

Filing # 196188810 E-Filed 04/15/2024 12:33:59 PM

IN THE FLORIDA COURT OF THE
FOURTEENTH JUDICIAL CIRCUIT OF
FLORIDA IN AND FOR BAY COUNTY
GENERAL JURISDICTION DIVISION
CASE NO: 23000954CA

NEWREZ LLC D/B/A SHELLPOINT
MORTGAGE SERVICING,
Plaintiff,

vs.

CHARLES RICE A/K/A CHARLES TIMOTHY
RICE; GOVITA L. GAUSE; AMERICAN
BUILDERS & CONTRACTORS SUPPLY CO.,
INC. TRADING AS ABC SUPPLY CO., INC.;
COASTAL ROOFING SUPPLY - US LBM, LLC;
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).

UNIFORM FINAL JUDGMENT OF FORECLOSURE

This action was tried before the court at a Non-Jury Trial on April 8, 2024. On the evidence presented. **IT IS ADJUDGED** that Plaintiff's Final Judgment is **GRANTED** against all defendants listed by name: CHARLES RICE A/K/A CHARLES TIMOTHY RICE; GOVITA L. GAUSE; AMERICAN BUILDERS & CONTRACTORS SUPPLY CO., INC. TRADING AS ABC SUPPLY CO., INC.; COASTAL ROOFING SUPPLY - US LBM, LLC;

1. Amounts Due. Plaintiff, NEWREZ LLC D/B/A SHELLPOINT MORTGAGE SERVICING, whose address is c/o NEWREZ LLC D/B/A Shellpoint Mortgage Servicing, 75 Beattie Place, Suite 300, Greenville, SC 29601, is due:

Principal	\$109,219.21
Interest to date of this judgment: April 8, 2024	\$21,524.28
Escrow Balance at Loan Transfer	\$8,827.32
Insurance	\$1,716.00
PMI Insurance	\$481.18
Taxes	\$1,357.47
Corporate Advances	\$8,194.89
Property Inspections: \$180.00	
Property Preservation: \$180.00	
Certified Mail Cost: \$6.96	
Title: \$155.00	

Filing Fee:	\$938.53	
Lis Pendens:	\$13.00	
Summons:	\$40.00	
Service of Process:	\$889.40	
Attorney Hourly Charges:		
3.80 h @ \$215.00:	\$817.00	
5.50 h @ \$300.00:	\$1,650.00	
Flat Fee Paid Out:	\$3,325.00	
SUBTOTAL		\$151,320.35
<u>Attorneys' Fees:</u>		
Finding as to reasonable number of hours:	7.00	
Finding as to reasonable hourly rate:	\$300.00	
Outstanding Flat Fee:	\$1,425.00	
Attorneys' Fee Total:		\$3,525.00
TOTAL SUM		\$154,845.35

That shall bear interest at a rate of 9.34%.

- 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:

THE FOLLOWING DESCRIBED PROPERTY LOCATED IN THE COUNTY OF BAY, FLORIDA:

PARCEL I:

BEGINNING AT THE SOUTHEAST CORNER OF SECTION 36, TOWNSHIP 3 SOUTH, RANGE 13 WEST, AND THENCE NORTH 89 DEGREES 13'28" WEST, 38 FEET; THENCE NORTH 0 DEGREES 03'13" EAST, 2021.38 FEET TO THE SOUTHWEST CORNER OF THE INTERSECTION OF A 60 FOOT UNPAVED ROAD AND C. C. ROAD; THENCE NORTH 86 DEGREES 50'47" WEST ALONG THE NORTH SIDE OF SAID UNPAVED ROAD 590.5 FEET, TO THE STARTING POINT; THENCE CONTINUING NORTH 86 DEGREES 50'47" WEST ALONG THE NORTH SIDE OF SAID ROAD 150.0 FEET; THENCE NORTH 8 DEGREES 29'12" WEST, 369.19 FEET TO A DRAINAGE DITCH; THENCE EASTERLY ALONG THE CENTER OF SAID DRAINAGE DITCH 150 FEET, MORE OR LESS, THENCE SOUTH 8 DEGREES 34'43" EAST 379.57 FEET TO THE STARTING POINT. SAID PARCEL BEING IN THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER" OF SECTION 36, TOWNSHIP 3 SOUTH, RANGE 13 WEST AND A/K/A LOT 2, BLOCK 1, OF THE UNRECORDED PLAT OF EAST CALLAWAY ESTATES.

