

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION

IN RE:

Shon E. Fleming,

CASE NO.: 3:11-bk-05853-JAF

Debtor.

Shon E. Fleming,

ADV. NO:3:11-ap-00986-JAF

Plaintiff,

v.

KeyBank National Association,

Defendant.

JUDGMENT

THIS PROCEEDING is before the Court upon Debtor's Adversary Complaint against KeyBank National Association, its successors and/or assigns ("Defendant"). The Parties having entered into a stipulation and agree to the entry of a judgment, and the Court being otherwise more fully advised in the premises, it is

ORDERED:

1. KeyBank National Association, its successors and/or assigns, shall be treated, for the purposes of this case, as having a wholly unsecured claim in the amount of \$45,440.47.

2. Upon successful completion of the Debtors' Chapter 13 Plan and the entry of a discharge under §1328(a), the lien, instrument number 2007016821, book 2881, page 1650, recorded March 13, 2007, in St. Johns County, Florida, shall be deemed null and void and no longer a lien against the following property described as:

Lot 38, of WHISPER RIDGE UNIT SIX, according to the Plat thereof, as recorded in Plat Book 53, Page 84-88, of the Public Records of St. Johns County, Florida

a/k/a 277 Whisper Ridge Drive, St. Augustine, Florida 32092

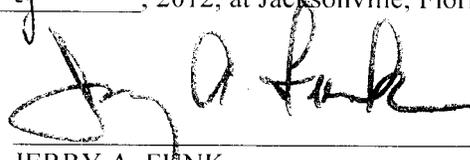
At such time, a release of the lien may be filed and recorded in St. Johns County, Florida.

3. In the event Defendant does not execute and deliver to the Debtor any termination statement or other documents required by law to release and discharge the lien, Debtor shall be permitted to use this Judgment and any Order of Discharge as authorization for termination and release of the lien.

4. Should the Debtor fail to complete the Chapter 13 Plan and receive a discharge under §1328(a), then the lien shall remain valid.

5. The Court reserves jurisdiction to consider, if appropriate, the avoidance of the mortgage lien of Defendant prior to the entry of the Debtor's discharge or upon entry of a discharge under §1328(b).

DATED this 5 day of January, 2012, at Jacksonville, Florida



JERRY A. FUNK
United States Bankruptcy Judge

Copies furnished to:

Keith D. Collier, Attorney for Plaintiffs/Debtors, 2350 Park Street, Jacksonville, FL 32204
Douglas W. Neway, Chapter 13 Trustee, PO Box 4308, Jacksonville, FL 32201
Milan Kubat, Attorney for Creditor/Defendant, 965 Keynote Circle, Brooklyn Heights, Ohio 44131
Shon Fleming, Debtor, 277 Whisper Ridge Drive, St. Augustine, Florida 32092

RECORDED IN THE US BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF FLORIDA,
JACKSONVILLE DIVISION
J.B. VOL. 51, NO. 7473