

IN THE CIRCUIT COURT OF THE
14TH JUDICIAL CIRCUIT, IN AND FOR BAY COUNTY, FLORIDA
CIVIL DIVISION:
CASE NO.: 03-2010-CA-001934

WELLS FARGO BANK, N.A., AS TRUSTEE FOR
THE CERTIFICATEHOLDERS OF BANC OF
AMERICA ALTERNATIVE LOAN TRUST 2004-9,
MORTGAGE PASS-THROUGH CERTIFICATES,
SERIES 2004-9,

Plaintiff,

vs.

LINDA L. CURBOW A/K/A LINDA F. CURBOW;
HOLIDAY POINT TOWNHOMES OWNERS
ASSOCIATION, INC.; WILLIAM L. CURBOW;
UNKNOWN TENANT (S); IN POSSESSION OF THE
SUBJECT PROPERTY,

Defendants.

FILED
2012 FEB 20 A 10:37
BILL KINSAUL
CLERK OF COURT
BAY COUNTY, FLORIDA

FINAL JUDGMENT OF FORECLOSURE

THIS ACTION was tried before the Court. On the evidence presented

IT IS ADJUDGED that:

1. Plaintiff, WELLS FARGO BANK, N.A., AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF BANC OF AMERICA ALTERNATIVE LOAN TRUST 2004-9, MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2004-9, is due:

Principal	\$	64,084.07
Interest from 11/1/2009 to 2/20/2012 (date of judgment)	\$	9,966.65
Escrow:		
Taxes	\$	1,996.60
Hazard Insurance	\$	6,734.70
Pre-Acceleration Late Charges	\$	111.15
Property Inspections	\$	180.00
Escrow/Suspense Credit	\$	188.42
Subtotal:	\$	83,261.59
Costs, now taxed:		
Title Search & Review	\$	325.00
Clerk Filing Fee	\$	954.00
Service of Process	\$	540.00
Subtotal:	\$	85,080.59
Attorney's fees		
Other*:		
(* 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.)		
Attorneys' fees total	\$	\$1,200.00
Total:	\$	\$86,280.59

that shall bear interest at the rate of 4.75% a year

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

SEE ATTACHED EXHIBIT "A" LEGAL DESCRIPTION

Property Address: **625 LAUREL STREET PANAMA CITY BEACH, FL 32407**


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 foreclosure sale is hereby scheduled to take place on-line on March 30, 2012 at 11:00 AM at www.bay.realforeclose.com. The Bay County Clerk of Court shall sell the property described to the highest bidder for cash after giving notice as required by 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.
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 the plaintiff's costs; second, documentary stamps affixed to the Certificate; third, plaintiff's attorneys' fees; fourth, the total sum due to the 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 the further order of this court.
5. On filing of 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 chapter 720, Florida Statutes, if any. Upon the filing of the certificate of title, the person named on the certificate of tile shall be let into possession of the property.
7. Jurisdiction of this action is retained to enter further orders that are proper including, without limitation, a deficiency judgment.
3. Upon issuance of the Certificate of Title, Plaintiff or the purchaser at the Foreclosure Sale shall be liable for association assessments pursuant to Florida Statutes 720.3085.

NOTICE PURSUANT TO SECTION 45.031, FLORIDA STATUTES.

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.

ORDERED at BAY County, Florida on February 20, 2012.



Circuit Judge

Copies sent to:
 Law Office of Marshall C. Watson
 1800 NW 49th Street, Suite 120
 Fort Lauderdale, Florida 33309
 Telephone: (954) 453-0365
 Facsimile: (954) 771-6052
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Exhibit "A"

Commence at the Northwest Corner of the Northeast Quarter of the Southwest Quarter of Section 27, Township 3 South, Range 16 West; thence South 89°36'00" East along the North boundary line of said Northeast Quarter of the Southwest Quarter for 1327.50 feet to the Northeast Corner of Original Government Lot 3; thence South 00°01'00" East, along the East line of said Lot 3 for 594.85 feet; thence North 89°36'14" West for 81.50 feet; thence South 00°01'00" East for 62.28 feet for the Point of Beginning; from said Point of Beginning continue South 00°01'00" East for 21.76 feet; thence South 89°43'07" West for 51.50 feet; thence North 00°01'00" West for 21.97 feet; thence North 89°56'47" East for 51.50 feet to the Point of Beginning.

MAILING LIST

Case No: 03-2010-CA-001934

LAW OFFICES OF MARSHALL C. WATSON, P.A.
ATTORNEY FOR PLAINTIFF
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FORT LAUDERDALE, FL 33309

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MARIETTA, GA 30060

HOLIDAY POINT TOWNHOMES OWNERS ASSOCIATION, INC.
C/O JENNIFER WINTRODE, R.A.
519 GRACE AVENUE
PANAMA CITY, FL 32401

WILLIAM L. CURBOW
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UNKNOWN TENANT (S)
625 LAUREL STREET
PANAMA CITY BEACH, FL 32407