

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

BANK OF AMERICA, N.A. AS SUCCESSOR BY MERGER TO BAC HOME LOANS SERVICING, LP F/K/A COUNTRYWIDE HOME LOANS SERVICING, LP,

Plaintiff,

vs.

CASE NO. 09001015 CA

ABIGAIL N. BROUGHTON; _____ BROUGHTON UNKNOWN SPOUSE OF ABIGAIL N. BROUGHTON, IF MARRIED; TRACY M. REALE A/K/A TRACY REALE A/K/A TRACY REELE; _____ REALE UNKNOWN SPOUSE OF TRACY M. REALE A/K/A TRACY REALE A/K/A TRACY REELE, IF MARRIED; USAA FEDERAL SAVINGS BANK; RESURGENCE FINANCIAL, LLC.; JANE DOE; JOHN DOE;

Defendant(s)

_____ /

FINAL JUDGMENT

This action was heard before the Court on Plaintiff's Non-Jury Trial on June 3, 2013.

IT IS ADJUDGED that:

1. Plaintiff, BANK OF AMERICA, N.A. AS SUCCESSOR BY MERGER TO BAC HOME LOANS SERVICING, LP F/K/A COUNTRYWIDE HOME LOANS SERVICING, LP, PO Box 5170, Simi Valley, CA 93062-5170, is due:

Principal Balance	\$86,462.55
Prejudgment Interest	\$23,938.76
Per diem interest at 5.625% from 8/1/2008 to 6/3/2013	
Pre-Acceleration Late Charges	\$51.80
Property Preservation	\$330.00
Property Inspection	\$642.05
Maintainance Fee	\$645.00
Hazard Insurance	\$10,450.43
Property Taxes	\$5,360.71
Repair	\$1,374.99
Copy of Court File	\$45.00
Clerk's Certified Documents	\$14.00

FILED June 3 2013
TIME 1:53 pm
Jenny Sullweaver
DEPUTY CLERK
BILL KINSAUL
CLERK OF CIRCUIT COURT
BAY COUNTY, FLORIDA

Attorney's Fee	\$1,300.00
Other*	\$0.00

(*The requested attorney's fee is a flat fee that the firm's client has agreed to pay in this matter. Given the amount of the fee requested and the labor extended, the Court finds that a lodestar analysis is not necessary and that the flat fee is reasonable.)

GRAND TOTAL	\$130,615.29
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that shall bear interest at the prevailing legal rate of interest.

2. Plaintiff holds a lien for the total sum superior to all claims or estates of defendant(s), ABIGAIL N. BROUGHTON, single; TRACY M. REALE A/K/A TRACY REALE A/K/A TRACY REELE; USAA FEDERAL SAVINGS BANK; RESURGENCE FINANCIAL, LLC.; on the following described property in Bay County, Florida:

ALL THAT CERTAIN PARCEL OF LAND SITUATE IN THE COUNTRY OF BAY AND STATE OF FLORIDA, BEING KNOWN AND DESIGNATED AS FOLLOWS:

THE WEST 97.80 FEET OF LOTS 5 AND 6, IN BLOCK C, OF A.J BARNE'S PLAT OF CEDAR GROVE HEIGHTS, ACCORDING TO THE OFFICIAL PLAT THEREOF RECORDED IN PLAT BOOK 8, AT PAGE 9, IN THE PUBLIC RECORDS OF BAY COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS; BEGIN AT THE SOUTHWEST CORNER OF LOT 5, IN BLOCK C, OF SAID A.J. BARNE'S PLAT OF CEDAR GROVE HEIGHTS, AND THENCE RUN NORTH ALONG THE WESTERN BOUNDARY LINE OF LOTS 5 AND 6 FOR 144.00 FEET TO THE NORTHWEST CORNER OF LOT 6, IN SAID BLOCK C; THENCE EAST ALONG THE NORTHERN BOUNDARY LINE OF SAID LOT 6 FOR 97.80 FEET; THENCE SOUTH ALONG A LINE THAT IS PARALLEL TO THE WEST LINE OF SAID LOTS 5 AND 6 144.00 FEET TO THE SOUTHERN BOUNDARY LINE OF LOT 5; THENCE WEST ALONG SAID SOUTHERN BOUNDARY LINE OF LOT 5 FOR 97.80 FEET TO THE POINT OF BEGINNING.

A/K/A

**2915 17th St E
Panama City, FL 32405**

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 public sale to the highest bidder for cash, except as set forth hereinafter, on

Oct. 3, 2013 at 11:00 AM at 11:00 AM in accordance with Chapter 45, 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 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 remaining amount 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 at 2915 17th St E, Panama City, FL 32405.

7. Jurisdiction of this action is retained to enter further orders that are proper including, without limitation, a deficiency judgment.

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 BAY COUNTY COURTHOUSE 300 EAST 4TH STREET, 3RD FLOOR, PANAMA CITY, FL, 32401, 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., 221 EAST 23RD STREET, SUITE B, PANAMA CITY, FL 32405, (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. FOR ASSISTANCE, YOU SHOULD DO SO AS SOON AS POSSIBLE AFTER THE RECEIPT OF THIS NOTICE.

8. The Plaintiff may assign the judgment and credit bid by the filing of an assignment without further Order of the Court.

9. Count II of the Complaint is hereby dismissed as moot, as the Plaintiff has filed the original note.

DONE AND ORDERED this 3 day of June, 2013 at Bay County, Florida.



Circuit Court Judge

cc:
Law Offices of Daniel C. Consuegra
9204 King Palm Drive
Tampa, FL 33619-1328
Attorneys for Plaintiff
Mailed to all parties listed on the attached service list.

MASTER CIVIL SERVICE LIST

ABIGAIL N. BROUGHTON
2915 E 17TH STREET
PANAMA CITY, FL 32405

USAA FEDERAL SAVINGS BANK
LISA HABY
9800 FREDERICKSBURG RD
SAN ANTONIO, TX 78288

RESURGENCE FINANCIAL, LLC.
LANELLE COLLINS
4100 COMMERCIAL AVE
NORTHBROOK, IL 60062

ABIGAIL BROUGHTON
206 W. BLANCAS DR.
COPPERAS COVE, TX 76522

ABIGAIL BROUGHTON
238 16TH STREET
PANAMA CITY BEACH, FL 32413

TRACY M. REALE A/K/A TRACY REALE A/K/A TRACY REELE
2915 17TH STREET E.
PANAMA CITY, FL 32405

CURRENT RESIDENT
2915 17TH STREET E.
PANAMA CITY, FL 32405