

Filing # 149845387 E-Filed 05/18/2022 02:42:15 PM

IN THE FLORIDA COURT OF THE FIRST JUDICIAL
CIRCUIT OF FLORIDA IN AND FOR SANTA ROSA
COUNTY
GENERAL JURISDICTION DIVISION
CASE NO: 19000896CAMXAX

WESTSTAR MORTGAGE CORPORATION,
Plaintiff,

vs.

TIMOTHY PHILMAN A/K/A TIMOTHY RAY
PHILMAN A/K/A TIMOTHY R. PHILMAN;
UNKNOWN SPOUSE OF TIMOTHY PHILMAN
A/K/A TIMOTHY RAY PHILMAN A/K/A TIMOTHY
R. PHILMAN; MICOLE PHILMAN A/K/A MICOLE
LYNN PHILMAN A/K/A MICOLE L. PHILMAN;
UNKNOWN SPOUSE OF MICOLE PHILMAN A/K/A
MICOLE LYNN PHILMAN A/K/A MICOLE L.
PHILMAN; STATE OF FLORIDA, DEPARTMENT OF
REVENUE; ANY AND ALL UNKNOWN PARTIES
CLAIMING BY, THROUGH, UNDER, AND
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 at a Non-Jury Trial on May 18, 2022. On the evidence presented. **IT IS ADJUDGED** that Plaintiff's Final Judgment is **GRANTED** against all defendants listed by name: TIMOTHY PHILMAN A/K/A TIMOTHY RAY PHILMAN A/K/A TIMOTHY R. PHILMAN; MICOLE PHILMAN A/K/A MICOLE LYNN PHILMAN A/K/A MICOLE L. PHILMAN; UNKNOWN SPOUSE OF MICOLE PHILMAN A/K/A MICOLE LYNN PHILMAN A/K/A MICOLE L. PHILMAN; UNKNOWN SPOUSE OF TIMOTHY PHILMAN A/K/A TIMOTHY RAY PHILMAN A/K/A TIMOTHY R. PHILMAN; STATE OF FLORIDA, DEPARTMENT OF REVENUE;

1. **Amounts Due.** Plaintiff, WESTSTAR MORTGAGE CORPORATION, whose address is c/o Weststar Mortgage Corporation, 2155 Louisiana Blvd NE, Suite 8000, Albuquerque, NM 87110, is due:

Principal	\$129,288.98
Interest to date of this judgment: May 18, 2022	\$20,864.91
Property Preservation/Inspections	\$600.00

19-387276 - AsB

Late Charges	\$1,828.31
Escrow	\$9,410.56
SUBTOTAL	\$161,992.76
Attorneys' Fees:	
Attorneys'-Fee Total:	[RESERVE ON FEE AMOUNT]
Court Costs, now taxed:	
Filing Fee:	\$938.43
Service of Process:	\$711.30
Lis Pendens:	\$17.50
Publication	\$261.18
Other:	\$206.89
Skip Trace: \$1.89	
Title: \$155.00	
Summons: \$50.00	
TOTAL SUM	\$164,128.06

That shall bear interest at a rate of 4.25%.

2. **Lien on Property.** 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:

THE EAST ½ OF THE SW ¼ OF THE NW ¼ OF THE NE ¼, LESS THE SOUTH 33 FEET FOR ROAD, SECTION 15, TOWNSHIP 2 SOUTH, RANGE 26 WEST, SANTA ROSA COUNTY, FLORIDA TOGETHER WITH 2009 LIVE OAK HOMES DOUBLEWIDE MOBILE HOME BEARING VIN # L0HGA10810715A AND L0HGA10810715B

