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

Case No.: 2014CA001088

312014CA001088

NEW PENN FINANCIAL LLC DBA  
SHELLPOINT MORTGAGE SERVICING,

Plaintiff,

vs.

ESTATE OF HUGH A. BOWEN,  
DECEASED, ET AL.,

Defendants.

**FINAL JUDGMENT OF FORECLOSURE**

This action was heard before the court on June 12, 2015. On the evidence presented,

**IT IS ADJUDGED** that:

1. **Judgment Granted.** Judgment for plaintiff is granted.
2. **Amounts Due.** Plaintiff, New Penn Financial, LLC, d/b/a Shellpoint Mortgage Servicing, 55 Beattie Place, Suite 100, Greenville, SC 29601, is due:

|   |              |
|---|--------------|
| Principal:  | \$ 42,011.88 |
| Interest on the note and mortgage from 9/1/13<br>to 6/10/15 |              |
| Per diem interest at 5.50% from 9/1/13<br>to 6/10/15        | \$ 4,312.07  |
| Title search expense:                                       | \$ 200.00    |
| Taxes   | \$ 725.46    |
| Insurance premiums  | \$           |

Attorneys' fees:

The requested attorney's fee is a flat fee that the firm's client has agreed to pay in this matter. Given the amount of the fee requested and the labor expended, the Court finds that a lodestar analysis is not necessary and that the flat fee is reasonable.

Attorneys' fees total \$ 1,040.00

|                                    |                            |
|------------------------------------|----------------------------|
| Court costs                        |                            |
| Filing fee                         | \$                         |
| Service of Process                 | \$                         |
| Recording                          | \$ 5.00                    |
| Additional Costs                   |                            |
| Pre-acceleration late charges:     | \$ 113.60                  |
| Property inspection & maintenance: | \$ 193.00                  |
| Securing property                  | \$ 95.00                   |
| Escrow balance at loan transfer    | \$ 30.92                   |
| Pre-Sale Fee                       | \$ 70.00                   |
| <b>SUBTOTAL:</b>                   | <b><u>\$ 48,796.93</u></b> |
| LESS: Escrow balance               | \$                         |
| LESS: Other _____                  |                            |
| <b>TOTAL:</b>                      | <b><u>\$ 48,796.93</u></b> |

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 Martin County, Florida:

APARTMENT NO. 206 OF CONDOMINIUM APARTMENT BUILDING NO. 52, VISTA ROYALE, PHASE 2, ACCORDING TO THE DECLARATION OF CONDOMINIUM THEREOF, RECORDED IN OFFICIAL RECORDS BOOK 591, PAGE 2569, OF THE PUBLIC RECORDS OF INDIAN RIVER COUNTY, FLORIDA

Property address: 52 Woodland Drive Unit 206, Vero Beach, FL 32962

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 July 27, 2015, 2015, to the highest bidder for cash, except as prescribed in paragraph 6,:

by electronic sale at [www.indian-river.realforeclose.com](http://www.indian-river.realforeclose.com) beginning at 10:00 a.m.

in accordance with section 45.03 1, 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 1 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/Right of Possession.** 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. Upon the filing of the certificate of title, the person named on the certificate of title shall be let into possession of the property.

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 clerk shall <sup>upon</sup> ~~without~~ further order of the court issue forthwith a writ of possession upon request of the person named on the certificate of title.

*without hearing*

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

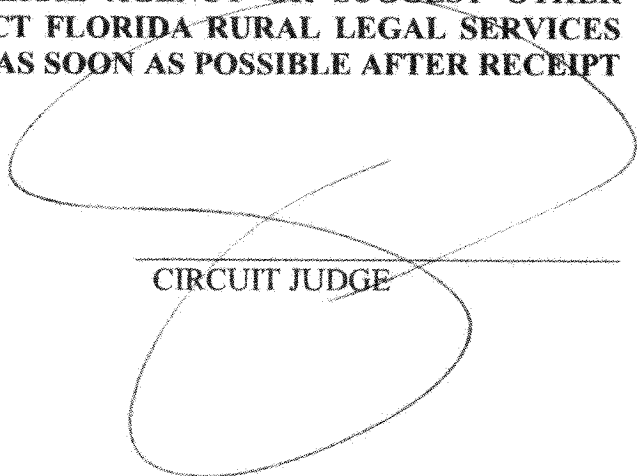
**IF THIS PROPERTY IS SOLD AT PUBLIC AUCTION, THERE MAY BE ADDITIONAL MONEY FROM THE SALE AFTER PAYMENT OF PERSONS WHO ARE ENTITLED TO BE PAID FROM THE SALE PROCEEDS PURSUANT TO THE FINAL JUDGMENT.**

**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, JEFFREY R. SMITH, CLERK OF THE INDIAN RIVER COUNTY COURT, 2000 16<sup>TH</sup> 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, INC. AT 510 SOUTH U.S. HIGHWAY 1, FORT PIERCE, FLORIDA 34948, PHONE NUMBER (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 REFFERAL AGENCY OR SUGGEST OTHER OPTIONS. IF YOU CHOOSE TO CONTACT FLORIDA RURAL LEGAL SERVICES FOR ASSISTANCE, YOU SHOULD DO SO AS SOON AS POSSIBLE AFTER RECEIPT OF THIS NOTICE.**

ORDERED on June 12, 2015



CIRCUIT JUDGE

Copies furnished by U.S. Mail to:  
See attached Service List

SERVICE LIST

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The Unknown Personal Representative of the Estate of Hugh A. Bowen, Deceased  
52 Woodland Drive, Unit 206  
Vero Beach, FL 32962

First Horizon Home Loan Corporation  
C/O CT Corporation System  
1200 South Pine Island Road  
Plantation, FL 33324

The Unknown Heirs, Beneficiaries and Devisees of the Estate of Hugh A. Bowen, Deceased  
52 Woodland Drive, Unit 206  
Vero Beach, FL 32962

Unknown Party in Possession 1  
52 Woodland Drive, Unit 206  
Vero Beach, FL 32962

Unknown Party in Possession 2  
52 Woodland Drive, Unit 206  
Vero Beach, FL 32962

Unknown Spouse of Hugh A. Bowen  
52 Woodland Drive, Unit 206  
Vero Beach, FL 32962