

IN THE CIRCUIT COURT OF THE 19TH
JUDICIAL CIRCUIT, IN AND FOR
INDIAN RIVER COUNTY, FLORIDA.

CASE No.: 312011CA003122

U.S. BANK NATIONAL ASSOCIATION, AS
TRUSTEE FOR THE REGISTERED HOLDERS
OF AEGIS ASSET BACKED SECURITIES
TRUST 2004-6, MORTGAGE BACKED NOTES,

Plaintiff,

vs.

Sylvester Moore and Shirley Holliday Moore,

Defendants.

FILE IN OPEN COURT

Date 4-12-13

By CP JSB

FINAL JUDGMENT OF FORECLOSURE
(Form Approved by 19th Circuit Administrative Order 2011-01)

Note: This Final Judgment format may only be modified by adding language in sequentially numbered paragraphs beginning with paragraph 11. Attorneys may be sanctioned for submitting a final judgment which improperly varies the approved format.

THIS ACTION was heard before the Court on Plaintiff's Final Judgment on April 12, 2013.
On the evidence presented, it is

IT IS ADJUDGED that:

1. **Motion Granted.** There is no dispute of material facts and plaintiff's Final Judgment is granted.
2. **Amounts Due.** Plaintiff, U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR THE REGISTERED HOLDERS OF AEGIS ASSET BACKED SECURITIES TRUST 2004-6, MORTGAGE BACKED NOTES, c/o OCWEN Loan Servicing, LLC., 1661 Worthington Road, Suite 100, West Palm Beach, FL 33409 is due:

Principal	\$ 58,910.16
Interest on note and mortgage from 1/1/2007 to 4/12/2013	\$ 48,736.45
Per Diem interest at 15.002% from 1/1/2007 to 4/12/2013	\$ 0.00
Title Search expense	\$ 375.00

Taxes	\$ 4,451.27
Insurance Premiums	\$ 15,745.77
Prior Servicer Escrow Balance	\$ 1,696.26
Attorney's Fees	

Finding as to reasonable 8.0 number of hours:

Finding as to reasonable hourly rate: \$190.00/ hr

Other*: Attorney Contractual Flat Fee: \$2,050.00

(* The requested attorney's fee is a flat rate fee that the firm's client has agreed to pay this matter. Given the amount of the fee requested and the labor expended, the Court finds that a lodestar analysis is not necessary and that the flat fee is reasonable.)

Attorneys' Fees total	\$ 3,570.00
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Court Costs:

Filing Fee	\$ 962.00
Service of Process at \$60.00 per defendant	\$ 120.00
Service of Process at \$280.00 per defendant	\$ 840.00
Sylvester Moore; Shirley Moore; Unknown Spouse of Sylvester	

Additional Costs:

Late Charges	\$ 115.89
Property Inspections Fee(s)	\$ 220.50
Property Valuation Fee(s)	\$ 1,170.00
Maintenance Fees	\$ 2,549.00
Certified Mail Cost(s)	\$ 13.06
Prior Servicer Fees	\$ 1,683.50

SUBTOTAL	\$ 141,158.86
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LESS: Escrow Balance	\$ 0.00
LESS: Unearned insurance premiums	\$ 0.00
LESS: Suspense Balance	\$ (8,841.37)

TOTAL	\$ 132,317.49
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3. **Interest.** The total amount referenced 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), on the following property in **Indian River County**, Florida:

North Gifford Heights, Blk 4, Lot6, PBI 3-51

Parcel/Tax I.D.#: 32-39-27-00004004000006.0

Street Address: **4329 35th Avenue, Vero Beach, FL 32967**

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 the Court shall sell the property at public sale on May 16, 2013, to highest bidder for cash, except as prescribed in paragraph 6.

 in the Jury Assembly Room at the Indian River County Courthouse, 2000 16th Avenue, Vero Beach, FL 32960 beginning at 11:00 a.m.

 X by electronic sale at www.indian-river.realforeclose.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 must be filed with the Clerk of Court no later than 5:00 pm 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 issued 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 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. Any electronic sale by the Clerk shall be conducted in accordance with written administrative policy for electronic sales published by the Clerk at the official website for the clerk and posted in the public areas of the clerk's office.

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 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 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 2 from this date to the date of sale; and by retaining any remaining amount pending the further order of this Court.

8. **Right of Redemption.** On filing of 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 of 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 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 "Protecting Tenant Act 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.

[Any language which needs to be added to the final judgment shall be inserted at this point using paragraphs numbered sequentially beginning with paragraph 11]

IF THIS PROPERTY IS SOLD AT PUBLIC AUCTION, THERE MAY BE ADDITIONAL MONEY FROM THE SALE AFTER PAYMENTS 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 OF INDIAN RIVER COUNTY, FLORIDA, AT THE INDIAN RIVER COUNTY COURTHOUSE, 2000 16th AVENUE, VERO BEACH, FL 32960, WITHIN 10 DAYS AFTER THE SALE TO SEE IF THERE IS ADDITIONAL MONEY FROM THE FORECLOSURE SALE THAT THE CLERK HAS IN 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 RURAL LEGAL SERVICES, 200 S. INDIAN RIVER DRIVE, SUITE 101, FORT PIERCE, FLORIDA, (1-888-582-3410), 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 FLORIDA RURAL LEGAL SERVICES, YOU SHOULD DO SO AS SOON AS POSSIBLE AFTER THE RECEIPT OF THIS NOTICE.

ORDERED on 12th day of APRIL, 2013.
R~


Circuit Judge

Copies furnished by U.S. mail to:
all parties on the attached Mailing List.

Service List

Sylvester Moore
1267 Scarlet Oak Cir
Vero Beach, FL 32966

Sylvester Moore
4329 35th Avenue
Vero Beach, FL 32967

Shirley Holliday Moore
1267 Scarlet Oak Cir
Vero Beach, FL 32966

Shirley Holliday Moore
4329 35th Avenue
Vero Beach, FL 32967

Clarfield, Okon, Salomone & Pincus, P.L.
500 South Australian Avenue, Suite 730
West Palm Beach, Florida 33401
Telephone: 561-713-1400 / Fax 561-713-1401
Primary Email: pleadings@cosplaw.com