

Filing # 94915078 E-Filed 08/28/2019 02:19:15 PM

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

WILMINGTON TRUST COMPANY, AS
SUCCESSOR TRUSTEE TO BANK OF
AMERICA, NATIONAL ASSOCIATION
(SUCCESSOR BY MERGER TO LASALLE
BANK NATIONAL ASSOCIATION) AS
TRUSTEE FOR MORGAN STANLEY
MORTGAGE LOAN TRUST 2007-15AR,
MORTGAGE PASS-THROUGH
CERTIFICATES, SERIES 2007-15AR
PURSUANT TO THE POOLING AND
SERVICING AGREEMENT DATED AS OF
OCTOBER 1, 2007,
Plaintiff,

CASE NO. 2019 CA 000278
312019CA000278XXXXXX

vs.

RICHARD F. TAMBLYN, III, AS
PERSONAL REPRESENTATIVE OF THE
ESTATE OF RICHARD F. TAMBLYN, JR.
A/K/A RICHARD F. TAMBLYN A/K/A
RICHARD TAMBLYN, DECEASED;
RICHARD F. TAMBLYN, III; KARA A.
TAMBLYN; SAMUEL TAMBLYN A/K/A
SAMUEL A. TAMBLYN, A MINOR, BY
AND THROUGH HIS NATURAL
GUARDIAN, ROXIE TAMBLYN A/K/A
ROXIE C. TAMBLYN A/K/A ROXIE
CHATAM TAMBLYN; SARA TAMBLYN
A/K/A SARAH A. TAMBLYN A/K/A
SARAH TAMBLYN, A MINOR, BY AND
THROUGH HER NATURAL GUARDIAN,
ROXIE TAMBLYN A/K/A ROXIE C.
TAMBLYN A/K/A ROXIE CHATAM
TAMBLYN; ANY AND ALL UNKNOWN
PARTIES CLAIMING BY, THROUGH,
UNDER, AND AGAINST THE HEREIN
NAMED INDIVIDUAL DEFENDANT(S)
WHO ARE NOT KNOWN TO BE DEAD
OR ALIVE, WHETHER SAID UNKNOWN
PARTIES MAY CLAIM AN INTEREST AS
SPOUSES, HEIRS, DEVISEES,
GRANTEES, OR OTHER CLAIMANTS,

Defendant(s).

_____ /

AMENDED FINAL JUDGMENT OF FORECLOSURE

This action was heard before the court on Plaintiff's Order to Show Cause pursuant to Florida Statute 702.10 on July 30, 2019 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 Order to Show Cause is Granted.

2. Value of Claim. At the initiation of this action, in accordance with section 28.241(1)(a)2.b., Florida Statutes, plaintiff estimated the amount in controversy of the claim to be **\$99,649.18**. In accordance with section 28.241(1)(a)2.c., Florida Statutes, the Court identifies the actual value of the claim to be \$ **\$120,013.08**, as set forth below. For any difference between the estimated amount in controversy and the actual value of the claim that requires the filing fee to be adjusted, the Clerk shall adjust the filing fee. In determining whether the filing fee needs to be adjusted, the graduated filing fee scale in section 28.241(1)(a)2.d., Florida Statutes, controls. If an excess filing fee was paid, the Clerk shall provide a refund of the excess fee. If an additional filing fee is owed, the plaintiff shall pay the additional fee at least five business days prior to the judicial sale. If any additional filing fee owed is not paid prior to the judicial sale, the Clerk shall cancel the judicial sale without further order of the Court.

3. Amounts Due. Plaintiff, WILMINGTON TRUST COMPANY, AS SUCCESSOR TRUSTEE TO BANK OF AMERICA, NATIONAL ASSOCIATION (SUCCESSOR BY MERGER TO LASALLE BANK NATIONAL ASSOCIATION) AS TRUSTEE FOR MORGAN STANLEY MORTGAGE LOAN TRUST 2007-15AR, MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2007-15AR PURSUANT TO THE POOLING AND SERVICING AGREEMENT DATED AS OF OCTOBER 1, 2007 One Mortgage Way, Mt. Laurel, NJ 08054, is due:

Principal:	\$97,480.70
Interest on the note and mortgage from August 1, 2018 to July 30, 2019	\$3,523.62
Escrow Credit	\$1,717.45
Late Charges	\$47.18
Property Preservation	\$11,850.49
Inspections	\$136.50
Property Appraisals	\$110.00
Attorneys' Fees	
Flat Fee: \$3,450.00	
Attorneys' Fee Total:	\$3,450.00

