

Filing # 77827917 E-Filed 09/13/2018 10:11:35 AM

IN THE CIRCUIT COURT OF THE FIRST JUDICIAL
CIRCUIT IN AND FOR SANTA ROSA COUNTY, FLORIDA
CIRCUIT CIVIL DIVISION
CASE NO.: 572015CA001060CAAXMX

LAKEVIEW LOAN SERVICING, LLC

Plaintiff,

v.

4859 HILARITA CIRCLE, PACE LAND TRUST, CDC
CAPITAL INVESTMENTS LLC AS TRUSTEE; KEITH D.
DAVIDSON; MEREDITH H. DAVIDSON N/K/A MEREDITH
ALICE HENRY; MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC., AS NOMINEE FOR
SHELTER MORTGAGE COMPANY, LLC; TIBURON WEST
OF SANTA ROSA COUNTY HOMEOWNERS
ASSOCIATION, INC.; ANY AND ALL UNKNOWN
PARTIES CLAIMING BY, THROUGH, UNDER, OR
AGAINST THE HEREIN NAMED INDIVIDUAL
DEFENDANT(S) WHO ARE NOT KNOWN TO BE DEAD
OR ALIVE, WHETHER SAID UNKNOWN PARTIES MAY
CLAIM AN INTEREST AS SPOUSES, HEIRS, DEVISEES,
GRANTEES, OR OTHER CLAIMANTS

Defendant(s)

FINAL JUDGMENT OF FORECLOSURE

This action was tried before the court. On the evidence presented

IT IS ADJUDGED that:

1. Plaintiff, LAKEVIEW LOAN SERVICING, LLC, 425 PHILLIPS BLVD, EWING, NJ 08618-1430, is due:

Principal due on the note secured by the mortgage foreclosed	\$ 128,851.46
Interest on the note and mortgage from 05/01/2015 to 06/25/2018	\$ 15,216.14
Per diem interest at 3.75% (\$ 13.24 per day), from 06/26/2018 to 08/31/2018	\$ 887.08
Hazard Insurance	\$6,767.28
Hazard Insurance for 2014	\$2,319.23
Hazard Insurance for 2015	\$2,480.05
Hazard Insurance for 2018	\$1,968.00
Taxes	\$3,685.21
Taxes for 2014	\$262.44
Taxes for 2015	\$966.23
Taxes for 2016	\$947.37
Taxes for 2017	\$1,509.17



SUBTOTAL	<u>\$155,407.17</u>
<u>Additional Costs:</u>	
Late Charges	<u>\$ 0.00</u>
HOA Search	<u>\$15.00</u>
Filing Cost	<u>\$25.35</u>
Property Inspections	<u>\$552.50</u>
Property Preservation	<u>\$5.00</u>
Service of Process	<u>\$55.00</u>
Title Search	<u>\$200.00</u>
SUBTOTAL	<u>\$156,260.02</u>
Less: Undisbursed escrow funds	<u>\$0.00</u>
Less: Other	<u>(\$2,345.76)</u>
Attorney Fees (as detailed in the Affidavit as to Plaintiff's Attorneys fees and Cost and Reasonable Attorneys Fees):	<u>\$3,932.55</u>
TOTAL	<u>\$ 157,846.81</u>

That shall bear interest at the rate of **5.97%** a year.

2. Plaintiff holds a lien for the total sum superior to all claims or estates of defendant(s), on the following described property in SANTA ROSA County, Florida:

Lot 6, Block B, TIBURON WEST, according to the plat thereof as recorded in Plat Book 9, Page 94 of the Public Records of Santa Rosa County, Florida.

