

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION
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In re:

Case No. 3:15-bk-00127-JAF
Chapter 13

Marcus Leon Burden,

Debtor.

**ORDER GRANTING DEBTOR'S MOTION TO VALUE
LIEN OF PECAN PARK HOMEOWNERS ASSOCIATION,
INC AND TO STRIP LIEN EFFECTIVE UPON DISCHARGE**

THIS CASE is before the Court on the Debtors' Motion for Valuation of lien held by PECAN PARK HOMEOWNERS ASSOCIATION, INC and to Strip Lien (the "Motion") filed March 19, 2015 and said Creditor has failed to file a written response to the Motion in accordance with Rule 2002-4, Local Bankruptcy Rules. Accordingly, it is **ORDERED**:

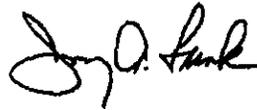
1. The Motion to Value Lien is GRANTED pursuant to 11 U.S.C. §506(a) and the lien is voided pursuant to 11 U.S.C. §506(d).
2. The value of the lien secured by Real Property (Homestead) located at 15640 Spotted Saddle Cir, Jacksonville FL is \$0.00.
3. The legal description of this property is as follows:

LOT 45, OF LEXINGTON PARK PHASE ONE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 60, PAGE 68, OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY FLORIDA.
4. The lien held by PECAN PARK HOMEOWNERS ASSOCIATION, INC recorded on September 29, 2014 at Book 16926, Page 83, Instrument No. 2014219425 of the official records of Duval County, Florida, shall be deemed void and shall be extinguished

automatically, without further Court order, upon entry of the Debtors' discharge in this Chapter 13 case; provided, however, that the Court reserves jurisdiction to consider, if appropriate, the avoidance of PECAN PARK HOMEOWNERS ASSOCIATION, INC's lien prior to the entry of the Debtors' discharge.

5. This order does not prohibit PECAN PARK HOMEOWNERS ASSOCIATION, INC. from asserting, at any time prior to the time when the lien is avoided by this order upon entry of the Debtor's discharge, any rights it may have as a defendant in any foreclosure proceeding brought by a senior mortgagee, including the right to claim excess proceeds from any foreclosure sale.

DONE and ORDERED in Jacksonville, Florida, this 28th day of April, 2015



Jerry A. Funk
United States Bankruptcy Judge

Attorney Kevin B. Paysinger is directed to serve a copy of this order on interested parties and file a proof of service withing 3 days of entry of the order.

RECORDED IN THE US BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF FLORIDA,
JACKSONVILLE DIVISION
J.B. VOL. 34 . NO. 8207