

Filing # 158201808 E-Filed 09/27/2022 12:50:45 PM

IN THE FLORIDA COURT OF THE
FIRST JUDICIAL CIRCUIT OF FLORIDA
IN AND FOR SANTA ROSA COUNTY
GENERAL JURISDICTION DIVISION
CASE NO: 19000843CAMXAX

SPECIALIZED LOAN SERVICING LLC,
Plaintiff,

vs.

PETER CHARLES WYATT; JOYCE ELIZABETH
WYATT A/K/A JOYCE E. WYATT; UNITED
STATES OF AMERICA, DEPARTMENT OF THE
TREASURY- INTERNAL REVENUE SERVICE;
FAIRWAYS AT TIGER POINT EAST
HOMEOWNERS' ASSOCIATION, INC.; 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).

AMENDED FINAL JUDGMENT OF FORECLOSURE

THIS ACTION was tried before the court at a Non-Jury Trial on September 9, 2022. On the evidence presented, it is

ORDERED AND ADJUDGED that Plaintiff's Final Judgment is **GRANTED** against all defendants listed by name: PETER CHARLES WYATT; JOYCE ELIZABETH WYATT A/K/A JOYCE E. WYATT; UNITED STATES OF AMERICA, DEPARTMENT OF THE TREASURY- INTERNAL REVENUE SERVICE; FAIRWAYS AT TIGER POINT EAST HOMEOWNERS' ASSOCIATION, INC.;

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1. **Amounts Due.** Plaintiff, SPECIALIZED LOAN SERVICING LLC, whose address is c/o Specialized Loan Servicing LLC, 6200 S. Quebec St, Suite 300, Greenwood Village, CO 80111, is due:

Principal	\$230,438.62
Deferred Unpaid Principal Balance:	\$600.00
Interest to date of this judgment: September 9, 2022	\$40,579.26
Escrow Advance	\$20,802.12
Inspections	\$280.00
SUBTOTAL	\$292,700.00
Attorneys' Fees:	
Finding as to reasonable number of hours rate for trial preparation and attendance: 10.00	
Finding as to reasonable hourly rate for trial preparation and attendance: \$175.00	
Flat Fee: \$5,525.00	
Attendance at Court: \$500.00	
Attorneys' Fee Total:	\$7,775.00
Court Costs, now taxed:	
Filing Fee:	\$938.08
Service of Process:	\$486.30
Lis Pendens:	\$15.50
Publication	\$265.85
Other:	\$195.00
Title: \$155.00	
Summons: \$40.00	
SUBTOTAL	\$302,375.73
Less: Suspense Balance (Unapplied)	(\$1,153.46)
TOTAL SUM	\$301,222.27

That shall bear interest at a rate of 4.34%.

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:

LOT 21, BLOCK D, FAIRWAYS AT TIGER POINT EAST, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK E, PAGE 47, PUBLIC RECORDS OF SANTA ROSA COUNTY, FLORIDA.

Property Address: 4080 LONGWOOD CIRCLE, GULF BREEZE, FL 32563

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 **9th** day of **November, 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, based upon the affidavits presented and upon inquiry of counsel for the Plaintiff, that the flat fee of \$5,525.00 is reasonable and appropriate for the Plaintiff's counsel's attorney's fees. Furthermore, the Court finds, based upon the affidavits presented and upon inquiry of counsel for the Plaintiff, that 10.00 hours were reasonably expended by Plaintiff's counsel and that and hourly rate of \$175.00 is appropriate. PLAINTIFF'S COUNSEL CERTIFIES THAT THE ATTORNEY FEE AWARDED DOES NOT EXCEED ITS CONTRACT FEE WITH PLAINTIFF. The Court finds that there are no reasons for either reduction or enhancement pursuant to *Florida Patient's Compensation Funds v. Rowe*, 472 So. 2d 1145 (Fla. 1985), and the Court therefore has awarded reasonable attorney's fees in the amount indicated in paragraph 1 of this Judgment.

The United States of America shall have the right of redemption provided by 28 U.S.C. §2410(c) and, if it is the successful bidder at the foreclosure sale, it shall be allowed thirty (30) days to deliver a Treasury check to the Clerk of Court in payment of the amount of its bid. Further, the deposit required by Florida Statutes 45.021(2) shall be waived.

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 19006643C/AMXAX on 09/27/2022 11:50:27 EST/ouPwY
CLIFTON A. DRAKE
Circuit Judge

COPIES FURNISHED TO:

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