

IN THE CIRCUIT COURT OF THE NINETEENTH
JUDICIAL CIRCUIT, IN AND FOR INDIAN RIVER
COUNTY, FLORIDA
CASE NO.: 2012 CA 000378

THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW
YORK, AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF
CWABS INC, ASSET-BACKED CERTIFICATES, SERIES 2007-1;
Plaintiff,

312012 CA 000378

vs.

TABITHA BRADSHAW; UNKNOWN SPOUSE OF TABITHA
BRADSHAW; MARY BRADSHAW-COVINGTON; UNKNOWN
SPOUSE OF MARY BRADSHAW-COVINGTON; ANY AND ALL
UNKNOWN PARTIES CLAIMING BY, THROUGH, UNDER AND
AGAINST THE HEREIN NAMED INDIVIDUAL DEFENDANT(S)
WHO ARE NOT KNOWN TO BE DEAD OR ALIVE, WHETHER
SAID UNKNOWN PARTIES MAY CLAIM AN INTEREST AS
SPOUSES, HEIRS, DEVISEES, GRANTEES, OR OTHER
CLAIMANTS; MAJESTIC OAKS COMMUNITY ASSOCIATION,
INC.; UNKNOWN TENANT(S) IN POSSESSION OF THE
PROPERTY;

FILED FOR RECORD
CLERK OF CIRCUIT COURT
INDIAN RIVER COUNTY
2013 SEP 16 PM 4:28

Defendants

CONSENT
FINAL JUDGMENT OF FORECLOSURE

(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 11. Attorneys may be sanctioned for submitting a final judgment which improperly varies the approved format.

THIS ACTION was heard before the Court at Trial on the Plaintiff's Final Judgment of Foreclosure on September 6, 2013. On the evidence presented;

IT IS ADJUDGED that:

1. **Motion Granted.** Plaintiff's final judgment is granted
2. **Amounts Due.** Plaintiff, **THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK, AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF CWABS INC, ASSET-BACKED CERTIFICATES, SERIES 2007-1, 400 COUNTRYWIDE WAY, SIMI VALLEY, CA 93065** is due

Principal	\$ 201,151.68
Per diem interest at \$ from 09/01/10 to 9/13/13	\$ 36,887.32
Taxes	\$ 1,586.68
2012 - \$1,586.68	
Hazard Insurance	\$ 2,718.87
2012 - \$1,542.00	
2011 - \$1,176.87	
Inspection	\$ 260.00
Court Costs:	
Complaint Filing Fee	\$ 967.50
Service of Process	\$ 385.00
Lis Pendens Recording	\$ 12.00
SUBTOTAL	\$ 243,969.05
Attorneys' fees total	\$ 1,300.00

TOTAL

\$ 245,269.05

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), TABITHA BRADSHAW; UNKNOWN SPOUSE OF TABITHA BRADSHAW; MARY BRADSHAW-COVINGTON; UNKNOWN SPOUSE OF MARY BRADSHAW-COVINGTON MAJESTIC OAKS COMMUNITY ASSOCIATION, INC., on the following described property in Indian River County, Florida:

LOT 112, MAJESTIC OAKS SUBDIVISION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 17, PAGES 11 AND 11A THROUGH 11D, INCLUSIVE, PUBLIC RECORDS OF INDIAN RIVER COUNTY, FLORIDA.

Property Address: 2646 12TH SQUARE SW, VERO BEACH, FL 32962, Indian River

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 January 27, 2014 to the highest bidder for cash, except as prescribed in paragraph 6, _____ at _____ www.indian-river-realestate.com by electronic sale ~~at~~ 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'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 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.

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

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 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.
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 "Protecting Tenant At Foreclosure Act of

2009." If any Defendant remains in possession of the property, the Motion For Writ of Possession shall be set for a hearing before the Court

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

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, (INSERT INFORMATION FOR APPLICABLE 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 (INSERT LOCAL OR NEAREST LEGAL AID OFFICE AND TELEPHONE NUMBER) 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 (NAME OF LOCAL OR NEAREST LEGAL AID OFFICE AND TELEPHONE NUMBER) FOR ASSISTANCE, YOU SHOULD DO SO AS SOON AS POSSIBLE AFTER RECEIPT OF THIS NOTICE.

DONE AND ORDERED on Sept 13 at Vero Beach, Florida.

Circuit Judge

MAILING LIST:

Copies Furnished by U.S. Mail to:
CASE NO.: 2012 CA 000378

MARINOSCI LAW GROUP, P.C.
100 WEST CYPRESS ROAD, SUITE 1045
FORT LAUDERDALE, FL 33309

TABITHA BRADSHAW AND
MARY BRADSHAW-COVINGTON
2646 12TH SQUARE SW
VERO BEACH, FL 32968

Copies Furnished by U.S. Mail to:
CASE NO.: 2012 CA 000378

MAJESTIC OAKS COMMUNITY ASSOCIATION, INC.
C/O SOUNDVIEW PROPERTY MANAGEMENT
2095 INDIAN RIVER BLVD.
VERO BEACH, FL 32960

UNKNOWN TENANT(S)
2646 12TH SQUARE SW
VERO BEACH, FL 32968