Property Address: 9116 EAGLE NEST DR, NAVARRE, FL 32566

3. **Sale of Property.** 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 the **19th day of July, 2022**, to the highest bidder for cash, except as prescribed in paragraph 4, at the courthouse located at 6865 CAROLINE STREET, MILTON, FL 32570 in Santa Rosa County, Florida, in accordance with section 45.031, Florida Statutes (2013), using the following method:

www.santarosa.realforeclose.com beginning at 11:00 AM

4. **Costs.** 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. **Distribution of Proceeds.** 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. **Right of Redemption/Right of Possession.** 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, and defendant(s) right of redemption as prescribed by section 45.0315, Florida Statutes (2013) shall be terminated, 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. **Attorneys' Fees.** The Court finds that Plaintiff is entitled to recover reasonable attorney's fees and reserves jurisdiction to determine the amount.
- 8. **Jurisdiction Retained.** Jurisdiction is reserved over this action to enforce the Final Judgment and to enter further orders that are proper including, without limitation, an award of attorney's fees and costs, a deficiency decree (if sought and appropriate), writs of possession, orders granting leave to file supplemental and/or amended pleadings to add additional parties, and orders resolving any disputes with respect to assessments and/or other amounts allegedly due associations.

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 THIS FINAL JUDGMENT.

IF YOU ARE A SUBORDINATE LIEN HOLDER CLAIMING A RIGHT TO FUNDS REMAINING AFTER THE SALE, IF ANY, YOU MUST FILE A CLAIM WITH THE CLERK NO LATER THAN THE DATE THAT THE CLERK REPORTS THE FUNDS AS UNCLAIMED. IF YOU FAIL TO FILE A TIMELY CLAIM, YOU WILL NOT BE ENTITLED TO ANY REMAINING FUNDS.

If the property has qualified for the homestead tax exemption in the most recent approved tax roll, the following paragraphs shall apply:

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, 6865 CAROLINE STREET, MILTON, FL 32570, 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 (LEGAL SERVICES OF NORTH FLORIDA, INC., 118 SOUTH BAYLEN STREET,

PENSACOLA, FL 32501, PHONE: (850) 432-822) TO SEE IF YOU QUALIFY FINANCIALLY FOR THEIR SERVICES. IF THEY CANNOT ASSIST YOU, THEY MAY BE ABLE TO REFER YOU TO A LOCAL BAR REFERRAL AGENCY OR SUGGEST OTHER OPTIONS. IF YOU CHOOSE TO CONTACT LEGAL SERVICES OF NORTH FLORIDA, INC. FOR ASSISTANCE, YOU SHOULD DO SO AS SOON AS POSSIBLE AFTER RECEIPT OF THIS NOTICE.

DONE AND ORDERED.



eSigned by CIRCUIT COURT JUDGE CLIFTON DRAKE in 19000896CAMXAX on 05/18/2022 13:41:21 jyhCuGt

HONORABLE CLIFTON A. DRAKE
Circuit Judge

COPIES FURNISHED TO:

ROBERTSON, ANSCHUTZ, SCHNEID, CRANE & PARTNERS, PLLC
ATTORNEYS FOR PLAINTIFF
6409 CONGRESS AVE., SUITE 100
BOCA RATON, FL 33487
PRIMARY EMAIL: FLMAIL@RASLG.COM

TIMOTHY PHILMAN A/K/A TIMOTHY RAY PHILMAN A/K/A TIMOTHY R. PHILMAN
9116 EAGLE NEST DR
NAVARRE, FL 32566

MICOLE PHILMAN A/K/A MICOLE LYNN PHILMAN A/K/A MICOLE L. PHILMAN
10330 CLARENCE ST APT A 209
PANAMA CITY BEACH, FL 32407

UNKNOWN SPOUSE OF MICOLE PHILMAN A/K/A MICOLE LYNN PHILMAN A/K/A MICOLE L. PHILMAN
9116 EAGLE NEST DR
NAVARRE, FL 32566

UNKNOWN SPOUSE OF TIMOTHY PHILMAN A/K/A TIMOTHY RAY PHILMAN A/K/A TIMOTHY R. PHILMAN
9116 EAGLE NEST DR
NAVARRE, FL 32566

STATE OF FLORIDA, DEPARTMENT OF REVENUE
2450 SHUMARD OAK BLVD.
TALLAHASSEE, FL 32399

COPIES

FORM 1.998 FINAL DISPOSITION FORM

I. CASE STYLE

WESTSTAR MORTGAGE CORPORATION,
Plaintiff,

vs.

