

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

BANK OF AMERICA, NATIONAL
ASSOCIATION,

CASE NO: 31-2015-CA-000512

PLAINTIFF,

VS.

WILLIAM W. DORR, III; KATHLEEN J.
DORR, ET AL.,
DEFENDANTS.

IN REM CONSENT FINAL JUDGMENT OF FORECLOSURE

This action was heard before the court on **July 29, 2016** and on the evidence presented and being otherwise duly advised in the premises,

IT IS ORDERED AND ADJUDGED that:

1. **Final Judgment.** There is no dispute of material facts and the parties have consented to entry of this final judgment.
2. **Amounts Due.** Plaintiff, **Bank of America, National Association, 75 Beattie Place, Greenville, SC 29601** is due:

Principal Balance		\$93,028.04
Deferred Principal Balance		\$93,131.38
Interest at 5% to 7/29/2016		\$23,817.22
Escrow Balance		\$15,110.54
Corporate Advances		\$ 6,969.94
Insurance		\$ 8,970.00
Taxes		\$ 2,845.55
Pre Acceleration Late Charges		\$ 158.27
Property Inspection Fee		\$ 698.75
Attorney's Fees:		
Based on flat fee	\$3,000.00	
Hourly Fees	\$3,500.00	
Attorney's fees Total		\$ 6,500.00
Court Costs		\$ 2,298.74
Subtotal		\$253,528.43

CLERK OF CIRCUIT COURT
INDIAN RIVER COUNTY
FLORIDA
16 AUG -1 PM 1:20

LESS: Escrow balance	\$ 0
LESS: Unearned insurance premiums	\$ 0
LESS: Other Suspense Balance	\$ 0

TOTAL **\$253,528.43**

3. **Interest.** The total amount in paragraph 2 shall bear interest from this date forward at the prevailing statutory rate of interest.

4. **Lien on Property.** Plaintiff holds a lien for the total sum superior to all claims or estates of defendant(s), WILLIAM W. DORR, III; KATHLEEN J. DORR, (with the exception of any assessments that are superior pursuant to Section 718.116, or 720.3085, Florida Statutes) on the following described property in **Indian River** County, Florida:

LOT 21, BLOCK A, COLONIAL GARDENS PHASE II, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 14, PAGES 4 AND 4A, OF THE PUBLIC RECORDS OF INDIAN RIVER COUNTY, FLORIDA.

Property address: **1130 9TH SQUARE, VERO BEACH, FL 32960**

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 October 27, 2016, to the highest bidder for cash, except as prescribed in paragraph 6, 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. All orders postponing or canceling the sale must be filed with the clerk of court no later than 5:00 p.m. five (5) business days before the sale date. Counsel for plaintiff must be certain that all sale and clerk fees are paid and that the original proof of publication is filed no less than five (5) business days before the sale date. Failure to timely file the original proof of publication of the notice of sale and pay the sale and clerk fees will stop the sale. Additionally, the failure of plaintiff's counsel to pay the sale fee and 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. 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.

not less than ninety (90) calendar days after the date hereof

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 filing of the certificate of title, the person named on the certificate of title shall be let into possession of the property. If any defendant or tenant remains in possession of the property, an Order Granting the Motion For Writ of Possession shall be entered without further notice or hearing, subject to the purchaser's compliance with Section 83.561, Florida Statutes.

10. **Jurisdiction Retained.** Jurisdiction of this action is retained to enter further orders that are proper including, without limitation, writs of possession and such supplemental relief or judgments as may be appropriate. Plaintiff explicitly waives its right to pursue a deficiency judgment in this matter.

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.

ORDERED on this 29 day of July, 2016.


Circuit Judge

Copies Furnished by U.S. Mail to:

CHARISE MORGAN-JOSEPH, ESQ.
WARD DAMON POSNER PHETERSON & BLEAU
4420 BEACON CIRCLE
WEST PALM BEACH, FL 33409
foreclosureservice@warddamon.com

Leonard O. Townsend, Esq.
Florida Bar No. 13061

LOUIS B. VOCELLE, JR, ESQUIRE
VOCELLE & BERG, LLP
ATTORNEYS FOR WILLIAM & KATHLEEN DORR
3333 20TH STREET
VERO BEACH, FL 32960
EMAIL: BVocelle@vocelleberg.com