

IN THE CIRCUIT COURT OF THE 14TH
JUDICIAL CIRCUIT, IN AND FOR
BAY COUNTY, FLORIDA
CIVIL DIVISION
CASE NO. 2011 CA 000980

FOR CLERK'S USE ONLY

DEUTSCHE BANK NATIONAL TRUST COMPANY, AS
TRUSTEE FOR AMERIQUEST MORTGAGE SECURITIES
INC., ASSET-BACKED PASS-THROUGH
CERTIFICATES, SERIES 2005-R3

Plaintiff,

vs.

LANCE STANLEY; RENEE STANLEY; UNKNOWN
PERSON(S) IN POSSESSION OF THE SUBJECT
PROPERTY;

Defendants.

BILL KINSAUL
CLERK OF COURT
BAY COUNTY, FLORIDA

2012 FEB -6 P 4: 06

FILED



FINAL JUDGMENT OF MORTGAGE FORECLOSURE

THIS ACTION was heard before the Court. On the evidence presented, IT IS ADJUDGED that:

1. There is due and owing to Plaintiff:

A.	As unpaid principal of the indebtedness agreed to be paid in the mortgage herein foreclosed and the note secured thereby	\$164,234.69
B.	Interest through 02/06/12	17,473.88 ✓
C.	Advances by Plaintiff	5,260.45
	Taxes	805.36
	Property Inspections	76.80
	Hazard Insurance	4,278.29
	BPO	100.00
D.	Pre-Acceleration Late Charges	490.14
E.	Title Search	390.00
F.	Clerk's filing fee	941.00
G.	Service of process	165.00

SUBTOTAL \$188,955.16

Attorney's fees \$ 1,300.00

TOTAL \$190,255.16

that shall bear interest at the statutory rate of 4.75 % a year. Plaintiff shall also recover such further costs as may be incurred by the Plaintiff in this action, including, but not limited to, the sale fee and publication of the Notice of Sale, and any advances made by the Plaintiff subsequent to the date specified in item C of this paragraph which are proper under the terms of the note and mortgage foreclosed herein.

2. The Court finds that service of process was properly effected on each of the Defendants.

Plaintiff holds a lien for the total sum superior to all claims or estates of defendant(s) LANCE STANLEY; RENEE STANLEY; UNKNOWN PERSON(S) IN POSSESSION OF THE SUBJECT PROPERTY; on the following described property in BAY County, Florida:

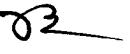
**LOT TEN (10), BLOCK "N", BAYWOOD SHORE ESTATES, UNIT TWO (2), AS PER
PLAT THEREOF RECORDED IN PLAT BOOK 10, PAGE 75, OF THE PUBLIC
RECORDS OF BAY COUNTY, FLORIDA.
a/k/a 611 BAYWOOD DRIVE, LYNN HAVEN, FLORIDA 32444-**

3. If the total sum set forth in paragraph 1 with interest at the interest rate prescribed by law and all costs of this action and proper advances pursuant to paragraph 1 accruing subsequent to this judgment are not paid, the Clerk of this Court shall sell the property at public sale on March 16, 2012 at 11:00 a.m., to the highest bidder for cash, except as prescribed in paragraph 5, BY ELECTRONIC SALE AT: WWW.BAY.REALFORECLOSE.COM, in accordance with Section 45.031, Florida Statutes.

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 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. If prior to the sale, Plaintiff shall be required to advance any monies pursuant to the provisions hereof, then Plaintiff or its attorneys shall so certify to the Clerk of this Court, and the amount due to Plaintiff as set forth in paragraphs 1 hereof shall be increased by the amount of such advances without further order of the Court. If Plaintiff is successful bidder at the sale, Plaintiff's rights as such may be assigned to a third party and, in that event, the Clerk of this Court is hereby ordered and directed to issue the Certificate of Title to Plaintiff's assignee upon application of Plaintiff and without further Order of this Court.

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 attorneys' fees; fourth, the total sum due to Plaintiff less the items paid, plus interest at the rate prescribed in paragraph 1 hereof from this date to the date of the sale. All sums to be disbursed to Plaintiff shall be made payable to Plaintiff's Attorney, Kahane & Associates, P.A. Trust Account and mailed to 8201 Peters Road, Suite 3000, Plantation, FL 33324; and by retaining any amount remaining pending the further order of this Court.

6. Upon issuance of the Certificate of Sale by the Clerk of the Court, the 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 ^{upon} ~~without~~ further order of the court  issue forthwith a writ of possession upon request of the person named on the certificate of title for the premises located at 611 BAYWOOD DRIVE, LYNN HAVEN, FLORIDA 32444-.

7. The requested attorney's fee is 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 of this action is retained to enter further orders as are proper including, without limitation, a deficiency judgment.

9. The retention of jurisdiction to enter deficiency judgments set forth in paragraph 8 above, shall not apply if personal liability has been discharged under the provisions of the U.S. Bankruptcy code (11 U.S.C. § 101, et seq.).

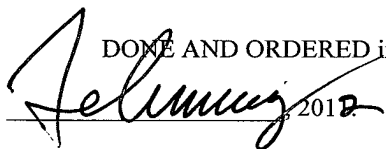
10. The rights of a ny tenant(s) residing in the above described real property are not those of a bona fide tenant under the provisions of the Protecting Tenants at Foreclosure Act or arise as a result of a tenancy at will and are subject to termination as provided by law.

NOTICE PURSUANT TO AMENDMENT TO SECTION, 45.031, FLA. ST. (2006)

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 PURUSANT 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 SIXTY (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, 300 EAST FOURTH STREET, RM.105, PANAMA CITY, FLORIDA 32401 (TELEPHONE: 850 8737182), 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, 221 EAST 23RD STREET, PANAMA CITY, FL 32405 PHONE: 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 THE BAY COUNTY BAR ASSOCIATION LEGAL AID SOCIETY, YOU SHOULD DO SO AS SOON AS POSSIBLE AFTER RECEIPT OF THIS NOTICE.

 DONE AND ORDERED in Chambers at Panama City, BAY County, Florida, this 6th day of July, 2012


CIRCUIT JUDGE

Copies furnished to the parties listed on the attached service list:

Summary Final Judgment
Case No. 2011 CA 000980

Kahane & Associates, P.A.
8201 Peters Road, Ste.3000
Plantation, FL 33324
Telephone: (954) 382-3486
Telefacsimile: (954) 382-5380

LANCE STANLEY
611 BAYWOOD DRIVE
LYNN HAVEN, FLORIDA 32444

RENEE STANLEY
611 BAYWOOD DRIVE
LYNN HAVEN, FLORIDA 32444

UNKNOWN PERSON(S) IN POSSESSION OF THE SUBJECT PROPERTY
611 BAYWOOD DRIVE
LYNN HAVEN, FLORIDA 32444