

Filing # 135401761 E-Filed 09/27/2021 04:27:19 PM

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

CENTENNIAL BANK, an
Arkansas Banking Corporation,

Plaintiff,

vs.

CASE NO.: 20000568CA

JESSICA KEHL, individually; BAREFOOT
BUILDERS, LLC, a Florida limited liability company;
and FLORIDA DEPARTMENT OF REVENUE

Defendants.

1FINAL JUDGMENT

This action was tried before the court. On the evidence presented and pursuant to the stipulation of the Plaintiff and defendant, JESSICA KEHL,

IT IS ADJUDGED that:

1. Amounts Due. Plaintiff, CENTENNIAL BANK, whose mailing address is 12141 Panama City Beach Parkway, Panama City, FL 32407, is due the following:

Principal and Interest through September 29, 2021	\$259,008.42
Late Fees	\$1,566.56
Title Search Expense	\$150.00
Real Estate Taxes	\$7,479.70
Attorney's fees total	\$25,001.00
Court costs, now taxed	\$977.04
Service of Process Fees	\$120.00
Certified Copy Fees	\$95.30
Subtotal	\$294,398.02
LESS: Escrow balance	0.00
LESS: Other	0.00
TOTAL	\$294,398.02

That shall bear interest at the statutory rate (currently 4.25% per year).

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:

PARCEL 1:

Lot 11, Block 4 of CEDAR CREEK HEIGHTS, according to the Plat thereof as recorded in Plat Book 10, Page(s) 5, of the Public Records of BAY County, Florida.

PARCEL 2:

Lot 8, Block 36, Lynn Haven, according to the Plat thereof as recorded in the 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 the 29TH day of NOVEMBER, 2021, to the highest bidder for cash, except as prescribed in paragraph 4, at the courthouse located at 300 E. 4th Street, in Bay County in Panama City, Florida, in accordance with section 45.031, Florida Statutes, using the following method (CHECK ONE):

- ☐ At the north door of the courthouse, beginning at _____, on the prescribed date.
- ☒ By electronic sale beginning at 11:00 a.m., on the prescribed date at <https://www.bay.realforeclose.com>

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 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 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, subject to the rights of a tenant occupying residential premises pursuant to section 83.561, Florida Statutes.

7. Attorneys' Fees. The Court finds, based upon the affidavits or testimony presented and upon inquiry of counsel for Plaintiffs that 87.8 hours of attorney time and 4.1 hours of paralegal time were reasonably expended by Plaintiffs' counsel and that an hourly rate of \$85.00 for paralegals and of \$225.00-\$350.00 for attorneys is appropriate. Plaintiff's counsel represents that the attorneys' fees awarded does not exceed its contract fee 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). (If the court has found that there are reduction or enhancement factors to be applied, then such factors must be identified and explained herein).

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

9. Re-establishment of Lost Note and Mortgage. The Court finds that Plaintiff proved the terms of the lost note and mortgage and its right to enforce the instruments as set forth under F.S. §673.3091. Plaintiff herein agrees to indemnify and hold harmless Defendants from all loss, liability, costs, damages, reasonable attorney's fees and expenses arising out of the representations made in the Affidavit of Lost Instruments attached to the Verified Complaint filed in this action and for any loss they may incur by reason of a claim by any other person or entity to enforce the lost note and mortgage. Since adequate protection is therefore provided, judgment is hereby entered in favor of the Plaintiff as to its request to enforce the lost note and mortgage.

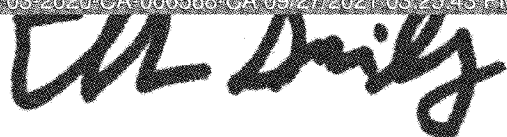
IF THIS PROPERTY IS SOLD AT PUBLIC AUCTION, THERE MAY BE ADDITIONAL MONEY FROM THE SALE AFTER PAYMENT OF PERSONS WHO ARE ENTITLED TO BE PAID FROM THE SALE PROCEEDS PURSUANT TO THE FINAL JUDGMENT.

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 CONTACT THE CLERK OF THE COURT, OF BAY COUNTY, FLORIDA, 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 11TH ST, PANAMA CITY, FL 32401, (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 (NAME OF LOCAL OR NEAREST LEGAL AID OFFICE AND TELEPHONE NUMBER) FOR ASSISTANCE, YOU SHOULD DO SO AS SOON AS POSSIBLE AFTER RECEIPT OF THIS NOTICE.

DONE AND ORDERED this Monday, September 27, 2021 in Panama City Bay County, Florida.

03-2020-CA-000568-CA 09/27/2021 03:25:43 PM

Elijah Smiley, Judge
03-2020-CA-000568-CA 09/27/2021 03:25:43 PM

Copies provided to:

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