

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

In re:

VALERY KICHURA and
DANA KICHURA,

Debtors.

Case No. 3:12-bk-07553-PMG

Chapter 13

**ORDER ON DEBTORS' MOTION TO DETERMINE SECURED STATUS OF
REGIONS BANK CLAIM NO. 8 AND TO STRIP LIEN EFFECTIVE UPON
DISCHARGE**

This case is before the Court on the Motion to Determine Secured Status of Regions Bank Claim No. 8 and to Strip Lien Effective Upon Discharge (Doc. No. 56) (the "Motion") filed by Valery Kichura and Dana Kichura (the "Debtors"), and the Court, having considered Motion, and considering the Motion was served with the negative notice legend pursuant to Local Rule 2002-4, and having neither heard nor received any opposition to the relief requested by the Motion within the time stated by the Motion, it is

ORDERED

1. The Motion is granted.
2. The collateral, being real property located at 12293 Casheros Cove Drive South, Jacksonville, Florida (the "Collateral"), is encumbered by a valid first mortgage lien (the "First Mortgage"), having an unpaid principal balance at the time this Order is entered which exceeds the value of the Collateral.

3. The Collateral is more particularly described as follows:

KNOWN AS: 12293 CASHEROS COVE DRIVE S

ALL THAT CERTAIN LAND IN DUVAL COUNTY, FLORIDA, TO-WIT:

LOT(S) 136, OF CROSS CREEK, UNIT 1 AS RECORDED IN PLAT BOOK 46, PAGE 36, 36A & 36B, ET SEQ., OF THE PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

SUBJECT TO RESTRICTIONS, RESERVATIONS, EASEMENTS, COVENANTS, OIL, GAS OR MINERAL RIGHTS OF RECORD, IF ANY.

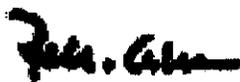
4. The Collateral is also encumbered by a junior lien recorded at Book 14422 and Page 78 of the Official Public Records of Duval County, Florida (the "Second Mortgage"), which, as of the date of this Order, has no value over and above the First Mortgage upon which the Second Mortgage can attach.

5. Pursuant to 11 U.S.C. § 506(a), the Second Mortgage is wholly unsecured.

6. Notwithstanding the foregoing, this Order is not recordable or enforceable until the Debtors receive a Discharge in this Chapter 13 case (the "Discharge").

7. Upon entry of the Discharge, the Second Mortgage is avoided and extinguished automatically without further order, provided, however, that if the Debtors fail to receive a Discharge, the Second Mortgage shall survive and remain fully enforceable and this Order shall have no further force and effect.

DONE and ORDERED in Jacksonville, Florida, this 3rd day of April, 2014



Paul M. Glenn
United States Bankruptcy Judge

RECORDED IN THE US BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF FLORIDA,
JACKSONVILLE DIVISION

J.B. VOL. 54, NO. 7932

Julianna E. Groot is directed to serve a copy of this order on interested parties and file a proof of service within three (3) days of entry of the order.