

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

312012 CA 00391
CASE NO: 2012-000391-CA

BANK OF AMERICA, N.A. SUCCESSOR BY MERGER
TO BAC HOME LOANS SERVICING, LP FKA
COUNTRYWIDE HOME LOANS SERVICING, LP

Plaintiff(s),

v.

PATRICK C. ZACCARO; et. al.,

Defendant(s).

FINAL JUDGMENT OF FORECLOSURE

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(Form Approved by 19th Circuit Administrative Order 2010-08)

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

This action was heard before the court on Non-Jury trial on August 3, 2012. ~~On the~~
~~evidence presented;~~ *(upon consent of D)*

IT IS ADJUDGED that:

1. **Amounts Due.** Plaintiff, **BANK OF AMERICA, N.A. SUCCESSOR BY MERGER TO BAC HOME LOANS SERVICING, LP FKA COUNTRYWIDE HOME LOANS SERVICING, LP, 7105 Corporate Drive, MS PTX-B-35, Plano, TX 75024**, is due:

Principal	\$207,992.00
Interest on the note and mortgage from 2/1/2011 to 8/3/2012	\$19,344.42
• Per diem interest at 5.375% from 2/1/2011 to 9/30/2011 (242 days)	
• Per diem interest at 3.000% from 10/1/2011 to 9/30/2012 (366 days)	
• Per diem interest at 3.250% from 10/1/2012 to 8/3/2013 (306 days)	

Taxes	\$2,486.20
Insurance premiums	\$3,510.00
Court costs	\$1,856.60
Additional Costs:	
Inspections	\$75.00
 SUBTOTAL	 \$235,264.22
 LESS: Escrow Balance	 -\$0.00
LESS: Unearned insurance premiums	-\$0.00
LESS: Other [describe]	-\$0.00
 TOTAL	 \$235,264.22

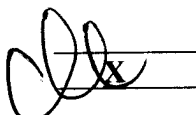
2. **Interest.** The total amount in paragraph 2 shall bear interest from this date forward at the prevailing rate.

3. **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 Indian River County, Florida:

LOT 84 OF POINTE WEST SOUTH VILLAGE PHASE II, PD, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 19, PAGE(S) 29 THROUGH 32, OF THE PUBLIC RECORDS OF INDIAN RIVER COUNTY, FLORIDA.

Property address: 1314 Hometown Drive, Vero Beach, FL 32966

4. **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 Sept. 19, 2013 to the highest bidder for cash, except as prescribed in paragraph 6,:

 at 2000 16th Avenue, Vero Beach, FL 32960 beginning at _____ 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 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 plaintiffs counsel to properly and timely publish the notice of sale may result in sanctions against the plaintiff, plaintiffs 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.

Any electronic sale by the clerk shall be in accordance with the 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 offices.

5. **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.

6. **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 2 from this date to the date of the sale; and by retaining any remaining amount pending the further order of this court.

7. **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.

8. **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 "Protecting Tenant At Foreclosure Act of 2009.". 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 named on the certificate of title.

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

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, 2000 16TH AVENUE, VERO BEACH FLORIDA 32960 (TELEPHONE: 772-770-5185, CIRCUIT CIVIL DIVISION), 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 RURAL LEGAL SERVICES AT (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 AT (888) 582-3410, FOR ASSISTANCE, YOU SHOULD DO SO AS SOON AS POSSIBLE AFTER RECEIPT OF THIS NOTICE.

ORDERED on

August 7, 2013

Circuit Judge

Copies furnished to:

Wesley C. Page, Esquire

BUTLER & HOSCH, P.A.

3185 South Conway Road, Suite E

Orlando, Florida 32812

Attorney for Plaintiff

wp85183@butlerandhosch.com

FLPleadings@butlerandhosch.com

Patrick C. Zaccaro

1314 Hometown Drive

Vero Beach, FL 32966

Heidi C. Zaccaro
1314 Hometown Drive
Vero Beach, FL 3299

Mortgage Electronic Registration Systems, Inc. for Countrywide KB... Home Loans, A
Countrywide Mortgage Ventures, LLC Series
C T Corporation System
1200 South Pine Island Road
Plantation, FL 33324

Pointe West South Village Homeowners Association, Inc., an administratively dissolved
corporation
c/o: Charles R. Mechling (RA)
1999 Pointe West Drive
Vero Beach, FL 32966

Brennan Grogan, Esq.
Jay Steven Levine Law Group
3300 PGA Boulevard, Suite 570
Palm Beach Gardens, Fl 33410
bgrogan@jsslawgroup.com
Attorney for Defendant Pointe West Master Property Owners Association, Inc.