

FILE IN OPEN COURT
Date 3-8-13
By CT

**IN THE CIRCUIT COURT OF THE NINETEENTH JUDICIAL CIRCUIT OF THE
STATE OF FLORIDA, IN AND FOR INDIAN RIVER COUNTY
CIVIL DIVISION**

GREEN TREE SERVICING LLC,

Plaintiff,

vs..

CASE NO. 31-2012-CA-000079

AMY LEDINGHAM, et al.

Defendant(s)

_____ /

FINAL JUDGMENT OF FORECLOSURE

(Form Approved by 19th Circuit Administrative Order 2011-01)

This action was tried before the Court on March 08, 2013. On the evidence presented;
IT IS ADJUDGED that:

1. **Judgment Granted.** There is no dispute of material facts and final judgment is granted.
2. **Amounts Due.** Plaintiff, **GREEN TREE SERVICING LLC**, 9119 CORPORATE LAKE DRIVE, SUITE 175, TAMPA, FL 33634, is due:

Principal	\$141,823.05
Interest on the note and mortgage from 09/01/2011 to 03/08/2013	\$16,477.41
Beginning Positive Escrow	(\$675.76)
Property Taxes	\$1,461.15
Hazard/Fire Insurance	\$8,013.00
Title Search	\$200.00
Filing Fee	\$917.50
Service of Process	\$790.00
Clerk's Summons Fee	\$60.00
Recording Fee	\$10.50
TOTAL	\$169,076.85

3. **Interest.** The total amount in paragraph 2 shall bear interest from this date forward at the prevailing rate.

4. **Lien on Property.** Plaintiff holds a lien for the total sum superior to all claims or estates of defendant(s), AMY LEDINGHAM; JOSEPH M. GAROFALO; UNKNOWN TENANT #1; on the following described property in **Indian River** County Florida:

Lot 18, Block L, INDIAN RIVER HEIGHTS UNIT 8, according to the plat thereof, as recorded in Plat Book 7, Page 31, of the Public Records of Indian River County, Florida.

Property Address: **130 10th Ct, Vero Beach, FL 32962**

5. **Sale of Property.** If the total sum with interest at the rate described in paragraph 2 and all costs accrued subsequent to this judgment are not paid, the clerk of this court shall sell the property at public sale on May 9, 2013, to the highest bidder for cash, except as prescribed in paragraph 6,:

✓ by electronic sale at www.indian-river.realestateclose.com beginning at 10:00 a.m.

In accordance with section 45.031, Florida Statutes **The public sale shall not be postponed or canceled without a court order, and shall proceed regardless of whether plaintiff, a plaintiff's representative, or plaintiff's counsel is present. All orders postponing or canceling the sale be filed with the clerk of court no later than 5:00 p.m. two business days before the sale date. Counsel for plaintiff must be certain that the clerk has the original proof of publication of the notice of sale on file no less than three business days before the sale date. Failure to file the original proof of publication of the notice of sale will not stop the sale, however the certificate of sale will not issue until the original proof of publication of notice of sale is filed. The Failure of plaintiff's counsel to properly and timely publish the notice of sale may result in sanctions against the plaintiff, plaintiff's counsel individually, and the law firm representing the plaintiff.** If the original proof of publication of the notice of sale is not filed with the clerk within ten calendar days after the sale, an order will be entered directing the plaintiff to show cause why the sale should not be vacated and the case dismissed with or without prejudice. The fact that an attorney has a high volume practice will not be a showing of good cause.

6. 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. The clerk shall receive the service charge imposed in Section 45.031, Florida Statutes.

7. 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 attorney's fees; forth, the total sum due to plaintiff, less the items paid, plus interest at the rate prescribed in paragraph 2 from this date to the date of the sale; and by retaining any remaining amount pending the further order of this court.

8. Right of Redemption. 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, except as to claims or rights under chapter 718 or chapter 720, Florida Statutes, if any.

9. Right of Possession. 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 provisions of the "Protection Tenant At Foreclosure Act of 2009,".

10. Jurisdiction Retained. Jurisdiction of this action is retained to enter further orders that are proper including, without limitation, a deficiency judgment.

11. The Plaintiff may assign its judgment and credit bid by filing an assignment with the Clerk, which the Clerk must accept, without further Order of the Court.

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, ** 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: FLORIDA IMMIGRANT ADVOCACY CENTER, 131B N. SECOND STREET MAIL DELIVERY TO: RURAL LEGAL SERVICES, 200 SOUTH INDIAN RIVER DRIVE SUITE 101 (34950) PO BOX 4333, FT. PIERCE, FL 34948, 772-466-4766, FAX 772-489-3176, 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 RURAL LEGAL SERVICES 772-466-4766 FOR ASSISTANCE, YOU SHOULD DO SO AS SOON AS POSSIBLE AFTER RECEIPT OF THIS NOTICE.

ORDERED on March 8, 2013



Cynthia L. Cox, Circuit Judge

Copies Furnished by U.S. Mail to:
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VERO BEACH, FL 32962

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UNKNOWN TENANT #1 N/K/A SEAN LEDINGHAM
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