

IN THE CIRCUIT COURT OF THE FIRST JUDICIAL
CIRCUIT
IN AND FOR ESCAMBIA COUNTY, FLORIDA

CASE NO.: 2015 CA 000693

PNC BANK, NATION ASSOCIATION,
Plaintiff,

VS.

DONALD POLLOCK, JR.; ANGELA
POLLACK; UNKNOWN TENANT 1;
UNKNOWN TENANT 2; UNKNOWN
TENANT 3; UNKNOWN TENANT 4,
THE NAMES BEING FICTITIOUS TO
ACCOUNT FOR PARTIES IN
POSSESSION,
Defendant(s).

PAM CHILDERS
CLERK OF CIRCUIT COURT
ESCAMBIA COUNTY, FL

2016 AUG 15 P 2:39

CONSENT FINAL JUDGMENT

THIS ACTION was heard before the Court at Non-Jury Trial on July 6, 2016. On the
evidence presented,

IT IS ADJUDGED THAT:

1. Plaintiff, PNC BANK, NATION ASSOCIATION , 3232 Newmark Drive, Miamisburg,

OH 45342, is due:

Principal	\$66,300.34
Interest from 08/01/2014 through 07/06/2016	\$8,638.93
Late Charges	\$451.06
Escrow Advance	\$4,383.70

Attorney's fees	\$2,800.00
Additional Attorney's fees	\$1,835.00
Finding as to reasonable number of hours (10 hours)	
Finding as to reasonable hourly rate (\$175/hour)	\$1,750.00

1457-056B
2015 CA 000693

(*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.)

Attorney's fees total \$6,385.00

Court costs (Title/Lien Search, Clerk's Filing Fee, Service) \$2,181.26

Complaint Filing Fee	<u>\$905.00</u>
Florida Efiling Fee	<u>\$3.00</u>
Lis Pendens	<u>\$5.00</u>
Additional Defendant	<u>\$2.50</u>
Summons Issue	<u>\$40.00</u>
Service Skiptrace	<u>\$53.76</u>
Service of Process 5/11/15	<u>\$295.00</u>
Service of Process 5/19/15	<u>\$75.00</u>
Private Mediator Cost 12/8/15	<u>\$220.00</u>
Private Mediator Cost 3/2/16	<u>\$220.00</u>
Full Title Report	<u>\$287.00</u>
Title Report Update	<u>\$75.00</u>

BPO \$217.00

Certified Mail Cost \$16.50

Subtotal: \$88,573.79

LESS: Escrow Balance \$0.00

LESS: Other \$0.00

TOTAL \$88,573.79

That shall bear interest at the rate of 4.84% a year.

2. Plaintiff holds a lien for the total sum superior to all claims or estates of Defendant(s), ANGELA POLLACK, on the following described property in Escambia County, Florida and described as:

**ALL THAT CERTAIN PARCEL OF LAND SITUATED IN THE COUNTY OF ESCAMBIA AND STATE OF FLORIDA, DESCRIBED AS FOLLOWS:
LOTS 8 AND 9 AND THE SOUTH 15 FEET OF LOT 7, BLOCK H, PLAT OF SUBDIVISION HAVEN PARK, ESCAMBIA COUNTY, STATE OF FLORIDA, BEING A PORTION OF SECTION 25, TOWNSHIP 2 SOUTH, RANGE 31 WEST, ACCORDING TO PLAT RECORDED IN PLAT BOOK 1, PAGE 37, PUBLIC RECORDS OF SAID COUNTY**

Property Address: 675 RIOLA PL, PENSACOLA, FL 32506

3. If the total sum with interest at the rate described in Paragraph 1 and all costs accrued subsequent to the Judgment are not paid, the Clerk of this Court shall sell the property at public sale (*no sooner than 120 days*) on the 13th day of December, 2016, to the highest bidder for cash, except as prescribed in Paragraph 4, at the courthouse located at 190 GOVERNMENTAL STREET PENSACOLA, FL 32502 in Escambia County, Florida, in accordance with section 45.031, Florida Statutes, using the following method:
 - o By electronic sale beginning at 11:00 A.M. on the prescribed date at Online - www.escambia.realforeclose.com.
4. 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, 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.
5. 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 attorney's fees; fourth, the total sum due to plaintiff, less the item paid, plus interest at the rate prescribed in Paragraph 1 from this date to the date of the sale; and by retaining any remaining amount pending the further order of this Court.
6. If applicable, Plaintiff, its successors or assigns, is entitled to safe harbor under F.S. 720 or 718, respectively, and as such is only responsible to pay 1% of the subject mortgage or one (1) year of regular periodic assessments, at the time Certificate of Title is issued

vesting title to Plaintiff, its successors or assigns. Plaintiff, including its successors and assigns, is not responsible for interest, late fees, collection costs or attorney's fees incurred prior to the issuance of the certificate of title.

