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

WELLS FARGO BANK, N.A. SUCCESSOR BY MERGER TO WACHOVIA MORTGAGE CORPORATION

Plaintiff,

CASE NO. 31-2013-CA-000784

v.

MARY THERESE VAN HOLLENBECK ; THOMAS A. GROOME; UNKNOWN TENANT 1; UNKNOWN TENANT 2; AND ALL UNKNOWN PARTIES CLAIMING BY, THROUGH, UNDER OR AGAINST THE ABOVE NAMED DEFENDANT(S), WHO (IS/ARE) NOT KNOWN TO BE DEAD OR ALIVE, WHETHER SAID UNKNOWN PARTIES CLAIM AS HEIRS, DEVISEES, GRANTEES, ASSIGNEES, LIENORS, CREDITORS, TRUSTEES, SPOUSES, OR OTHER CLAIMANTS; DEL MAR ASSOCIATION, INC.; PINETREE HOMEOWNERS ASSOCIATION, INC.

Defendants.
_____/

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BY

IN REM FINAL JUDGMENT OF FORECLOSURE

(Form Approved by 19th Circuit Amended Administrative Order 2011-01)

This action was heard before the court on plaintiff's Motion for Summary Final Judgment on December 06, 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. **Amounts Due.** Plaintiff WELLS FARGO BANK, N.A. SUCCESSOR BY MERGER TO WACHOVIA MORTGAGE CORPORATION, One Home Campus, Des Moines, IA 50328, is due:

Principal	$	106,829.33
Pre-Judgment Interest From 9/1/2008 to 8/22/2013 @ variable rate(s)	$	21,338.82
Interest at $ 8.78/diem from 8/23/2013 to 12/6/2013 105 days	$	921.90

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Title search expense	$	200.00
Taxes	$	4,080.68
Insurance premiums	$	86.79
Court Costs:		
Filing Fee	$	907.50
Service of Process	$	260.00
Additional Costs:		
Late Charges prior to acceleration	$	33.13
Property Inspections	$	119.75
LP Update & Examination	$	50.00
Recording Fee - Lis Pendens	$	11.00
Clerk - Issue Summons	$	60.00
TOTAL	**$**	**134,898.90**

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 first mortgage lien for the total sum superior to all claims or estates of defendant(s), on the following described property in INDIAN RIVER County, Florida:

UNIT A-102, PINETREE VILLAGE, A CONDOMINIUM, ACCORDING TO THE DECLARATION OF CONDOMINIUM, FILED IN OFFICIAL RECORDS BOOK 535, PAGE 464, PUBLIC RECORDS OF INDIAN RIVER COUNTY, FLORIDA, AS AMENDED.

Property address: **1901 INDIAN RIVER BLVD, APT. A102, VERO BEACH, FL 32960-4263**

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 23, 2014, to the highest bidder for cash, except as prescribed in Paragraph 6.

☒ online by electronic sale at www.indianriver.realforeclose.com, beginning at ten o`clock 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 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 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.

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".

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

11. Any purchaser at the foreclosure sale shall be responsible for assessments owed to Defendant, DEL MAR ASSOCIATION, INC. , to the extent provided for in Section 718.116, Florida Statutes.

12. Any purchaser at the foreclosure sale shall be responsible for assessments owed to Defendant, PINETREE HOMEOWNERS ASSOCIATION, INC., to the extent provided for in Section 720.3085, Florida Statutes.

13. If there are any objections to the sale filed or other matters that would delay disbursement of the sale proceeds past the eleventh day after the sale, Plaintiff may be entitled to interest at the rate prescribed in Paragraph 4 from this date to the actual date of issuance of the Certificate of Disbursements and Certificate of Title.

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, INDIAN RIVER P.O. BOX 1028, VERO BEACH, FL 32961-1028 TELEPHONE 772-770-5185 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 (INDIAN RIVER) FLORIDA RURAL LEGAL SERVICES, , TELEPHONE 772-466-4766 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 (INDIAN RIVER) FLORIDA RURAL LEGAL SERVICES, , TELEPHONE 772-466-4766 FOR ASSISTANCE, YOU SHOULD DO SO AS SOON AS POSSIBLE AFTER RECEIPT OF THIS NOTICE.

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 herein.

ORDERED on December ~~06~~ 10, 2013.

Circuit Judge

Copies furnished by U.S. Mailto:

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MARY THERESE VAN HOLLENBECK
576 CYPRESS RD
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PINETREE HOMEOWNERS ASSOCIATION, INC.
C/O WILLIAM G. SIMMONS, JR., R.A.
1901 INDIAN RIVER BLVD., A202
VERO BEACH, FL 32960

DEL MAR ASSOCIATION, INC.
C/O GARY ROLLINS, PD, RA
5400 NORTH A1A
VERO BEACH, FL 32963

UNKNOWN TENANT 1 N/K/A NEGORI NUREDEVA
1901 INDIAN RIVER BLVD
APT. A102
VERO BEACH, FL 32960-4263

UNKNOWN TENANT 2 N/K/A DION KHOGEVNE
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