the Property shall occur free and clear of the Creditor's lien while the bankruptcy case is pending as 11 U.S.C. Section 1325(a)(5) provides that the lien be retained on the Property until the Creditor's claim is paid in full or until the Debtor receive a Discharge.

DATED at Jacksonville, Florida this 1 day of October, 2014.


JERRY A. FUNK
United States Bankruptcy Judge

WE HEREBY CONSENT to the relief contained herein on behalf of our clients.


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Copies to:
Debtor
Robert W. Elrod, Jr., Attorney for Debtor
Matthew M. Holsinger, Attorney for SunTrust Bank
Douglas Neway, Trustee

Robert W. Elrod, Jr., Attorney for the Debtor(s), 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. 8062