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

CASE NO:19002665CA

TOWD POINT MORTGAGE TRUST 2016-5,
U.S. BANK NATIONAL ASSOCIATION AS
INDENTURE TRUSTEE,

Plaintiff,

vs.

BETTY GRAMMER A/K/A BETTY S. GRAMMER A/K/A BETTY STRUDEL GRAMMER;
MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.; CVI LOAN GT TRUST I;
UNKNOWN SPOUSE OF BETTY GRAMMER A/K/A BETTY S. GRAMMER A/K/A
BETTY STRUDEL GRAMMER; UNKNOWN TENANT #1;ANY AND ALL UNKNOWN
PARTIES CLAIMING BY, THROUGH, UNDER AND AGAINST THE NAMED
INDIVIDUAL DEFENDANT(S) WHO ARE NOT KNOWN TO BE DEAD OR ALIVE,
WHETHER UNKNOWN PARTIES MAY CLAIM AN INTEREST AS SPOUSES, HEIRS,
DEVISEES, GRANTEES, OR OTHER CLAIMANTS.

Defendant(s).

_____ /

AMENDED FINAL JUDGMENT NUNC PRO TUNC

THIS CAUSE came to be heard on November 13, 2020, on Plaintiff's Motion for
Summary Judgment. On the evidence presented it is,

ORDERED AND ADJUDGED as follows:

1. This is an Action was heard before the Court. On the evidence presented Judgment has
been GRANTED against all Defendants listed by name:

Betty Grammer a/k/a Betty S. Grammer a/k/a Betty Strudel Grammer
Mortgage Electronic Registration Systems, Inc.
CVI Loan GT Trust I

Plaintiff, Towd Point Mortgage Trust 2016-5, U.S. Bank National Association as

Indenture Trustee, c/o Select Portfolio Servicing, Inc., 3217 S. Decker Lake Dr., Salt Lake City, UT 84119 is due:

Principal due on the note secured by the mortgage foreclosed:	\$89,577.98
Interest on the note and mortgage	
Interest good through February 7, 2020	\$4,048.47
Per diem interest @8.14 per diem From February 8, 2020 to November 13, 2020	\$2,279.20
Title search expenses	\$295.00
Taxes Disbursements	\$637.83
Year - 2018-2020	\$637.83
Hazard or Property Insurance Disbursements	\$1,721.50
Year - 2018-2020	\$1,721.50
Attorney's Fees Total:	\$2,460.00
Filing Fee	\$984.00
Service of Process	\$937.60
Property inspections	\$135.00
Broker price opinion/Appraisal	\$115.00
Property Preservation	\$1,864.40
Deferred UPB	\$23,506.95
Escrow Refund/Disbursement	\$22.17
Statutory Mail	\$4.45
TOTAL	\$128,589.55

that shall bear interest at the rate of 5.37% a year.

The adding machine tape is attached as Exhibit A.

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

UNIT "A"

COMMENCE AT THE NORTHWEST CORNER OF LOT 7 BLOCK 7-A,
CAROLINE ADDITION TO PANAMA CITY UNIT NO. 2, ACCORDING TO
THE PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 8, IN THE

PUBLIC RECORDS OF BAY COUNTY, FLORIDA, AND THENCE RUN SOUTH 89 DEGREES 38'23" EAST ALONG THE SOUTHERLY RIGHT OF WAY LINE OF 11TH COURT FOR 180.23 FEET; THENCE SOUTH 00 DEGREES 18'45" WEST FOR 142.23 FEET; THENCE SOUTH 89 DEGREES 38'24" EAST FOR 886.83 FEET TO THE POINT OF INTERSECTION WITH THE SOUTHERLY EXTENSION OF A COMMON WALL FOR THE POINT OF BEGINNING; FROM SAID POINT OF BEGINNING CONTINUE SOUTH 89 DEGREES 38'24" EAST FOR 34.50 FEET TO THE WESTERLY RIGHT OF WAY LINE OF BALBOA AVENUE; THENCE RUN NORTH 00 DEGREES 22'02" WEST FOR A DISTANCE OF 134.76 FEET TO SAID SOUTHERLY RIGHT OF WAY LINE; THENCE RUN N 89 DEGREES 38'24" WEST ALONG SAID SOUTHERLY RIGHT OF WAY LINE FOR 32.81 FEET TO THE POINT OF INTERSECTION WITH THE NORTHERLY EXTENSION OF SAID COMMON WALL; THENCE RUN SOUTH 00 DEGREES 21'36" WEST ALONG SAID COMMON WALL AND IT'S NORTHERLY AND SOUTHERLY EXTENSION FOR 134.76 FEET TO THE POINT OF BEGINNING.

