This sample language is being provided for your convenience and was approved for use by Judge Specie. **Highlighted areas are required information.** Text in blue is to be included only if applicable to the specific motion for which it is being submitted.

**UNITED STATES BANKRUPTCY COURT**

**NORTHERN DISTRICT OF FLORIDA**

**[DIVISIONAL OFFICE (e.g., Tallahassee)]**

**In re:** **Case No.:** YY-CASENO-KKS

FLNB Local Sample Order 02 (Rev. 06/20)

**Chapter:** X

DEBTOR’S NAME

JOINT DEBTOR’S NAME

**Debtor(s)**

**ORDER GRANTING MOTION OF [CREDITOR’S NAME]**

**FOR RELIEF FROM STAY [DOC. #]**

This case is before the Court upon the Motion for Relief from Stay [Doc. #] filed by Creditor, [Creditor Name] (“Movant”). No party filed an objection within the proscribed time period, so the Court considers the matter unopposed. It is

ORDERED:

1. The Motion for Relief from Stay is GRANTED.

2. The automatic stay imposed by 11 U.S.C. § 362 is vacated as to the Movant’s enforcement of its mortgage on or security interest in the following property:

[Insert property ADDRESS and legal description.

IF LEGAL DESCRIPTION IS TO BE ATTACHED AS AN EXHIBIT TO ORDER, IT MUST CONTAIN THE CASE CAPTION, OR DEBTOR(S)’ NAME(S) AND CASE NUMBER, AND DOCKET NUMBER OF THE MOTION

3. This order is entered for the sole purpose of allowing the Movant to obtain *in rem* relief against the property and Movant shall not seek *in personam* relief against the Debtor.

4. **(ONLY IN CHAPTER 7s IN WHICH THE TRUSTEE HAS NOT ABANDONED THE PROPERTY)** The Trustee retains the Estate’s interest in the property. Movant shall notify the Trustee should there be any surplus funds from the foreclosure sale, or incentive funds in lieu of foreclosure or as a result of a short sale.

5. **OPTIONAL PROVISIONS THAT MAY BE INCLUDED IN THE PROPOSED ORDER, PROVIDED THE RELIEF WAS REQUESTED IN THE MOTION, AND IS APPLICABLE:**

* The Movant made sufficient allegations and a request in the Motion for Relief from Stay to waive the 14 day stay requirement of Bankruptcy Rule 4001(a)(3). No objection being raised, the automatic stay shall be lifted immediately upon execution of this order.
* It is further ordered that that Movant may offer and provide the debtor with information in regard to a potential Forbearance Agreement, Loan Modification, Refinance Agreement, or other Loan Workout/Loss Mitigation Agreement, and may enter into such agreement with the debtor provided the agreement complies with the Bankruptcy Code and all other applicable law. Movant, however, may not enforce or threaten to enforce any personal liability against the debtor if the debtor’s personal liability is discharged in this bankruptcy.

**DONE AND ORDERED** on .

KAREN K. SPECIE

Chief U.S. Bankruptcy Judge

Order prepared by: [Name]

Service: [Name of person submitting proposed order] is directed to service a copy of this order on interested parties and file a certificate of service within three (3) business days of entry of the order.