UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION

In re:

CHANDRIKA DESAI

Debtor.

_____/

Case No.: 3:13-bk-7463-PMG
Chapter 13

ORDER GRANTING DEBTOR'S VERIFIED MOTION TO STRIP LIEN OF GREEN TREE SERVICING, LLC AND NORTH RIDGE PROPERTY OWNERS ASSOCIATION AND FOR DETERMINATION THAT CLAIM IS UNSECURED

THIS CASE came on for consideration of the Debtor's Verified Motion to Strip Lien of Green Tree Servicing, LLC and North Ridge Property Owners Association and for Determination that Claim is Unsecured (DOC #29) (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 neither Green Tree Servicing, LLC nor North Ridge Property Owners Association have 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 Debtor's ability to request relief pursuant to 11 USC §506(a).

The real property (the "Real Property") that is the subject of the Motion is located at 8718 NW 35th Place, Gainesville, FL 32606, and more particularly described as follows:

> Lot 80, of Northridge, Phase I, Unit 2, a planned unit development, as per plat thereof recorded in Plat Book S, Pages 19 through 20, of the Public Records of Alachua County, Florida

"RECORDED IN THE US BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF FLORIDA,
JACKSONVILLE DIVISION
J.B. VOL. 54, NO. 8110"

Accordingly, it is hereby

ORDERED:

1. The Motion is GRANTED.
2. If Green Tree Servicing, LLC ("Green Tree") has timely filed a proof of claim, the claim shall be treated as an unsecured claim in this Chapter 13 case.
3. Green Tree's lien for the junior/second mortgage on the above real property shall be deemed void and shall be extinguished automatically, without further court order, upon recordation in the public records of a certified copy of this Order together with (a) a certified copy of the Debtors' Chapter 13 discharge order in this case or (b) such other paper as the Court may specify by separate order. However, the Court reserves jurisdiction to consider, if appropriate, the avoidance of Green Tree's lien prior to the entry of the Debtor's discharge.
4. If North Ridge Property Owners Association ("North Ridge") has timely filed a proof of claim, the claim shall be treated as an unsecured claim in this Chapter 13 case.
5. The prepetition HOA dues owed to North Ridge 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 Debtor's Chapter 13 discharge order in this case or (b) such other paper as the Court may specify by separate order. However, the Court reserves jurisdiction to consider, if appropriate, the

avoidance of North Ridge prepetition HOA dues owed prior to the entry of the Debtor's discharge.

DONE and ORDERED in Jacksonville, Florida, this 9th day of December, 2014

Paul M Glenn
United States Bankruptcy Judge

A. Clifton Black, Esq. is directed serve a copy of this Order on interested parties and file proof of same within 3 days of the entry of the Order.