Property address: 1131 Balboa Ave A, 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 the Court shall sell the subject property at public sale on January 21, 2021, at 11:00a.m CST to the highest bidder for cash, in accordance with section 45.031 Florida Statutes at:online at www.bay.realforeclosure.com.
4. **Cost.** 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 such further costs as

may be incurred and accruing by the Plaintiff in this action, including, but not limited to, the sale fee and publication of the Notice of sale and any reasonable advances made by the Plaintiff 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 the Plaintiff's costs; second, documentary stamps affixed to the Certificate; third, Plaintiff's attorneys' fees; fourth, the total sum due to the 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 of the Certificate of Sale, Defendant(s) and all persons claiming under or against Defendant 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 of filing of the Certificate of Title, the person named on the Certificate of Title shall be let into possession of the property.
7. **Attorney's Fees.** The requested attorneys' fees are flat rate fee that the firm's client has agreed to and paid in this matter based on the legal services rendered to date. Given the amount of the fee requested and the labor expended, the court finds that a lodestar analysis is not necessary and the flat fee is reasonable.
8. **Jurisdiction Retained.** The Court retains jurisdiction of this action to enter further Orders that are proper, including without limitation, Orders authorizing writs of possession and an award of attorney's fees, and to enter deficiency judgments, if applicable and the Defendant has not been discharged in bankruptcy.
9. **If the United States of America is a Defendant, it shall have the right of redemption**

pursuant to 28 U.S.C. Section 2410 (c), from the date of the foreclosure sale.

10. The Court finds that Plaintiff complied with the condition precedent of providing notice prior to acceleration of the loan, and prior to the filing of the foreclosure action, pursuant to the terms of the Note and Mortgage.
11. On or before the date of sale, Plaintiff may assign the judgment and/or the bid by filing an Assignment of Judgment and/or Bid without further order of this Court.
12. On or before the date of sale, Plaintiff may file an Affidavit of Additional Costs and Interest without further order of this Court.
13. The Plaintiff's Motion for Summary Judgment is GRANTED and Final Judgment is ENTERED against Defendants, Betty Grammer a/k/a Betty S. Grammer a/k/a Betty Strudel Grammer, Mortgage Electronic Registration Systems, Inc., CVI Loan GT Trust I.
14. Plaintiff asserts that State of Florida Executive Order 20-180 is not applicable as the court case was filed prior to the COVID-19 emergency and the default did not arise as a result of the COVID-19 emergency.

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, IF ANY, YOU MUST FILE A CLAIM WITH THE CLERK NO LATER THAN THE DATE THAT THE CLERK REPORTS THE FUNDS AS UNCLAIMED. IF YOU FAIL TO FILE A TIMELY CLAIM, YOU WILL NOT BE ENTITLED TO ANY REMAINING FUNDS.

ANY PERSON CLAIMING AN INTEREST IN THE SURPLUS FROM THE SALE, IF ANY, OTHER THAN THE PROPERTY OWNER AS OF THE DATE OF THE LIS PENDENS MUST FILE A CLAIM BEFORE THE CLERK REPORTS THE SURPLUS AS UNCLAIMED. THE COURT, IN ITS DISCRETION, MAY ENLARGE THE TIME OF THE SALE. NOTICE OF THE CHANGED TIME OF SALE SHALL BE PUBLISHED AS PROVIDED HEREIN.

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 AT 300 EAST 4TH STREET, ROOM 105, PANAMA CITY, FL 32401, 850.763.9061 press 4 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., 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., YOU SHOULD DO SO AS SOON AS POSSIBLE AFTER RECEIPT OF THIS NOTICE.

Circuit Judge

DONE AND ORDERED in Bay County, Florida on this 23rd day of November, 2020.



19002665CA 11/23/2020
MICHAEL C OVERSTREET CIRCUIT JUDGE

19002665CA 11/23/2020
MICHAEL C OVERSTREET
CIRCUIT JUDGE

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the foregoing was filed with the Clerk of the Court this 23rd day of November, 2020 by using the Florida Courts E-Filing Portal. Accordingly, a copy of the foregoing is being served on this day to all attorney(s)/interested parties identified on the Portal Electronic Service List, via transmission of the Notice of Electronic Filing generated by the Portal.

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