

Filing # 194454815 E-Filed 03/20/2024 03:35:56 PM

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

312023CA000908XXXXXX

SPECIALIZED LOAN SERVICING LLC, CASE NO. 2023 CA 000908  
Plaintiff,

vs.

JANET LYNN SWANSON, et al.,

Defendant.

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**FINAL JUDGMENT OF FORECLOSURE**

**THIS CASE** came before the Court on **March 20, 2024** on Plaintiff's Motion For Summary Judgment filed January 25, 2024 and after reviewing the Court file and summary judgment evidence and being otherwise duly advised in the premises, finds that there is no genuine dispute of material facts and

**IT IS THUS ORDERED AND ADJUDGED** as follows:

1. Plaintiff's motion for summary judgment 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 **\$102,801.04**. In accordance with section 28.241(1)(a)2.c., Florida Statutes, the Court identifies the actual value of the claim to be **\$114,296.52**, 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 must 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 must provide a refund of the excess fee. If an additional filing fee is owed, the plaintiff must 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 must cancel the judicial sale without further order of the Court.
3. **Amounts Due.** Plaintiff, SPECIALIZED LOAN SERVICING LLC, 6200 S. Quebec St., Suite 300, Greenwood Village, CO 80111, is due:

Principal	\$89,613.09
Interest on the note and mortgage from 03/01/2022 to 02/02/2024	\$9,890.32
Per diem \$14.1171 and interest at 5.7500% from 02/03/2024 to 03/20/2024	\$663.50
Escrow Advanced:	\$6,614.45
Attorneys' fees	
Attorneys' fees total	\$4,200.00
Court Costs:	
Filing Fee	\$1,141.00
Service of Process	\$1,533.40
Publication Cost	\$266.56
Additional Costs	
Additional costs: Pre-acceleration Late Charges	\$137.20
Additional costs: Property Inspections	\$237.00
<b>TOTAL</b>	<b>\$114,296.52</b>

4. **Interest.** The total amount in Paragraph 3 must 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 under Section 718.116 or 720.3085, Florida Statutes) on the following described property in Indian River County, Florida:

**Unit 2560, Building 12, of Palm Estates at Vero Beach, a Condominium, according to the Declaration of Condominium recorded in Official Records Book 2039, Page(s) 1688, and all subsequent amendments thereto, together with its undivided share in the common elements, in the Public Records of Indian River County, Florida**

Property Address: 2560 57TH CIRCLE, VERO BEACH, FL 32966

6. **Sale of Property.** If the total sum with interest at the rate described in paragraph 5 and all costs accrued subsequent to this judgment are not paid, the clerk of this court must

sell the property at public sale on **MAY 6, 2024** to the highest bidder for cash, except as prescribed in paragraph 7, 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 must 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 must 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 must advance all subsequent costs of this action and must 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 must be responsible for the documentary stamps payable on the certificate of title. If plaintiff is the purchaser, plaintiff must file an affidavit within 5 business days and the clerk must 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 must receive the service charge imposed in Section 45.031, Florida Statutes.

8. **Distribution of Proceeds.** On filing the certificate of title, the clerk must 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 must be foreclosed of all estate or claim in the property, and defendant's right of redemption as

prescribed by section 45.0315, Florida Statutes, must be terminated, except as to the rights of a bona fide tenant occupying residential premises under the Federal Protecting Tenant at Foreclosure Act, 12 U.S.C. § 5220, note, or section 83.5615, Florida Statutes, and claims or rights under chapter 718 or chapter 720, Florida Statutes, if any. On the filing of the certificate of title, the person named on the certificate of title must be let into possession of the property, subject to the rights of a bona fide tenant occupying residential premises under the federal Protecting Tenants at Foreclosure Act 12 U.S.C. § 5220, note, or section 83.5615, Florida Statutes. If any Defendant remains in possession of the property, the clerk must not, without further Order of the court, issue forthwith a writ of possession upon request of the person named on the Certificate of Title.

10. **Right of Possession.** Upon the filing of the certificate of title, the person named on the certificate of title must 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 must be entered without further notice or hearing, subject to the purchaser's compliance with Section 83.5615, Florida Statutes.

11. **Attorney's Fees.** The requested attorneys' fees are 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.

12. **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 WHO ARE ENTITLED TO BE PAID FROM THE SALE PROCEEDS UNDER THE FINAL JUDGMENT. IF YOU ARE A SUBORDINATE LIEN HOLDER 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 OF INDIAN RIVER COUNTY 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 EQUAL JUSTICE CENTER 3210 Cleveland Ave., #101A, Fort Myers, FL 33901 (239) 277-7060 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 EQUAL JUSTICE CENTER 3210 Cleveland Ave., #101A, Fort Myers, FL 33901 (239) 277-7060 FOR ASSISTANCE, YOU SHOULD DO SO AS SOON AS POSSIBLE AFTER RECEIPT OF THIS NOTICE.

DONE AND ORDERED on March 20, 2024 at Vero Beach, Florida.

*eSigned by Judge Cynthia L. Cox* 03/20/2024 3:28 pm

CIRCUIT JUDGE

Copies furnished by e-portal to:

Lauren A. Bromfield, Esq. (Attorney for Plaintiff) McCalla Raymer Leibert Pierce, LLC  
225 East Robinson Street, Suite 155 Orlando, FL 32801 MRService@mccalla.com

John Carrigan, Esq. (Counsel for Palm Estates at Vero Beach Condominium Association, Inc.) P.O. Box 2401 Stuart, FL 34994 jpc@reblawpa.com

***“Plaintiff will serve a conformed copy via U.S. Mail to the following:”***

Janet Lynn Swanson  
2560 57th Circle  
Vero Beach, FL 32966

Keith A. Labelle a/k/a Keith Alan Labelle a/k/a Keith Labelle  
113 Paradise Cove Lane  
Berryville, AR 72616

Unknown Spouse of Keith A. Labelle a/k/a Keith Alan Labelle a/k/a Keith Labelle  
113 Paradise Cove Lane  
Berryville, AR 72616

Current Residents  
2560 57th Circle  
Vero Beach, FL 32966