

IN THE CIRCUIT COURT OF THE 14TH JUDICIAL CIRCUIT, IN AND FOR BAY COUNTY, FLORIDA
CASE NO. 03-2012-CA-000033

HSBC BANK USA, NATIONAL ASSOCIATION AS TRUSTEE FOR WELLS FARGO HOME EQUITY TRUST 2004-2;

Plaintiff,

vs.

LINDA J. SELLS; UNKNOWN SPOUSE OF LINDA J. SELLS; ANY AND ALL UNKNOWN PARTIES CLAIMING BY, THROUGH, UNDER AND AGAINST THE HEREIN NAMED INDIVIDUAL DEFENDANT(S) WHO ARE NOT KNOWN TO BE DEAD OR ALIVE, WHETHER SAID UNKNOWN PARTIES MAY CLAIM AN INTEREST AS SPOUSES, HEIRS, DEVISEES, GRANTEEES, OR OTHER CLAIMANTS; REGIONS BANK SUCCESSOR IN INTEREST TO AMSOUTH BANK; UNKNOWN TENANT(S) IN POSSESSION OF THE PROPERTY;

Defendants,

FINAL JUDGMENT OF FORECLOSURE

THIS ACTION was heard before the Court at Trial on September 16, 2013. On the evidence presented, **IT IS ORDERED AND ADJUDGED** that Plaintiff's Final Judgment of Foreclosure is **GRANTED** against all Defendants listed by name: **LINDA J. SELLS; UNKNOWN SPOUSE OF LINDA J. SELLS; REGIONS BANK SUCCESSOR IN INTEREST TO AMSOUTH BANK**, defendants:

1. Amounts Due and Owing. Plaintiff is due:

Principal due on the note secured by the mortgage foreclosed:	\$ 85,558.32
Interest from 11/01/2010 to 09/16/2013 at 5.950% (Per diem at \$13.95)	\$ 14,633.03
Late Fee	\$ 56.36
Property Inspections	\$ 265.00
BPO	\$ 170.00
Misc. Other Inspections	\$ 100.00
Property Preservations	\$ 765.00
Taxes for the year(s) of:	\$ 3,295.86
2012 - \$998.11	
2011 - \$1,027.29	
2010 - \$1,270.46	
Hazard Insurance for the year(s) of:	\$ 7,521.22
2012 - \$2,659.80	
2011 - \$2,666.96	
2010 - \$2,194.45	
Escrow Credit	(\$ 1,168.18)
<u>Attorneys' Fees:</u>	
<u>\$1,300.00 (Judgment and Sale Fee)</u>	
Attorneys' Fees Total	\$ 1,300.00

FILED
2013 SEP 16 A 10:03
BILL KINSAUL
CLERK OF COURT
BAY COUNTY, FLORIDA

* (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.)

SUBTOTAL	\$112,231.60
Complaint Filing Fee	\$ 945.00
Service of Process	\$ 415.00
Recording Fee	\$ 5.00
Title Ordered	\$ 250.00
Title Search Update	\$ 75.00
Pacer Report	\$ 5.00
Notice of Action - Publication	\$ 448.52
GRAND TOTAL	\$114,375.12

- Interest.** In accordance with Fla. Stat. § 55.03, statutory interest shall be payable at a rate of 4.75%, and shall be adjusted annually on January 1 of each year in accordance with the interest rate in effect on that date as set by the Chief Financial Officer until the Judgment is paid.
- Lien on Property.** Plaintiff, whose address is **1 HOME CAMPUS, DES MOINES, IA 50328**, holds a lien for the grand total sum superior to all claims or estates of the defendant(s), on the following described property in Bay County, Florida:

LOT 1, HIGH RIDGE ESTATES AS RECORDED IN PLAT BOOK 14, PAGE 47 OF THE PUBLIC RECORDS OF BAY COUNTY, FLORIDA.

Property Address: 22119 HIGH RIDGE ROAD, PANAMA CITY BEACH, FL 32413

- 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 on October 31, 2013 at 11:00 AM to the highest bidder for cash, except as prescribed in paragraph 4 and 5, at the <http://www.bay.realforeclose.com>, in accordance with section 45.031, Florida Statutes.

<http://www.bay.realforeclose.com>, beginning at 11:00 AM on the above date.

- 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 necessary to pay the bid in full.
- 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.
- 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 on the property and the purchaser at the sale, except as to claim 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 without further order of the court issue forthwith a writ of possession upon request of the person names on the certificate of title.
- Jurisdiction of this action is retained to enter further orders that are proper including, without limitation, writs of possession and a deficiency judgment.

9. In the event the instant case is dismissed by the Plaintiff, the Clerk of Court is hereby directed to release any original loan documents filed with the Court to counsel of record for Plaintiff.

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 LIEN HOLDER CLAIMING A RIGHT TO FUNDS REMAINING AFTER SALE, YOU MUST FILE A CLAIM WITH THE CLERK NO LATER THAT 60 DAYS AFTER THE SALE IF YOU FAIL TO FILE A CLAIM, YOU WILL NOT BE ENTITLED TO ANY REMAINING FUNDS.

(If the property being foreclosed on had qualified for the homestead tax exemption in the most recent approved tax roll, the final judgment shall additionally contain the following statement in conspicuous type):

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 BAY COUNTY Phone (850) 763-9061 at 300 EAST FOURTH STREET, ROOM 105, PANAMA CITY, FLORIDA 32401, 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 THE LEGAL SERVICES OF NORTH FLORIDA, 211 EAST ELEVENTH STREET, PANAMA CITY, FL 32401, (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 LEGAL AID FOUNDATION OF THE TALLAHASSEE BAR ASSOCIATION, 301 SOUTH MONROE STREET, ROOM 108, TALLAHASSEE, FL 32301, (850)222-3292, FOR ASSISTANCE, YOU SHOULD DO SO AS SOON AS POSSIBLE AFTER RECEIPT OF THIS NOTICE.

ORDERED in Bay County, Florida on Sept. 16, 2013


Circuit Judge

CASE NO. 03-2012-CA-000033

Copies to:

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LINDA J. SELLS ✓
20 JOY SPRINGS DR
SENOIA, GA 30276-6323

UNKNOWN SPOUSE OF LINDA J. SELLS
20 JOY SPRINGS DR
SENOIA, GA 30276-6323

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no envelope
provided

REGIONS BANK SUCCESSOR IN INTEREST TO AMSOUTH BANK
C/O LESLIE S. WHITE, ESQ.
PO BOX 3146
ORLANDO, FL 32802 ✓
lwhite@rushmarshall.com

UNKNOWN TENANT(S) IN POSSESSION OF THE PROPERTY ✓
22119 HIGH RIDGE ROAD
PANAMA CITY BEACH, FL 32413