

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

THE NORTHERN TRUST COMPANY, AN
ILLINOIS BANKING CORPORATION,
SUCCESSOR BY MERGER TO
NORTHERN TRUST, NATIONAL
ASSOCIATION

Plaintiff(s),

v.

CURTIS BRYANT ALSO KNOWN AS
CURTIS BRYANT, SR.; SHELIA BRYANT;
UNKNOWN TENANT(S) #1 NOW KNOWN
AS TIMOTHY BELL; SOPHIA
MARGERITHA GILLS;

Defendant(s).

CASE NO. 2013-CA-001519

312013 CA 001519

JEFFREY R. SMITH
CLERK OF CIRCUIT COURT
INDIAN RIVER COUNTY, FL.
BY JS D.C.

14 APR 25 PM 2:54

FILED
PROBATION DEPARTMENT
CIRCUIT COURT

FINAL JUDGMENT OF FORECLOSURE
(Form Approved by 19th Circuit Administrative Order 2011-)

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 the plaintiff's Motion for Summary Final Judgment on April 25, 2014. On the evidence presented;

IT IS ADJUDGED that:

COUNT I - MORTGAGE FORECLOSURE

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

2. **Amounts Due.** Plaintiff, **THE NORTHERN TRUST COMPANY, AN ILLINOIS BANKING CORPORATION, SUCCESSOR BY MERGER TO NORTHERN TRUST, NATIONAL ASSOCIATION, 600 Brickell Avenue, 23rd Floor, Miami, FL 33131**, is due:

Principal	\$93,035.21
Interest on the note and mortgage from 07/01/2011 to 12/04/2013	\$11,844.55
Per diem interest at \$13.56 from 12/05/2013 to 04/25/2014	\$1,911.96
Pre-acceleration Late Charges	\$1,569.31
Total Advances by Plaintiff	\$8,768.96
Real Estate Taxes for 2011, 2012, and 2013	\$1,275.97
Hazard Insurance for 2012, and 2013	\$6,844.99
Flood Insurance for 2012, and 2013	\$648.00
LESS Unapplied Funds	-\$306.78
PLUS Escrow Deficit	\$3,514.52
Title search expense	\$250.00
Attorneys' fees	
Finding as to reasonable number of hours: 12	
Finding as to reasonable hourly rate: 300.00	
Attorneys' fees total	\$3,030.00
Court costs	
Filing fee	\$1,043.00
Service of Process	\$536.30
TOTAL	\$125,197.03

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), on the following described property in **Indian River** County, Florida:

COMMENCING AT THE SOUTHEAST CORNER OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 27, TOWNSHIP 32 SOUTH, RANGE 39 EAST, INDIAN RIVER COUNTY, FLORIDA, AND RUN NORTH 145 FEET TO THE POINT OF BEGINNING; FROM SAID POINT OF BEGINNING, THENCE RUN NORTH 100 FEET, THENCE RUN WEST 100 FEET, THENCE RUN SOUTH 100 FEET, THENCE RUN EAST 100 FEET TO THE POINT OF BEGINNING.

PROPERTY ADDRESS: 4332 32nd Avenue,
Vero Beach, Florida 32967

PARCEL NO.: 32392700000100000028.0

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 June 10, 2014, 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 beginning at 10:00 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 Act 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.

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) 770-5185, 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 FLORIDA RURAL LEGAL SERVICES, 510 SOUTH US HIGHWAY 1, SUITE 1, FORT PIERCE, FLORIDA 34950, (888) 582-3410 TO SEE IF YOU QUALIFY FINANCIALLY FOR THEIR SERVICES 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, 510 SOUTH US HIGHWAY 1, SUITE 1, FORT PIERCE, FLORIDA 34950, (888) 582-3410 FOR ASSISTANCE, YOU SHOULD DO SO AS SOON AS POSSIBLE AFTER RECEIPT OF THIS NOTICE.

COUNT II - REFORMATON OF MORTGAGE

This matter having come before the Court for hearing on April 25, 2014, on the evidence presented, it is ADJUDGED that:

11. That Defendants, CURTIS BRYANT AND SHELIA BRYANT, AS HUSBAND AND WIFE, record owners in possession of the property described below, executed a mortgage recorded on August 10, 2007, in Official Records Book 2193, at page 56 of the public records of Miami-Dade County, Florida ("Mortgage") in favor of Plaintiff, NORTHERN TRUST, NA, encumbering the following described property ("Property"):

COMMENCING AT THE SOUTHEAST CORNER OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 27, TOWNSHIP 32 SOUTH, RANGE 39 EAST, INDIAN RIVER COUNTY, FLORIDA, AND RUN NORTH 145 FEET TO THE POINT OF BEGINNING; FROM SAID POINT OF BEGINNING, THENCE RUN NORTH 100 FEET, THENCE RUN WEST 100 FEET, THENCE RUN SOUTH 100 FEET, THENCE RUN EAST 100 FEET TO THE POINT OF BEGINNING.

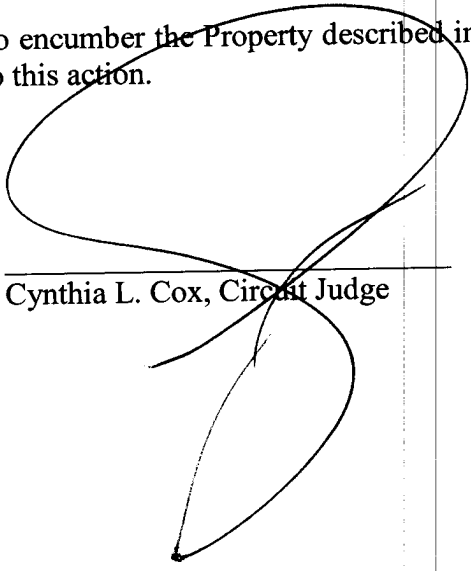
PROPERTY ADDRESS: 4332 32nd Avenue,
Vero Beach, Florida 32967

PARCEL NO.: 32392700000100000028.0

12. The Mortgage between the parties, through error or inadvertence, contained an incorrect legal description, describing the Property as "COMMENCING AT THE SOUTHEAST CORNER OF THE **NORTHEAST** 1/4", instead of "COMMENCING AT THE SOUTHEAST CORNER OF THE **NORTHWEST** 1/4".

13. The Mortgage shall be reformed and deemed to encumber the Property described in Paragraph 11 above, which is the Property subject to this action.

ORDERED on April 25, 2014


Cynthia L. Cox, Circuit Judge

Copies Furnished by U.S. Mail to:
[Distribution list]
19th Circ FJ Foreclosure Jan. 2011

STEVEN M. LEE, P.A.
LEE PROFESSIONAL BUILDING
1200 SW 2ND AVENUE
MIAMI, FLORIDA 33130-4214

CURTIS BRYANT ALSO KNOWN
AS CURTIS BRYANT, SR.
1246 17TH PLACE S.W.
VERO BEACH, FL 32962

SHELIA BRYANT
1246 17TH PLACE S.W.
VERO BEACH, FL 32962

SOPHIA MARGERITHA GILLS
4790 38TH CIRCLE, APT #105
VERO BEACH, FL 32967

UNKNOWN TENANT #1 NOW
KNOWN AS TIMOTHY BELL
4332 32ND AVENUE
VERO BEACH, FL 32967