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IN THE CIRCUIT COURT OF THE 19TH JUDICIAL CIRCUIT, IN AND FOR INDIAN RIVER
COUNTY, FLORIDA CIRCUIT CIVIL DIVISION

CASE NO: 2016 CA 000157

U.S. BANK NATIONAL ASSOCIATION, AS
TRUSTEE, ON BEHALF OF THE HOLDERS OF
THE ASSET BACKED PASS-THROUGH
CERTIFICATES, SERIES RFC 2007-HE1
Plaintiff,

vs.

CHRISTOPHER MORCILLO A/KA
CHRISTOPHER M. MORCILLO; RHONDA
MORCILLO A/K/A RHONDA L. MORCILLO;
INDIAN RIVER COUNTY, STATE OF
FLORIDA; PORTFOLIO RECOVERY
ASSOCIATES; UNKNOWN TENANT #1;
UNKNOWN TENANT #2;
Defendants.

FINAL JUDGMENT OF FORECLOSURE

This action was heard before the court on **SEPTEMBER 12, 2016** for **Non-Jury Trial**.
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 Plaintiff is entitled to entry
of final judgment.

2. **Amount Due.** Plaintiff, U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE,
ON BEHALF OF THE HOLDERS OF THE ASSET BACKED PASS-THROUGH

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RECORDED IN THE RECORDS OF JEFFREY R. SMITH, CLERK OF CIRCUIT COURT INDIAN RIVER CO FL

CERTIFICATES, SERIES RFC 2007-HE1, 3217 South Decker Lake Drive, Salt Lake City, Utah, 84119-3284, is due:

Principal	\$	107,171.45
Interest on Note from 12/01/2012 to 9/12/2016	\$	22,385.93
Late Charges	\$	1,067.95
Title Fees	\$	465.00
Taxes	\$	2,546.16
Hazard Insurance	\$	14,027.71
Valuations	\$	356.00
Property Preservation	\$	4,594.63
Property Inspections	\$	418.85
Foreclosure Fees	\$	1,680.00
Court Costs:		
Filing Fees	\$	1,029.49
Process Server	\$	797.60
Additional Costs		
Interest on Advance	\$	32.05
Miscellaneous	\$	24.83
Unapplied Funds	\$	(0.06)
Total:	\$	156,597.59

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

4. **Lien on Property.** Plaintiff holds a lien for the total sum superior to all claims or estates of defendants, CHRISTOPHER MORCILLO A/KA CHRISTOPHER M. MORCILLO, RHONDA MORCILLO A/K/A RHONDA L. MORCILLO, INDIAN RIVER COUNTY, STATE OF FLORIDA, and PORTFOLIO RECOVERY ASSOCIATES (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 35, BLOCK 2, IXORA PARK PLAT NO. 5, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 6, PAGE 83, OF THE PUBLIC RECORDS OF INDIAN RIVER COUNTY, FLORIDA.

Property Address: 2214 2nd Street SW, 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 27 day of October 2016 to the highest bidder for cash, except as prescribed in paragraph 6, by electronic sale at Indian River

www.Indian-River.realforeclose.com in accordance with section 45.031, Florida Statutes beginning at 10:00 a.m. 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. (5) business days before the sale date. Counsel for plaintiff must be certain that all sales and clerk fees are paid and that the original proof of publication is filed no less than (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.

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 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 the further order of this court:

8. **Right of Redemption.** On the filing of the certificate of sale, defendants and all persons claiming under or against defendants 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 as are proper including, without limitation, deficiency judgments, except where a discharge is applicable or where service of process was not personally obtained.

11. **Re-establishment of Lost Note.** The note and mortgage attached to Plaintiff's complaint are hereby re-established and pursuant to the applicable Florida statute, Plaintiff shall hereby hold the defendant obligors of the note harmless and shall indemnify them from any loss they may incur by reason of a claim by another person to enforce the lost note.

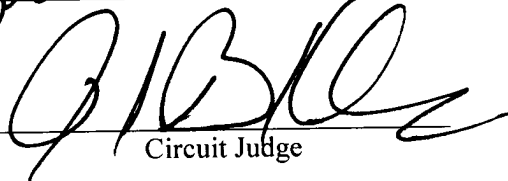
IF THIS PROPERTY IS SOLD AT PUBLIC AUCTION, THERE MAY BE ADDITIONAL MONEY FROM THE SALE AFTER PAYMENT OF PERSONS WHO ARE ENTITLED TO BE PAID FROM THE SALE PROCEEDS PURSUANT TO THE FINAL JUDGMENT. IF YOU ARE A SUBORDINATE LIENHOLDER CLAIMING A RIGHT TO FUNDS REMAINING AFTER THE SALE, YOU MUST FILE A CLAIM 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) 770-5176 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-FORT PIERCE OFFICE, 510 SOUTH US HIGHWAY 1, SUITE 1, FORT PIERCE, FLORIDA 34948, (772) 466-4776, 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-FORT PIERCE OFFICE, (772) 466-4776, FOR ASSISTANCE, YOU SHOULD DO SO AS SOON AS POSSIBLE AFTER RECEIPT OF THIS NOTICE.

DONE AND ORDERED on 12 day of September, 2016 at Vero Beach,
INDIAN RIVER County, Florida.


Circuit Judge

Copies to all Parties on the attached service list:

SERVICE LIST
Case No. 2016 CA 000157

CHRISTOPHER MORCILLO A/KA CHRISTOPHER M. MORCILLO
10546 136TH ST.
LARGO, FL 33774

RHONDA MORCILLO A/K/A RHONDA L. MORCILLO
10546 136TH ST.
LARGO, FL 33774

INDIAN RIVER COUNTY, STATE OF FLORIDA
c/o Code Enforcement Board, County Attorneys Office
1801 27th Street
Vero beach, FL 32960

PORTFOLIO RECOVERY ASSOCIATES
C/O CORPORATION SERVICE COMPANY
1201 HAYS STREET
TALLAHASSEE, FL 32301-2525

UNKNOWN TENANT(S)
2214 2nd St SW
Vero Beach, FL 32962

FRENKEL LAMBERT WEISS WEISMAN & GORDON LLP
1 EAST BROWARD BLVD., STE. 1430
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FLESERVICE@FLWLAW.COM