

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

In re:

HENRI ANTONIE ERKELENS, III.

Debtor.

Case No.: 3:13-bk-04191-PMG

Chapter 11

**ORDER GRANTING MOTION TO DETERMINE SECURED STATUS
AND STRIP LIEN**

This case is before the Court on the Motion to Determine Secured Status of DLJ Mortgage Capital, Inc. and serviced by Green Tree Servicing, LLC (Doc. No. 38) (the "Motion") filed by *Henri Antonie Erkelens, III* (the "Debtor"), 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 13 Casanova Road, Saint Augustine, 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:

LOT 38, BLOCK 1, MADERIA HEIGHTS SUBDIVISION, ACCORDING TO MAP RECORDED IN MAP BOOK 8, PAGE 89, PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA.

4. The Collateral is also encumbered by a junior lien recorded at book 2318 and page 1712 of the Official Public Records of Saint Johns 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 and is avoided and extinguished.

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



Paul M. Glenn
United States Bankruptcy Judge

Julianna E. Groot 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. 7981