

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

In re:

TANYA SMITH,

Case No. 13-04817-JAF

Debtor.

**ORDER GRANTING DEBTOR'S MOTION TO DETERMINE SECURED STATUS AND
TO STRIP JUNIOR LIEN ON DEBTORS' PRINCIPAL RESIDENCE**

This case came on for consideration of Debtor's Motion to Determine Secured Status and to Strip Junior Lien on Debtor's Principal Residence. Pursuant to Local Rule 2002-4, the debtor served the Motion on all interested parties, and no interested parties have filed a response within the thirty (30) day time period allowed. Therefore, it is

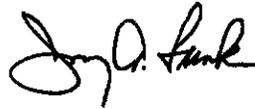
ORDERED:

1. Debtor's Motion to Determine Secured Status and to Strip Junior Lien on Debtor's Principal Residence is granted.
2. The Court finds that the Debtor's homestead property has no equity to secure the second mortgage. The property is encumbered by a valid first mortgage, held by Marion E. Todd & Margaret E. Todd, in the amount of \$63,000.00 at the time of filing the petition. Community First Credit Union holds a second mortgage that is wholly unsecured.
3. The real property (the "Real Property") that is subject of the proceeding is located at 44329 Pinebreeze Circle, Callahan, FL 32011 and more particularly described as follows:

**LOT 17, MEARES MEADOWS, ACCORDING TO PLAT THEREOF,
RECORDED IN PLAT BOOK 6, PAGES 17 AND 18, OF THE PUBLIC
RECORDS OF NASSAU COUNTY, FLORIDA. TOGETHER WITH A
1998 60 X 28 BAYMANOR MOBILE HOME VIN#FLHML2P119Y17974A
AND FLHML2P119YI7974B.**

4. The mortgage held by Community First Credit Union recorded on May 16, 2008, at Book 1566, Page 1886, Instrument No. 200813434 of the official records of Nassau County, Florida, shall be deemed void and shall be extinguished automatically, without further court order, upon entry of the Debtor's discharge in this Chapter 7 case; provided, however, that the Court reserves jurisdiction to consider, if appropriate, the avoidance of Community First Credit Union's lien prior to the entry of the Debtor's discharge.

DONE and ORDERED in Jacksonville, Florida, this 20th day of February, 2014



JERRY A. FUNK
United States Bankruptcy Judge

Attorney, Candyce M. King, is directed to serve a copy of this order on interest parties and file a Proof of Service within three (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. 7893