

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

Case No. 12001908CA
Division

USDV FUND LP
Plaintiff,

vs.

VALENCIA JOHNSON, A SINGLE
WOMAN, CITY OF PANAMA CITY, A
POLITICAL SUBDIVISION OF THE STATE
OF FLORIDA' UNKNOWN OCCUPANT "A"
RESIDING AT 2125 E 7TH ST., PANAMA
CITY, FL 32401; UNKNOWN OCCUPANT
"B" RESIDING AT 2125 E 7TH ST.,
PANAMA CITY, FL 32401, AND
UNKNOWN TENANTS/OWNERS,
Defendants.

FILED 4/22/14
TIME 11:03 am
Jennifer Sullivan
DEPUTY CLERK
BILL KINSAUL
CLERK OF CIRCUIT COURT
BAY COUNTY, FLORIDA

FINAL JUDGMENT FOR PLAINTIFF

THIS CAUSE came before the Court for Trial on April 22, 2014, upon the evidence presented, it is hereby

ORDERED AND ADJUDGED as follows:

1. Final Judgment in Plaintiff's favor is hereby granted.
2. The Court has jurisdiction over the subject matter hereof and the parties hereto, and the equities herein are with the Plaintiff. All necessary parties have been served, and proof of such service is in the court file.
3. The following sums are due the Plaintiff on the note and mortgage foreclosed herein:

Principal	\$65,893.34
Accrued Interest	\$10,262.31
Pre-acceleration Late Charges	\$175.56
Property Taxes	\$1,614.73
Hazard Insurance	\$1,094.13
Escrow Credit	(\$720.85)
Property Inspection	\$103.05
Property Preservation	\$131.25
Subtotal - Amount due Plaintiff	\$78,553.52
Filing Fee	\$0.00
Title Search	\$325.00
Service of Process	\$0.00
Plaintiff's Attorney's Fees (flat rate agreement with Plaintiff)	\$675.00
Subtotal - Fees and Costs	\$1,000.00
Total Due	\$79,553.52

The total amount due as set forth above shall bear interest at the note rate, or the rate provided by §55.03(1), F.S., from date of this Judgment until paid. The court finds, pursuant to Florida Patient's Compensation Fund v. Rowe, 472 So.2d 1145 (Fla. 1985), that the number of hours expended by Plaintiff's counsel and the hourly rate charged are

reasonable in light of the complexity of this cause, the result obtained, the degree of expertise necessary and the amount in controversy. The court finds, therefore, that the attorney's fees awarded to Kass Shuler, P.A. are reasonable under Florida law.

4. Plaintiff holds a lien for the total sum specified in Paragraph 3, above, superior in dignity to any right, title, interest, or claims of any of the Defendants herein, upon the mortgaged property herein foreclosed, situated in Bay County, Florida, and described as follows:

BEGINNING 424 FEET EAST OF THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SECTION 3, TOWNSHIP 4 SOUTH, RANGE 14 WEST; RUNNING THENCE NORTH 210 FEET; THENCE EAST 60 FEET; THENCE SOUTH 210 FEET; THENCE WEST 60 FEET TO THE POINT OF BEGINNING. BEING IN AND A PART OF THE SOUTHWEST QUARTER OF SOUTHEAST QUARTER OF SAID SECTION 3, TOWNSHIP 4 SOUTH, RANGE 14 WEST.

and commonly described as: 2125 E 7TH ST, PANAMA CITY, FL 32401; including the building, appurtenances, and fixtures located therein.

5. If the aforesaid total sum due the Plaintiff, plus interest thereon at the rate prescribed by law and all costs of this proceeding incurred subsequent to the date of this Judgment are not paid, the Clerk of this Court shall sell all of the aforesaid property at public sale, at 11:00 A.M., on July 22 2014, to the highest bidder for cash, except as set forth below, on-line at www.bay.realforeclose.com, in accordance with Section 45.031, F.S. The sale shall not be held if Plaintiff or its agent is not present at the time of the sale.

6. Plaintiff shall advance all subsequent costs of this action and shall be reimbursed for them by the Clerk if a party other than the Plaintiff is the purchaser of the property at sale. The successful bidder shall be required to pay any documentary stamps and court registry fees at the time of payment of the bid amount, except that if the Plaintiff shall be the purchaser at the sale, the Clerk shall credit the bid of Plaintiff with the total sum herein found to be due the Plaintiff, together with interest and costs accruing subsequent to this Judgment or such part thereof.

