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BK: 3650 PG: 1667, 9/19/2023 9:45 AM

Filing # 181939177 E-Filed 09/15/2023 04:06:15 PM

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

HOME POINT FINANCIAL CORPORATION,
Plaintiff(s)

CASE NO.: 31-2023-CA-000637

vs.
SEAN DOAK; KASARA DOAK; SEBASTIAN PROPERTY OWNERS ASSOCIATION, INC.; UNKNOWN PARTY#2 N/K/A JOHN DOE; UNKNOWN PARTY#1 N/K/A JOHN DOE,
Defendant(s).

FINAL JUDGMENT OF FORECLOSURE

This Action was heard before the Court on September 13, 2023, 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 Plaintiff is entitled to entry of final judgment.

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 to be **$94,899.10**. In accordance with section 28.241(1)(a)2.c., Florida Statutes, the Court identifies the actual value of the claim to be $122,637.69, 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 tee needs to be adjusted, the graduated filing fee scale in section 28.241(1)(a)2.d., Florida Statues, controls. If an excess filing fee was paid to 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 and Owing.** Plaintiff, Home Point Financial Corporation, located at 9726 Old Bailes Road, Suite 200, Fort Mill, SC 29707 is due:

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Principal due on the note secured by the mortgage foreclosed:	$94,899.10
Interest on the note and mortgage from November 1, 2021 to August 18, 2023	$6,897.55
Interest from August 19, 2023 to September 13, 2023 (Per Diem $10.52 x 26 days)	$273.52
Taxes	$5,537.16
Insurance Premiums	$10,328.00
Attorney's Fees	$4,750.00
(*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.)	
Court Costs	
Filing Fee	$1,110.00
Service of Process	$ 474.00
Additional Costs:	
Title Search Expense	$400.00
Property Inspections	$159.86
Late Charges	$71.25
Flood Insurance	$2,482.20
Payment	$-1,740.70
Insurance Refund	$-2,908.00
Suspense Balance	$-243.65
Statutory Mailings	$2.40
Filing Costs - Judgment Entry	$145.00
TOTAL	**$122,637.69**

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 the defendant(s) (with the exception of any assessments that are

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superior pursuant to Section 718.116 or 720.3085, Florida Statutes) on the following described property in Indian River County, Florida:

LOT 26, BLOCK 598, SEBASTIAN HIGHLANDS, UNIT 17, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 8, PAGE 46, 46A THROUGH 46P, OF THE PUBLIC RECORDS OF INDIAN RIVER COUNTY, FLORIDA.

Property address: 171 SPG VLY AVE SEBASTIAN FL 32958

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 subject property at public sale on **November 27, 2023,** to the highest bidder for cash except as prescribed in Paragraph 7 https://www.indian-river.realforeclose.com at 10:00AM 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 cancelling 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 n 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 top 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 and 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 Statues.

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 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

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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 property and defendant's right of redemption as prescribed by section 45.0315, Florida Statutes shall be terminated, except as to claims or rights under chapter 718 or chapter 720, Florida Statutes, if any. Upon filing the certificate of title, the person named on the certificate of title shall be let into possession of the property, subject to the rights of a tenant occupying residential premises pursuant to section 83.5615, Florida Statutes.

10. **Right of Possession.** Upon filing 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 of 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, 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 WO HARE 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, IF ANY, YOU MUST FILE A CLAIM WITH THE CLERK NO LATER THAN THE DATE THAT THE CLERK REPORTS THE FUNDS AS UNCLAIMED. IF YOU FAIL TO FILE A TIMELY 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, INDIAN RIVER COUNTY CLERK OF COURT

INDIAN RIVER COUNTY COURTHOUSE

ATTN: CIVIL DEPARTMENT

2000 16TH AVE.

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VERO BEACH, FL 32960, , , (TELEPHONE: 772-226-3100

1-2-1) 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.

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 MONDAY THROUGH FRIDA AT 1-888-582-3410 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 AT 1-888-582-3410 FOR ASSISTANCE, YOU SHOULD DO SO AS SOON AS POSSIBLE AFTER RECEIPT OF THIS NOTICE.

If Plaintiff is the successful purchaser at the foreclosure sale, Plaintiff may assign the successful bid without further order from this court.

DONE AND ORDERED on _____ at Vero Beach, Florida.

09/15/2023 16:03:51
2023 CA 000637

eSigned by JANET CARNEY CROOM (NOT) 09/15/2023 16:03:51 Q7dqnMcW

Janet Carney Croom Circuit Judge

fd/23-001933

Copies furnished by e-portal to:

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P.O. Box 23028
Tampa, FL 33623
eService: servealaw@albertellilaw.com

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Sean Doak
171 SPRING VALLEY AVE
SEBASTIAN, FL 32958

Kasara Doak
171 SPRING VALLEY AVE
SEBASTIAN, FL 32958

Sebastian Property Owners Association, Inc.
C/O GILLIAMS, DAMIEN H, REGISTERED AGENT,
1623 N US HWY 1, SUITE A5
SEBASTIAN, FL 32978

Unknown Party#2 N/K/A John Doe
171 Spring Valley Ave
Sabastian, FL 32958

Unknown Party#1 N/K/A John Doe
171 Spring Valley Ave
Sebastian, FL 32958