

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

In re:

Case No.: 12-2768-JAF

**THOMAS C McCAUGHEY
COURTNEY A McCAUGHEY**

Chapter 7

Debtors.

**ORDER GRANTING DEBTORS' MOTION TO DETERMINE SECURED STATUS OF
LIEN OF WALDEN CHASE HOA AND TO STRIP LIEN EFFECTIVE UPON
DISCHARGE**

THIS CASE came on for consideration of the Debtors' Motion to Determine Secured Status of Walden Chase Homeowners Association, Inc. and to Strip Lien (Doc No. 46) (the "Motion") pursuant to the negative notice provisions of Local Rule 2002-4. 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. It is:

ORDERED:

1. The Motion is Granted.
2. If Walden Chase HOA has timely filed a proof of claim, the claim shall be treated as an unsecured claim in this case.
3. The real property (the "Real Property") that is the subject of the Motion is located at 1725 Dartmoor Lane, Ponte Vedra, FL 32081, and more particularly described as follows:

LOT 216, WALDEN CHASE PHASE ONE, ACCORDING TO THE PLAT
THEREOF AS RECORDED IN PLAT BOOK 38, PAGES 87 THROUGH
104, INCLUSIVE, OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY,
FLORIDA.

4. The lien on the Real Property held by Walden Chase Homeowners Association, Inc. recorded on January 28, 2013 at Book 3678, Page 84, Document No. 2013006238 of the Official Records of St. Johns County, Florida shall be deemed void, and shall be extinguished automatically, without further court order, upon the recordation in the public records of a certified copy of this Order together with (a) a certified copy of the Debtors' Chapter 7 discharge order in this case or (b) such other paper as the Court may specify by separate order. ~~However, the Court reserves jurisdiction to consider, if appropriate, the avoidance of Walden Chase Homeowners Association, Inc. lien prior to the entry of the Debtors' discharge.~~

DONE and ORDERED this 15 day of March, 2013 in Jacksonville, Florida.



JERRY A. FUNK
UNITED STATES BANKRUPTCY JUDGE

RECORDED IN THE US BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION
U.S. DIST. CT. NO. 54 . NO. 7697

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