

**UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF FLORIDA  
JACKSONVILLE DIVISION**

IN RE:

Gabriel J. Oti  
Lissette V. Oti,

CASE NO.: 3:12-bk-00317  
Chapter 11

Debtors,

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Gabriel J. Oti  
Lissette V. Oti,

Plaintiffs,

Adv. No. 3:13-ap-00024

v.

Bank of America, N.A.,

Defendant.

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**DEFAULT JUDGMENT**

This Judgment is entered after entry of Default dated February 21, 2013 and Order Granting Motion for Judgment by Default against the Defendant, it is:

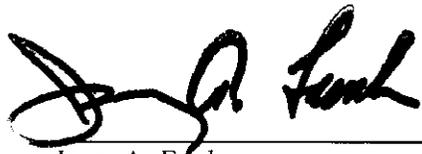
**ORDERED AND ADJUDGED**

1. Judgment is entered in favor of the Plaintiffs, Gabriel J. Oti and Lissette V. Oti, and against the Defendant, Bank of America, N.A.
2. The replacement value of the interest or claim of the Defendant in the Plaintiffs' property is \$0.00.
3. Defendant's lien on the Plaintiffs' property located at 7 Breakaway Ct., Mars Hill, North Carolina 28754, with the legal description of:

“Being all of Lot K-7 as shown on a Plat in Plat Book 5 at Page 881 recorded in the Office of the Register of Deeds for Madison County, North Carolina, reference to which is hereby made for a more particular description of said Lot. Subject to rights of way as shown on plat recorded in Plat Book 5 at Page 881 of the aforesaid Registry, and subject to the Declaration of Covenants, Conditions, and Restrictions for Breakaway Land Company, LLC recorded in deed Book 385 at Page 346 and the Amendment to Declaration of Covenants, Conditions, and Restrictions for Breakaway, recorded in Deed Book 414 at Page 143 in the aforesaid Registry. Also being a portion of that same property described in a Deed recorded in Deed Book 360 at Page 254 in the Office of the Register of Deeds for Madison County, North Carolina.”

shall be deemed void and shall be extinguished automatically, without further court order, upon entry of the Debtors’ discharge in the lead Chapter 11 case; provided, however, that the Court reserves jurisdiction to consider, if appropriate, the avoidance of Bank of America, N.A.’s lien prior to the Debtors’ discharge. Further, if this case is converted to a case under Chapter 7 or if the Chapter 11 case is dismissed, the mortgage will no longer be considered void and shall be restored as a secured debt.

DATED this 1 day of April, 2013 in Jacksonville, Florida.



Jerry A. Funk  
United States Bankruptcy Judge

Copies furnished to:  
Jason A. Burgess  
Bank of America, N.A.

RECORDED IN THE US BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF FLORIDA  
JACKSONVILLE DIVISION  
F.B. NO. 54-7701