

UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF FLORIDA  
JACKSONVILLE DIVISION

IN RE:

CASE NO.: 3:11-bk-07421-PMG

Terry M. King  
and  
Dawn M. King

CHAPTER: 13

Debtors'

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**ORDER GRANTING DEBTORS' MOTION TO DETERMINE SECURED  
STATUS OF BANK OF AMERICA, N.A., CLAIM NO: 19-1 AND TO STRIP  
LIEN EFFECTIVE UPON DISCHARGE**

**THIS CASE** came on for consideration of the Debtors' Motion to Determine Secured Status of **BANK OF AMERICA, N.A., CLAIM NO: 19-1** and to strip lien effective upon discharge (the "Motion") (Docket No. 35). The motion was filed on negative notice pursuant to local Rule 2002-4, and no objections were filed during the time period for responses. The Court has reviewed the Motion together with the record, and makes the following findings:

**ORDERED**

1. The Motion is GRANTED.
2. **BANK OF AMERICA, N.A., CLAIM NO: 19-1** shall be treated as an unsecured claim in this Chapter 13 case.
3. The real property, that is the subject of the Motion is located at **2624 Creekfront Drive, Green Cove Springs, Florida 32043**, and more particularly described as follows:

**LOT NUMBER 484, SILVER CREEK, ACCORDING TO THE PLAT THEREOF AS RECORDED IN THE PLAT BOOK 44, PAGE 52-72, PUBLIC RECORDS OF CLAY COUNTY, FLORIDA.**

4. The secured line of credit held by **BANK OF AMERICA**, recorded on **10/16/2006, at Book 2804, Pages 1646-1654, Instrument No.:2006071694**, of the official records in Clay County in the amount not to exceed **\$20,000.00** shall be deemed void, and shall be extinguished automatically, without further court order, upon entry of the Debtor's discharge in the Chapter 13 case; provided, however, that the Court reserves jurisdiction to consider, if appropriate, the avoidance of **BANK OF AMERICA, N.A., CLAIM NO: 19-1** mortgage lien prior to the entry of the Debtors' discharge. Further, if this case is dismissed, the mortgage will no longer be considered void and shall be restored as a secured debt.

**DONE and ORDERED** in Chambers at Jacksonville, Florida on

July 20, 2012.

**BY THE COURT**

*Paul M. Glenn*

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**Paul M. Glenn**  
United States Bankruptcy Judge

Copies furnished to:

Terry and Dawn King  
Office of the U.S. Trustee  
CT Corporation, Registered Agent  
Bank of America  
U.S. Chapter 13 Trustee, Douglas W. Neway, Esquire  
Melanie Sacks, Esquire,

RECORDED IN THE US BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF FLORIDA,  
JACKSONVILLE DIVISION  
F.B. VOL. 54, NO. 9603