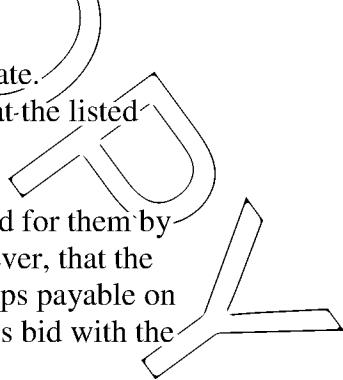
Property address: 4859 HILARITA CIR
PACE, FL 32571-1163

3. If the total sum with interest at the rate described in paragraph 1 and all costs accrued subsequent to this judgment are not paid, the clerk of this court shall sell the property at public sale on January 14, 2019 to the highest bidder for cash, except as prescribed in paragraph 4, at the SANTA ROSA County Courthouse, Santa Rosa County Courthouse North Front Door, 6865 Carolina Street, Milton, FL 32570 in accordance with Section 45.031, Florida Statutes, using the following method:

(CHECK ONE):

- At the above location, beginning at 11:00 AM on the prescribed date.
- By electronic sale beginning at **11:00 AM** on the prescribed date at the listed website, www.santarosa.realforeclose.com.

4. Plaintiff shall advance all subsequent costs of this action and shall be reimbursed for them by the clerk if plaintiff is not the purchaser of the property for sale, provided, however, that the purchaser of the property for sale shall be responsible for the documentary stamps payable on the certificate of title. If plaintiff is the purchaser, the clerk shall credit plaintiff's bid with the



total sum with interest and costs accruing subsequent to this judgment, or such part of it, as is necessary to pay the bid in full.

5. On filing the certificate of title the clerk shall distribute the proceeds of the sale, so far as they are sufficient, by paying: first, all of plaintiff's costs; second, documentary stamps affixed to the certificate; third, plaintiff's attorneys' fees; fourth, the total sum due to plaintiff, less the items paid, plus interest at the rate prescribed in paragraph 1 from this date to the date of the sale; and by retaining any remaining amount pending the further order of this court.
6. On filing the certificate of sale, defendant(s) and all persons claiming under or against defendant(s) since the filing of the notice of lis pendens shall be foreclosed of all estate or claim in the property, except as to claims or rights under chapter 718 or chapter 720, Florida Statutes, if any. Upon the filing of the certificate of title, the person named on the certificate of title shall be let into possession of the property.
7. The Court finds, based upon the affidavit presented and upon inquiry of counsel for the Plaintiff, that fees for Plaintiff's counsel in the amount of **\$3,932.55** is appropriate. PLAINTIFF'S COUNSEL REPRESENTS THAT THE ATTORNEY FEE AWARDED DOES NOT EXCEED ITS CONTRACT FEE WITH THE PLAINTIFF. The Court finds that there are no reduction or enhancement factors for consideration by the Court pursuant to Florida Patient's Compensation Fund v. Rowe, 472 So.2d 1145 (Fla. 1985).
8. The requested attorney's fees are a flat rate fee that the firm's client has agreed to pay in this matter. Given the amount of the fee requested and the labor expended, the court finds that a lodestar analysis is not necessary and that the flat fee is reasonable.
9. Jurisdiction of this action is retained to enter further orders that are proper including, without limitation, a deficiency judgment, except where a discharge is applicable or where service of process was not personally obtained.
10. The Plaintiff may assign the judgment and/or credit bid by the filing of an assignment without further Order of the Court.

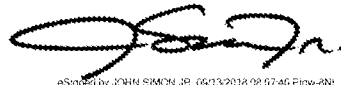
IF THIS PROPERTY IS SOLD AT PUBLIC AUCTION, THERE MAY BE ADDITIONAL MONEY FROM THE SALE AFTER PAYMENT OF PERSONS WHO ARE ENTITLED TO BE PAID FROM THE SALE PROCEEDS PURSUANT TO THE FINAL JUDGMENT.

IF YOU ARE A SUBORDINATE LIENHOLDER CLAIMING A RIGHT TO FUNDS REMAINING AFTER THE SALE, YOU MUST FILE A CLAIM WITH THE CLERK NO LATER THAN 60 DAYS AFTER THE SALE. IF YOU FAIL TO FILE A CLAIM, YOU WILL NOT BE ENTITLED TO ANY REMAINING FUNDS.

