

**WYNDHAM VACATION RESORTS, INC., F/K/A  
FAIRFIELD RESORTS, INC., F/K/A FAIRFIELD  
COMMUNITIES, INC. A DELAWARE  
CORPORATION,**

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

**Plaintiff,**

**vs.**

**CASE NO. 2011-000348-CA**

**LLOYD MCINTOSH AND CHAKA  
MCDANIELS; ANNABEL SALAZAR AND  
NICOLAS SALAZAR; JESUS BARRERA, JR.  
AND ADRIANA BARRERA; UGO  
PELLEGRINO AND ROSE R. PELLEGRINO;  
BEVERLY C. GILCHRIST AND JEROME  
GILCHRIST; CHARLES F. STURMAN, JR. AND  
TRACY RAUB; ALLAN B. HASKINS;  
SAMANTHA L. LEE; DONNA R. WILLIAMS  
AND CASTON B. WILLIAMS; HUEY A.  
SEYFARTH JR. AND LINDA C. SEYFARTH;  
SIGFREDO B. RADA, JR AND JUNELYN T.  
RADA; JAMES E. ROBARGE AND KAY E.  
ROBARGE; CLAUDETTE C. HAYES; SHARON  
F. BROY, BERNARD GATEWOOD and  
EMERALD BEACH RESORT MUTLI-  
CONDMINIUM ASSOCIATION, INC. and  
PANAMA CITY BEACH VACATION OWNERS  
ASSOCIATION, INC.,**

**Defendants.**

**FILED**  
2013 MAR 11 P 12:59  
BILL KINSAUL  
CLERK OF COURT  
BAY COUNTY, FLORIDA

**FINAL JUDGMENT IN FORECLOSURE BY DEFAULT**

This cause coming on this day upon the Complaint, Defaults, Affidavits, and Motion for Final Judgment in Foreclosure by Default, filed herein, and the Court having considered the affidavits and pleadings filed herein, and having found that the preponderance of the evidence favors the Plaintiff, **WYNDHAM VACATION RESORTS, INC., F/K/A FAIRFIELD RESORTS, INC., F/K/A FAIRFIELD COMMUNITIES, INC. A DELAWARE CORPORATION.**, and that the Plaintiff is entitled to such judgment in foreclosure as a matter of law, it is hereby

**ORDERED AND ADJUDGED** as follows:

1. Judgment in favor of Plaintiff, WYNDHAM VACATION RESORTS, INC., F/K/A FAIRFIELD RESORTS, INC., F/K/A FAIRFIELD COMMUNITIES, INC. A DELAWARE CORPORATION, against Defendants, **LLOYD MCINTOSH, CHAKA MCDANIELS, JESUS BARRERA, JR., ADRIANA BARRERA, UGO PELLEGRINO, ROSE R. PELLEGRINO, BEVERLY C. GILCHRIST, JEROME GILCHRIST, ALLAN B. HASKINS, SAMANTHA L. LEE, DONNA R. WILLIAMS, CASTON B. WILLIAMS, SHARON F. BROY, EMERALD BEACH RESORT MUTLI-CONDMINIUM ASSOCIATION, INC. and PANAMA CITY BEACH VACATION OWNERS ASSOCIATION, INC.**, are hereby granted.

2. The Court has jurisdiction over the subject matter hereof and the parties hereto and the equities herein are with the Plaintiff.

3. The following sums are due the Plaintiff on the notes and mortgages foreclosed herein:

**COUNT I - LLOYD MCINTOSH, CHAKA MCDANIELS**

a.	Unpaid principal balance on the mortgage and note	\$10,218.16
b.	Interest on the principal balance through 12/2/2010 (per diem continuing at \$ 5.04)	\$1,361.18
	<b>TOTAL</b>	<b><u>\$11,579.34</u></b>

**COUNT III - JESUS BARRERA, JR., ADRIANA BARRERA**

a.	Unpaid principal balance on the mortgage and note	\$11,657.15
b.	Interest on the principal balance through 12/2/2010 (per diem continuing at \$ 5.75)	\$1,467.54
	<b>TOTAL</b>	<b><u>\$13,124.69</u></b>