Court Costs	
Filing Fee:	\$1,163.14
Service of Process:	\$525.00
Lis Pendens:	\$9.00
SUBTOTAL	\$120,013.08
GRAND TOTAL	\$120,013.08

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

5. **Lien on Property.** Plaintiff holds a 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 22 AND THE NORTH 1/2 OF LOT 21, BLOCK 3, PLAT OF
GLENDALE PARK, ACCORDING TO THE PLAT THEREOF,
RECORDED IN PLAT BOOK 1, PAGE 87, PUBLIC RECORDS OF
INDIAN RIVER COUNTY, FLORIDA. ; Property Address: 780 15TH
AVE, VERO BEACH, FL 32962**

6. **Sale of Property.** If the total sum with interest at the rate described in Paragraph 3 and all costs accrued subsequent to this judgment are not paid, the Clerk of the court shall sell the property at public sale on **November 20, 2019**, to the highest bidder for cash, except as prescribed in Paragraph 7, by electronic sale at www.indian-river.realforeclose.com beginning at 10:00 AM 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. 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.

7. **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 post-judgment 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.

8. 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 3 from this date to the date of the sale; and by retaining any remaining amount pending further order of this court.

9. 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.

10. 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.

11. Jurisdiction Retained. Jurisdiction of this action is retained to enter further orders that are proper including, without limitation, a deficiency judgment (**if sought and if appropriate**), writs of possession and such supplemental relief or judgments as may be appropriate, **including orders granting leave to file supplemental and/or amended pleadings to add additional parties, and orders resolving any disputes with respect to assessments and/or other amounts allegedly due associations.**

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, CIVIL DEPARTMENT, ROOM 136, 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 HELP TO 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 CONTACT FLORIDA RURAL LEGAL SERVICES - FORT PIERCE OFFICE, 510 SOUTH US HIGHWAY 1, SUITE 1, FORT PIERCE, FL 34948, (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 OPTION. IF YOU CHOOSE TO CONTACT FLORIDA RURAL LEGAL SERVICE - 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 _____ at **Vero Beach**, Florida

11:11 am, Aug 26 2019



JANET CARNEY CROOM CIRCUIT JUDGE

Copies furnished to:

ROBERTSON, ANSCHUTZ & SCHNEID, P.L.
ATTORNEYS FOR PLAINTIFF
6409 CONGRESS AVE., SUITE 100
BOCA RATON, FL 33487
PRIMARY EMAIL: MAIL@RASFLAW.COM

RICHARD F. TAMBLYN, III, AS PERSONAL REPRESENTATIVE OF THE ESTATE OF RICHARD F. TAMBLYN, JR. A/K/A RICHARD F. TAMBLYN A/K/A RICHARD TAMBLYN, DECEASED
775 14TH AVE
VERO BEACH, FL 32962

RICHARD F. TAMBLYN, III
775 14TH AVE
VERO BEACH, FL 32962

KARA A. TAMBLYN
2312 NE 15TH CT.
JENSEN BEACH, FL 34957

SAMUEL TAMBLYN A/K/A SAMUEL A. TAMBLYN, A MINOR, BY AND THROUGH HIS NATURAL GUARDIAN, ROXIE TAMBLYN A/K/A ROXIE C. TAMBLYN A/K/A

ROXIE CHATAM TAMBLYN
5435 SE 110TH ST
BELLEVIEW, FL 34420

SARA TAMBLYN A/K/A SARAH A. TAMBLYN A/K/A SARAH TAMBLYN, A MINOR,
BY AND THROUGH HER NATURAL GUARDIAN, ROXIE TAMBLYN A/K/A ROXIE C.
TAMBLYN A/K/A ROXIE CHATAM TAMBLYN
5435 SE 110TH ST
BELLEVIEW, FL 34420

FORM 1.998 FINAL DISPOSITION FORM

I. CASE STYLE

WILMINGTON TRUST COMPANY, AS SUCCESSOR TRUSTEE TO BANK OF AMERICA, NATIONAL ASSOCIATION (SUCCESSOR BY MERGER TO LASALLE BANK NATIONAL ASSOCIATION) AS TRUSTEE FOR MORGAN STANLEY MORTGAGE LOAN TRUST 2007-15AR, MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2007-15AR PURSUANT TO THE POOLING AND SERVICING AGREEMENT DATED AS OF OCTOBER 1, 2007,

Plaintiff,

vs.

