

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

In re:

Case No.
Chapter 13

Debtor.

_____ /

**ORDER GRANTING DEBTOR'S MOTION TO DETERMINE
SECURED STATUS OF _____MORTGAGE COMPANY
AND TO STRIP LIEN EFFECTIVE UPON DISCHARGE**

THIS CASE is before the Court on the Debtor's Motion to Determine Secured Status of _____ **Mortgage Company** and to Strip Lien (the "Motion"). The motion was served on all interested parties with the Local Rule 2002-4 negative notice legend informing the parties of their opportunity to object within 30 days of the date of service. No party filed an objection within the time permitted. The Court therefore considers the matter to be unopposed. It is

ORDERED:

1. The Motion is GRANTED.
2. Claim No. **X** filed by _____ **Mortgage Company** 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 _____, and more particularly described as follows:

LEGAL DESCRIPTION

4. The mortgage held by _____ **Mortgage Company** recorded on _____, _____, at **Book XXXX, Pages XXXX, Instrument No. XXXX** of the official records of _____ 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 _____ **Mortgage Company'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 this ____ day of _____ at Jacksonville, FL.

BY THE COURT

Paul M. Glenn
United States Bankruptcy Judge

or

Jerry A. Funk
United States Bankruptcy Judge

Attorney _____ is directed to serve a copy of this order on interested parties and file a proof of service within three days of entry of the order.