

CLERK OF CIRCUIT COURT
ESCAMBIA COUNTY, FL

2017 JAN 12 P 2:04

CIRCUIT CIVIL DIVISION
FILED & RECORDED

<p style="text-align: center;">IN THE CIRCUIT COURT OF THE FIRST JUDICIAL CIRCUIT IN & FOR ESCAMBIA COUNTY, FLORIDA</p> <p>Clerk Case Number: 17-2014-CA-000708-XXXX-UN Division: Circuit Civil</p> <p>THE BANK OF NEW YORK MELLON F/K/A THE BANK OF NEW YORK, AS TRUSTEE FOR THE CERTIFICATEHOLDERS CWABS, INC., ASSET-BACKED CERTIFICATES, SERIES 2006-4,</p> <p>Plaintiff(s),</p> <p>vs.</p> <p>ABIGAIL J. LIZARDI; UNKNOWN SPOUSE OF ABIGAIL J. LIZARDI; ABIGAIL LIZARDI; UNKNOWN 07/10/2013 TENANT #1; UNKNOWN 07/10/2013 TENANT #2</p> <p>Defendant(s).</p>	<p style="text-align: center;">FOR CLERK'S USE ONLY</p>
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FINAL JUDGMENT OF FORECLOSURE

THIS CAUSE came on to be heard on November 2, 2016 for on Plaintiff's Motion for
Summary Judgment before

- ☐ the undersigned Circuit Judge and on the evidence presented and the Court being otherwise
fully advised in the premises, it is thereupon,
- ☒ the General Magistrate. The General Magistrate's Report and Recommendations on Final
Judgment of Foreclosure dated November 10, 2016, to which no timely exception
was filed has been reviewed by the Court and it is hereby ratified, approved, and incorporated
herein, it is thereupon,

ORDERED AND ADJUDGED as follows:

1. Plaintiff, THE BANK OF NEW YORK MELLON F/K/A THE BANK OF NEW YORK, AS TRUSTEE FOR THE CERTIFICATEHOLDERS CWABS, INC., ASSET-BACKED CERTIFICATES, SERIES 2006-4 is due:

Principal Due on Note and Mortgage	\$120,965.65
Interest to the date of this Judgment	\$65,889.31
Title Search Expenses	\$0.00
Taxes:	\$9,870.58
Attorney fees:	
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 fee requested and the labor expended, the Court finds that a lodestar analysis is not necessary and that the flat fee is reasonable.	\$2,800.00
Additionally based upon:	
Case Management Conference 0.8 hrs at \$200.00 per hour	\$160.00
Attorney Fee Total	\$2,960.00
<u>Court Costs Now Taxed</u>	
Filing Fee/ Statutory Convenience Fee	\$978.58
Private Process Server	\$155.00
OTHER COSTS:	
Pre-Acceleration Late Charges	\$0.00
Property Inspections	\$930.00
Property Preservation	\$12,353.51
Appraisals	\$89.00
Hazard Insurance	\$28,348.41
Beginning Escrow Balance	\$-9.46
Payment towards Escrow	\$-1,113.29
Suspense Balance	(\$0.00)
JUDGMENT GRAND TOTAL	\$241,417.29

That shall bear interest at the rate of 4.91% a year.

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

Property Address: 3635 Creighton Road, Pensacola, FL 32504

- a. Legal Description: LOT 4, BLOCK 3, UNIT NO. 2, BELVEDERE PARK, BEING A PORTION OF SECTION 9, TOWNSHIP 1 SOUTH, RANGE 29 WEST, OF THE PUBLIC RECORDS OF ESCAMBIA COUNTY, FLORIDA, ACCORDING TO PLAT RECORDED IN PLAT BOOK 5, PAGE 26, OF THE PUBLIC RECORDS OF SAID COUNTY.
- b. Parcel ID No. 01-0807-000

3. If the total sum with interest at the rate described in Paragraph 1 and all costs accrued subsequent to this judgment are not paid, the Clerk of Court shall sell the property at public sale on Feb. 16, ~~2016~~ ²⁰¹⁷ to the highest bidder for cash, except as set forth in Paragraph 4, at the courthouse located at: **190 Governmental Center, in ESCAMBIA County in Pensacola, Florida , 32502** in accordance with section 45.031, Florida Statutes., using the following method (CHECK ONE): .
- ☐ At 190 Governmental Center, Pensacola, FL 32502, beginning at _____ AM / PM on the prescribed date.
- ☒ By electronic sale beginning at 11:00 ~~AM~~ ^{PM} on the prescribed date at www.escambia.realforeclosure.com (website).
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 the 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 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 1 from this date

to the date of the sale; and by retaining any remaining amount pending the further order of this Court.

6. 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 and defendant's right of redemption as prescribed by section 45.0315, Florida Statutes (2013) shall be terminated, 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.
7. Jurisdiction of this action is retained to enter further orders that are proper including, without limitation, writs of possession and deficiency judgment.
8. 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 A SUBORDINATE LIENHOLDER CLAIMING A RIGHT TO FUNDS REMAINING AFTER THE SALE, YOU MUST FILE A CLAIM WITH THE CLERK NO LATER THAN SIXTY (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, (ESCAMBIA COUNTY CLERK OF COURT) 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 NORTHWEST FLORIDA LEGAL SERVICES, INC., D/B/A EMERALD COAST LEGAL AID, 701 SOUTH "J" STREET, PENSACOLA, FL 32505, 850-432-2336 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 NORTHWEST FLORIDA LEGAL SERVICES, INC., D/B/A EMERALD COAST LEGAL AID, 701 SOUTH "J" STREET, PENSACOLA, FL 32505, 850-432-2336 FOR ASSISTANCE, YOU SHOULD DO SO AS SOON AS POSSIBLE AFTER RECEIPT OF THIS NOTICE

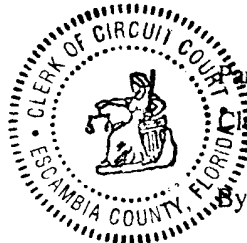
DONE AND ORDERED in Chambers at Pensacola, Escambia County, Florida, this 12th day of January, 2017.


Circuit Judge

CERTIFICATE OF SERVICE

The undersigned deputy clerk hereby certifies that he/she delivered a true and correct copy of the foregoing via ~~email~~ ^{mail} to those listed herein on the ~~e-service~~ distribution list. ~~The attorney who submitted the proposed order is responsible for distribution of the order to any party who is not on the e-service distribution list.~~

Witness my hand and seal of the court on this 18th day of Jan, 2017, as Clerk of the Circuit Court.



Am Childers

Clerk of the Circuit Court

By: 
D.C.

A. Wayne Williamson, Esq., WayneWilliamson@centurylink.net

SHAPIRO, FISHMAN & GACHÉ, LLP, 4630 Woodland Corporate Blvd., Suite 100, Tampa, FL 33614

ABIGAIL J. LIZARDI, 861 WYNNEHURST STREET, Pensacola, FL 32503

UNKNOWN SPOUSE OF ABIGAIL J. LIZARDI, 861 WYNNEHURST STREET, Pensacola, FL 32503

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