

IN THE FLORIDA COURT OF THE
FOURTEENTH JUDICIAL CIRCUIT OF
FLORIDA IN AND FOR BAY COUNTY
GENERAL JURISDICTION DIVISION
CASE NO: 16000426CA

CIT BANK, N.A.,
Plaintiff,

vs.

JERLINE CALDWELL; UNITED STATES OF
AMERICA, ON BEHALF OF THE SECRETARY
OF HOUSING AND URBAN DEVELOPMENT;
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,
GRANTEES, OR OTHER CLAIMANTS,
Defendant(s).

BILL KINSAUL
CLERK OF COURT
BAY COUNTY, FLORIDA

2017 MAR -2 A 11: 19

FILED

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IN REM FINAL JUDGMENT OF FORECLOSURE

This action was tried before the court at a Non-Jury Trial on March 2, 2017. On the evidence presented. **IT IS ADJUDGED** that Plaintiff's Final Judgment is **GRANTED** against all defendants listed by name: JERLINE CALDWELL; UNITED STATES OF AMERICA, ON BEHALF OF THE SECRETARY OF HOUSING AND URBAN DEVELOPMENT;

1. **Amounts Due** Plaintiff, CIT BANK, N.A., whose address is c/o CIT BANK, N.A., 75 North Fair Oaks Avenue, Pasadena, CA 91103, is due:

Principal	\$72,838.17
Interest to date of this judgment: March 2, 2017	\$36,518.05
Initial MIP	\$2,078.00
Monthly MIP	\$3,283.98
Monthly Servicing Fees	\$2,790.00
SUBTOTAL	\$117,508.20
Attorneys' Fees:	
Finding as to reasonable number of hours: 27.50	
Finding as to reasonable hourly rate: \$175.00	
Flat Fee: \$2,800.00	
Attorneys' Fee Total:	\$7,612.50
Court Costs, now taxed:	
Filing Fee:	\$933.32
Service of Process:	\$195.00
Lis Pendens:	\$9.00
Other:	\$453.50
Title Search: \$325.00	
Death Certificate: \$85.00	
Death Certificate Recording: \$13.50	
Summons: \$30.00	
TOTAL SUM	\$126,711.52

That shall bear interest at a rate in accordance with section 55.03(3), Florida Statute

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

**LOT 30, BLOCK 9, WAYNE E. LEE'S THIRD ADDITION TO PINE LEA,
ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN
PLAT BOOK 2, PAGE(S) 26, PUBLIC RECORDS OF BAY COUNTY,
FLORIDA.**

Property Address: 1248 CALDWELL DRIVE, PANAMA CITY, FL 32401

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 the 3 day of July, 2017, no sooner than 60 days from the of this judgment, to the highest bidder for cash, except as prescribed in paragraph 4, at the courthouse located at 300 EAST 4TH STREET, ROOM 105, PANAMA CITY, FL FL in Bay County, Florida, in accordance with section 45.031, Florida Statutes (2013), using the following method:

www.bay.realforeclose.com beginning at 11:00 AM

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, 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. **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 Court finds, based upon the affidavits presented and upon inquiry of counsel for the Plaintiff, that the flat fee of \$2800.00 is reasonable and appropriate for the Plaintiff's counsel's attorney's fees. Furthermore, the Court finds, based upon the affidavits presented and upon inquiry of counsel for the Plaintiff, that 27.50 hours were reasonably expended by Plaintiff's counsel and that and hourly rate of \$175.00 is appropriate. PLAINTIFF'S COUNSEL CERTIFIES THAT THE ATTORNEY FEE AWARDED DOES NOT EXCEED ITS CONTRACT FEE WITH PLAINTIFF. The Court finds that there are no reasons for either reduction or enhancement pursuant to *Florida Patient's Compensation Funds v. Rowe*, 472 So. 2d 1145 (Fla. 1985), and the Court therefore has awarded reasonable attorney's fees in the amount indicated in paragraph 1 of this Judgment.
8. **Jurisdiction is further reserved to enter Orders that are proper, including without limitation, writs of possession, and leave to file supplemental and amended pleadings and complaints to add omitted counts and/or parties who may possess an interest in the property and to resolve any disputes with respect to assessments and/or other amount allegedly due associations. The Judgment is in rem only. Plaintiff is not seeking a deficiency or money judgment against any defendant to this action.**

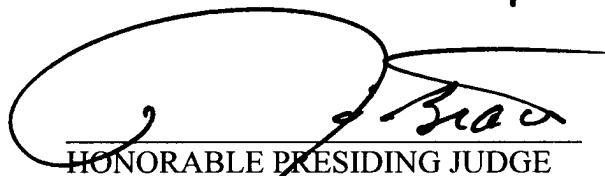
IF THIS PROPERTY IS SOLD AT PUBLIC AUCTION, THERE MAY BE ADDITIONAL MONEY FROM THE SALE AFTER PAYMENT OF PERSONS WHO ARE ENTITLED TO BE PAID FROM THE SALE PROCEEDS PURSUANT TO THE FINAL JUDGMENT.

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 CLERK OF THE COURT, 300 EAST FOURTH STREET, ROOM 105, 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, INC., 221 EAST 23RD STREET, SUITE B, PANAMA CITY, FL 32405, PHONE: (850) 769-358 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. FOR ASSISTANCE, YOU SHOULD DO SO AS SOON AS POSSIBLE AFTER RECEIPT OF THIS NOTICE.

March ORDERED at PANAMA CITY, BAY COUNTY, FLORIDA this 09 day of
_____, 2017.



HONORABLE PRESIDING JUDGE

COPIES FURNISHED TO:

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✓ UNITED STATES OF AMERICA, ON BEHALF OF THE SECRETARY OF HOUSING AND
URBAN DEVELOPMENT

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