

IN THE CIRCUIT COURT OF THE FOURTEENTH JUDICIAL CIRCUIT
IN AND FOR BAY COUNTY, FLORIDA
CIVIL ACTION

WELLS FARGO BANK, NA,

Plaintiff,

vs.

CASE NO. 03-2010-CA-001186
DIVISION J

FILED
2010 OCT 20 A 11:45
BILL KINSAUL
CLERK OF COURT
BAY COUNTY FLORIDA

SPACE FOR RECORDING ONLY F.S. §695.26

JAMES A. SWIHART; KAREN M. SWIHART; CELADON BEACH
OWNERS ASSOCIATION, INC.

Defendant(s).

FINAL SUMMARY JUDGMENT OF MORTGAGE FORECLOSURE

IT IS ADJUDGED THAT:

1. Plaintiff WELLS FARGO BANK, NA, 3476 Stateview Boulevard MAC #X7801-013, Fort Mill,

SC 29715 is due:

UNPAID PRINCIPAL BALANCE	\$190,889.07
INTEREST ON THE NOTE AND MORTGAGE FROM 12/1/2009 TO 9/7/2010	4,895.14
PER DIEM INTEREST AT 3.375% FROM 9/7/2010 TO 10/20/2010	731.00
TITLE SEARCH EXPENSES	175.00
TITLE EXAMINATION FEE	150.00
ATTORNEYS' FEES	\$1,450.00
FILING FEE	962.50
INVESTIGATION/SERVICE OF PROCESS	485.00
RECORDING FEE	6.00

PRE-ACCELERATED LATE CHARGES	143.28
THROUGH April 02, 2010	
ESCROW BALANCE	-458.82
PROPERTY PRESERVATION	60.00
TOTAL	\$199,488.17

That shall bear interest at the rate of 6% a year.

2. Plaintiff holds a lien for the total sum-superior to all claims, or estates of Defendant(s) on the following-described property in BAY County, Florida:

UNIT 1903, CELADON BEACH, A CONDOMINIUM, ALL AS SET FORTH IN THE DECLARATION OF CONDOMINIUM AND THE EXHIBITS ANNEXED THERETO AND FORMING A PART THEREOF, AS RECORDED IN OFFICIAL RECORDS BOOK 2416, PAGES 1622 THROUGH 1709, OF THE PUBLIC RECORDS OF BAY COUNTY, FLORIDA, AND AS MAY BE AMENDED FROM TIME TO TIME; TOGETHER WITH ALL OF ITS APPURTENANCES ACCORDING TO THE DECLARATION OF SAID CONDOMINIUM

A/K/A 17757 BEACH FRONT ROAD UNIT 1903 PANAMA CITY BEACH, FL 32413

3. 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 a public sale on November 29, 2010, at 11:00AM CST, or as soon thereafter as the sale may proceed, to the highest bidder for cash, except as prescribed in paragraph 5 WWW.BAY.REALFORECLOSE.COM

4. Plaintiff shall advance all subsequent costs of this 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 bid may be assigned without further Order of this Court and the Clerk shall credit the 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. 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 attorney's 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 amount remaining pending the further Order of this Court.

6. 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, 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. If any defendant remains in possession of the property, the clerk shall without further order of the court issue forthwith a writ of possession upon request of the person named on the certificate of title.

7. Jurisdiction of this action is retained to enter further orders that are proper including, without limitation, a deficiency judgment, if Plaintiff is not limited to in rem stay relief in an active bankruptcy case and/or if borrower(s) has not been discharged in bankruptcy or constructively served, together with additional attorney's fees, if appropriate.

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.

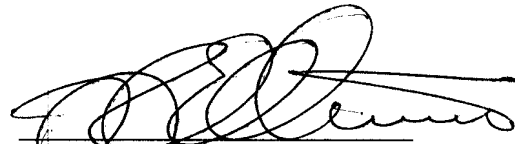
IF YOU ARE SUBORDINATE LIENHOLDER CLAIMING A RIGHT TO FUNDS REMAINING AFTER THE SALE, YOU MUST FILE A CLAIM WITH THE CLERK NO LATER THAN 60 DAYS AFTER THE SALE. IF YOU FAIL TO FILE A CLAIM YOU WILL NOT BE ENTITLED

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, 300 East Fourth Street, Panama City, FL 32401, Phone: 850-747-5157, 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. 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. - Panama City Office (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. - Panama City Office (850)769-3581, for assistance, you should do so as soon as possible after receipt of this notice.

~~DONE AND ORDERED~~ in Chambers, in BAY County, Florida, this 20th day of October, 2010.


Circuit Judge

Copies furnished to:
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