

IN THE CIRCUIT COURT OF THE
NINETEENTH JUDICIAL CIRCUIT IN
AND FOR INDIAN RIVER COUNTY,
FLORIDA

MTGLQ INVESTORS, L.P.;
Plaintiff,

Case No. 31 2009 CA 012397

vs.

TITO ANTONIO PENA, et al;
Defendants.

FILE IN OPEN COURT
Date 7-10-13
By g j

FINAL JUDGMENT OF FORECLOSURE

This action was tried before the court on July 10, 2013 and after hearing testimony from Jay Vent of Ocwen Loan Servicing and receiving evidence, and on the evidence presented,

IT IS ADJUDGED that:

1. Plaintiff, **MTGLQ INVESTORS, L.P.**, whose address is **1661 Worthington Road, Suite 100, West Palm Beach, FL 33409**, is due under the note and mortgage sued on this action, the following amounts:

Unpaid Principal Balance	\$104,692.04
Interest calculated from 04/01/09 to 07/10/13	16,996.62
Pre-acceleration Late Charges	\$806.85
Hazard Insurance for the year 2012	3,385.10
Property Taxes years 2011 and 2012	1,765.34
Property Maintenance	2,466.25
Property Inspections	94.50
Valuation/BPO Fees	321.00
Servicer Fees	7,847.66
Costs of Suit:	
Filing Fees	\$934.50
Attorney's Fees	<u>\$1,300.00</u>
Attorney's Fees as per Agreement:	
Finding as to reasonable number of hours: 15:00	
Finding as to reasonable hourly rate: \$175.00	
Attorney's Fees Total	<u>\$ 2,625.00</u>
GRAND TOTAL	<u>\$143,234.86</u>

That shall bear interest at the rate of 4.75% per year.

2. Plaintiff holds a lien for the total sum superior to any and all claims or estates of defendant(s) on the following described property in **Indian River** County, Florida:

LOT 6, BLOCK G of Oslo Park Unit No. 7, according to the Plat thereof, as recorded in Plat Book 4, Page 28 of the Public Records of Indian River County, Florida. Property Address: 1446 25th Ct. SW, Vero Beach, FL 32962

3. 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 **AUGUST 26, 2013 at 10:00 a.m.**, to the highest bidder for cash, except as prescribed in paragraph 45, in accordance with section 45.031, Florida Statutes, using the following method: By electronic sale beginning at the time and on the date prescribed above at www.indian-river.realforeclose.com.

4. 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.

5. 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; 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.

6. 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 on the property and the purchaser at the sale, except as to claim 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. If any defendant remains in possession of the property, the clerk shall without further order of the court issue forthwith a writ of possession upon request of the person names on the certificate of title.

7. Jurisdiction of this action is retained to enter further orders that are proper including, without limitation, writs of possession and a deficiency judgment.

8. Upon issuance of the Certificate of Title, Plaintiff or the purchaser at the foreclosure sale shall be liable for Condominium Association dues pursuant to Florida Statutes 718.116.

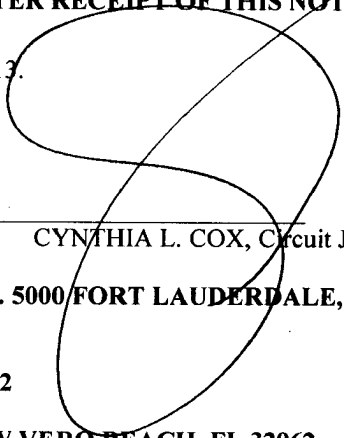
IF THIS PROPERTY IS SOLD AT PUBLIC AUCTION, THERE MAY BE ADDITIONAL MONEY FROM THE SALE AFTER PAYMENT OF PERSONS WHO ARE ENTITLED TO BE PAID FROM THE SALE PROCEEDS PURSUANT TO THE FINAL JUDGMENT.

IF YOU ARE A SUBORDINATE LIEN HOLDER CLAIMING A RIGHT TO FUNDS REMAINING AFTER SALE, YOU MUST FILE A CLAIM WITH THE CLERK NO LATER THAT 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 PHONE (772) 770-5185 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 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 UNDERSTANT WHAT YOU ARE SIGNING AND THAT YOU ARE NOT TRANSFERRING YOUR PROPERTY INFORMATION, IF YOU CANNOT AFFORD TO PAY AN ATTORNEY, YOU MAY CONTACT OR NEAREST LEGAL AID OFFICE 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 FOR ASSISTANCE YOU SHOULD DO SO AS SOON AS POSSIBLE AFTER RECEIPT OF THIS NOTICE.

DONE AND ORDERED at Indian River County, Florida on July 10, 2013.



CYNTHIA L. COX, Circuit Judge

UDREN LAW OFFICES, P.C. 2101 W COMMERCIAL BLVD., STE. 5000 FORT LAUDERDALE, FL 33309

TITO ANTONIO PENA 1446 25TH CT SW VERO BEACH, FL 32962

UNKNOWN SPOUSE OF TITO ANTONIO PENA 1446 25TH CT SW VERO BEACH, FL 32962

JUAN CARLOS GARCIA 1446 25TH CT SW VERO BEACH, FL 32962

UNKNOWN TENANT #2 N/K/A E. MENDOZA 1446 25TH CT SW VERO BEACH, FL 32962

UNKNOWN TENANT #1 N/K/A J. MENDOZA 1446 25TH CT SW VERO BEACH, FL 32962