

Filing # 221134752 E-Filed 04/16/2025 11:11:55 AM

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

**U.S. BANK TRUST COMPANY,
NATIONAL ASSOCIATION NOT IN ITS
INDIVIDUAL CAPACITY BUT SOLELY
AS TRUSTEE FOR THE CIM TRUST
2023-NR1 MORTGAGE-BACKED
NOTES, SERIES 2023-NR1,
Plaintiff(s)**

CASE NO: 31- 2024- CA- 000354

v.

312024CA000354AXXXVB

**DELORES MORGAN AKA DELORIS
MORGAN AKA DELORIS HUNTER
MORGAN; VAK M18 FUND, LLC;
SHYLEANE MORGAN;
Defendant(s).**

FINAL JUDGMENT OF FORECLOSURE

THIS CAUSE came before the Court on **April 16, 2025**, and on the evidence presented and after 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. **Amounts Due.** Plaintiff, **U.S. Bank Trust Company, National Association not in its individual capacity but solely as Trustee for the CIM TRUST 2023-NR1 Mortgage-Backed Notes, Series 2023-NR1**, located at **800 State Highway 121 Bypass, Lewisville, TX 75067**, is due:

Principal	\$83,793.70
Deferred Principal	\$5,461.26
Interest on the note and mortgage from July 1, 2022 to February 6, 2025	\$6,528.32
Per diem interest at \$6.89 from February 7, 2025 to April 16, 2025	\$468.52
Late Charges	\$65.32
Tax Disbursements	\$2,658.48
Hazard	\$4,756.74
Property Inspections	\$597.50
BPO	\$290.00

Attorney's Fees	\$4,430.00
Court Costs	
Complaint Filing Fee	\$1,088.00
Service of Process	\$832.40
Assignment Recording	\$39.00
TOTAL	\$111,009.24

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

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

LOTS 21 & 22, BLOCK D, OSLO PARK, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 96, PUBLIC RECORDS OF INDIAN RIVER COUNTY, FLORIDA.Property address: **1056 9TH ST SW VERO BEACH FL 32962**

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 the Court must sell the subject property at public sale on **MAY 22, 2025**, to the highest bidder for cash except as prescribed in paragraph 6, by electronic sale at Indian River County beginning at **10:00 a.m.**, <https://www.indian-river.realforeclose.com> 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 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 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.

6. **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.

7. **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 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 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 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 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 Tenants at Foreclosure Act, 12 U.S.C. sec. 5220, note, or section 83.5615, Florida Statutes, and claims or rights under chapter 718 or chapter 720, Florida Statutes, if any.

9. **Right of Possession.** 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. sec 5220, note, or section 83.5615, Florida Statutes. 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.

10. **Attorneys' 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.

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 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 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 COURT

INDIAN RIVER COUNTY COURTHOUSE ATTN: CIVIL DEPARTMENT 2000 16TH AVE. VERO BEACH, FL 32960, (TELEPHONE: 772-770-5185 1-2-1) 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 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 PIERCE OFFICE, (772) 466-4776, FOR ASSISTANCE, YOU SHOULD DO SO AS SOON AS POSSIBLE AFTER RECEIPT OF THIS NOTICE.

DONE AND ORDERED on April 16, 2025, at Vero Beach, Indian River County, Florida.


eSigned by Judge Cynthia L. Cox - 04/16/2025 9:47 am
CYNTHIA L. COX, Circuit Judge

A COPY OF THIS ORDER IS BEING SERVED ON THE FOLLOWING PARTIES VIA THE E-FILING PORTAL:

Albertelli Law P.O. Box 23028 Tampa, FL 33623 eService: servealaw@albertellilaw.com
VAK M18 Fund, LLC c/o Caleb Hoelsing, Esq. 6409 Congress Ave., Suite 100
Boca Raton, FL 33487 E-Serve 1: flmail@raslg.com, E-Serve 2: calhoelsing@raslg.com

COUNSEL FOR PLAINTIFF SHALL IMMEDIATELY SERVE A COPY OF THIS ORDER ON THE FOLLOWING PARTIES AND FILE A CERTIFICATE OF SERVICE IN THIS COURT FILE:

Delores Morgan aka Deloris Morgan aka Deloris Hunter Morgan
3224 TREE RIDGE LANE PALM BAY, FL 32905
Shyleane Morgan 3224 TREE RIDGE LANE PALM BAY, FL 32905