**COUNT IV - UGO PELLEGRINO, ROSE R. PELLEGRINO**

a.	Unpaid principal balance on the mortgage and note	\$18,385.43
b.	Interest on the principal balance through 12/2/2010 (per diem continuing at \$ 8.56)	\$2,887.42
	<b>TOTAL</b>	<b><u>\$21,272.85</u></b>

**COUNT V - BEVERLY C. GILCHRIST, JEROME GILCHRIST**

a.	Unpaid principal balance on the mortgage and note	\$29,230.14
b.	Interest on the principal balance through 12/2/2010 (per diem continuing at \$ 8.40)	\$2,275.46
	<b>TOTAL</b>	<b><u>\$31,505.60</u></b>

**COUNT VII - ALLAN B. HASKINS**

a.	Unpaid principal balance on the mortgage and note	\$13,165.96
b.	Interest on the principal balance through 12/2/2010 (per diem continuing at \$ 6.49)	\$1,276.69
	<b>TOTAL</b>	<b><u>\$14,442.65</u></b>

**COUNT VIII - SAMANTHA L. LEE**

a.	Unpaid principal balance on the mortgage and note	\$11,073.21
b.	Interest on the principal balance through 12/2/2010 (per diem continuing at \$ 5.46)	\$1,394.35
	<b>TOTAL</b>	<b><u>\$12,467.56</u></b>

**COUNT IX - DONNA R. WILLIAMS, CASTON B. WILLIAMS**

a.	Unpaid principal balance on the mortgage and note	\$10,970.68
b.	Interest on the principal balance through 12/2/2010 (per diem continuing at \$ 5.56)	\$1,683.99
	<b>TOTAL</b>	<b><u>\$12,654.67</u></b>

**COUNT XIV - SHARON F. BROY**

a.	Unpaid principal balance on the mortgage and note	\$15,811.64
b.	Interest on the principal balance through 1/4/2011 (per diem continuing at \$ 6.28)	\$1,606.91
	<b>TOTAL</b>	<b><u>\$17,418.55</u></b>

4. Plaintiff holds liens for the total sum specified in Paragraph 3 above, superior in dignity to any claim or estate of the Defendants herein, upon the mortgaged property herein foreclosed, situated in Bay County, Florida, and described as follows:

**COUNT I - LLOYD MCINTOSH and CHAKA McDANIELS**

A 84000/2,182,407,500 undivided tenant-in-common fee simple interest in real property commonly known as Units 637, 640, 641, 645, 737-741, 744-747, 837-842, 844-847, 937-947, 1037-1047, 1137-1146, 1237-1246, 1337-1346, 1437-1446, 1537-1546, 1637-1646, 1737-1746, 1837-1846, 1937-1946, 2037-2046, 2137-2146, 2237-2246, 2337-2346, 2438, 2538 of EMERALD BEACH RESORT CONDOMINIUM III, according and subject to the Declaration of Condominium for Emerald Beach Resort Condominium III, as recorded in Official Records Book 2944, Page 2252, public records of Bay County, Florida, together with any and all appurtenances thereto and the DECLARATION OF VACATION PLAN FOR PANAMA CITY BEACH VACATION OWNERSHIP PLAN ("Timeshare Declaration"), as recorded in Official Records Book 3056, Page 1438 et. seq., public records of Bay County, Florida, together with any and all amendments and supplements thereto hereinafter the "VOI", the said Condominium Declaration and Timeshare Declaration being hereinafter collectively referred to as the "Declaration".

The Standard VOI described above has a 84000/2,182,407,500 Ownership Interest in the Units and Buildings described above and has been allocated 168,000 Points as defined in the Declaration for use in Even year(s).

**COUNT III - JESUS BARRERA, JR. and ADRIANA BARRERA**

A 84000/2,182,407,500 undivided tenant-in-common fee simple interest in real property commonly known as Units 637, 640, 641, 645, 737-741, 744-747, 837-842, 844-847, 937-947, 1037-1047, 1137-1146, 1237-1246, 1337-1346, 1437-1446, 1537-1546, 1637-1646, 1737-1746, 1837-1846, 1937-1946, 2037-2046, 2137-2146, 2237-2246, 2337-2346, 2438, 2538 of EMERALD BEACH RESORT CONDOMINIUM III, according and subject to the Declaration of Condominium for Emerald Beach Resort Condominium III, as recorded in Official Records Book 2944, Page 2252, public records of Bay County, Florida, together with any and all appurtenances thereto and the DECLARATION OF VACATION PLAN FOR PANAMA CITY BEACH VACATION OWNERSHIP PLAN ("Timeshare Declaration"), as recorded in Official Records Book 3056, Page 1438 et. seq., public records of Bay County, Florida, together with any and all amendments and supplements thereto hereinafter the "VOI", the said Condominium Declaration and Timeshare Declaration being hereinafter collectively referred to as the "Declaration".