TIMOTHY PHILMAN A/K/A TIMOTHY RAY PHILMAN
A/K/A TIMOTHY R. PHILMAN; UNKNOWN SPOUSE OF
TIMOTHY PHILMAN A/K/A TIMOTHY RAY PHILMAN
A/K/A TIMOTHY R. PHILMAN; MICOLE PHILMAN
A/K/A MICOLE LYNN PHILMAN A/K/A MICOLE L.
PHILMAN; UNKNOWN SPOUSE OF MICOLE PHILMAN
A/K/A MICOLE LYNN PHILMAN A/K/A MICOLE L.
PHILMAN; STATE OF FLORIDA, DEPARTMENT OF
REVENUE, et al.

Defendant(s).

IN THE CIRCUIT COURT OF THE FIRST
JUDICIAL CIRCUIT IN AND FOR SANTA
ROSA COUNTY, FLORIDA
GENERAL JURISDICTION DIVISION
CASE NO. 19000896CAMXAX

Judge: Clifton A. Drake

II. AMOUNT OF FINAL JUDGMENT

Please indicate the amount of the final judgment, rounded to the nearest dollar. \$170,228.06

III. MEANS OF FINAL DISPOSITION (Place an "x" in one box for major category and one subcategory, if applicable, only)

- Dismissed Before Hearing
 - Dismissed Pursuant to Settlement Before Hearing
 - Dismissed Pursuant to Mediated Settlement - Before Hearing
 - Other - Before Hearing
- Dismissed After Hearing
 - Dismissed Pursuant to Settlement - After Hearing
 - Dismissed Pursuant to Mediated Settlement - After Hearing
 - Other After Hearing - After Hearing
- Disposed by Default
- Disposed by Judge
- Disposed by Non-Jury Trial
- Other

DATE _____

SIGNATURE OF ATTORNEY FOR PREVAILING PARTY

IN THE CIRCUIT COURT OF THE FIRST JUDICIAL CIRCUIT
IN AND FOR SANTA ROSA COUNTY, FLORIDA
GENERAL JURISDICTION DIVISION
CASE NO. 19000896CAMXAX

WESTSTAR MORTGAGE CORPORATION,
Plaintiff,
vs.

TIMOTHY PHILMAN A/K/A TIMOTHY RAY
PHILMAN A/K/A TIMOTHY R. PHILMAN; UNKNOWN
SPOUSE OF TIMOTHY PHILMAN A/K/A TIMOTHY
RAY PHILMAN A/K/A TIMOTHY R. PHILMAN;
MICOLE PHILMAN A/K/A MICOLE LYNN PHILMAN
A/K/A MICOLE L. PHILMAN; UNKNOWN SPOUSE OF
MICOLE PHILMAN A/K/A MICOLE LYNN PHILMAN
A/K/A MICOLE L. PHILMAN; STATE OF FLORIDA,
DEPARTMENT OF REVENUE, et al.
Defendant(s).

