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

**WILMINGTON SAVINGS FUND SOCIETY,  
FSB, DOING BUSINESS AS CHRISTIANA  
TRUST, NOT IN ITS INDIVIDUAL CAPACITY,  
BUT SOLELY AS TRUSTEE FOR BCAT 2015-  
14ATT,**

312016CA000745XXXXXX

**Plaintiff,**

**vs.**

**CASE NO.: 2016-CA-000745**

**MICHAEL A. KRAMER; RACHAEL KRAMER;  
UNKNOWN SPOUSE OF MICHAEL A.  
KRAMER; UNKNOWN SPOUSE OF RACHAEL  
KRAMER; UNKNOWN SPOUSE OF JUDITH N.  
CARON; ILENE VICTOR; INDIAN RIVER  
COUNTY; OLD DIXIE INDUSTRIAL PARK,  
LLC, A FLORIDA LIMITED LIABILITY  
COMPANY; UNITED STATES OF AMERICA –  
DEPARTMENT OF TREASURY; AND  
UNKNOWN TENANT #1 AND UNKNOWN  
TENANT #2, AS UNKNOWN TENANTS IN  
POSSESSION,**

**Defendants.**

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**FINAL JUDGMENT OF FORECLOSURE**

THIS ACTION was heard before the Court on August 21, 2017 on Plaintiff's Motion for  
Final Judgment. On the evidence presented;

IT IS ORDERED AND ADJUDGED THAT:

1. **Motion Granted.** There is no dispute of material facts and Plaintiff's Motion for Final  
Judgment is granted.
2. **Amounts Due.** Plaintiff, **WILMINGTON SAVINGS FUND SOCIETY, FSB, DOING  
BUSINESS AS CHRISTIANA TRUST, NOT IN ITS INDIVIDUAL CAPACITY,  
BUT SOLELY AS TRUSTEE FOR BCAT 2015-14ATT** is due:

Principal

\$101,604.77

Interest on the note and mortgage from 9/1/11 to 8/31/17 @8.500%	\$47,445.69
Escrow Advances	\$58,639.54
Late Charges	\$1,568.76
Recoverable Balance	\$15,614.83
Attorney's fees	
Finding as to reasonable number of hours:	
\$2,995.00 flat fee + \$3,811.50 (17.73 hrs.)	
Finding as to reasonable hourly rate: \$215/ hr.	
Attorney's Fees total	\$6,806.50
Court costs	
Filing fee	\$1,096.07
Service of Process	\$850.00
Legal Publication	\$519.80
Skip Trace	\$75.00
Sale Fee/Online Auction Fee	\$70.00
<b>TOTAL</b>	<b>\$234,290.96</b>

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

**Lien of Property.** Plaintiff, whose address is **WILMINGTON SAVINGS FUND SOCIETY, FSB, DOING BUSINESS AS CHRISTIANA TRUST, NOT IN ITS INDIVIDUAL CAPACITY, BUT SOLELY AS TRUSTEE FOR BCAT 2015-14ATT**, Attention: c/o Selene Finance LP, 9990 Richmond Avenue, Suite 400 South, Houston, Texas 77042 holds a lien for the total sum specified above. The lien of the Plaintiff is superior in dignity to any right, title, interest or claim of the Defendants and all persons, corporations, or other entities claiming by, through, or under the Defendants or any of them and the property will be sold free and clear of all claims of the Defendants, with the exception of any assessments that are superior pursuant to Florida Statutes, Section 718.116 and 720.3085. The Plaintiff's lien encumbers the subject property located in Indian River County, Florida and described as:

**THE SOUTH 1-1/2 ACRES OF THE NORTH 4 ACRES OF THE WEST 10.52 ACRES OF TRACT 8, SECTION 10, TOWNSHIP 33 SOUTH, RANGE 39 EAST, ACCORDING TO THE LAST GENERAL PLAT OF LANDS OF INDIAN RIVER FARMS COMPANY, RECORDED IN PLAT BOOK 2, PAGE 25, PUBLIC**

**RECORDS OF ST. LUCIE COUNTY, FLORIDA; SAID LANDS NOW LYING AND BEING IN INDIAN RIVER COUNTY, FLORIDA., LESS AND EXCEPT THE NORTH 15.91 FEET THEREOF.**

**Property Address: 1361 30<sup>th</sup> Ave, Vero Beach, FL 32960**

4. **Sale of Property.** If the total sum with interest at the rate described in Paragraph 1 and all costs accrued subsequent to the Judgment are not paid, the Clerk of this Court shall sell the property at public sale on the **5th day of October, 2017**, 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 45.031, 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.** 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.

5. **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.
6. **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 attorney's fees; fourth, the total sum due to plaintiff, less the item 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.
7. **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.
8. **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. 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

9. **Jurisdiction Retained.** Jurisdiction of this action is retained to enter further orders that are proper including, without limitation, a deficiency judgment, writs of possession and such supplemental relief or judgments as may be appropriate.
10. The Plaintiff may assign the judgment and credit bid by the filing of an assignment without further Order of the Court.
11. The Court finds, based upon the affidavits presented and upon inquiry of counsel for the Plaintiff, that \$6,806.50 were reasonably expended by Plaintiff's counsel and that an hourly rate of \$215 is appropriate. PLAINTIFF'S COUNSEL CERTIFIES THAT THE ATTORNEY FEE AWARDED DOES NOT EXCEED ITS CONTRACT FEE WITH PLAINTIFF. The Court finds that there are no reduction or enhancement factors for consideration by the Court pursuant to *Florida Patient's Compensation v. Rowe*, 427 So. 2d 1145 (Fla. 1985).
12. The Court retains jurisdiction of this action to enter further Orders that are proper, specifically, but without limitation, the following: orders authorizing writs of possession; orders for deficiency judgment if the borrower has not been discharged in bankruptcy; an award of attorney's fees; motions for leave to file a supplemental complaint to re-foreclose against omitted lienors post judgment; adjudicate its post-judgment motion for assessments under Fla. Stat. §718.116 and §720.3085.
13. The Promissory Note is hereby reestablished pursuant to Section 71.011, Florida Statutes.

**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 THIS FINAL JUDGMENT.**

**IF YOU ARE 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 FOR YOUR COUNTY WITHIN TEN (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.**

<b>Indian River County Clerk of Court</b>
2000 16 <sup>th</sup> Avenue, Civil Dept., Room 136 Vero Beach, FL 32960 (772) 770-5176 <a href="http://www.clerk.indian-river.org">www.clerk.indian-river.org</a>

**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 SERVICE – 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 SERVICE – FORT PEIRCE OFFICE, (772) 466-4776, FOR ASSITANCE, YOU SHOULD DO SO AS SOON AS POSSIBLE AFTER RECEIPT OF THIS NOTICE.**

DONE AND ORDERED at Indian River County, Florida, this 21st day of August, 2017.

  
Paul B. Kanarek, Circuit Court Judge

**Copies Furnished to:**

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