

Filing # 176935863 E-Filed 07/07/2023 03:03:47 PM

FREEDOM MORTGAGE CORPORATION
PLAINTIFF,

IN THE CIRCUIT COURT OF THE
FIRST JUDICIAL CIRCUIT, IN AND FOR
SANTA ROSA COUNTY, FLORIDA

VS.

CIVIL DIVISION

JUDITH V. SUMERAU A/K/A JUDITH
SUMERAU; UNKNOWN TENANT IN
POSSESSION OF THE SUBJECT
PROPERTY; WATERWAYS AT TIGER
POINT EAST HOMEOWNERS
ASSOCIATION, INC.,
DEFENDANTS.

CASE NO.: 23000090CA

FINAL JUDGMENT OF FORECLOSURE

THIS ACTION was heard before the Court on Plaintiff's Motion for Summary Final Judgment on July 3, 2023. On the evidence presented, it is

ORDERED AND ADJUDGED that Plaintiff's Motion for Summary Judgment is **GRANTED** against all Defendants listed by name: JUDITH V. SUMERAU A/K/A JUDITH SUMERAU; UNKNOWN TENANT IN POSSESSION OF THE SUBJECT PROPERTY; UNKNOWN SPOUSE OF JUDITH V. SUMERAU A/K/A JUDITH SUMERAU; WATERWAYS AT TIGER POINT EAST HOMEOWNERS ASSOCIATION, INC.

1. Plaintiff, Freedom Mortgage Corporation, 10500 Kincaid Drive, Suite 300, Fishers, IN 46037 is due:

Principal due on the note secured by the mortgage	\$305,850.89
Interest from 03/01/20 to 07/03/23 Per Diem: 27.23	\$31,972.99
Hazzard Insurance	\$9,424.46
Taxes	\$6,947.46
Escrow Credit	(\$1,461.82)
Pre-Acceleration Late Charges	\$84.77
Title Commitment	\$250.00
Property Inspections	\$125.00
Property Preservation	\$30.00

Subtotal:	\$353,223.75
Costs, now taxed:	
Clerk Filing Fee	\$2,013.08
Service of Process	\$320.00
Mailing Costs	\$8.94
Subtotal:	\$355,565.77
Attorney's Fees	\$3,280.00
TOTAL	\$358,845.77

That shall bear interest at a rate of 7.69% per year.

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 52, BLOCK B, WATERWAYS AT TIGER POINT EAST SUBDIVISION,
 ACCORDING TO PLAT THEREOF, RECORDED IN PLAT BOOK D, PAGE 33, IN
 THE PUBLIC RECORDS OF SANTA ROSA COUNTY, FLORIDA.

Property address: 1293 Green View Ln, 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 **August 17, 2023** to the highest bidder for cash, except as prescribed in paragraph 4, at the courthouse located at 4025 Avalon Blvd, Milton, FL 32583 in Santa Rosa County, in accordance with section 45.031, Florida Statutes (2013), using the following method (CHECK ONE):

By electronic sale beginning at 11:00 A.M. CST the prescribed date at

www.santarosa.realforeclose.com

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 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 requested attorneys' 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.
8. **Jurisdiction Retained.** Jurisdiction of this action is retained to enter further orders that are proper including, without limitation, orders amending this final judgment, orders disbursing surplus proceeds, orders of reforeclosure, an award of attorney's fees and costs, orders authorizing writs of possession, orders to cure title defects and title issues, and orders resolving any disputes with respect to assessments and/or other amounts allegedly due association(s).
9. In addition to the amounts awarded above, Plaintiff shall be entitled to reasonable additional advances made by the Plaintiff subsequent to the date hereof, which are proper under the terms of the note and mortgage foreclosed herein (e.g., property taxes, insurance, property preservation), including reasonable attorney's fees and costs incurred.

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 CONTACT THE CLERK OF THE COURT, SANTA ROSA CLERK OF COURT, 6865 CAROLINE STREET, MILTON, FL 32572 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, 1741 N. Palafox St. Pensacola, Florida 32501, (850) 432-8222 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 FOR ASSISTANCE, YOU SHOULD DO SO AS SOON AS POSSIBLE AFTER RECEIPT OF THIS NOTICE.

DONE AND ORDERED.

eSigned by CIRCUIT COURT JUDGE CLIFTON A. DRAKE in 23000090CAMXAX on 07/07/2023 14:02:44 Uh1WPP0U

CLIFTON A. DRAKE
Circuit Judge

Plaintiff shall serve all parties named on the service list and "occupant" at property address

Miller, George & Suggs, PLLC
210 N. University Drive, Suite 900
Coral Springs, FL 33071
Telephone: 786-268-9954
DESIGNATED PRIMARY EMAIL FOR SERVICE
PURSUANT TO FLA. R. JUD. ADMIN 2.516:
ESERVICE@MGS-LEGAL.COM

SERVICE LIST

**Judith V. Sumerau A/K/A Judith Sumerau
1293 Green View Ln
Gulf Breeze FL 32563**

**Unknown Tenant in possession of the subject property
1293 Green View Ln
Gulf Breeze FL 32563**

**Waterways at Tiger Point East Homeowners Association, Inc.
c/o Leslie M. Simpson, Registered Agent
1278 Greenview Lane
Gulf Breeze FL 32563**