RICHARD F. TAMBLYN, III, AS PERSONAL REPRESENTATIVE OF THE ESTATE OF RICHARD F. TAMBLYN, JR. A/K/A RICHARD F. TAMBLYN A/K/A RICHARD TAMBLYN, DECEASED; RICHARD F. TAMBLYN, III; KARA A. TAMBLYN; SAMUEL TAMBLYN A/K/A SAMUEL A. TAMBLYN, A MINOR, BY AND THROUGH HIS NATURAL GUARDIAN, ROXIE TAMBLYN A/K/A ROXIE C. TAMBLYN A/K/A ROXIE CHATAM TAMBLYN; SARA TAMBLYN A/K/A SARAH A. TAMBLYN A/K/A SARAH TAMBLYN, A MINOR, BY AND THROUGH HER NATURAL GUARDIAN, ROXIE TAMBLYN A/K/A ROXIE C. TAMBLYN A/K/A ROXIE CHATAM TAMBLYN, et al.

Defendant(s).

IN THE CIRCUIT COURT OF THE NINETEENTH JUDICIAL CIRCUIT IN AND FOR INDIAN RIVER COUNTY, FLORIDA GENERAL JURISDICTION DIVISION CASE NO. 2019 CA 000278

Case #: 2019 CA 000278
Judge: Janet Carney Croom

II. MEANS OF FINAL DISPOSITION (Place an "x" in one box for major category and one subcategory, if applicable, only)

- Dismissed Before Hearing
- Dismissed Pursuant to Settlement Before Hearing
- Dismissed Pursuant to Mediated Settlement - Before Hearing
- Other - Before Hearing
- Dismissed After Hearing
- Dismissed Pursuant to Settlement - After Hearing
- Dismissed Pursuant to Mediated Settlement - After Hearing
- Other After Hearing - After Hearing
- Disposed by Default
- Disposed by Judge
- Disposed by Non-Jury Trial
- Other

DATE _____

SIGNATURE OF ATTORNEY FOR PREVAILING PARTY:



IN THE CIRCUIT COURT OF THE NINETEENTH
JUDICIAL CIRCUIT OF FLORIDA IN AND FOR
INDIAN RIVER COUNTY, GENERAL
JURISDICTION DIVISION
CASE NO. 2019 CA 000278

WILMINGTON TRUST COMPANY, AS
SUCCESSOR TRUSTEE TO BANK OF AMERICA,
NATIONAL ASSOCIATION (SUCCESSOR BY
MERGER TO LASALLE BANK NATIONAL
ASSOCIATION) AS TRUSTEE FOR MORGAN
STANLEY MORTGAGE LOAN TRUST 2007-15AR,
MORTGAGE PASS-THROUGH CERTIFICATES,
SERIES 2007-15AR PURSUANT TO THE POOLING
AND SERVICING AGREEMENT DATED AS OF
OCTOBER 1, 2007,
Plaintiff,

vs.

RICHARD F. TAMBLYN, III, AS PERSONAL
REPRESENTATIVE OF THE ESTATE OF RICHARD
F. TAMBLYN, JR. A/K/A RICHARD F. TAMBLYN
A/K/A RICHARD TAMBLYN, DECEASED, et al.
Defendant(s).

_____ /

CERTIFICATE OF SALE

The undersigned clerk of the court certifies that the notice of public sale of the property described in the order or final judgment was published in Florida Legals, a newspaper circulated in INDIAN RIVER, Florida, in the manner shown by the proof of publication attached, and on _____, 2019, the property was offered for public sale to the highest and best bidder for cash. The highest and best bid received for the property in the amount of \$ _____ was submitted by _____, to whom the property was sold. The proceeds of the sale are retained for distribution in accordance with the order of final judgment or law.

WITNESS my hand and the seal of this court on _____, 2019.

Jeffrey R. Smith
As Clerk of the Court

By: _____
As Deputy Clerk

IN THE CIRCUIT COURT OF THE NINETEENTH JUDICIAL
CIRCUIT IN AND FOR INDIAN RIVER COUNTY, FLORIDA
GENERAL JURISDICTION DIVISION
CASE NO. 2019 CA 000278

WILMINGTON TRUST COMPANY, AS SUCCESSOR TRUSTEE
TO BANK OF AMERICA, NATIONAL ASSOCIATION
(SUCCESSOR BY MERGER TO LASALLE BANK NATIONAL
ASSOCIATION) AS TRUSTEE FOR MORGAN STANLEY
MORTGAGE LOAN TRUST 2007-15AR, MORTGAGE PASS-
THROUGH CERTIFICATES, SERIES 2007-15AR PURSUANT TO
THE POOLING AND SERVICING AGREEMENT DATED AS OF
OCTOBER 1, 2007,
Plaintiff,

vs.

