

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

IN RE:  
KENNETH LEROY THOMAS  
TANGELAR DARLENE THOMAS

CASE NO.: 3:12-bk-01465-PMG  
Chapter 13

Debtors

**ORDER GRANTING DEBTORS' MOTION TO DETERMINE  
SECURED STATUS OF WELLS FARGO BANK, N.A., CLAIM 19 AND  
TO STRIP LIEN EFFECTIVE UPON DISCHARGE**

Upon hearing held February 21, 2014, this case is before the Court on the Debtors', Kenneth Thomas and Tangelar Thomas, Motion to Determine Secured Status of Wells Fargo Bank, N.A., Claim 19 and to Strip Lien Effective upon Discharge. Upon hearing and agreement of the parties, as evidence at docket entry 142 of this current case, it is

ORDERED

1. The Motion to Determine Secured Status of Wells Fargo Bank, N.A., Claim 19 and to Strip Lien Effective upon Discharge is Granted.
2. Wells Fargo Bank, N.A., Claim No. 19 shall be treated as unsecured claim in this Chapter 13 case.
3. The real property that is subject to this Motion is located at 12359 Hunters Haven Lane, Jacksonville, Florida 32244 and more particularly described as follows:  

LOT 35, HUNTERS GREEN, UNIT TWO, ACCORDING TO THE PLAT  
THEREOF, AS RECORDED IN PLAT BOOK 48, PAGE(S) 41, 41A, AND 41B  
OF THE CURRENT RECORDS OF DUVAL COUNTY, FLORIDA
4. The mortgage held by Wells Fargo Bank, N.A. Claim No. 19 recorded on September 27, 2007 at Book 14202, Page 1389 of the official records of Duval County shall be deemed void, and shall be extinguished automatically, without further court order, upon entry of the Debtors' discharge in the Chapter 13 case; provided, however, that the Court reserves jurisdiction to consider, if appropriate, the avoidance of Wells Fargo Bank, N.A., Claim No. 19 mortgage lien prior to entry of the Debtors'

discharge. Further, if this case is converted to a case under Chapter 7, or if this Chapter 13 case is dismissed, the mortgage will no longer be considered void and shall be restored as a secured debt.

5. No sale of the property may occur free and clear of Wells Fargo Bank, N.A. Claim No. 19's lien while the bankruptcy case is pending as the Bankruptcy Code provides that the lien be retained on the property until the Creditor's claim is paid in full or until the Debtors receive a Chapter 13 discharge.

DATED this February 24, 2014 in Jacksonville, Florida.

*Paul M. Glenn*

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PAUL M. GLENN  
United States Bankruptcy Judge

Copies furnished to:  
Kenneth & Tangelar Thomas  
United State Trustee  
Wells Fargo Bank, N.A.  
Douglas W. Neway, Chapter 13 Trustee

Brad W. Hissing, Attorney for Wells Fargo, 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  
FOR THE MIDDLE DISTRICT OF FLORIDA,  
JACKSONVILLE DIVISION  
J.B. VOL. 54, NO. 7897"