

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION

In re:
Richard and Megan Lee,
Joint Debtors.

Case No.: 3:11-bk-09057
Chapter 13

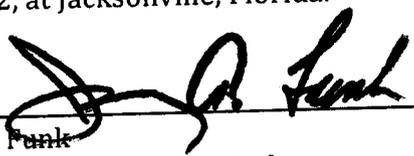
**ORDER GRANTING JOINT DEBTOR'S MOTION TO DETERMINE SECURED
STATUS OF WELLS FARGO BANK, N.A. (Claim #5) AND TO STRIP LIEN
EFFECTIVE UPON DISCHARGE**

THIS CASE is before the Court on the Debtor's Motion to Determine Secured Status of Wells Fargo Bank, N.A. (the "Motion"). (Doc. No. 23). No appropriate response having been filed in accordance with Local Rule 2002-4, it is:

ORDERED:

1. The Motion is **GRANTED**.
2. Wells Fargo Bank, N.A. filed Claim #5 in the amount of \$206,004.81, which shall be treated as an unsecured claim in the Chapter 13 Case.
3. The real property (the "Real Property") that is the subject of the Motion is located at 116 Magnolia Hammock Drive, Ponte Vedra Beach, Florida 32082, and more particularly described as follows:
Lot 17, MAGNOLIA HAMMOCK SUBDIVISION, according to plat thereof recorded in Plat Book 32, Pages 75-78, of the current public records of Duval County, Florida.
4. The mortgage held by Wells Fargo Bank, N.A., recorded on July 2, 2004, Book 2253, Page 902, of the official records of St. Johns County, shall be deemed void and shall be extinguished automatically, without further court order, upon entry of the Debtor's discharge in this Chapter 13 case; provided however, that the Court reserves jurisdiction to consider, if appropriate, the avoidance of Wells Fargo Bank, N.A.'s lien prior to the entry of the Debtor's discharge. Further, if this case is converted to a case under Chapter 7, or if this Chapter 13 case is dismissed, the mortgage will no longer be considered void and shall be restored as a secured debt.

DATED June 5, 2012, at Jacksonville, Florida.


Jerry A. Funk
United States Bankruptcy Judge

RECORDED IN THE US BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF FLORIDA,
JACKSONVILLE DIVISION
U.S. B. NO. 3:11-bk-09057

Copies furnished to:

Gregory S. Gilbert, Esquire
Attorney for Debtors
333-1 East Monroe Street
Jacksonville, Florida 32202

Douglas Neway
Chapter 13 Trustee
PO Box 4308
Jacksonville, Florida 32201

Allison Verges Walters, Esquire
Attorney for Wells Fargo Bank, N.A.
c/o Dennis LeVine & Associates
P.O. Box 707
Tampa, Florida 33601