

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

IN RE:
SCOTT BRADY
RICHERRIA B. BRADY

CASE NO. 13-4685-JAF

Debtors.
_____ /

**ORDER GRANTING DEBTORS' MOTION TO DETERMINE SECURED STATUS OF
LIEN OF WELLS FARGO BANK NV NA AND TO STRIP LIEN EFFECTIVE UPON
DISCHARGE**

THIS CASE came on for consideration of the Debtors' Motion to Determine Secured Status of Wells Fargo Bank NV N.A. and to Strip Lien (Doc No. 17) (the "Motion") pursuant to the negative notice provisions of Local Rule 2002-4. Having considered the Motion and the absence of any record objection to the relief requested in the Motion by any party in interest, the Court Deems the Motion to be uncontested. If Wells Fargo Bank NV N.A. has not timely filed a proof of claim in this case, the Motion is not deemed to be an informal proof of claim except for the purpose of initiating the Debtors' ability to request relief pursuant to U.S.C § 506(a).

Accordingly, it is hereby:

ORDERED:

1. The Motion is Granted.
2. The real property (the "Real Property") that is the subject of the Motion is located at 3968 Brampton Island Court South, Jacksonville FL 32224, and more particularly described as follows:

FILED IN THE US BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION
U.S. VOL: 54 NO. 4838

**LOT 9, OF JACKSONVILLE GOLF AND COUNTRY CLUB
UNIT FIVE-B, ACCORDING TO THE PLAT THEREOF, AS
RECORDED IN PLAT BOOK 49, AT PAGE 90, 90A, AND
90B, OF THE PUBLIC RECORDS OF THE COUNTY
(THE"LAND")**

3. If Wells Fargo Bank NV N.A. has timely filed a proof of claim, the claim shall be treated as an unsecured claim in this case.

4. The lien on the Real Property held by Wells Fargo Bank NV N.A. recorded on March 22, 2006 at book 13147, page 1333, Document No. 2006100330 of the Official Records of Duval County, Florida shall be deemed void, and shall be extinguished automatically, without further court order, upon the recordation in the public records of a certified copy of this Order together with (a) a certified copy of the Debtors' Chapter 7 discharge order in this case or (b) such other paper as the Court may specify by separate order.

5. This Order does not prohibit Wells Fargo Bank NV N.A. from asserting, at any time prior to the entry of the Debtors' 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 this 3 day of ^{December}~~November~~, 2013 in Jacksonville, Florida.



**JERRY A. FUNK
UNITED STATES BANKRUPTCY JUDGE**

Attorney Eugene H. Johnson, Esq. is directed to serve a copy of this order on interested parties and file a proof of service within 3 days of the entry of this order.