

Filing # 61260450 E-Filed 09/01/2017 02:50:34 PM

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

JPMorgan Chase Bank, National Association

Plaintiff(s),

312017CA000161XXXXXX

V.

CASE NO.: 2017-CA-000161

Valter Lohmann; Amanda Lydia Lohmann;
Unknown Parties in Possession #1, if living,
and all Unknown Parties claiming by, through,
under and against the above named
Defendant(s) who are not known to be dead or
alive, whether said Unknown Parties may claim
an interest as Spouse, Heirs, Devisees,
Grantees, or Other Claimants; Unknown Parties
in Possession #2, if living, and all Unknown
Parties claiming by, through, under and against
the above named Defendant(s) who are not
known to be dead or alive, whether said
Unknown Parties may claim an interest as
Spouse, Heirs, Devisees, Grantees, or Other
Claimants

Defendant(s).

FINAL JUDGMENT OF FORECLOSURE
(Form Approved by 19th Circuit Administrative Order 2015-7)

THIS ACTION was heard before the court on **September 1, 2017** and on the evidence
presented and being otherwise duly advised in the premises ,

IT IS **ORDERED AND 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, JPMorgan Chase Bank, National Association, JPMorgan Chase Bank, N.A., 3415 Vision Drive, Columbus, Ohio 43219, is due:

Principal	\$108,685.14
Interest on the note and mortgage from August 1, 2016 to May 31, 2017	\$4,415.30
Per diem interest at rate 4.875%. from May 31, 2017 to September 1, 2017	\$1,350.36
Title search expense	\$330.00
Taxes	\$0.00
Insurance premiums	
Hazard Insurance	\$1,626.00
Credits/Charges	\$-889.95
Attorney's fees	
Other *	\$3,625.00
(* The requested attorney's fee is a flat rate 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	\$3,625.00
Court costs	
Filing fee/ Statutory Convenience Fee	\$950.00
Service of Process at	
\$321.30 / Valter Lohmann	
\$321.30 / Amanda Lydia Lohmann	\$772.60
\$65.00 / Unknown Parties in Possession #1	
\$65.00 / Unknown Parties in Possession #2	
Publication for Valter Lohmann and Amanda Lydia Lohmann	\$455.40
Additional Costs	
Late Charges	\$119.88
Property Preservation	\$9,711.03
Property Inspections	\$98.00
Lis Pendens Recording Fee	\$9.00
Subtotal	\$131,257.76
LESS: Escrow Balance	(\$0.00)
TOTAL	\$131,257.76

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 first mortgage lien for the total sum superior to all

claims or estates of defendant(s) (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 12, BLOCK 3, BEL-PORTE PARK, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 5, PAGE 22, PUBLIC RECORDS OF INDIAN RIVER COUNTY, FLORIDA.

Property Address: 846 18th Avenue, 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 subject property at public sale on **October 16, 2017**, to the highest bidder for cash, except as prescribed in Paragraph 6, by electronic sale at www.indian-river.realforeclose.com beginning at 10:00a.m. in accordance with § 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 not 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, plaintiff shall file an affidavit within 5 business days and 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 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, a deficiency judgment, if appropriate, writs of possession and such supplemental relief or judgments as may be appropriate.

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 SMITH, 2000 16TH AVENUE, 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, 121 NORTH 2ND STREET, 4TH FLOOR, FORT PIERCE, FL 34950, (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 REFERRAL

AGENCY OR SUGGEST OTHER OPTIONS. IF YOU CHOOSE TO CONTACT FLORIDA RURAL LEGAL SERVICES, 121 NORTH 2ND STREET, 4TH FLOOR, FORT PIERCE, FL 34950, (772) 466-4766 FOR ASSISTANCE, YOU SHOULD DO SO AS SOON AS POSSIBLE AFTER RECEIPT OF THIS NOTICE.

DONE AND ORDERED on September 1, 2017 at VERO BEACH, Florida.

A handwritten signature in black ink, appearing to read "Paul B. Kanarek", written over a horizontal line.

Paul B. Kanarek, Circuit Judge

SHAPIRO, FISHMAN & GACHÉ, LLP, SFGBocaService@logs.com

Valter Lohmann, LAST KNOWN ADDRESS, 846 18th Avenue, Vero Beach, FL 32960

Amanda Lydia Lohmann, LAST KNOWN ADDRESS, 846 18th Avenue, Vero Beach, FL 32960