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**IN THE CIRCUIT COURT OF THE NINETEENTH JUDICIAL CIRCUIT OF THE
STATE OF FLORIDA, IN AND FOR INDIAN RIVER COUNTY
CIVIL DIVISION**

GREEN TREE SERVICING LLC

Plaintiff,

vs.

CHARLES M. DELAUDER; UNKNOWN
SPOUSE OF CHARLES M. DELAUDER;
MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC., AS
NOMINEE FOR COUNTRYWIDE BANK,
FSB; SEBASTIAN PROPERTY OWNER'S
ASSOCIATION, INC. F/K/A SEBASTIAN
HIGHLAND PROPERTY OWNER'S
ASSOCIATION, INC.; UNKNOWN
TENANT #1; UNKNOWN TENANT #2;

Defendant(s),

FILE IN OPEN COURT
Date 10-01-14
By ST

Case No:31-2013-CA-001547-XXXX-XX
Division: **Civil Division**

FINAL JUDGMENT OF FORECLOSURE

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

Note: This final judgment may only be modified by adding language in sequentially numbered paragraphs beginning with paragraph 11. Attorney 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 October 1, 2014. 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, GREEN TREE SERVICING LLC, 7360 SOUTH KYRENE ROAD, TEMPE, AZ 85282, is due:

Principal	\$134,092.38
Interest on the note and mortgage from 06/01/2013 to 10/01/2014	\$7,138.84
Per diem interest at 3.99% from 06/01/2013 to 10/01/2014	
Hazard Insurance premiums	\$2,565.00

Title Search expenses	\$200.00
<u>Court Costs:</u>	
Filing Fee	\$907.50
Service of Process at \$42.00 per defendant	\$252.00
Clerk's Summons Fee	\$60.00
Recording Fee	\$5.00
SUBTOTAL	\$145,220.72

<u>Additional costs:</u>	
Less: Beginning Balance	-\$235.88
LESS: Unearned insurance premiums	\$0.00
TOTAL	\$144,984.84

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

LOT 6, BLOCK 339, SEBASTIAN HIGHLANDS UNIT 13, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 7, PAGE 82A, OF THE PUBLIC RECORDS OF INDIAN RIVER COUNTY, FLORIDA

Property address:
831 Gladiola Ave
Sebastian, FL 32958

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 December 1, 2014, to the highest bidder for cash, except as prescribed in Paragraph 6,:

 At, _____ 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 cancelled 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 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 of all 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 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 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 Tenants at Foreclosure Act of 2009".

10. Jurisdiction Retained. The Court retains jurisdiction of this action to enter further orders that are proper, including, without limitation, orders authorizing writs of possession, an award of attorney's fees, supplemental proceeding to address any omitted parties who may possess an interest in the property, amounts owed to associations and to enter deficiency judgments if the borrower has not been discharged in bankruptcy.

IF THIS PROPERTY IS SOLD AT PUBLIC AUCTION, THERE MAY BE ADDITIONAL MONEY FROM THE SALE AFTER PAYMENT OF

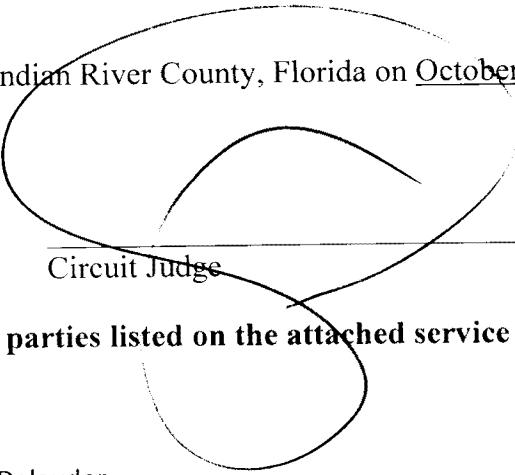
PERSONS WHO ARE ENTITLED TO BE PAID FROM THE SALE PROCEEDS PURSUANT TO THE FINAL JUDGMENT.

IF YOU ARE A SUBORDINATE LIEN HOLDER CLAIMING A RIGHT TO FUNDS REMAINING AFTER THE SALE, YOU MUST FILE A CLAIM WITH THE CLERK NO LATER THAT SIXTY (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 CLERK OF THE CIRCUIT COURT 2000 16 AVE, VERO BEACH, FL 32960, 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) PO BOX4333 FT. PIERCE, FL 34948; Phone # , Fax # , 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 FOR ASSISTANCE, YOU SHOULD DO SO AS SOON AS POSSIBLE AFTER THE RECEIPT OF THIS NOTICE.

DONE AND ORDERED at Indian River County, Florida on October 1, 2014



Circuit Judge

Mailed to all parties listed on the attached service list.

MASTER CIVIL SERVICE LIST

LAW OFFICES OF DANIEL C. CONSUEGRA P.L.
9204 KING PALM DRIVE
TAMPA, FL 33619
attorneynotice@consuegralaw.com

*Christina
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leongnichols@comcast.net;

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., AS NOMINEE FOR
COUNTRYWIDE BANK, FSB
C T CORPORATION SYSTEM
1200 SOUTH PINE ISLAND ROAD
PLANTATION, FL 33324

SEBASTIAN PROPERTY OWNER'S ASSOCIATION, INC. F/K/A SEBASTIAN HIGHLAND
PROPERTY OWNER'S ASSOCIATION, INC.
LILLIAN MANDELLO
362 COLUMBUS STREET
SEBASTIAN, FL 32958