IF YOU ARE THE PROPERTY OWNER, YOU MAY CLAIM THESE FUNDS YOURSELF. YOU ARE NOT REQUIRED TO HAVE A LAWYER OR ANY OTHER REPRESENTATION AND YOU DO NOT HAVE TO ASSIGN YOUR RIGHTS TO ANYONE ELSE IN ORDER FOR YOU TO CLAIM ANY MONEY TO WHICH YOU ARE ENTITLED. PLEASE CHECK WITH THE CLERK OF THE COURT FOR SANTA ROSA COUNTY, FLORIDA, WITHIN 10 DAYS AFTER THE SALE TO SEE IF THERE IS ADDITIONAL MONEY FROM THE FORECLOSURE SALE THAT THE CLERK HAS IN THE REGISTRY OF THE COURT.

IF YOU DECIDE TO SELL YOUR HOME OR HIRE SOMEONE TO HELP YOU CLAIM THE ADDITIONAL MONEY, YOU SHOULD READ VERY CAREFULLY ALL PAPERS YOU ARE REQUIRED TO SIGN, ASK SOMEONE ELSE, PREFERABLY AN ATTORNEY WHO IS NOT RELATED TO THE PERSON OFFERING TO HELP YOU, TO MAKE SURE THAT YOU UNDERSTAND WHAT YOU ARE SIGNING AND THAT YOU ARE NOT TRANSFERRING YOUR PROPERTY OR THE EQUITY IN YOUR PROPERTY WITHOUT THE PROPER INFORMATION. IF YOU CANNOT AFFORD TO PAY AN ATTORNEY, YOU MAY CONTACT THE Northwest Florida Legal Services, Inc., 701 South J Street, Pensacola, FL 32502, Phone: (850) 432-3999, TO SEE IF YOU QUALIFY FINANCIALLY FOR THEIR SERVICES. IF THEY CANT ASSIST YOU, THEY MAY BE ABLE TO REFER YOU TO A LOCAL BAR REFERRAL AGENCY OR SUGGEST OTHER OPTIONS. IF YOU CHOOSE TO CONTACT THE Northwest Florida Legal Services, Inc., 701 South J Street, Pensacola, FL 32502, Phone: (850) 432-3999, FOR ASSISTANCE, YOU SHOULD DO SO AS SOON AS POSSIBLE AFTER RECEIPT OF THIS NOTICE.

DONE AND ORDERED at Milton, SANTA ROSA County, Florida, on this _____¹³ day of _____ SEPTEMBER, 20¹⁸.



eSigned by JOHN STRAWN JR. 06/13/2018 02:07:40 Pjpw-202

Circuit Judge

cc: copies furnished to the attached mailing list

KING HUDSON PLLC
Attn: IAN P. HUDSON, Esq.
360 CENTRAL AVE STE 803
ST PETERSBURG, FL 33701 3857
service@khlawfl.com
assistant@khlawfl.com

Attorney for Defendant 4859 HILARITA CIRCLE, PACE LAND TRUST, CDC CAPITAL INVESTMENTS LLC AS TRUSTEE

KEITH D. DAVIDSON
3012 N 24TH AVE
MILTON, FL 32583-5909

MEREDITH H. DAVIDSON N/K/A MEREDITH ALICE HENRY
4859 HILARITA CIR
PACE, FL 32571-1163

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MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., AS NOMINEE FOR
SHELTER MORTGAGE COMPANY, LLC
C/O CORPORATE COUNSEL
1901 E VOORHEES ST, STE C
DANVILLE, IL 61834-4512

TIBURON WEST OF SANTA ROSA COUNTY HOMEOWNERS ASSOCIATION, INC.
C/O KEVIN R. ETHERIDGE, as Registered Agent
908 GARDEN GATE CIR
PENSACOLA, FL 32504-8629

PHELAN HALLINAN DIAMOND & JONES, PLLC
2001 NW 64th Street
Suite 100
Ft. Lauderdale, FL 33309
Service by Email: FL.Service@PhelanHallinan.com
[DED@954-462-7001]

PHILIP HALLINAN
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