7. In the event that additional sums are expended by Plaintiff to protect its interest, including but not limited to real estate taxes, hazard insurance, property preservation, or other necessary costs, Plaintiff shall file an affidavit setting forth such expenditures and seek Court approval for any such expenditures.

8. After confirmation of the sale, whether upon issuance of the Certificate of Title or by Order of this Court ruling upon any objections to the sale, the Clerk shall make distribution of any proceeds of the sale, so far as they are sufficient, by paying: (a) First, all costs and expenses of these proceedings and subsequent to the entry of this Judgment, including the cost of publishing the Notice of Sale and the Clerk's fee for making the sale; (b) Second, the cost of Documentary stamps affixed to the Certificate of Title and registry fees, if applicable; (c) Third, Plaintiff's attorney's fees; and (d) Fourth, the total sum herein found to be due the Plaintiff, less the items paid, plus interest on the amount of this Judgment from this date to the date of the sale at the rate prescribed by law, retaining any surplus pending further order of this Court.

9. Upon the Clerk filing the Certificate of Sale, the Defendants named herein, and any and all persons claiming by, through, under, or against any of the Defendants since the date of the filing of the Lis Pendens herein, are forever barred and foreclosed of and from any and all equity or right of redemption in and to the above described property. Upon issuance and filing of the Certificate of Title, the purchaser at the sale, its heirs, representatives, successors or assigns, shall be let into possession of said property without delay. The Clerk of the Court is hereby specifically

authorized to issue a Writ of Possession only after a notice and hearing is heard for the premises located at 2125 E 7TH ST, PANAMA CITY, FL 32401, and the Sheriff is hereby authorized to serve the Writ of Possession forthwith after issuance of the Certificate of Title upon further order of the Court .

10. The Court reserves jurisdiction of the parties and of this cause for the purpose of hearing such motions as the Plaintiff may file for: (a) a deficiency judgment against those parties who may be personally liable; (b) the issuance of a writ of possession; (c) determining the claims in and to any cash surplus that may be produced at the foreclosure sale; (d) awarding supplementary attorneys' fees; (e) a reforeclosure judgment/order to correct errors or omissions in the foreclosure action and (f) granting such other relief as may be appropriate.

11. The Court finds, based upon the affidavits presented and upon inquiry of counsel for the Plaintiff, that the fees charged to the Plaintiff by its attorneys are reasonable in light of the work performed, the complexity of the case, the expertise of the lawyers performing the work and the fees charged by other lawyers in the community handling similar cases. PLAINTIFF'S COUNSEL REPRESENTS THAT THE ATTORNEY FEE AWARDED DOES NOT EXCEED IT'S CONTRACT FEE WITH THE PLAINTIFF. The Court finds that there are no reduction or enhancement factors for consideration by the Court pursuant to Florida Patient's Compensation Fund v. Rowe, 472 So.2d 1145 (Fla. 1985).

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.

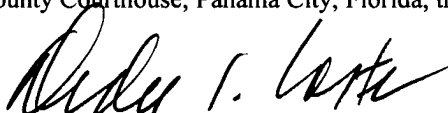
IF YOU ARE A SUBORDINATE LIENHOLDER CLAIMING A RIGHT TO FUNDS REMAINING AFTER THE SALE, YOU MUST FILE A CLAIM WITH THE CLERK NO LATER THAN 60 DAYS AFTER THE SALE. IF YOU FAIL TO FILE A CLAIM, YOU WILL NOT BE ENTITLED TO ANY REMAINING FUNDS.

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, BILL KINSAUL, 850-747-5102, 300 E. 4TH STREET P.O. BOX 2269, PANAMA CITY, FL, 32402- 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.-PANAMA CITY-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.-PANAMA CITY-850-769-3581 FOR ASSISTANCE, YOU SHOULD DO SO AS SOON AS POSSIBLE AFTER RECEIPT OF THIS NOTICE.

DONE AND ORDERED at the Bay County Courthouse, Panama City, Florida, this 22 day of April, 2014.



CIRCUIT JUDGE

Conformed Copy furnished to:

David J. Melvin
Kass Shuler, P.A.
P.O. Box 800
Tampa, FL 33601-0800
Attorney for Plaintiff

VALENCIA L. JOHNSON, A SINGLE WOMAN
2125 E 7TH ST.
PANAMA CITY, FL 32401

HALLEY STARK
833 HARRISON AVENUE, PANAMA CITY, FL 32401
hstark@bryanthigby.com
Attorney for Defendant, CITY OF PANAMA CITY, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA

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