The Standard VOI described above has a 84000/2,182,407,500 Ownership Interest in the Units and Buildings described above and has been allocated 168,000 Points as defined in the Declaration for use in Odd year(s).

#### **COUNT IV - UGO PELLEGRINO and ROSE R. PELLEGRINO**

A **154000/2,182,407,500** undivided tenant-in-common fee simple interest in real property commonly known as Units **637, 640, 641, 645, 737-741, 744-747, 837-842, 844-847, 937-947, 1037-1047, 1137-1146, 1237-1246, 1337-1346, 1437-1446, 1537-1546, 1637-1646, 1737-1746, 1837-1846, 1937-1946, 2037-2046, 2137-2146, 2237-2246, 2337-2346, 2438, 2538** of **EMERALD BEACH RESORT CONDOMINIUM III**, according and subject to the Declaration of Condominium for Emerald Beach Resort Condominium III, as recorded in Official Records Book 2944, Page 2252, public records of Bay County, Florida, together with any and all appurtenances thereto and the DECLARATION OF VACATION PLAN FOR PANAMA CITY BEACH VACATION OWNERSHIP PLAN ("Timeshare Declaration"), as recorded in Official Records Book 3056, Page 1438 et. seq., public records of Bay County, Florida, together with any and all amendments and supplements thereto hereinafter the "VOI", the said Condominium Declaration and Timeshare Declaration being hereinafter collectively referred to as the "Declaration".

The Standard VOI described above has a **154000/2,182,407,500** Ownership Interest in the Units and Buildings described above and has been allocated **154,000** Points as defined in the Declaration for use in **Each** year(s).

#### **COUNT V - BEVERLY C. GILCHRIST and JEROME GILCHRIST**

A **315000/2,182,407,500** undivided tenant-in-common fee simple interest in real property commonly known as Units **637, 640, 641, 645, 737-741, 744-747, 837-842, 844-847, 937-947, 1037-1047, 1137-1146, 1237-1246, 1337-1346, 1437-1446, 1537-1546, 1637-1646, 1737-1746, 1837-1846, 1937-1946, 2037-2046, 2137-2146, 2237-2246, 2337-2346, 2438, 2538** of **EMERALD BEACH RESORT CONDOMINIUM III**, according and subject to the Declaration of Condominium for Emerald Beach Resort Condominium III, as recorded in Official Records Book 2944, Page 2252, public records of Bay County, Florida, together with any and all appurtenances thereto and the DECLARATION OF VACATION PLAN FOR PANAMA CITY BEACH VACATION OWNERSHIP PLAN ("Timeshare Declaration"), as recorded in Official Records Book 3056, Page 1438 et. seq., public records of Bay County, Florida, together with any and all amendments and supplements thereto hereinafter the "VOI", the said Condominium Declaration and Timeshare Declaration being hereinafter collectively referred to as the "Declaration".

The Standard VOI described above has a **315000/2,182,407,500** Ownership Interest in the Units and Buildings described above and has been allocated **315,000** Points as defined in the Declaration for use in **Each** year(s).

#### **COUNT VII - ALLAN B. HASKINS**

A **105000/2,182,407,500** undivided tenant-in-common fee simple interest in real property commonly known as Units **637, 640, 641, 645, 737-741, 744-747, 837-842, 844-847, 937-947, 1037-1047, 1137-1146, 1237-1246, 1337-1346, 1437-1446, 1537-1546, 1637-1646, 1737-1746, 1837-1846, 1937-1946, 2037-2046, 2137-2146, 2237-2246, 2337-2346, 2438, 2538** of **EMERALD BEACH RESORT CONDOMINIUM III**, according and subject to the Declaration of Condominium for Emerald Beach Resort Condominium III, as recorded in Official Records Book 2944, Page 2252, public records of Bay County, Florida, together with any and all appurtenances thereto and the DECLARATION OF VACATION PLAN FOR PANAMA CITY BEACH VACATION OWNERSHIP PLAN ("Timeshare Declaration"), as recorded in Official Records Book 3056, Page 1438 et. seq., public records of Bay County, Florida, together with any and all amendments and supplements thereto hereinafter the "VOI", the said Condominium Declaration and Timeshare Declaration being hereinafter collectively referred to as the "Declaration".