TOGETHER WITH SAID MOBILE HOME IDENTIFIED AS FOLLOWS:

**YEAR/MAKE(MANUFACTURER)/MODEL: 1997 SOUTHERN ROAD CRAFT USA LTD
SERIAL/VIN NUMBER(S): H811268GL AND H811268GR
TITLE NUMBER(S): 73294981 AND 73294982**

AND

PARCEL II:

BEGINNING AT THE SOUTHEAST CORNER OF SECTION 36, TOWNSHIP 3 SOUTH, RANGE 13 WEST AND THENCE NORTH 89 DEGREES 13'28" WEST, 30 FEET; THENCE NORTH 0 DEGREES 03'13" EAST, 2021.38 FEET TO THE NORTHWEST CORNER OF THE INTERSECTION OF A 60 FOOT UNPAVED ROAD AND C. C. ROAD; THENCE NORTH 86 DEGREES 50'47" WEST ALONG THE NORTH SIDE OF SAID UNPAVED ROAD 440.5 FEET TO THE STARTING POINT, THENCE CONTINUING NORTH 86 DEGREES 50'47" WEST ALONG THE NORTH SIDE OF SAID ROAD 1.50.0 FEET; THENCE NORTH 8 DEGREES 34'43" WEST, 379.57 FEET TO A DRAINAGE DITCH; THENCE EASTERLY ALONG THE CENTER OF SAID DRAINAGE DITCH 150 FEET, MORE OR LESS, THENCE SOUTH 8 DEGREES 40'19" EAST, 382.94 FEET TO THE STARTING POINT. SAID PARCEL BEING IN THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 36, TOWNSHIP 3 SOUTH, RANGE 13 WEST AND A/K/A LOT 3 BLOCK 1, OF THE UNRECORDED PLAT OF EAST CALLAWAY ESTATES.

Property Address: 142 DOGWOOD WAY, PANAMA CITY, FL 32404

2. **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 **8th day of July, 2024**, 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 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
3. **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.
4. **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.
5. **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.

6. Attorneys' Fees. The Court finds, based upon the affidavits presented and upon inquiry of counsel for the Plaintiff, that the flat fee of \$4,750.00 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 3.80 and 12.50 hours were reasonably expended by Plaintiff's counsel and that the respective hourly rates of \$215.00 and \$300.00 are 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.

1. Jurisdiction Retained. Jurisdiction is reserved over this action to enforce the Final Judgment and to enter further orders that are proper including, without limitation, an award of attorney's fees and costs, a deficiency decree (if sought and appropriate), writs of possession, orders granting leave to file supplemental and/or amended pleadings to add additional parties, and orders resolving any disputes with respect to assessments and/or other amounts allegedly due associations.

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 LIEN HOLDER 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.

If the property has qualified for the homestead tax exemption in the most recent approved tax roll, the following paragraphs shall apply:

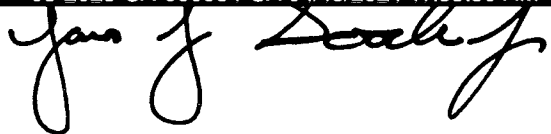
IF YOU ARE THE PROPERTY OWNER, YOU MAY CLAIM THESE FUNDS YOURSELF. YOU ARE NOT REQUIRED TO HAVE A LAWYER OR ANY OTHER REPRESENTATION AND YOU DO NOT HAVE TO ASSIGN YOUR RIGHTS TO ANYONE ELSE IN ORDER FOR YOU TO CLAIM ANY MONEY TO WHICH YOU ARE ENTITLED. PLEASE CHECK WITH THE CLERK OF THE COURT, 300 EAST 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.

Plaintiff's counsel is required to serve a copy of the signed order upon any person(s) not registered to receive service via the e-portal.

DONE AND ORDERED at PANAMA CITY, BAY COUNTY, FLORIDA this Monday, April 15, 2024.

03-2023-CA-000954-CA 04/15/2024 11:33:50 AM

James J. Goodman, Judge
03-2023-CA-000954-CA 04/15/2024 11:33:50 AM

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