

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION

IN RE:

CURTIS COLE and
TARA L COLE,

CASE NO.: 3:11-bk-04562-JAF
Chapter 13

Debtor(s)

CURTIS COLE and
TARA L COLE,
Plaintiff(s)

Adv. No. 3:11-ap-00857-JAF

v.

BANK OF AMERICA, N.A.,

Defendant(s).

JUDGMENT

This Judgment is entered upon stipulation of the parties by and through their undersigned attorneys, it is:

ORDERED AND ADJUDGED

1. Judgment is entered in favor of the Plaintiffs, Curtis Cole and Tara L. Cole against the Defendant, Bank of America, N.A.
2. Defendant's lien on the Plaintiffs' property located at 1579 Glen View Street, Middleburg, FL 32068-6593, with the legal description of :

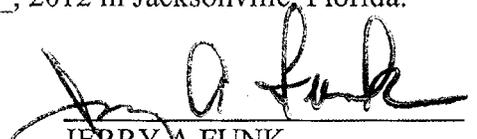
LOT 90 NORTHGLEN, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 35, PAGES 50,51,52,53,54 AND 55, OF THE PUBLIC RECORDS OF CLAY COUNTY, FL.

as recorded at OR book 2910 Page 675-684 of the Public Records of Clay

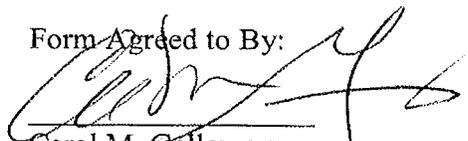
County, Florida is wholly unsecured under the provisions of 11 U.S.C. §506.

3. The lien on the real property shall be avoided at such time as the Chapter 13 plan is completed and a discharge has been entered pursuant to 11 U.S.C. § 1141. Further, if this case is converted to a case under Chapter 7, or any other Chapter under the United States Bankruptcy Code, or if this Chapter 13 case is dismissed, the mortgage will no longer be considered void and shall be restored as a secured debt and shall be a valid encumbrance upon the subject property.
4. To the extent that the Defendant has filed a Proof of Claim in the main bankruptcy case, then such claim may be amended to an unsecured claim. The Defendant shall be entitled to an unsecured claim in the amount of \$58,949.55 and may amend Proof of Claim 6-1.
5. In the event that any entity, including the holder of the first lien on the Subject Property, forecloses on its security interest and extinguishes Creditor's lien prior to the Debtor's completion of the Chapter 13 Plan and receipt of a Chapter 13 discharge, Creditor's lien shall attach to the surplus proceeds of the foreclosure sale for the full amount of the subject loan balance at the time of the sale.

DATED this 27 day of KNOWLY, 2012 in Jacksonville, Florida.


JERRY A FUNK
United States Bankruptcy Judge

Form Agreed to By:


Carol M. Galloway
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RECORDED IN THE US BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF FLORIDA,
JACKSONVILLE DIVISION
J.B. VOL. 54, NO. 7482 *