NOTICE OF FORECLOSURE SALE

NOTICE IS HEREBY GIVEN pursuant to a Final Judgment of Foreclosure dated _____, and entered in 19000896CAMXAX of the Circuit Court of the FIRST Judicial Circuit in and for SANTA ROSA County, Florida, wherein WESTSTAR MORTGAGE CORPORATION is the Plaintiff and TIMOTHY PHILMAN A/K/A TIMOTHY RAY PHILMAN A/K/A TIMOTHY R. PHILMAN; UNKNOWN SPOUSE OF TIMOTHY PHILMAN A/K/A TIMOTHY RAY PHILMAN A/K/A TIMOTHY R. PHILMAN; MICOLE PHILMAN A/K/A MICOLE LYNN PHILMAN A/K/A MICOLE L. PHILMAN; UNKNOWN SPOUSE OF MICOLE PHILMAN A/K/A MICOLE LYNN PHILMAN A/K/A MICOLE L. PHILMAN; STATE OF FLORIDA, DEPARTMENT OF REVENUE are the Defendant(s). Donald C. Spencer as the Clerk of the Circuit Court will sell to the highest and best bidder for cash at www.santarosa.realforeclose.com, at 11:00 AM, on _____, the following described property as set forth in said Final Judgment, to wit:

**THE EAST 1/2 OF THE SW 1/4 OF THE NW 1/4 OF THE NW 1/4 OF THE NE 1/4, LESS THE SOUTH 33 FEET FOR ROAD, SECTION 15, TOWNSHIP 2 SOUTH, RANGE 26 WEST, SANTA ROSA COUNTY, FLORIDA
TOGETHER WITH 2009 LIVE OAK HOMES DOUBLEWIDE MOBILE HOME BEARING VIN # L0HGA10810715A AND L0HGA10810715B**

Property Address: 9116 EAGLE NEST DR NAVARRE, FL 32566

Any person claiming an interest in the surplus from the sale, if any, other than the property owner as of the date of the lis pendens must file a claim in accordance with Florida Statutes, Section 45.031.

Dated this ____ day of _____, 2022.

Donald C. Spencer
As Clerk of the Court

By: _____
As Deputy Clerk

COPY

IMPORTANT

AMERICANS WITH DISABILITIES ACT: If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact: Court Administration, ADA Liaison, Santa Rosa County, 6865 Caroline Street, Milton, FL 32570, Phone (850) 623-3159, Fax (850) 982-0602, ADA.SantaRosa@flcourts1.gov, at least 7 days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than 7 days; if you are hearing or voice impaired, call 711.

Publish In: Escambia Sun Press

Submitted by: Robertson, Anschutz, Schneid, Crane & Partners, PLLC
Attorneys for Plaintiff

Robertson, Anschutz, Schneid, Crane & Partners, PLLC, Boca Raton, FL 33487

Telephone: 561-241-6901 Fax: 561-997-6909

IN THE CIRCUIT COURT OF THE FIRST JUDICIAL
CIRCUIT OF FLORIDA IN AND FOR SANTA ROSA
COUNTY, GENERAL JURISDICTION DIVISION
CASE NO. 19000896CAMXAX

WESTSTAR MORTGAGE CORPORATION,
Plaintiff,

vs.

TIMOTHY PHILMAN A/K/A TIMOTHY RAY PHILMAN
A/K/A TIMOTHY R. PHILMAN AND NICOLE PHILMAN
A/K/A MICOLE LYNN PHILMAN A/K/A MICOLE L.
PHILMAN, et al.
Defendant(s).

CERTIFICATE OF SALE

The undersigned clerk of the court certifies that the notice of public sale of the property described in the order or final judgment was published in Escambia Sun Press, a newspaper circulated in SANTA ROSA, Florida, in the manner shown by the proof of publication attached, and on _____, 2022, the property was offered for public sale to the highest and best bidder for cash. The highest and best bid received for the property in the amount of \$ _____ was submitted by _____, to whom the property was sold. The proceeds of the sale are retained for distribution in accordance with the order of final judgment or law.

WITNESS my hand and the seal of this court on _____, 2022.

Donald C. Spencer
As Clerk of the Court

By: _____
As Deputy Clerk

COPY

IN THE CIRCUIT COURT OF THE FIRST JUDICIAL
CIRCUIT IN AND FOR SANTA ROSA COUNTY,
FLORIDA
GENERAL JURISDICTION DIVISION
CASE NO. 19000896CAMXAX

WESTSTAR MORTGAGE CORPORATION,
Plaintiff,

vs.

