

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

Case No. 2013-001754-CC

CEMEX CONSTRUCTION MATERIALS
FLORIDA, LLC, a Delaware limited
liability company

Plaintiff,

vs.

SALTER'S BUILDING COMPANY, INC.,
a Florida corporation;
CHRISTOPHER SALTER, Individually; and
LOC THI NGUYEN, Individually

Defendants.

2013 DEC 11 P 2:11
FILED
BILL KINSAUL
CLERK OF COURT
BAY COUNTY FLORIDA

_____ /

DEFAULT FINAL JUDGMENT OF FORECLOSURE AND DAMAGES

THIS CAUSE having come before this Court on the Plaintiff's Motion for Entry of Default Final Judgment for Damages and Foreclosure against Salter's Building Company, Inc., Christopher Salter and Loc Thi Nguyen and the Court being fully advised in the premises, it is hereby

ORDERED AND ADJUDGED

1. This Court has jurisdiction of and over the subject matter of this cause and over the parties to this action.
2. The address of Defendant, SALTER'S BUILDING COMPANY, INC., is Christopher Salter, Registered Agent, 9902 S. Thomas Drive, Unit 426, Panama City, Bay County, FL 32408; the address of Defendant, CHRISTOPHER SALTER, is 9902 S. Thomas Drive, Unit 426, Panama City, Bay County, FL 32408; and the address of Defendant, LOC THI NGUYEN, is 918 North East

Ave., Panama City, FL 32401. The address of Plaintiff, CEMEX CONSTRUCTION MATERIALS FLORIDA, LLC, is 3626 Quadrangle Blvd., Suite 200, Orlando, FL 32817.

3. Each of the Defendants in this action have been properly served with a Summons, Notice of Lis Pendens and a copy of the Complaint filed by Plaintiff. Each party has been defaulted due to failure to serve or file any paper as required by law.

4. The allegations contained in the Complaint have been proved by competent evidence, and the equities in this cause are with Plaintiff.

5. Plaintiff, CEMEX CONSTRUCTION MATERIALS FLORIDA, LLC, a Delaware limited liability company, shall recover from Defendants, SALTER'S BUILDING COMPANY, INC., and CHRISTOPHER SALTER, Individually, in the principal liquidated sum of \$2,175.65, plus \$790.75 in costs, plus \$345.08 in prejudgment interest, plus \$1,575.00 in attorneys' fees, for a total sum of **\$4,886.48**, which shall bear interest at the rate of 4.75% per year, for which the Defendants, SALTER'S BUILDING COMPANY, INC., and CHRISTOPHER SALTER, shall be jointly and severally liable, and for which let execution issue.

6. It is further ordered and adjudged that SALTER'S BUILDING COMPANY, INC., and CHRISTOPHER SALTER, Individually (the "judgment debtors"), shall complete under oath Florida Rule of Civil Procedure Form 1.977 (Fact Information Sheet), including all required attachments, and serve it on the judgment creditor's attorney, or the judgment creditor if the judgment creditor is not represented by an attorney, within forty-five (45) days from the date of this final judgment, unless the final judgment is satisfied or post-judgment recovery is stayed.

7. The *Claim of Lien* sued on by Plaintiff in this cause constitutes a valid lien on property located at 2806 Hawks Landing Blvd., Lynn Haven, Florida, more particularly described as:

Lot 23, Hawks Landing, according to the plat thereof, recorded in Plat Book 22, Pages 41 through 59, of the Public Records of Bay County, Florida (the "Property").

8. There is due and owing to the Plaintiff on the Claim of Lien sued on, the following sums:

Principal due on the Claim of Lien:	\$2,175.65
Interest - through November 15, 2013, at the rate of 4.75% per annum:	\$ 91.06
Attorneys' Fees:	\$1,575.00
Costs:	\$ 790.75
TOTAL DUE:	\$4,632.46

Thus, Plaintiff, is awarded a final judgment of foreclosure against the Property in the total amount of **\$4,632.46**, which shall bear interest at the rate of 4.75% per annum.

