

IN THE CIRCUIT COURT OF THE
19TH JUDICIAL CIRCUIT, IN AND FOR
INDIAN RIVER COUNTY, FLORIDA
CIVIL DIVISION:
CASE NO.: ~~2013-CA-000513~~

312013CA000513

JPMORGAN CHASE BANK, NATIONAL
ASSOCIATION,

Plaintiff,

vs.

DESIR SAINT CHARLES; FALCON
TRACE HOMEOWNERS ASSOCIATION,
INC.; LUMENA SAINT CHARLES;
UNKNOWN TENANT IN POSSESSION
OF THE SUBJECT PROPERTY,

Defendants.

FILE IN OPEN COURT
Date 8/14/13
By ST ST

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 Motion for Summary Final Judgment on August 14, 2013. On the evidence presented;

IT IS ADJUDGED that:

1. **Motion Granted.** There is no dispute of material facts and plaintiff's motion for summary judgment is granted.

2. **Amount Due.** Plaintiff, JPMORGAN CHASE BANK, NATIONAL ASSOCIATION, FL is due:

Principal due on the note secured by the mortgage foreclosed:	\$ 297,749.64 .
Interest on the note and mortgage from 11/1/2007 to 4/30/2013	\$ 112,586.76 .
Per Diem interest at 56.08 from May 1, 2013 to August 14, 2013	\$ 5,944.48 .
Taxes	\$ 19,553.65 .
Hazard Insurance	\$ 9,706.23 .
Mortgage Insurance Premium	\$ 15,407.54 .
Brokers Price Opinion	\$ 78.00 .
<u>Court Costs:</u>	
Title Search Expenses	\$ 200.00 .
Filing Fee	\$ 1,956.50 .
Service of Process at \$ ____ per defendant	\$ 325.00 .
Publication for Notice of Action	\$ 0.00
Tenant Inspection Fee	\$ 45.00 .
SUBTOTAL	\$ 463,552.80 .
<u>Additional Cost</u>	
Inspections	\$ 266.00 .
Suspense or Credit	\$ -(421.08) .
SUBTOTAL	\$ 463,397.72
TOTAL SUM	\$ 463,397.72 .

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

4. **Lien on Property.** Plaintiff holds a lien for the total sum superior to all claims or estates of defendant(s) on the property located in Indian River County, Florida:

LOT 278, OF FALCON TRACE-PLAT TWO, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 19, PAGE 76, OF THE PUBLIC RECORDS OF INDIAN RIVER COUNTY, FLORIDA.

Property address: **1938 GREY FALCON CIRCLE SW, VERO BEACH, FL 32962**

public sale on 1st day of October, 2013 to the highest bidder for cash,
except as prescribed in paragraph 6,

_____ at _____ beginning at _____.
X by electronic sale at www.Indian-River.realforeclose.com in accordance with section
45.031, Florida Statutes beginning at 10 am

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 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 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. 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.

7. **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.

8. **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 the sale; and by retaining any remaining amount pending the further order of this court-

9. Right of Redemption. On the 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 or claim in the property, except as to claims or rights under chapter 718 or chapter 720, Florida Statutes, if any.

10. 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 Foreclosure Act of 2009".

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

12. If Plaintiff is the Purchaser at the sale, Plaintiff's bid is hereby assigned to FEDERAL NATIONAL MORTGAGE ASSOCIATION, and the Clerk of Court is hereby directed to issue a Certificate of Title to assignee named therein.

13. Upon issuance of the Certificate of Title, Plaintiff or the purchaser at the Foreclosure Sale shall be liable for association assessments pursuant to Florida Statutes 720.3085.

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, FL 32960, (772) 770-5176 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 200 SOUTH INDIAN RIVER DRIVE SUITE 101 (34950) P.O. BOX 4333

FT. PIERCE, FL 34948 PHONE: (772) 466-4766 (TOLL FREE) (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 200 SOUTH INDIAN RIVER DRIVE SUITE 101 (34950) P.O. BOX 4333

FT. PIERCE, FL 34948 PHONE: (772) 466-4766 (TOLL FREE) (888) 582-3410 FOR ASSISTANCE, YOU SHOULD DO SO AS SOON AS POSSIBLE AFTER RECEIPT OF THIS NOTICE.

ORDERED at Indian River County, Florida on 14th day of August
2013.

Circuit Judge

Copies to all Parties on the attached service list:

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SERVICE LIST

Case No: 2013 CA 000513

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LUMENA SAINT CHARLES
1938 GREY FALCON CIRCLE SW
VERO BEACH, FL 32962

UNKNOWN TENANT
N/K/A MERTULIA BERGIS
1938 GREY FALCON CIRCLE SW
VERO BEACH, FL 32962

UNKNOWN TENANT(S) IN POSSESSION
OF SUBJECT PROPERTY
1938 GREY FALCON CIRCLE SW
VERO BEACH, FL 32962