

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

DITECH FINANCIAL LLC,

Plaintiff,

CASE NO.: 15000122CA

vs.

PENNY E. DULANEY F/K/A PENNY E.
BLACKBURN; UNKNOWN SPOUSE OF
PENNY E. DULANEY F/K/A PENNY E.
BLACKBURN; THE HAMMOCKS
RESIDENTIAL COMMUNITY ASSOCIATION,
INC.; UNKNOWN TENANT(S) IN
POSSESSION #1 and #2, and ALL OTHER
UNKNOWN PARTIES, including, if a named
Defendant is deceased, the personal
representatives, the surviving spouse, heirs,
devisees, grantees, creditors, and all other parties
claiming, by, through, under or against that
Defendant, and all claimants, persons or parties,
natural or corporate, or whose exact legal status is
unknown, claiming under any of the above named
or described Defendants,

Defendant(s).

FINAL JUDGMENT OF FORECLOSURE (IN REM)

THIS CAUSE, having come before the Court upon Non-Jury Trial and the Court having
reviewed the file and being fully advised in the premises,

IT IS ADJUDGED THAT:

1. **Amounts Due.** Plaintiff, DITECH FINANCIAL LLC, is due:

FILED
2016 APR -7 A 11:46
BILL KINSAUL
CLERK OF COURT
BAY COUNTY, FLORIDA

Principal	<u>\$260,433.60</u>
Interest on said principal balance through 4/7/2016	<u>\$48,825.85</u>
Late Charges accrued up to the acceleration date	<u>\$1,570.21</u>
MIP/PMI Insurance	<u>\$316.56</u>
Escrow Advances	<u>\$28,825.55</u>
Corporate Advances	<u>\$8,907.35</u>
Plaintiff's Attorney Fees	<u>\$2,800.00</u>
Subtotal	<u>\$351,679.12</u>
 TOTAL	 <u>\$351,679.12</u>

together with such further costs as may be incurred by the Plaintiff in this action, including, but not limited to, the sale fee and publication of the Notice of Sale, and any advances made by the Plaintiff subsequent to March 1, 2016 which are proper under the terms of the Note and Mortgage foreclosed herein. Following entry, this Judgment shall bear interest at the prevailing legal rate of interest pursuant to Florida Statute Section 55.03.

2. **Lien on Property.** Plaintiff holds a lien for the total sum superior to any claim or estate of all Defendants, on the following described property in Bay County, Florida:

LOT 22, BLOCK F, HAMMOCKS PHASE TWO, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 18, PAGE 58, PUBLIC RECORDS OF BAY COUNTY, FLORIDA.

3. **Sale of Property.** 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 May 20, 2016, at 11:00 AM, to the highest bidder for cash, at www.bay.realforeclose.com, in accordance with section 45.031, Florida Statutes.
4. **Costs.** 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. If plaintiff is the purchaser, the clerk shall credit plaintiff's bid with the total sum with interest and cost accruing subsequent to this judgment, or such part of it, as is necessary to pay the bid in full. If plaintiff is purchaser, the clerk shall issue title to plaintiff, or its Assignee (upon

Assignment of Bid with Clerk), without further payment or Order of this Court, except as herein provided.

5. **Distribution of Proceeds.** 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. **Right of Redemption/Right of Possession.** 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 and defendant's right of redemption as prescribed by section 45.0315, Florida Statutes (2013) shall be terminated, 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. **Attorneys' Fees.** The requested attorneys' fees are 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.
8. **Jurisdiction Retained.** 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 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

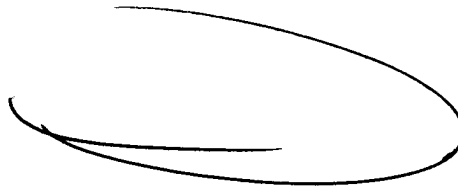
ARE ENTITLED. PLEASE CHECK WITH THE CLERK OF COURT, 300 EAST FORTH STREET, ROOM 105, PANAMA CITY, FL 32401 ((850) 763-9061), WITHIN TEN (10) DAYS AFTER THE SALE TO SEE IF THERE IS ADDITIONAL MONEY FROM THE FORECLOSURE SALE THAT THE CLERK HAS IN THE REGISTRY OF THE COURT. IF YOU DECIDE TO SELL YOUR HOME 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 PROPERTY 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. 221 EAST 23RD STREET, SUITE B, PANAMA CITY, FL 32405 (850-769-3581) FOR ASSISTANCE, YOU SHOULD DO SO AS SOON AS POSSIBLE AFTER RECEIPT OF THIS NOTICE.

9. In the event that a foreclosure sale is conducted pursuant to this Order and the successful purchaser fails to pay the initial deposit to the Clerk of Court and/or pay the complete purchase price to the Clerk of Court in accordance with the rules of the sale, the Clerk of Court shall reschedule the foreclosure sale pursuant to Florida Statute §45.031(2).
10. To the extent a non-resident cost bond has been filed by the Plaintiff, the Clerk of Court is directed to return the non-resident cost bond to Plaintiff payable as follows: POPKIN & ROSALER, P.A., 1701 WEST HILLSBORO BOULEVARD, SUITE 400, DEERFIELD BEACH, FL 33442.

11. Should the subject property be sold to a third party at the foreclosure sale, the Clerk of Court is directed to make the full amount of the sale proceeds due Plaintiff payable as follows:

**POPKIN & ROSALER, P.A. TRUST ACCOUNT, 1701 WEST HILLSBORO
BOULEVARD, SUITE 400, DEERFIELD BEACH, FL 33442.**

DONE AND ORDERED in chambers at Panama City, Bay County, Florida this 7th day of April, 2016.



Circuit Court Judge

Copies Provided to:
Brian L. Rosaler, Esquire
POPKIN & ROSALER, P.A.
Attorney for Plaintiff
1701 West Hillsboro Boulevard
Suite 400
Deerfield Beach, FL 33442

Penny E. Dulaney f/k/a Penny E. Blackburn
2055 N Seacliff Dr
Daphne, AL 36526 7135

THE HAMMOCKS RESIDENTIAL COMMUNITY ASSOCIATION, INC.
c/o LEEBRICK, BRIAN D., RA
220 MCKENZIE AVENUE
PANAMA CITY, FL 32402