

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION

In re:

CASE NO.: 10-11076-PMG

DAVID LANE

Debtor.

/

DAVID LANE

ADV. PRO. NO.: 11-ap-167-PMG

Plaintiffs

v.

U.S. BANK, NATIONAL ASSOCIATION, AS TRUSTEE
FOR RASC 2006-EMX3,

AMERICAS SERVICING COMPANY,

GREEN TREE SERVICING, LLC,

GE MONEY BANK, and

GMAC MORTGAGE, LLC

Defendants.

FINAL JUDGMENT

THIS CASE is before the Court on the Debtor's Motion for Default of Plaintiff, **DAVID LANE** and against Defendants, **U.S. BANK, NATIONAL ASSOCIATION, AS TRUSTEE FOR RASC 2006-EMX3, AMERICAS SERVICING COMPANY, GREEN TREE SERVICING, LLC, GE MONEY BANK and GMAC MORTGAGE, LLC.**

For the reasons stated in the Motion, it is ORDERED:

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1. The Motion is GRANTED.

2. The real property (the "Real Property") that is the subject of the Motion is located at 606 Clubhouse Court Jacksonville FL 32256, and is set forth in that certain deed recorded at Duval County Book 10008, Page 2139, Document No. 2001129176, more particularly described therein as:

Unit No. 606, Hillwood Condominium, a Condominium, according to the Declaration of Condominium as recorded in Official Records Volume 6235, page 1926, as amended by Amendments to Declaration of Condominium in Official Records Volume 8976, page 889 and Official Records Volume 9152, page 1579 and Official Records Volume 9769, page 1602 of the current public records of Duval County, Florida, together with an undivided interest in the common elements appurtenant thereto.

2. The mortgages held by **U.S. BANK, NATIONAL ASSOCIATION, AS TRUSTEE FOR RASC 2006-EMX3, AMERICAS SERVICING COMPANY, GREEN TREE SERVICING, LLC, GE MONEY BANK and GMAC MORTGAGE, LLC.** recorded on February 8, 2006, at Book 13059, Page 60, Instrument No. 2006045484 of the official records of Duval County, Florida and on April 10, 2006, at Book 13185, Page 2119, Instrument No. 2006123479 of the official records of Duval County, Florida, 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 **U.S. BANK, NATIONAL ASSOCIATION, AS TRUSTEE FOR RASC 2006-EMX3, AMERICAS SERVICING COMPANY, GREEN TREE SERVICING, LLC, GE MONEY BANK and GMAC**

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MORTGAGE, LLC.'s liens 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 mortgages will no longer be considered void and shall be restored as a secured debt.

3. Any claim filed by U.S. BANK, NATIONAL ASSOCIATION, AS TRUSTEE FOR RASC 2006-EMX3, AMERICAS SERVICING COMPANY, GREEN TREE SERVICING, LLC, GE MONEY BANK and GMAC MORTGAGE, LLC. or any of their successors, assigns or agents secured by the mortgage herein, shall be entitled to pro-rata distribution as a general unsecured creditor.

Done and Ordered in Jacksonville, Florida on May 17, 2012.

BY THE COURT:

Paul M. Glenn
PAUL M. GLENN
UNITED STATES BANKRUPTCY JUDGE

Copies to:

Debtor

Eugene H. Johnson, Esq.

Trustee

America's Servicing Co.
Attn: Peter J. Wissinger, President
1 Home Lane
Des Moines, IA 50328

FILED IN THE US BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF FLORIDA,
JACKSONVILLE DIVISION
S.B. VOL. SA, NO. 17561

GE Money Bank
Attn: Mark Begor, Pres.
170 W. Election Road
Suite 125
Draper, UT 84020

Green Tree Servicing LLC
Attn: Keith Anderson, Pres.
c/o CT Corporation System
1200 S. Pine Island Road
Plantation, FL 33324

U.S. Bank, National Association, as Trustee for RASC 2006-EMX3
c/o Richard K. Davis, President
425 Walnut Street
Cincinnati, OH 45202

GMAC Mortgage, LLC.
Attn: James Young, Manager
c/o Corporation Service Company
1201 Hays Street
Tallahassee, FL 32301