

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION

In re:

Chapter 11

TAYLOR, BEAN & WHITAKER
MORTGAGE CORP.,
REO SPECIALISTS, LLC, and
HOME AMERICA MORTGAGE, INC.

Case No. 3:09-bk-07047-JAF
Case No. 3:09-bk-10022-JAF
Case No. 3:09-bk-10023-JAF

Debtors.

Jointly Administered Under
Case No. 3:09-bk-07047-JAF

_____/

TAYLOR, BEAN & WHITAKER
MORTGAGE CORP.,

Case No. 3:09-bk-07047-JAF

Applicable Debtor.

**ORDER DENYING MOTION FOR RELIEF
FROM THE AUTOMATIC STAY FILED BY SAXON
MORTGAGE SERVICES, INC. REGARDING REAL PROPERTY**

THIS CASE came on for hearing on August 5, 2011, upon the Motion for Relief from the Automatic Stay (the “**Motion**”)¹ (Docket No. 3365) filed by Saxon Mortgage Services, Inc. Regarding Real Property (the “**Movant**”). The Court having heard argument of counsel, considering the record, finds:

1. That the Debtor does not have an interest in the real estate that is the subject of the Motion.
2. That said property is not property of the estate.

¹ All capitalized terms not otherwise defined have the meanings ascribed to them in the Motion.

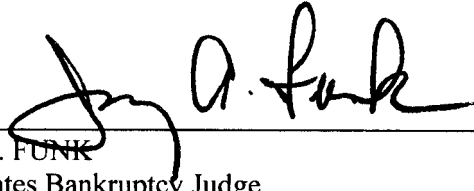
3. That the automatic stay in this case does not bar the Movant from continuing to foreclose the lien interest in question on the property located at 132 So Main St., Brooklyn, Connecticut 06239, legally described on the attached Exhibit A.

4. However, the automatic stay continues to stay any action to obtain a money judgment or any other type of *in personam relief* against the Debtor.

Accordingly, it is hereby

ORDERED that the Motion is denied, as moot.

DATED in Jacksonville, Florida on August 12, 2011.



JERRY A. FUNK
United States Bankruptcy Judge

EXHIBIT A

A CERTAIN TRACT OR PARCEL OF LAND, WITH ALL BUILDINGS THEREON STANDING, SITUATED IN EAST BROOKLYN SO-CALLED, IN THE TOWN OF BROOKLYN, COUNTY OF WINDHAM AND STATE OF CONNECTICUT, BEING THE SAME PREMISES CONVEYED TO GERARD FOUMIER AND CLAIRE FOUMIER BY WARRANTY DEED TO JOSEPH H. MOLLEUR AND EMELDA M. MOLLEUR DATED OCTOBER 3, 1942, AND RECORDED IN BROOKLYN LAND RECORDS, VOL. 28, PAGE 7, IN SAID DEED BOUNDED AND DESCRIBED AS FOLLOWS:

“ON THE NORTH BY LAND NOW OR FORMERLY OF THE QUINEBAUG COMPANY, ON THE EAST BY LAND NOW OR FORMERLY OF MAY BABSON; ON THE SOUTH BY THE STATE HIGHWAY FROM DANIELSON TO BROOKLYN, AND KNOWN AS MAIN STREET; AND ON THE WEST BY LAND NOW OR FORMERLY OF HENRY BERNIER AND DELIMA BERNIER. BEING THE SAME PREMISES DESCRIBED IN A CERTAIN WARRANTY DEED FROM FRANCOIS X. BERNIER TO JOSEPH H. MOLLEUR ANDX EMELDA M. MOLLEUR DATED MARCH 3, 1938 AND RECORDED IN BROOKLYN LAND RECORDS, VOLUME 24 AT PAGE 479. EXCEPTING, HOWEVER THAT CERTAIN TRACT OF LAND CONSISTING OF 0.12 OF AN ACRE OF LAND, MORE OR LESS, CONVEYED TO THE STATE OF CONNECTICUT BY QUIT-CLAIM DEED OF GERARD FOUMIER AND CLAIRE FOUMIER DATED AUGUST 16, 1955, AND RECORDED IN BROOKLYN LAND RECORDS VOL. 32, PAGES 488-489, IN SAID DEED BOUNDED AND DESCRIBED AS FOLLOWS:

NORTHERLY - BY LAND NOW OR FORMERLY OF DAVID SCHRAGE, ET ALS., 51 FEET, MORE OR LESS; EASTERLY - BY LAND NOW OR FORMERLY OF EMMA D. CHARTIER BOURDELAIS, 109 FEET, MORE OR LESS; SOUTHERLY - BY LAND OF THE RELEASORS HEREIN, 52 FEET, MORE OR LESS, BY A LINE WHICH IS 100 FEET SOUTHERLY FROM AND PARALLEL WITH THE BASE LINE OF THE RELOCATION OF ROUTE U.S. 6, MORE PARTICULARLY SHOWN ON MAP HEREINAFTER REFERRED TO; WESTERLY - BY LAND NOW OR FORMERLY OF ROBERT L. CROSS AND MARY B. CROSS, 109 FEET, MORE OR LESS. IT IS EXPRESSLY UNDERSTOOD AND AGREED THAT THE RELEASORS HEREIN WAIVE AND RELINQUISH ALL RIGHTS OF ACCESS DIRECTLY TO AND FROM THE RELOCATION OF ROUTE U.S. 6, FROM AND TO THE REMAINING LAND OF THE RELEASORS HEREIN, WHICH IS LOCATED ON THE SOUTHERLY SIDE OF THE ABOVE DESCRIBED PREMISES. FOR A MORE PARTICULAR DESCRIPTION OF THE ABOVE DESCRIBED PREMISES, REFERENCE IS MADE TO A MAP TO BE FILED IN THE BROOKLYN TOWN CLERK'S OFFICE, ENTITLED: “TOWN OF BROOKLYN, MAP SHOWING LAND & RIGHTS OF ACCESS ACQUIRED FROM GERARD & CLAIRE FORNIER BY THE STATE OF CONNECTICUT, RELOCATION OF ROUTE U.S. 6, SCALE 1"=40' AUGUST 1953, REVISED NOVEMBER, 1953, G. ALBERT HILL, HIGHWAY COMMISSIONER.”