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

**Case No.: 23000729CAMXAX**

**NEWREZ LLC D/B/A SHELLPOINT MORTGAGE SERVICING,**

**Plaintiff,**

**vs.**

**WALTER H. BRANTLEY; LINDA N. BRANTLEY A/K/A LINDA G. BRANTLEY,**

**Defendants.**

**FINAL JUDGMENT OF FORECLOSURE**

THIS CAUSE was before the Court on Plaintiff's Motion for Summary Judgment. The hearing or trial was heard by the undersigned Circuit Judge and on the evidence presented and the Court being otherwise fully advised in the premises, it is thereupon,

**ORDERED AND ADJUDGED** as follows:

Final Judgment in favor of the Plaintiff, NEWREZ LLC D/B/A SHELLPOINT MORTGAGE SERVICING, PO Box 10826, Greenville, SC 29603, is **GRANTED** as to all counts and against the following Defendants: WALTER H. BRANTLEY; LINDA N. BRANTLEY A/K/A LINDA G. BRANTLEY.

1. **Amounts Due.** Plaintiff is due

Principal due on the note secured by the mortgage foreclosed:	\$8,347.00
Interest on the note and mortgage from 2/1/2022 to 7/26/2023	\$666.36
Per diem interest at 5.375% from 7/26/2023 to 11/20/2023	\$143.81
Corporate Advance	\$340.00
Late Charges	\$14.39
Insurance	\$7,533.31
Taxes	\$1,701.00
Court costs:	\$944.44

SUBTOTAL	\$18,745.87
Attorney's fees	\$5,273.75
Less: Escrow Balance	(\$2,772.24)
Less: Credits	(\$4,852.14)
TOTAL SUM	\$16,395.24

That shall bear interest at the statutory rate from this date forward.

2. **Lien on Property.** Plaintiff holds a lien for the total sum specified in Paragraph 1 herein. The lien of the Plaintiff is superior in dignity to any right, title, interest or claim of the following Defendants: **WALTER H. BRANTLEY; LINDA N. BRANTLEY A/K/A LINDA G. BRANTLEY**, and all persons, corporations, or other entities claiming by, through or under the Defendants or any of them, and the property will be sold free and clear of all claims of the Defendants, with the exception of any assessments that are superior pursuant to Sections 718.116 or 720.3085, Florida Statutes or the Declaration of Covenants, whichever provides the most protection for the Plaintiff from liability for past due assessment. Additionally, all liens and/or property transfers recorded after the recording of the *lis pendens* in this action are hereby foreclosed of their interest pursuant Fla. Stat. § 48.23. If the United States of America is a Defendant in this action, then pursuant to 28 U.S.C. § 2410(c), it shall have a period of 120 days from the date of sale to redeem the subject property. All municipal liens recorded after the mortgage, which do not have an independent statutory basis for super-priority are hereby foreclosed pursuant to *City of Palm Bay v. Wells Fargo Bank, N.A.*, 114 So.3d 924 (Fla. 2013), but the holders of any such liens may retain a right of redemption as provided by Fla. Stat. § 45.0315. The lien of the Plaintiff encumbers the subject property located in SANTA ROSA County, Florida, and described as:

**THE EAST 180 FEET OF THE WEST 675 FEET OF THE NORTH 100 FEET OF THE SOUTH 514 FEET OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 18, TOWNSHIP 1 NORTH, RANGE 28 WEST, SANTA ROSA COUNTY, FLORIDA**

Property Address: **4533 TRICE RD., MILTON, FL 32571**

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 the Court shall sell the property at public sale on January 9, 2024 (date) to the highest bidder for cash, except as prescribed in paragraph 4, by electronic sale beginning at 11:00AM CT on the prescribed date at [www.santarosa.realforeclose.com](http://www.santarosa.realforeclose.com) in accordance with section 45.031, Florida Statutes

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 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.

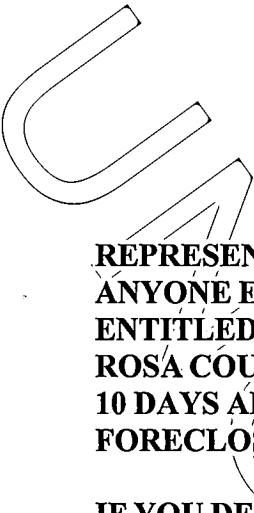
7. **Attorneys' Fees.** Plaintiff agreed to pay fees in this action that were charged as flat fee for a certain scope of services, plus an hourly fee for work that fell outside of the scope of the flat fee. The Court finds, based upon the affidavits and testimony presented and upon inquiry of counsel for the Plaintiff, that the flat fee of \$4,575.00 is a reasonable flat fee, that in addition to the flat fee, 3.25 hours were reasonably expended by Plaintiff's counsel and that the hourly rate of \$215 is appropriate, and that the total fee of \$5,273.75 is reasonable. PLAINTIFF'S COUNSEL CERTIFIES THAT THE ATTORNEY FEE AWARDED DOES NOT EXCEED ITS CONTRACT FEE WITH 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*, 427 So. 2d 1145 (Fla. 1985).

9. **Jurisdiction Retained.** Jurisdiction of this action is retained to enter further orders that are proper including, without limitation, a deficiency judgment.

**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, 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 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 IN AND FOR SANTA ROSA COUNTY AT 4025 AVALON BLVD., MILTON, FL 32583, (850) 626-7849, 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 AT 1741 N. PALAFOX STREET, 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** in SANTA ROSA County, Florida on this 20<sup>th</sup> day of November 2023.

  
Circuit Judge

Copies furnished to:

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