

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

IN RE:

CASE NO: 13-02369-PMG

**FRANCIS E. GERKENS
a/k/a Edward F. Gerkens**

Debtor(s).

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**ORDER GRANTING DEBTOR'S MOTION TO DETERMINE
SECURED STATUS OF GREEN TREE SERVICING, LLC
AND TO STRIP LIEN EFFECTIVE UPON DISCHARGE**

THIS CASE is before the Court on the Debtor's Motion to Determine Secured Status of Green Tree Servicing, LLC and to Strip Lien (the "Motion"). The Court having personal jurisdiction over the parties and the Motion having been filed pursuant to the negative notice provisions of Local Rule 2002-4 and there being no objection or response to the relief requested filed in the record within the time permitted, it is

ORDERED:

1. The Motion is GRANTED.
2. Green Tree Servicing, LLC's 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 3779

N. Honeylocust Dr., Beverly Hills, FL 34465, and is more particularly described as follows:

Lot 5, Block 194, Beverly Hills Unit 8, Phase 2, according to the plat thereof, as recorded in Plat Book 13, Pages 33 through 38, Public Records of Citrus County, FL.

4. The mortgage held by Green Tree Servicing, LLC recorded in the Public Records of Citrus County, Florida in O.R. Book 2066, Page 1959 (File/Instrument#: 2006075531), shall be deemed null and void, and shall be extinguished automatically, without further Court order, upon entry of

the Debtor's discharge in this case, provided however, that if no discharge is entered in this case, the lien shall survive and remain fully enforceable.

DATED this 9 day of August, 2013, in Jacksonville, Florida.

Paul M. Glenn

PAUL M. GLENN
United States Bankruptcy Judge

Attorney Robert J. Corcoran is directed to serve a copy of this order on interested parties and file a proof of service within 3 days of entry of the order.

Copies to:

1. Robert J. Corcoran, Attorney for Debtor
2. Francis E. Gerkens, Debtor
3. Gregory L. Atwater, Chapter 7 Trustee
4. Office of the U.S. Trustee
5. Green Tree Servicing, LLC, c/o CT Corporation System, Registered Agent, 1200 S. Pine Island Road, Plantation, FL 33324
6. Mortgage Electronic Registration Systems, Inc., c/o CT Corporation System, Registered Agent, 1200 S. Pine Island Road, Plantation, FL 33324
7. GMAC Mortgage, LLC, c/o Corporation Service Company, Registered Agent, 1201 Hays Street, Tallahassee, FL 32301

RECORDED IN THE CLERK'S OFFICE
OF THE UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION
AUG 20 2013 54 7789