

UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF FLORIDA  
JACKSONVILLE DIVISION

IN RE: MICHAEL KEVIN KIRK  
SUSAN ELAINE KIRK,

Case No.: 13-bk-06283-JAF

Chapter 7

Debtors.

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ORDER GRANTING DEBTORS' MOTION TO DETERMINE  
SECURED STATUS OF WELLS FARGO BANK, N.A.  
AND TO STRIP LIEN EFFECTIVE UPON DISCHARGE (Doc. 18)

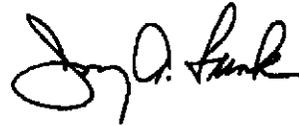
THIS CASE came on for consideration on the Debtors' Motion to Determine Secured Status of Wells Fargo Bank, N.A. and to Strip Lien Effective Upon Discharge (the "Motion") (Doc. No. 18) pursuant to the negative notice provisions of Local Rule 2002-4. The Court considering the Motion and the absence of any record objection to the relief requested in the Motion by any party in interest, and noting that the Debtors' discharge was entered on February 20, 2014, it is

**ORDERED:**

1. The Motion is granted.
2. The secured claim of Wells Fargo Bank, N.A. as listed in Schedule D filed by the Debtors, account number xxxxxx4758xxxx, shall be treated as an unsecured claim in this Chapter 7 case.
3. The real property (the "Real Property") that is the subject of the Motion is located at 10200 Belle River Blvd., Unit 206, Jacksonville, FL 32256, the legal description is further described in that certain deed dated April 20, 2003, recorded at OR Book 11098, Page 1663 of the Public Records of Duval County, Florida, a copy of which is attached hereto as "Exhibit A."
4. The mortgage on the Real Property held by Wells Fargo Bank, N.A. on the Real Property, recorded at OR Book 14185, Page 1620 of the Public Records of Duval

County, Florida, document # 2007317057, is hereby deemed void and is extinguished.

DONE and ORDERED in Jacksonville, Florida, this 13th day of June, 2014



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JERRY A. FUNK  
United States Bankruptcy Judge

Attorney, Lisa C. Cohen, 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 US BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF FLORIDA,  
JACKSONVILLE DIVISION  
J.B. VOL. 54, NO. 7985

THIS INSTRUMENT PREPARED BY:  
Watson & Osborne Title Svcs  
Watson & Osborne Title Services, Inc.  
1840 Southalta Boulevard, Suite 1-A  
Jacksonville, Florida 32216

RECORD AND RETURN TO:  
Susan E. Kirk  
317 Stormville Mountain Road  
Stormville, NY 12582

RE PARCEL ID #:  
BUYER'S TIN:

Doc# 2003159357  
Book: 11098  
Pages: 1663 - 1664  
Filed & Recorded  
05/19/2003 08:52:59 AM  
JIM FULLER  
CLERK CIRCUIT COURT  
DUVAL COUNTY  
RECORDING \$ 9.00  
TRUST FUND \$ 1.50  
DEED DOC STAMP \$ 674.10

### WARRANTY DEED

THIS WARRANTY DEED made this 30th day of April, 2003 by Belle Rive Acquisition LLC, a Delaware Limited Liability Company, hereinafter called Grantor, and whose address is 10200 Belle Rive Blvd, Jacksonville, FL 32256 to Susan E. Kirk and Michael K. Kirk, husband and wife, hereinafter called Grantee and whose address is 317 Stormville Mountain Road, Stormville, NY 12582.

(Wherever used herein the term "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations.)

### WITNESSETH:

THAT the Grantor, for and in consideration of the sum of Ten and NO/100 Dollars and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee, all that certain land situate, lying and being in Duval County, Florida, viz

Unit 286, of The Landings at Belle Rive Condominium, a Condominium according to that certain Declaration of Condominium recorded in Official Records Volume 11020, Page 451, of the current public records of Duval County, Florida, together with an undivided interest in the common elements appurtenant thereto.

1030  
674.10

"Exhibit A"

IN WITNESS WHEREOF, the said Greater has caused this instrument to be executed in its name by its duly authorized officer(s) and caused its corporate seal to be hereto affixed the day and year first above written.

Signed, sealed and delivered in our presence:

Esther D. Creel  
Witness Signature

ESTHER D. CREEL  
Witness Printed Signature

[Signature]  
Witness Signature

CAROLINA SAVILANE  
Witness Printed Signature

Belle Rive Acquisition, LLC, a  
Delaware Limited Liability

by: [Signature]  
Gary S. Bugman, as managing member  
(Corporate Seal)

Belle Rive Acquisition, LLC, a  
Delaware Limited Liability  
by: [Signature]  
Peter Wenzel, as managing member

STATE OF FLORIDA  
COUNTY OF DADE

The foregoing instrument was acknowledged before me this 7 day of APRIL, 2003 by Gary S. Bugman, as managing member and Peter Wenzel, as managing member of Belle Rive Acquisition, LLC, a Delaware Limited Liability, on behalf of the corporation. He/she is personally known to me or has produced \_\_\_\_\_ as identification.

Notary Public, State and County Aforesaid  
Esther D. Creel  
Notary Signature

\_\_\_\_\_  
(Title or Rank)

\_\_\_\_\_  
Notary Printed Signature

\_\_\_\_\_  
(Social No., if any)

