

IN THE CIRCUIT COURT IN AND  
FOR BAY COUNTY, FLORIDA

TRUSTMARK NATIONAL BANK,

Plaintiff,

vs.

BEACH DUNES OF PCB, LLC a/k/a  
BEACH DUNES OF PANAMA CITY BEACH,  
LLC, and SANCTUARY BEACH MASTER  
ASSOCIATION, INC.,

Defendants.

Case No. 10-1140 CA

FILED  
2010 JUN 17 P 4: 32  
BILL KINSAUL  
CLERK OF COURT  
BAY COUNTY, FLORIDA

**FINAL JUDGMENT OF FORECLOSURE**

This matter is before the Court on the Court's Order to Show Cause Why Final Judgment of Foreclosure Should Not Be Entered, and the Court having reviewed the pleadings on file and having heard argument of counsel, finds that a final judgment of foreclosure should be entered, it is, therefore,

ORDERED AND ADJUDGED THAT:

1. Plaintiff, TRUSTMARK NATIONAL BANK, is due \$1,118,222.76 as principal, \$59,556.87 as interest through the date of this judgment, \$2,987.50 for attorney fees and \$2,228.00 for court costs now taxed under the loan documents sued on in this action making a total sum of \$1,182,995.13, which amount bears interest at the rate of six percent (6%) per annum from the date of this judgment until paid.

2. Plaintiff holds a lien for the total sums superior to all claims or estates of the Defendants on the following described real property located in Bay County, Florida:

LOTS 6, 7, 8, 9 AND 10, OF BLOCK D, SANCTUARY BEACH,  
ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK  
21, PAGE(S) 35, OF THE PUBLIC RECORDS OF BAY COUNTY,  
FLORIDA

3. If the total sum with interest at the rate prescribed by law and all costs of this action accruing subsequent to this judgment are not paid within the time required by law, the Clerk of this Court shall sell the property on July 16, 2010 at

11:00 a.m. Central Time to the highest bidder for cash except as set forth below, by online sale at [www.bay.realforeclose.com](http://www.bay.realforeclose.com) in accordance with Chapter 45, Florida Statutes. At the time of the sale, the successful high bidder shall post with the Clerk a cash deposit equal to five percent (5%) of the final bid. The balance of the final bid shall be paid in cash or cash equivalent to the Clerk no later than 4:00 p.m. on the sale date. The successful high bid shall be exclusive of the clerk's registry fee and documentary stamps on the Certificate of Title which shall be paid by the successful bidder.

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 at the sale. If Plaintiff is the purchaser at the sale, the Clerk shall credit Plaintiff's bid with the total sum of this judgment 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 as far as they are sufficient, by paying: First, all of Plaintiff's costs accruing subsequent to this judgment; second, documentary stamps affixed to the Certificate of Title, unless the documentary stamps have already been paid by a purchaser other than Plaintiff; third, Plaintiff's attorneys' fees; fourth, the total sums due Plaintiff less the items paid plus interest at the rate of six percent (6%) from this date to the date of distribution of the proceeds; and by retaining any amount remaining pending further order of this Court.

6. If the subject 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 of foreclosure. 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, Bay County Courthouse, 300 East 4<sup>th</sup> Street, Panama City, Florida 32401 within ten (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.

7. If you decide to sell your property 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. at (850) 769-3581 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.


8. On filing the Certificate of Sale, Defendants and all persons claiming under or against the subject property since the filing of the Notice of Lis Pendens are foreclosed of all estate or claim in the property and the purchaser at the sale shall be let into possession of the property. This provision of the judgment shall not be construed as extending the time during which Defendants, may exercise a right of redemption. As set forth below, Defendants' right of redemption expires at the time of the judicial sale ordered in this judgment.

9. Pursuant to Section 45.0315, Florida Statutes, at any time before the filing of a Certificate of Sale by the clerk of the court, Defendants may cure the indebtedness adjudicated due herein and prevent a foreclosure sale by paying the amount of monies specified in this judgment, plus the reasonable expenses of proceeding to foreclosure incurred to the time of the tender, including reasonable attorneys' fees of the plaintiff. Otherwise, there is no right of redemption.

10. The Clerk, upon the request of the purchaser at the foreclosure sale, shall issue a writ of possession of the property to accomplish possession by purchaser without further order of Court. Jurisdiction of this action is retained to enter further orders as are proper, including, without limitation, enforcement of writs of possession.

11. The address for Plaintiff, Trustmark National Bank, is 144 Harrison Ave., Panama City, FL 32550.

16 DONE AND ORDERED in Chambers at Panama City, Bay County, Florida this  
day of June 2010.

  
CIRCUIT JUDGE

**Conformed Copies to:**

Stephen A. Pitre, Esquire  
Beach Dunes of PCB, LLC a/k/a Beach Dunes of Panama City Beach, LLC  
Sanctuary Beach Master Association, Inc.