

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

TRUSTMARK NATIONAL BANK, a national  
banking association, successor in interest  
via merger with BANKTRUST f/k/a  
CommerceSouth Bank

Plaintiff,

vs.

Case No.: 15-664-CA

PANAMA CITY CHIROPRACTIC, INC., a  
Florida corporation; JON SHERMAN a/k/a JON  
P. SHERMAN a/k/a JON PATRICK SHERMAN;  
and MICHELLE SHERMAN a/k/a MICHELLE E.  
SHERMAN a/k/a MICHELLE E. DIGIACOMO

Defendants.

FILED  
2015 OCT 15 P 3:52  
BILL KINSAUL  
CLERK OF COURT  
BAY COUNTY, FLORIDA

**SUMMARY FINAL JUDGMENT OF FORECLOSURE**

This action was tried before the court. On the evidence presented

**IT IS ADJUDGED** that:

**ORDERED AND ADJUDGED** that:

1. Plaintiff, TRUSTMARK NATIONAL BANK, a national banking association, successor in interest via merger with BANKTRUST f/k/a CommerceSouth, 509 Harrison Avenue, Panama City, Florida 32401, is due:

**Loan A:**

Principal Balance:	\$114,045.76
Interest to date of this Judgment:	\$4,450.95
Late fees:	\$6,210.09
Property Taxes (2010-2012):	\$6,454.40
Property Taxes (2013-2014):	\$3,050.23
Appraisal:	\$1,750.00
Title search expenses:	\$150.00
Attorneys' fees total:	\$4,635.00
Court costs, now taxed:	\$1,083.00
Other:	\$15.00

**Subtotal:** **\$141,844.43**

LESS: Escrow balance.	\$0
LESS: Other:	\$0

**Total** **\$141,844.43**

that shall bear interest at the rate of 4.75% from this date through December 31 of this current year. Thereafter, on January 1st of each succeeding calendar year until the judgment is paid, the interest rate

will adjust in accordance with section 55.03, Florida Statutes.

2. Plaintiff holds a lien for the total sum superior to all claims or estates of defendant(s), on the following described properties in Bay County, Florida:

Lot 2, Block 10, LESS 4.71 feet off the North side of lot, in the West Half of the Southwest Quarter of Section 36, Township 3 South, Range 15 West, Bay County, Florida, as platted by the St. Andrews Bay Real Estate Company, a copy of which plat is now in file in Plat No.4, in the Office of the Clerk of the Circuit Court of Bay County, Florida.

The Real Property or its address is commonly known as 3501 W. Highway 98, Panama City, Florida 32401.

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 on the 4 day of January, 2016, to the highest bidder for cash, except as set forth in paragraph 1, at the at the Bay County Courthouse located at 300 East Fourth Street, in Bay County, Panama City, Florida, in accordance with section 45.031, Florida Statutes using the following method (CHECK ONE):

☐ At the North Door of the Courthouse in Panama City, Florida, Bay County Courthouse, 300 East Fourth Street, Panama City, Florida 32401

☒ By electronic sale beginning at 11:00 a.m. CST on the prescribed date at [www.bay.realforeclose.com](http://www.bay.realforeclose.com).

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 attorneys' 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.

7. The court finds, based upon the affidavits/testimony presented and upon inquiry of counsel for the plaintiff that 20.60 hours were reasonably expended by plaintiff's counsel and that an hourly rate of \$225.00 is appropriate. Plaintiff's counsel represents that the attorney's fees awarded does not exceed its contract with the plaintiff. The court finds that there is/are no reduction or enhancement factors for consideration by the court pursuant to *Florida Patients Compensation Fund v. Rowe*, 472 So.2d 1145 (Fla. 1985).

8. Jurisdiction of this action is retained to enter further orders that are proper.

**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 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 CLERK OF THE COURT, 300 EAST 4TH STREET, PANAMA CITY, FL 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 LEGAL SERVICES OF NORTH FLORIDA, 211 E. 11<sup>TH</sup> STREET, PANAMA CITY, FLORIDA 32401; TELEPHONE: (850) 769-3581 FAX: (850) 785-2041, 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, 211 E. 11<sup>TH</sup> STREET, PANAMA CITY, FLORIDA 32401; TELEPHONE: (850) 769-3581 FAX: (850) 785-2041 FOR ASSISTANCE, YOU SHOULD DO SO AS SOON AS POSSIBLE AFTER RECEIPT OF THIS NOTICE.**


**DONE AND ORDERED** in Chambers Panama City, Bay County, Florida, this 15 day of October, 2015.


  
Honorable Hentz McClellan

cc: Plaintiff's Attorney:   
Dion J. Moniz, Esq.  
P.O. Drawer 1579  
Panama City, FL 32402

Defendant:   
Jon Sherman  
114 Sunset Circle  
Panama City Beach, FL 32407

Plaintiff:   
Trustmark National Bank  
c/o Tina Rutherford  
509 Harrison Avenue  
Panama City, FL 32401

Defendant:   
Michelle Sherman  
114 Sunset Circle  
Panama City Beach, FL 32407

Defendant:   
Panama City Chiropractic, Inc.  
c/o Jon Sherman  
8406 PC Beach Pkwy, Suite D  
Panama City Beach, FL 32407