

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

IN RE:

CASE NO.: 12-bk-6578-JAF

AARON D. HOPKINS  
and DOROTHY A. HOPKINS,  
Debtors.

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**ORDER GRANTING DEBTORS' MOTION TO DETERMINE SECURED  
STATUS OF SECOND MORTGAGE OF BENEFICIAL FLORIDA, INC. (CLAIM 22)  
AND TO STRIP LIEN EFFECTIVE UPON DISCHARGE**

**THIS CASE** is before the Court on the Debtors' Motion To Determine Secured Status Of Second Mortgage Of Beneficial Florida, Inc. (Claim 22) And To Strip Lien Effective Upon Discharge (the "Motion"). For the reasons set forth in the Debtors' Motion, the Court finds it appropriate to grant the Debtors' Motion. The Court further finds that negative notice contained in the Motion was proper, that the Motion was properly served pursuant to Local Rule 2002-4 and that no opposition thereto has been filed. Accordingly, it is

**ORDERED** as follows:

1. The Motion is **GRANTED**.
2. Claim Number Twenty-Two (22) filed on behalf of Beneficial Florida, Inc. shall be treated as an unsecured claim in this Chapter 13 Case.
3. The real property (the "Real Property") that is the subject of the Motion is located at 4183 Ruby Drive East, Jacksonville, Florida and more fully described as follows:

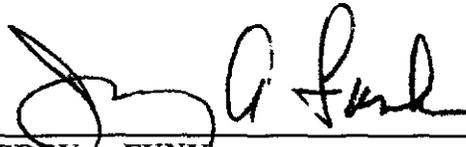
**SOUTHSIDE ESTATES UNIT 21, LOT 18, BLOCK 6, ACCORDING TO THE  
PLAT THEREOF, AS RECORDED IN PLAT BOOK 23, PAGES 19 AND 19B OF  
THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA**

**PARCEL ID NO: 124727-0000**

4. The mortgage held by Beneficial Florida, Inc. (Claim 22) which was recorded on or about June 21, 2004 in 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 or in a Chapter 7 case should this case be converted to a Chapter 7; provided, however, that the Court reserves jurisdiction to consider, if appropriate, the avoidance of CitiMortgage, Inc.'s lien prior to the entry of the Debtors' discharge. Further, if this Chapter 13 case is dismissed, the mortgage will no longer be considered void and shall be restored as a secured debt.

DATED: November 5, 2013, in Jacksonville, Florida.



JERRY A. FUNK  
United States Bankruptcy Judge

Copies to:  
Debtors  
Robert W. Elrod, Jr., Attorney for Debtors  
Beneficial Florida, Inc.  
Douglas Neway, Trustee

Robert W. Elrod, Jr., Attorney for the Debtor(s), 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 U.S. BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF FLORIDA,  
JACKSONVILLE DIVISION  
U.S. VOL. 54 NO. 17824