RICHARD F. TAMBLYN, III, AS PERSONAL
REPRESENTATIVE OF THE ESTATE OF RICHARD F.
TAMBLYN, JR. A/K/A RICHARD F. TAMBLYN A/K/A
RICHARD TAMBLYN, DECEASED, et al.
Defendant(s).

_____ /

CERTIFICATE OF DISBURSEMENT

The undersigned clerk of the court certifies that he or she disbursed the proceeds received from the sale of the property as provided in the order or final judgment to the persons and in the amounts as follows:

<u>Name</u>	<u>Amount</u>
Clerk's Sale Fee	
Total disbursements	\$ _____
Surplus retained by Clerk, if any	\$ _____

IF YOU ARE A PERSON CLAIMING A RIGHT TO FUNDS REMAINING AFTER THE SALE, YOU MUST FILE A CLAIM WITH THE CLERK NO LATER THAN THE DATE THE CLERK REPORTS THE FUNDS AS UNCLAIMED. IF YOU FAIL TO FILE A CLAIM, YOU WILL NOT BE ENTITLED TO ANY REMAINING FUNDS. AFTER THE FUNDS ARE REPORTED AS UNCLAIMED, ONLY THE OWNER OF RECORD AS OF THE DATE OF THE LIS PENDENS MAY CLAIM THE SURPLUS.

WITNESS my hand and the seal of the Court this ____ day of _____, 2019.

Jeffrey R. Smith
As Clerk of the Court

By: _____
As Deputy Clerk

IN THE CIRCUIT COURT OF THE NINETEENTH JUDICIAL
CIRCUIT IN AND FOR INDIAN RIVER COUNTY, FLORIDA
GENERAL JURISDICTION DIVISION
CASE NO. 2019 CA 000278

WILMINGTON TRUST COMPANY, AS SUCCESSOR TRUSTEE TO
BANK OF AMERICA, NATIONAL ASSOCIATION (SUCCESSOR
BY MERGER TO LASALLE BANK NATIONAL ASSOCIATION) AS
TRUSTEE FOR MORGAN STANLEY MORTGAGE LOAN TRUST
2007-15AR, MORTGAGE PASS-THROUGH CERTIFICATES,
SERIES 2007-15AR PURSUANT TO THE POOLING AND
SERVICING AGREEMENT DATED AS OF OCTOBER 1, 2007,
Plaintiff,

vs.

RICHARD F. TAMBLYN, III, AS PERSONAL REPRESENTATIVE
OF THE ESTATE OF RICHARD F. TAMBLYN, JR. A/K/A RICHARD
F. TAMBLYN A/K/A RICHARD TAMBLYN, DECEASED; RICHARD
F. TAMBLYN, III; KARA A. TAMBLYN; SAMUEL TAMBLYN
A/K/A SAMUEL A. TAMBLYN, A MINOR, BY AND THROUGH HIS
NATURAL GUARDIAN, ROXIE TAMBLYN A/K/A ROXIE C.
TAMBLYN A/K/A ROXIE CHATAM TAMBLYN; SARA TAMBLYN
A/K/A SARAH A. TAMBLYN A/K/A SARAH TAMBLYN, A MINOR,
BY AND THROUGH HER NATURAL GUARDIAN, ROXIE
TAMBLYN A/K/A ROXIE C. TAMBLYN A/K/A ROXIE CHATAM
TAMBLYN; ANY AND ALL UNKNOWN PARTIES CLAIMING BY,
THROUGH, UNDER, AND AGAINST THE HEREIN NAMED
INDIVIDUAL DEFENDANT(S) WHO ARE NOT KNOWN TO BE
DEAD OR ALIVE, WHETHER SAID UNKNOWN PARTIES MAY
CLAIM AN INTEREST AS SPOUSES, HEIRS, DEVISEES,
GRANTEES, OR OTHER CLAIMANTS,
Defendant(s).

_____ /

CERTIFICATE OF TITLE

The undersigned Clerk of Court, certifies that he or she executed and filed a certificate of sale in this action on
_____, 2019, for the property described herein and that no objections to the sale have been filed within the
time allowed for filing objections. The following property is in Indian River County, Florida:

**LOT 22 AND THE NORTH 1/2 OF LOT 21, BLOCK 3, PLAT OF GLENDALE PARK,
ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 1, PAGE 87, PUBLIC
RECORDS OF INDIAN RIVER COUNTY, FLORIDA.**

- a/k/a 780 15TH AVE, VERO BEACH, FL 32962

was sold to

c/o PHH Mortgage 5720 Premier Park Drive, West Palm Beach, FL 33407

WITNESS my hand and the seal of the court this ___ day of _____, 2019

Jeffrey R. Smith
As Clerk of the Court

By: _____
As Deputy Clerk