

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

CASE NO.: 17000366CA

**2018 JAN 30 A 11:20
BILL KINSAUL
CLERK OF COURT
BAY COUNTY, FLORIDA**

FILED

MARRIOTT RESORTS HOSPITALITY CORPORATION, a South Carolina Corporation, Management Agent on behalf of LEGENDS EDGE CONDOMINIUM ASSOCIATION, INC., a Florida not for profit corporation, and All Owners as Agent,

Plaintiff,

vs.

**JAMES WILLIAM KEITH, et al.,
Defendants.**

**SUMMARY FINAL JUDGMENT IN FORECLOSURE AS TO COUNT I
(DEFENDANTS JAMES WILLIAM KEITH OR HIS SUCCESSORS IN TRUST, UNDER THE JAMES WILLIAM, JR. AND PAMELA HIXON KEITH LIVING TRUST, DATED APRIL 28, 2005, AND ANY AMENDMENTS THERETO and PAMELA HIXON KEITH OR HER SUCCESSORS IN TRUST, UNDER THE JAMES WILLIAM, JR. AND PAMELA HIXON KEITH LIVING TRUST, DATED APRIL 28, 2005, AND ANY AMENDMENTS THERETO)**

This cause coming on this day upon the Complaint, Affidavits, and Motion for Summary Judgment filed herein after notice to all parties and the Court having heard argument of counsel and considered the affidavits and pleadings filed herein, and having found that the preponderance of the evidence favors the Plaintiff, **MARRIOTT RESORTS HOSPITALITY CORPORATION**, a South Carolina corporation, Management Agent on behalf of **LEGENDS EDGE CONDOMINIUM ASSOCIATION, INC.**, a Florida not for profit corporation, and All Owners as Agents, and that the Plaintiff is entitled to such judgment in foreclosure as a matter of law, it is hereby

ORDERED AND ADJUDGED as follows:

1. Judgment in favor of Plaintiff, **MARRIOTT RESORTS HOSPITALITY**

CORPORATION, a South Carolina corporation, Management Agent on behalf of LEGENDS EDGE CONDOMINIUM ASSOCIATION, INC., a Florida not for profit corporation, and All Owners as Agents, against Defendants, JAMES WILLIAM KEITH OR HIS SUCCESSORS IN TRUST, UNDER THE JAMES WILLIAM, JR. AND PAMELA HIXON KEITH LIVING TRUST, DATED APRIL 28, 2005, AND ANY AMENDMENTS THERETO and PAMELA HIXON KEITH OR HER SUCCESSORS IN TRUST, UNDER THE JAMES WILLIAM, JR. AND PAMELA HIXON KEITH LIVING TRUST, DATED APRIL 28, 2005, AND ANY AMENDMENTS THERETO, 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.

3. The following sums are due the Plaintiff on the Notice and Claim of Lien:

a.	Claim of Lien	\$ 3,157.49
b.	Interest from January 12, 2016 through January 30, 2018 (per diem continuing @ \$1.56)	\$ 770.68
	SUBTOTAL	\$ 3,928.17
c.	Service of Process Court costs Title Search Attorney's Costs	\$ 650.00
d.	Attorney's Fees	\$ 500.00
	TOTAL	<u>\$ 5,078.17</u>

4. Plaintiff holds a lien for the total sum specified in Paragraph 3 above, superior in dignity to any claim or estate of the Defendants herein, upon the property herein foreclosed, situate in Bay County, Florida, and described as follows:

COUNT I

Unit Week 10 in Unit 1407, in LEGENDS EDGE CONDOMINIUM, according to the Declaration of Condominium thereof, as recorded in Official Records Book 1919 at Page 323 in the Public Records of Bay County, Florida, and any amendments thereof.

5. If the total sum with interest at the rate described in Paragraph 12 and all costs accrued subsequent to this judgment are not paid, the Clerk of this Court shall sell the property at public sale to the highest bidder for case, except as set forth hereinafter, on _____

MARCH 13, 2018 at 11:00 a.m. Central time at www.bay.realforeclose.com in

accordance with Chapter 45, Florida Statutes:

6. Pursuant to Section 45.031, Florida Statutes:

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.

7. Plaintiff shall advance all subsequent costs of this action and upon further court order 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 costs accruing subsequent to this judgment, or such part of it as is necessary to pay the bid in full. If the Plaintiff is the successful bidder at the sale, Plaintiff's rights as such may be assigned to a third party and, in that event, the Clerk of the Court is hereby ordered and directed to issue the Certificate

of Title to Plaintiff's assignee upon application of Plaintiff and with further order of this Court.

8. 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, the total sum due Plaintiff, less the items paid, plus interest at the rate prescribed in Paragraph 12 from this date to the date of the sale; and by retaining any remaining amount pending the further order of this Court.

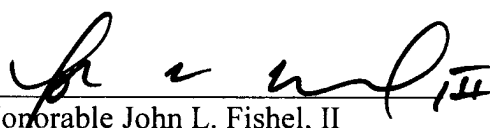
9. Nothing in this judgment shall preclude the Defendants, **JAMES WILLIAM KEITH OR HIS SUCCESSORS IN TRUST, UNDER THE JAMES WILLIAM, JR. AND PAMELA HIXON KEITH LIVING TRUST, DATED APRIL 28, 2005, AND ANY AMENDMENTS THERETO** and **PAMELA HIXON KEITH OR HER SUCCESSORS IN TRUST, UNDER THE JAMES WILLIAM, JR. AND PAMELA HIXON KEITH LIVING TRUST, DATED APRIL 28, 2005, AND ANY AMENDMENTS THERETO**, from petitioning this Court for any surplus which may exist after satisfying all moneys due Plaintiff.

10. On filing the Certificate of Sale, Defendants and all persons claiming under or against them since the filing of the Notice of Lis Pendens shall be foreclosed of all estate or claim in the property and the purchaser at the sale shall be let into possession of the property.

11. Jurisdiction of this action is retained to enter further orders that are proper including, without limitation, Writs of Possession.

12. This judgment shall bear interest at the rate of 5.35%.

ORDERED in chambers in Panama City, Bay County, Florida, this 30 day of JAN., 2018.


Honorable John L. Fishel, II
Circuit Court Judge

CONFORMED COPIES FURNISHED TO:

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