

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION

In re:

Case No.: 3:13-bk-03095-JAF
Chapter 13

RICHARD JOHN SLAVEN AND
KRISTA ANN SLAVEN A/K/A
KRISTA SHELDON SLAVEN,

Debtor(s).

**AGREED ORDER GRANTING DEBTORS' VERIFIED MOTION TO AVOID LIEN
AND DETERMINE SECURED STATUS OF BANK OF AMERICA N.A.
(Claim Number 11)**

THIS CASE came on for consideration of DEBTORS' VERIFIED MOTION TO AVOID
LIEN AND DETERMINE SECURED STATUS OF BANK OF AMERICA N.A. (Claim Number
11) (the "Motion").

The real property that is the subject of the Motion is located at 1532 San Rafael Way,
Saint Augustine, Florida 32080, in Saint Johns County, and more precisely described as:

**Lot 6, GRANADA SUBDIVISION – UNIT 2, according to the plat thereof, recorded
in Map Book 14, Page(s) 84 and 85 of the Public Records of St. Johns County
Florida.**

Parcel ID Number 161170-0060

THIS ORDER is entered with the consent of the creditor, Bank of America, N.A. and the
Debtors.

Accordingly, it is hereby

ORDERED:

1. The Motion is GRANTED.

2. Bank of America N.A.'s junior mortgage is wholly unsecured and not subject to protection under 11 U.S.C. 1322(b)(2).

3. Bank of America N.A.'s claim shall be allowed as a non-priority general unsecured claim and shall be paid as such in accordance with the Debtors' Chapter 13 Plan.

4. The avoidance of Bank of America N.A.'s second lien is contingent upon the Debtors' completion of the Chapter 13 plan and the Debtors' receipt of a Chapter 13 discharge.

5. Bank of America N.A. shall retain its lien for the full amount due under the subject loan should the subject property be sold or should a refinance take place prior to the Chapter 13 Plan completion and entry of a Discharge.

6. Bank of America N.A. shall retain its lien for the full amount due under the subject loan in the event of either the dismissal of the Debtors' Chapter 13 case or the conversion of the Debtors' Chapter 13 case to any other Chapter under the United States Bankruptcy Code.

7. In the event that any entity, including the holder of the first lien on the Subject Property, forecloses on its security interest and extinguishes Bank of America N.A.'s lien prior to the Debtor's completion of the Chapter 13 Plan and receipt of a Chapter 13 discharge, Bank of America N.A.'s lien shall attach to the surplus proceeds of the foreclosure sale for the full amount of the subject loan balance at the time of the sale.

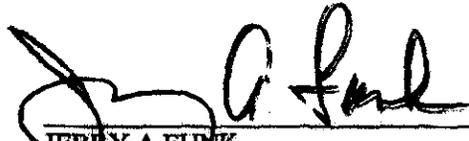
8. Upon receipt of the Debtors' Chapter 13 discharge and completion of their Chapter 13 Plan, Bank of America N.A. shall release its lien and re-convey the Deed of Trust within a reasonable time.

9. In the event that the property is destroyed or damaged, pursuant to the mortgage, Bank of America N.A. is entitled to its full rights as a loss payee with respect to the insurance proceeds and has a security interest in such proceeds up to the entire balance due on the mortgage.

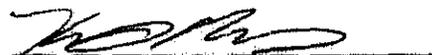
10. Each party shall bear their own attorneys' fees and costs incurred in the present

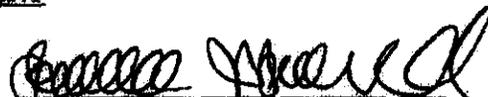
case.

DATED this November 6, 2013, in Jacksonville, Florida.


JERRY A. FUNK
UNITED STATES BANKRUPTCY JUDGE

CONSENT


Kathryn D. Masters
Anastasia Law, P.L.
107A 11th Street
Saint Augustine, FL 32080
Attorney for the Debtors


Lawrence J. Bernard, Esq.
Lawrence J. Bernard, P.A.
480 Busch Drive
Jacksonville, FL 32218
Attorney for Bank of America N.A.

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.

Kathryn D. Masters
Anastasia Law, P.L.
107A 11th Street
Saint Augustine, FL 32080
Attorney for the Debtors

Dean R. Prober
PROBER & RAPHAEL, A LAW CORPORATION
20750 Ventura Boulevard, Suite 100
Woodland Hills, California 91364
Attorneys for Creditor Bank of America

Douglas W. Neway
Chapter 13 Trustee
300 N Hogan St.
Jacksonville, FL 32202

Lawrence J. Bernard, Esq.
Lawrence J. Bernard, P.A.
480 Busch Drive
Jacksonville, FL 32218
Attorney for Creditor Bank of America

United States Trustee
135 W. Central Boulevard, Room 620
Orlando, FL 32801

Gavin W. MacMillan
SHD Legal Group P.A.
PO BOX 11438
Fort Lauderdale, FL 33339-1438
Attorneys for Creditor FNMA

RECORDED IN THE US BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF FLORIDA,
JACKSONVILLE DIVISION
FILE NO. 13-17826