The Standard VOI described above has a **105000/2,182,407,500** Ownership Interest in the Units and Buildings described above and has been allocated **210,000** Points as defined in the Declaration for use in **Even** year(s).

**COUNT VIII - SAMANTHA L. LEE**

A **84000/2,182,407,500** undivided tenant-in-common fee simple interest in real property commonly known as Units **637, 640, 641, 645, 737-741, 744-747, 837-842, 844-847, 937-947, 1037-1047, 1137-1146, 1237-1246, 1337-1346, 1437-1446, 1537-1546, 1637-1646, 1737-1746, 1837-1846, 1937-1946, 2037-2046, 2137-2146, 2237-2246, 2337-2346, 2438, 2538** of **EMERALD BEACH RESORT CONDOMINIUM III**, according and subject to the Declaration of Condominium for Emerald Beach Resort Condominium III, as recorded in Official Records Book 2944, Page 2252, public records of Bay County, Florida, together with any and all appurtenances thereto and the DECLARATION OF VACATION PLAN FOR PANAMA CITY BEACH VACATION OWNERSHIP PLAN ("Timeshare Declaration"), as recorded in Official Records Book 3056, Page 1438 et. seq., public records of Bay County, Florida, together with any and all amendments and supplements thereto hereinafter the "VOI", the said Condominium Declaration and Timeshare Declaration being hereinafter collectively referred to as the "Declaration".

The Standard VOI described above has a **84000/2,182,407,500** Ownership Interest in the Units and Buildings described above and has been allocated **168,000** Points as defined in the Declaration for use in **Even** year(s).

**COUNT IX - DONNA R. WILLIAMS and CASTON B. WILLIAMS**


A **77,000/2,182,407,500** undivided tenant-in-common fee simple interest in real property commonly known as Units **637, 640, 641, 645, 737-741, 744-747, 837-842, 844-847, 937-947, 1037-1047, 1137-1146, 1237-1246, 1337-1346, 1437-1446, 1537-1546, 1637-1646, 1737-1746, 1837-1846, 1937-1946, 2037-2046, 2137-2146, 2237-2246, 2337-2346, 2438, 2538** of **EMERALD BEACH RESORT CONDOMINIUM III**, according and subject to the Declaration of Condominium for Emerald Beach Resort Condominium III, as recorded in Official Records Book 2944, Page 2252, public records of Bay County, Florida, together with any and all appurtenances thereto and the DECLARATION OF VACATION PLAN FOR PANAMA CITY BEACH VACATION OWNERSHIP PLAN ("Timeshare Declaration"), as recorded in Official Records Book 3056, Page 1438 et. seq., public records of Bay County, Florida, together with any and all amendments and supplements thereto hereinafter the "VOI", the said Condominium Declaration and Timeshare Declaration being hereinafter collectively referred to as the "Declaration".

The Standard VOI described above has a **77,000/2,182,407,500** Ownership Interest in the Units and Buildings described above and has been allocated **154,000** Points as defined in the Declaration for use in **Odd** year(s).

**COUNT XIV - SHARON F. BROY**

A **259000/2,182,407,500** undivided tenant-in-common fee simple interest in real property commonly known as Units **637, 640, 641, 645, 737-741, 744-747, 837-842, 844-847, 937-947, 1037-1047, 1137-1146, 1237-1246, 1337-1346, 1437-1446, 1537-1546, 1637-1646, 1737-1746, 1837-1846, 1937-1946, 2037-2046, 2137-2146, 2237-2246, 2337-2346, 2438, 2538** of **EMERALD BEACH RESORT CONDOMINIUM III**, according and subject to the Declaration of Condominium for Emerald Beach Resort Condominium III, as recorded in Official Records Book 2944, Page 2252, public records of Bay County, Florida, together with any and all appurtenances thereto and the DECLARATION OF VACATION PLAN FOR PANAMA CITY BEACH VACATION OWNERSHIP PLAN ("Timeshare Declaration"), as recorded in Official Records Book 3056, Page 1438 et. seq., public records of Bay County, Florida, together with any and all amendments and supplements thereto hereinafter the "VOI", the said Condominium Declaration and Timeshare Declaration being hereinafter collectively referred to as the "Declaration".

