

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

In re:

[DEBTOR NAME/NAMES]

[Debtor/Debtors].

CHAPTER 13

CASE NO. []-PMB

[DEBTOR NAME/NAMES]

[Movant/Movants],

vs.

[SECURED LENDER].

Respondent.

CONTESTED MATTER

ORDER GRANTING [DEBTOR'S/DEBTORS'] [TITLE OF MOTION TO STRIP LIEN]

The above matter came before the Court on [Hearing Date] on [Debtor's/Debtors'] Motion [Title] (the "Motion") [Docket No. ____]. [Debtor/Debtors] [seek/seeks] a determination that the [second] priority lien held by [Respondent] on [Debtor's/Debtors'] interest in [his/her/their] residence (the "Lien") located at [Property Address] (the "Property") is completely unsecured and the lien should be stripped because, based upon the Property's value and the amount of the first priority

mortgage, there is no equity in the Property to which the Lien can attach. No party filed a response or otherwise appeared in opposition to [Debtor's/Debtors'] Motion. Based upon all matters of record, it is hereby

ORDERED that [Debtor's/Debtors'] Motion is granted as provided herein; it is

FURTHER ORDERED that, for purposes of the [Debtor's/Debtors'] chapter 13 case, the claim of [Respondent] related to the Lien [Claim No. ____, if filed] shall be treated as a general non-priority unsecured claim; and it is

FURTHER ORDERED that, effective upon entry of discharge in the [Debtor's/Debtors'] Chapter 13 case, the Lien of [Respondent] evidenced by a security deed recorded in the Superior Court of [County Name] County at Deed Book [___], Page [___], shall be deemed void without further order pursuant to 11 U.S.C. Sections 506(a), (d) and 1322(b)(2); provided, however, that the Court reserves jurisdiction to consider if appropriate the avoidance of Respondent's Lien prior to entry of a discharge under 11 U.S.C. Section 1328(a). In the event the [Debtor's/Debtors'] case is dismissed or converted to chapter 7, the Lien of Respondent shall not be affected by this Order in accordance with 11 U.S.C. Sections 349(b)(1)(C) or 348(f)(1)(B) as applicable.

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