

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF FLORIDA  
JACKSONVILLE DIVISION

In re:

ERNEST A. RIEDL,  
FRANCES M. RIEDL,

Case No. 12-06539-PMG

Debtors.

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**ORDER GRANTING DEBTOR'S AMENDED MOTION TO DETERMINE SECURED  
STATUS AND TO STRIP JUNIOR LIEN ON DEBTOR'S PRINCIPAL RESIDENCE**

This case came on for consideration of Debtor's Amended Motion to Determine Secured Status and to Strip Junior Lien on Debtor's Principal Residence. Pursuant to Local Rule 2002-4, the debtors served the Motion on all interested parties, and no interested parties have filed a response within the thirty (30) day time period allowed. Therefore, it is

ORDERED:

1. Debtor's Amended Motion to Determine Secured Status and to Strip Junior Lien on Debtor's Principal Residence is granted.
2. The Court finds that the Plaintiff's homestead property has no equity to secure the second mortgage. The property is encumbered by a valid first mortgage, held by Chase Manhattan Mortgage, in the amount of \$121,720.00 at the time of filing the petition. The Defendant holds a second mortgage that is wholly unsecured.
3. The real property (the "Real Property") that is subject of the proceeding is located at 7679 Las Palmas Way, Unit 198, Jacksonville, FL 32256-0219, and more particularly described as follows:

**ALL THAT PARCEL OF LAND IN DUVAL COUNTY, STATE OF  
FLORIDA, AS MORE FULLY DESCRIBED IN DEED BOOK 11845,  
PAGE 2188, ID# 148521-0198, BEING KNOWN AND DESIGNATED AS  
CONDOMINIUM UNIT NUMBER 198 AND CARPORT UNIT NUMBER**

**G-49, OF LOS PRADOS CONDOMINIUM NO. 1, A CONDOMINIUM,  
ACCORDING TO THE DECLARATION OF CONDOMINIUM  
OWNERSHIP OF LOS PRADOS CONOMINIUM NO. 1, DATED JUNE  
19, 1972, RECORDED IN OFFICIAL RECORDS VOLUME 3385, PAGE  
974 OF THE PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA, AS  
AMENDED, TOGETHER WITH AN UNDIVIDED INTEREST OR  
SHARE IN THE COMMON ELEMENTS APPURTENANT THERETO.**

4. The mortgage held by JPMorgan Chase Bank, N.A. recorded on June 7, 2007, at Book 14020, Pages 1184 through 1191, Instrument No. 2007186513 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 Debtor's discharge in this Chapter 7 case; provided, however, that the Court reserves jurisdiction to consider, if appropriate, the avoidance of JPMorgan Chase Bank, N.A.'s lien prior to the entry of the Debtor's discharge.

DATED this 23 day of April, 2013 at Jacksonville, Florida.

*Paul M. Glenn*

PAUL M. GLENN  
United States Bankruptcy Judge

Copies furnished to:  
Candyce M. King, P.A., Attorney for Debtors  
Doreen Abbott, Trustee  
Office of the U.S. Trustee  
Debtors  
JPMorgan Chase Bank, N.A., P.O. Box 901039, Fort Worth, TX 76101

RECORDED IN THE US BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF FLORIDA,  
JACKSONVILLE DIVISION  
U.S. DISTRICT COURT NO. 17715