7. On filing of 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, except as to claims or rights under chapter 718 or chapter 720, Florida Statutes, if any. Upon the filing of the Certificate of Title, the person named on the Certificate of Title shall be let into possession of the property.
8. The Plaintiff may assign the Judgment and credit bid by the filing of an assignment prior to the issuance of the Certificate of Title without further order of the Court.
9. Jurisdiction of this action is retained to enter further orders that are proper including orders relating to supplemental proceedings to address any omitted parties who may possess an interest in the property. Jurisdiction of this action is further retained to allow Plaintiff to file post-judgment motions seeking a determination on the amounts of assessments due to any Associations under §718.116 and §720.3085, Fla. Stat.
10. Plaintiff waives its right to pursue a deficiency judgment in this matter as set forth in the parties' Stipulation to Consent Final Judgment. Defendant, ANGELA POLLICK agrees to the entry of a final judgment in rem as also set forth in the parties' Stipulation to Consent Final Judgment, and consents to judgment. The Court adopts, affirms and ratifies the stipulation agreement between the parties.

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 THIS FINAL JUDGMENT.

IF YOU ARE 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 FOR YOUR COUNTY 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.

Escambia County Clerk of the Court	Okaloosa County Clerk of the Court	Santa Rosa County Clerk of the Court	Walton County Clerk of the Court
190 Governmental Center, Pensacola, FL 32501 (850) 595-4130 www.escambiaclerk.com	101 E James Lee Blvd Crestview, FL 32536 (850) 689-5000 www.clerkofcourts.cc	6865 Caroline Street Milton, FL 32572 (850) 983-4624 santarosaclerk.com	571 Highway 90 E., Defuniak Springs, FL 32433 (850) 892-8116 clerkofcourts.co.walton.fl.us

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 THE LOCAL LEGAL SERVICES LISTED BELOW 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 ONE OF THE SERVICES LISTED BELOW, YOU SHOULD DO SO AS SOON AS POSSIBLE AFTER RECEIPT OF THIS NOTICE.

Escambia County	Okaloosa County	Santa Rosa County	Walton County
Florida Institutional Legal Services, Inc. Gainesville, FL (352) 375-2494	Florida Institutional Legal Services, Inc. Gainesville, FL (352) 375-2494	Florida Institutional Legal Services, Inc. Gainesville, FL (352) 375-2494	Florida Institutional Legal Services, Inc. Gainesville, FL (352) 375-2494

<u>fls@bellsouth.net</u> Florida Justice Institute Miami, FL (305) 358-2081 Legal Services of North Florida, Inc. Pensacola, FL (850) 432-8222 <u>www.lsnf.org</u> Northwest Florida Legal Services, Inc. Pensacola, FL (850) 432-2336 <u>www.nwfls.com</u>	<u>fls@bellsouth.net</u> Florida Justice Institute Miami, FL (305) 358-2081 Legal Services of North Florida, Inc. Ft. Walton Beach, FL (850) 862-3279 <u>www.lsnf.org</u>	<u>fls@bellsouth.net</u> Florida Justice Institute Miami, FL (305) 358-2081 Legal Services of North Florida, Inc. Pensacola, FL (850) 432-8222 <u>www.lsnf.org</u> Northwest Florida Legal Services, Inc. Milton, FL (850) 432-2336 <u>www.nwfls.com</u>	<u>fls@bellsouth.net</u> Florida Justice Institute Miami, FL (305) 358-2081 Legal Services of North Florida, Inc. Ft. Walton Beach, FL (850) 862-3279 <u>www.lsnf.org</u>
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DONE AND ORDERED in PENSACOLA, Escambia County, Florida, this 15 day
of August, 2016

Dorene F. Wilkey
Circuit Court Judge

Service List:

8/17/16
mailed
to all ✓
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Attorney for Plaintiff
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By E-Mail:

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Email: service@floridacoastlaw.com

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PAMELA CHILDERS

Clerk of Court

By: *[Signature]*

Deputy Clerk