TIMOTHY PHILMAN A/K/A TIMOTHY RAY PHILMAN
A/K/A TIMOTHY R. PHILMAN AND NICOLE PHILMAN
A/K/A MICOLE LYNN PHILMAN A/K/A MICOLE L.
PHILMAN, et al.
Defendant(s).

CERTIFICATE OF DISBURSEMENT

The undersigned clerk of the court certifies that he or she disbursed the proceeds received from the sale of the property as provided in the order or final judgment to the persons and in the amounts as follows:

<u>Name</u>	<u>Amount</u>
Clerk's Sale Fee	
Total disbursements	\$ _____
Surplus retained by Clerk, if any	\$ _____

IF YOU ARE A PERSON CLAIMING A RIGHT TO FUNDS REMAINING AFTER THE SALE, YOU MUST FILE A CLAIM WITH THE CLERK NO LATER THAN THE DATE THE CLERK REPORTS THE FUNDS AS UNCLAIMED. IF YOU FAIL TO FILE A CLAIM, YOU WILL NOT BE ENTITLED TO ANY REMAINING FUNDS. AFTER THE FUNDS ARE REPORTED AS UNCLAIMED, ONLY THE OWNER OF RECORD AS OF THE DATE OF THE LIS PENDENS MAY CLAIM THE SURPLUS.

WITNESS my hand and the seal of the Court this ____ day of _____, 2022.

Donald C. Spencer
As Clerk of the Court

By: _____
As Deputy Clerk

COPY

IN THE CIRCUIT COURT OF THE FIRST JUDICIAL
CIRCUIT IN AND FOR SANTA ROSA COUNTY, FLORIDA
GENERAL JURISDICTION DIVISION
CASE NO. 19000896CAMXAX

WESTSTAR MORTGAGE CORPORATION,
Plaintiff,

vs.

TIMOTHY PHILMAN A/K/A TIMOTHY RAY PHILMAN
A/K/A TIMOTHY R. PHILMAN; UNKNOWN SPOUSE OF
TIMOTHY PHILMAN A/K/A TIMOTHY RAY PHILMAN
A/K/A TIMOTHY R. PHILMAN; MICOLE PHILMAN A/K/A
MICOLE LYNN PHILMAN A/K/A MICOLE L. PHILMAN;
UNKNOWN SPOUSE OF MICOLE PHILMAN A/K/A
MICOLE LYNN PHILMAN A/K/A MICOLE L. PHILMAN;
STATE OF FLORIDA, DEPARTMENT OF REVENUE; ANY
AND ALL UNKNOWN PARTIES CLAIMING BY,
THROUGH, UNDER, AND 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).

CERTIFICATE OF TITLE

The undersigned Clerk of Court, certifies that he or she executed and filed a certificate of sale in this action on _____, 2022, for the property described herein and that no objections to the sale have been filed within the time allowed for filing objections. The following property is in Santa Rosa County, Florida:

**THE EAST 1/2 OF THE SW 1/4 OF THE NW 1/4 OF THE NW 1/4 OF THE NE 1/4, LESS THE SOUTH 33 FEET FOR ROAD, SECTION 15, TOWNSHIP 2 SOUTH, RANGE 26 WEST, SANTA ROSA COUNTY, FLORIDA
TOGETHER WITH 2009 LIVE OAK HOMES DOUBLEWIDE MOBILE HOME BEARING VIN # L0HGA10810715A AND L0HGA10810715B**

- a/k/a 9116 EAGLE NEST DR, NAVARRE, FL 32566

was sold to _____

WITNESS my hand and the seal of the court this ___ day of _____, 2022

Donald C. Spencer
As Clerk of the Court

By: _____
As Deputy Clerk

COPY