

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

IN RE:

DAVID M. WILLIAMSON, JR.,
MICHELE W. WILLIAMSON,

Case No.: 3-13-bk-01965-PMG
Chapter 7

Debtors.

**ORDER GRANTING MOTION TO
DETERMINE SECURED STATUS OF 121 FINANCIAL CREDIT
UNION AND TO STRIP LIEN EFFECTIVE UPON DISCHARGE**

THIS CASE came on for consideration of the Debtor's Motion to Determine Secured Status of 121 Financial Credit Union and to Strip Lien (Doc. No. 14) (the "Motion") pursuant to the negative notice provisional 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. If 121 Financial Credit Union has not timely filed a proof of claim in this case, the Motion is not deemed to be an informal proof of claim except for the purpose of initiating the Debtor's ability to request relief pursuant to 11 U.S. C. § 506(a).

The real property (the "Real Property") that is the subject of the Motion is located at 968 Misty Maple Court, Orange Park, Clay County, Florida, and being more particularly described as follows:

Lot 60, NATURES HAMMOCK AT OAKLEAF PLANTATION, according to plat thereof as recorded in Plat Book 43, pages 67 through 79, of the public records of Clay County, Florida.

Accordingly, it is hereby

ORDERED:

1. The Motion is GRANTED.

2. If 121 Financial Credit Union timely filed a proof of claim, the claim shall be treated as an unsecured claim in this Chapter 7 case.
3. The mortgage on the Real Property held by 121 Financial Credit Union recorded on July 13, 2007, at Book 2921, Page 1664, Instrument No. 2007043301 of the official records of Clay 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 Debtor's 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 121 Financial Credit Union's mortgage lien prior to entry of the Debtor's discharge.
4. This Order does not prohibit 121 Financial Credit Union from asserting, at any time prior to the 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.

Dated: August 5, 2013

Paul M. Glenn

Paul M. Glenn
United States Bankruptcy Judge

Attorney J. Dinkins G. Grange 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.

RECORDED IN THE US BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA,
JACKSONVILLE DIVISION
FILE NO. 54 NO. 7782