The Standard VOI described above has a **259000/2,182,407,500** Ownership Interest in the Units and Buildings described above and has been allocated **259,000** Points as defined in the Declaration for use in **Each** year(s).

5. If the total sums with interest and all costs accrued subsequent to this judgment are not paid, the Clerk of this Court shall sell the property at public sale at 11:00 a.m. on April 25, 2013 to the highest bidder for cash, except as prescribed in Paragraph 6. *at 11:00 AM CST.* 

These foreclosure sales will be held online at the following website: [www.bay.realforeclose.com](http://www.bay.realforeclose.com). Please refer to this website for complete details. This sale will be held in accordance with Section 45.031, Florida Statutes.

6. Plaintiff shall advance all subsequent costs of this action and shall be reimbursed for them by the Clerk if Plaintiff is not the purchasers 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 the Plaintiff is the successful bidder at the sale, Plaintiff's rights as such may be assigned to a third party and, in that event, the Clerk of the Court is hereby ordered and directed to issue the Certificate of Title to Plaintiff assignee upon application of Plaintiff and without further order of this Court.

**7. 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 LIEN HOLDER 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.**

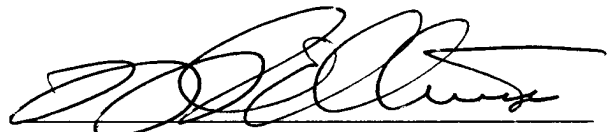
8. On filing the Certificate of Title, the Clerk shall distribute the proceeds of the sale, so far as they are sufficient by paying: first, all of Plaintiff's costs; second, documentary stamps affixed to the certificate; third, the total sum due Plaintiff, less the items paid, plus interest from this date to the date of the sale; and by retaining any remaining amount pending the further order of this court.

9. On filing the Certificate of Sale, Defendants' Right of Redemption as prescribed by Florida Statutes Section 45.0315 shall be terminated. On filing the Certificate of Title, Defendants' and all persons claiming under or against them since the filing of this action shall be foreclosed of all estate or claim in the property and the purchaser at the sale shall be let into possession of the property.

10. Jurisdiction of this action is retained to enter further orders that are proper including, without limitation, Writs of Possession.

11. The Promissory Notes and Mortgages sought to be reestablished in the Complaint are reestablished and shall have the effect of the originals on recording this judgment.

**ORDERED** in chambers in Bay County, Florida, this 11<sup>th</sup> day of March, 2013.

  
\_\_\_\_\_  
SENIOR JUDGE



**CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that a true and correct copy of the foregoing has been delivered by U. S. Mail or electronic delivery this \_\_\_\_\_ day of March, 2013, to:

**TARA C. EARLY**, Esq., 390 North Orange Avenue, Suite #260, Orlando, Florida 32801, timeshare@sg-law.us; tara@sg-law.us;

**LLOYD MCINTOSH**, and **CHAKA MCDANIELS**, 204 Grace Avenue, Dundee, FL 33838;

**JESUS BARRERA, JR.**, and **ADRIANA BARRERA**, 222 W 20th, Muleshoe, TX 79347;

**UGO PELLEGRINO**, and **ROSE R. PELLEGRINO**, 12 Glensummer Road, Holbrook, NY 11741-5006;

**BEVERLY C. GILCHRIST**, and **JEROME GILCHRIST**, 5116 Delancey Street, Philadelphia, PA 19143;

**ALLAN B. HASKINS**, 217-01 131st Avenue, Laurelton, NY 11413;

**SAMANTHA L. LEE**, 142 Woodrow Road, Winchester, VA 22602;

**DONNA R. WILLIAMS**, and **CASTON B. WILLIAMS**, 3162 Hadrian Court, Powder Springs, GA 30127;

**SHARON F. BROY**, 3812 Sequoia Avenue, Baltimore, MD 21215;

/s/ Tara C. Early

**Judicial Assistant/Attorney for Plaintiff**