

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION
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In re:

Case No. 3:14-bk-00858-PMG
Chapter 13

Sherron Samantha Hernandez,

Debtor.

**ORDER GRANTING DEBTORS' AMENDED
MOTION TO VALUE CLAIM TWO (2) OF NAVY FEDERAL
CREDIT UNION AND TO STRIP LIEN EFFECTIVE UPON DISCHARGE**

THIS CASE is before the Court on the Debtors' Amended Motion to Value Claim Two (2) secured by the homestead property mortgage held by NAVY FEDERAL CREDIT UNION and to Strip Lien (the "Motion") filed August 15, 2014 and said Creditor has failed to file a written response to the Motion in accordance with Rule 2002-4, Local Bankruptcy Rules. Accordingly, it is **ORDERED**:

1. The Motion to Value Claim Two (2) is GRANTED pursuant to 11 U.S.C. §506(a) and the mortgage lien is voided pursuant to 11 U.S.C. §506(d).
2. The value of that portion of Claim Two (2) secured by Real Property (Homestead) located at 12301 Kernan Forest Blvd Unit 1906, Jacksonville FL is \$0.00. The balance of this claim shall be treated as unsecured.
3. The legal description of this property is as follows:

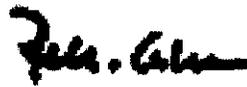
CONDOMINIUM UNIT NO. 1906, HAMMOCK GROVE CONDOMINIUM,
TOGETHER WITH AN UNDIVIDED INTEREST IN THE COMMON ELEMENTS,
ACCORDING TO THE DECLARATION OF CONDOMINIUM THEREOF AS RECORDED
IN OFFICIAL RECORD BOOK 11434, PAGE 546, AS AMENDED FROM TIME-TO-TIME,
OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

4. The mortgage held by NAVY FEDERAL CREDIT UNION recorded on April 12, 2005 at Book 12407, Pages 410 through 418, Instrument No. 2005122874 of the official

records of 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; provided, however, that the Court reserves jurisdiction to consider, if appropriate, the avoidance of NAVY FEDERAL CREDIT UNION's lien prior to the entry of the Debtors' discharge.

5. This order does not prohibit NAVY FEDERAL CREDIT UNION from asserting, at any time prior to the time when the lien is avoided by this order upon 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.

DONE and ORDERED in Jacksonville, Florida, this 25th day of September, 2014



Paul M. Glenn
United States Bankruptcy Judge

Attorney Christopher R. DeMetros is directed to serve a copy of this order on interested parties and file a proof of service withing 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. 8055