

UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF FLORIDA  
JACKSONVILLE DIVISION

IN RE:

CASE NO. 3:11-bk-05941-JAF

VERE M. ORE and  
EMILY K. ORE,

Debtors.

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VERE M. ORE and  
EMILY K. ORE,

Plaintiff,

vs.

Adversary Proceeding No: 3:11-ap-00796-JAF

CITIMORTGAGE, INC.,

Defendant.

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**JUDGMENT DETERMINING SECURED STATUS  
OF CITIMORTGAGE, INC.  
AND STRIPPING LIEN  
EFFECTIVE UPON DISCHARGE**

This case is before the Court on the Debtors' Complaint to Strip Lien and for Declaratory Judgment. Upon the agreement of the parties. It is

**ORDERED:**

1. Judgment is entered in favor of Debtors, VERE M. ORE and EMILY K. ORE.
2. Claim No. 12-1 of CITIMORTGAGE, INC., shall be treated as unsecured claim in the Chapter 13 case in the amount of \$47,799.28.
3. Any Judgment entered herein be limited as set forth in section 1325(a).

4. In the event of dismissal of this Chapter 13 case or conversion of this case to a case under Chapter 7, this Judgment shall be deemed vacated and without further force and effect.

5. This Judgment does not come into force and effect until the Debtors have completed the Chapter 13 case and receives their discharge.

6. Defendant for the purposes of this Chapter 13 case will be treated as an unsecured creditor under the terms of the Plan.

7. The legal description of the property being affected by this action is:

**LEGAL DESCRIPTION - EXHIBIT "A"**

Lot 16, of Block 21, of PALM COAST, MAP OF PINE GROVE, Section 25, according to the Plat thereof, recorded in Plat Book 9, Page 8, of Public Records of Flagler County, Florida.

Address: 137 Parkview Drive, Palm Coast, FL 32164

8. The mortgage held by CITIMORTGAGE, INC., recorded at Official Records Book 841, Page 913, Official Records Book of Flagler County, Florida, shall be deemed void and shall be extinguished automatically, without further court order, upon entry of the Debtors' discharge in this Chapter 13 case; provided, however, that the Court reserves jurisdiction to consider, if appropriate, the avoidance of CITIMORTGAGE, INC.,'s lien prior to the entry of the Debtors' discharge.

9. The Judgment is not a final and does not take effect until it becomes final. No person, firm, or entity may rely upon this Judgment as a determination of a lien avoidance or lien stripping without first verifying that the Debtor has completed the Chapter 13 case and has received a Discharge under section 1328(a) upon said completion.

**DONE and ORDERED** at Jacksonville, Florida, this 28 day of November, 2011.

  
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Jerry A. Funk  
United States Bankruptcy Judge

Copies furnished to:

Timothy M. Goan  
Douglas W. Neway  
U.S. Trustee  
CitiMortgage, Inc.

IN THE US BANKRUPTCY COURT  
MIDDLE DISTRICT OF FLORIDA,  
JACKSONVILLE DIVISION  
J.B. VOL. 54, NO. 7452