

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

CASE NO.: 2008-CA-002310
DIVISION: J

FIRST NATIONAL BANK, successor by merger
to PARKVALE SAVINGS BANK,

Plaintiff,

vs.

TONY TOWSON, RODNEY LAWRENCE,
CHRISTINE BRADLEY, UNKNOWN
SPOUSE OF RODNEY LAWRENCE,
HANCOCK BANK, as assignee of the
FDIC as receiver for PEOPLES FIRST
COMMUNITY BANK, and JOHN C.
ROBERTS and ROBERT R. MITCHUM
as tenants in possession,

Defendants.

UNIFORM FINAL JUDGMENT OF FORECLOSURE
(Per Administrative Order 2010.01-01)

THIS ACTION was heard before the Court on Plaintiff's Motion for Summary Final Judgment of Foreclosure on **August 20, 2012**. Defendant, TONY TOWSON, previously entered into a Stipulation for Entry of Final Judgment of Foreclosure with PARKVALE SAVINGS BANK. Based on the evidence presented and being otherwise fully informed in the premises,

IT IS ADJUDGED that:

1. The Plaintiff's Motion for Summary Judgment is GRANTED.
2. There is due and owing to the Plaintiff the following:

Principal due on the note secured by the mortgage foreclosed:	\$775,080.00
Interest on the note and mortgage through 8/20/12 (interest rate @ \$57.69 per diem)	\$109,383.02
Late Fees Outstanding	\$ 5,060.19
Escrow amount due	\$ 33,519.73
SUBTOTAL	\$923,042.94

FILED
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BILL KINSAUL
CLERK OF COURT
BAY COUNTY, FLORIDA

Court Costs:

Filing fees:	\$1,980.00	
Service of Process	\$ 745.00	
Title Search Expenses	\$ 175.00	
	SUBTOTAL:	\$2,900.00
Attorney fees based on 20 hours for Mitchell D. Adler @ \$400 per hour		\$ 8,000.00
Attorney fees based on 3.5 hours for Michael S. Ross @ 400 per hour		\$ 1,400.00
Attorney fees based on 1.5 hours for Jessica S. Berman at \$175 per hour		<u>\$ 300.00</u>
	SUBTOTAL:	\$9,700.00
	GRAND	
	TOTAL:	<u>\$935,642.94</u>

3. The total sum referenced in Paragraph 2 shall bear interest from this date forward at the prevailing legal rate of interest.

4. Plaintiff, FIRST NATIONAL BANK, successor by merger to PARKVALE SAVINGS BANK, whose address is 4220 William Penn Highway Monroeville, PA 15146, holds a lien for the total sum specified in Paragraph 2 herein. The lien of the Plaintiff is superior in dignity to any right, title, interest or claim of the defendants 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 Florida Statutes, Section 718.116. The Plaintiff's lien encumbers the subject property located in Bay County, Florida and described as:

Lot 24, in Block 4, of PORT LAGOON, according to the Plat thereof, as recorded in Plat Book 8, at Page 27, of the Public Records of Bay County, Florida.

5. If the total sum with interest at the rate described in Paragraph 3 and all costs accrued subsequent to this judgment are not paid, the Clerk of the Court shall sell the subject property at public sale on Sept. 26, 2012, at www.bay.realforeclose.com starting at 11:00AM (CST) to the highest bidder for cash, except as prescribed in Paragraph 6, on the after having first given notice as required by Section 45.031, Florida Statutes. At least three (3) days prior to the sale, Plaintiff must pay the costs associated with the Notice of Publication.

6. Plaintiff shall advance all subsequent required costs of this action and shall be reimbursed for them by the Clerk if Plaintiff is not the purchaser of the property for sale. 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 a

third party bidder is the purchaser, the third party bidder must pay the documentary stamps attached to the certificate of title in addition to the bid.

7. If Plaintiff incurs additional expenses subsequent to the entry of this final judgment but prior to the sale date specified in paragraph 5 herein, Plaintiff may, by written motion served on all parties, seek to amend this final judgment to include said additional expenses.

8. 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, unless the property is purchased by a third party bidder; 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 3 from this date to the date of the sale; and by retaining any remaining amount pending further Order of this Court.

9. On filing of the Certificate of Title, defendant and all persons claiming under or against defendant since the filing of the Notice of Lis Pendens shall be foreclosed of all estate or claim in the property and the purchaser at sale shall be let into possession of the property. On filing of the Certificate of Sale, defendant's right of redemption as proscribed by Florida Statutes, Section 45.0315 shall be terminated.

10. Pursuant to Florida Statutes, Section 45.031:

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 THIS 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.

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 AT 850.763.9061 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.

12. The Plaintiff may assign the judgment and credit bid by the filing of an assignment without further order of the court.

13. The court retains jurisdiction of this action to enter further orders that are proper, including, without limitation, orders authorizing writs of possession ~~and an award of attorney's fees.~~ *03*

DONE AND ORDERED at Bay County, Florida on *August*, 2012.

[Signature]
CIRCUIT COURT JUDGE

Copies Furnished To:

Mitchell D. Adler, Esq., Greenspoon Marder, P.A., 100 Cypress Creek Road, Suite 700, Fort Lauderdale, Florida 33309

Nicole L. McMichen, Esq., Bryant & Higby, Chartered Post Office Drawer 860, Panama City, Florida 32402

Christine Bradley, 1747 Bradley Road, Westville, FL 32464

Rodney Lawrence, 312 Moonlight Bay Drive, Panama City Beach, FL 32407

Unknown Spouse Rodney Lawrence, 312 Moonlight Bay Drive, Panama City Beach, FL 32407

HANCOCK BANK, as assignee of the FDIC as receiver for Peoples First Community Bank, Attn: Diane Stewart, Legal Department, 1022 West 23rd Street, 2nd Floor, Panama City, FL 32405

Robert R. Mitchum, 6005 N. Lagoon Drive, Panama City, FL 32408