9. Plaintiff holds a lien to secure the payment of the total sum in and to the property described above. This lien is prior, paramount, and superior to all rights, claim, liens, interest, encumbrances, and equities of the Defendant, LOC THI NGUYEN, and all persons, firms, or corporations claiming by, through, or under Defendant, and the property will be sold free and clear of all claims of Defendant.

10. If the total sum due, with interest at the rate prescribed by law, and all costs of this action accruing subsequent to this Judgment are not paid, the clerk of this court shall sell the property at public sale, at 11:00 a.m. central time, on JAN 27 2014 (a date not less than 20

days after the date of this Judgment), to the highest bidder or bidders for cash, except as set forth hereinafter, in an online sale at www.bay.realforeclose.com.

11. Plaintiff shall be reimbursed by the clerk for all costs advanced by Plaintiff should a party other than Plaintiff be the purchaser of the property at the sale. Any purchaser other than Plaintiff shall pay all service charges assessed by the clerk of the court under F.S. 28.24, together with property documentary stamps to be affixed to the Certificate of Title. If Plaintiff is the purchaser, the clerk shall credit Plaintiff's bid with the total sum due hereunder with interest and costs accruing subsequent to this Judgment or the part of it as is necessary to pay the bid in full.

12. Any sums expended by Plaintiff for ad valorem taxes, hazard insurance, or property preservation also shall be credited to Plaintiff's bid. If Plaintiff is to include those sums in Plaintiff's bid, Plaintiff shall file an affidavit setting forth those expenditures.

13. On filing the Certificate of Title, the clerk shall distribute the proceeds of the sale and other money collected by the clerk in connection with 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 attorneys' fees; and fourth, the total sum due to Plaintiff plus interest at the rate prescribed by law from this date to the date of the sale. During the sixty (60) day period after the Clerk issues a Certificate of Disbursements, the Clerk shall hold any surplus pending further Order of this Court.

14. The sale shall be held in accordance with F.S. 45.031, and, when the clerk files the Certificate of Sale, all persons shall forever be barred and foreclosed of any and all equity or right of redemption in and to the above-described property. Furthermore, when the clerk files the Certificate of Title as provided by F.S. 45.031, the sale shall stand confirmed, and the purchasers at the sale, their heirs, representatives, successors, or assigns, without delay, shall be let into possession

of the premises as conveyed. The clerk of the court is specifically authorized to issue a Writ of Possession for the premises located at 2806 Hawks Landing Blvd., Lynn Haven, Florida, and the sheriff is authorized to serve the Writ of Possession immediately after issuance of the Certificate of Title.

15. Notice pursuant to §45.031, Fla. Stat.:

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 CLAIM WITH THE CLERK NO LATER THAN SIXTY (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, 300 EAST 4TH STREET, PANAMA CITY, FLORIDA, 32401 (TELEPHONE: (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.

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 AID SOCIETY AT LEGAL SERVICES OF NORTH FLORIDA, 211 E. 11TH STREET, PANAMA CITY, FLORIDA, 32401, 850-769-3581 OR <http://www.lsnf.org> 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 YOU SHOULD DO SO AS SOON AS POSSIBLE AFTER RECEIPT OF THIS NOTICE.

16. This court retains jurisdiction of this cause for the purpose of making any and all further orders as may be necessary and proper, including, without limitation, Writ of Possession and Deficiency Judgment.

DONE and ORDERED in Bay County, Florida, this 11th day of ~~November~~ ^{December}, 2013.



HONORABLE TIMOTHY C. CAMPBELL

Copies to:

- Ryan E. Davis, Esquire, PO Box 1391, Orlando, FL 32801-1391
- Loc Thi Nguyen, 918 North East Ave., Panama City, FL 32401 *2806 Hawkshanding Blvd, Lynn Haven, FL 32944*
- Christopher Salter, 9902 S. Thomas Drive, Unit 426, Panama City, Bay County, FL 32408
- Christopher Salter, 7203 Quail Hollow Street, Panama City Beach, FL 32408
- Salter's Building Company, Inc., Christopher Salter, Registered Agent, 9902 S. Thomas Drive, Unit 426, Panama City, Bay County, FL 32408
- Salter's Building Company, Inc., Christopher Salter, Registered Agent, 7203 Quail Hollow Street, Panama City Beach, FL 32408