

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

BRANCH BANKING AND TRUST COMPANY,
Whose address is: 7701 Airport Ctr Drive, Suite 3100,
Greensboro, NC 27409

Plaintiff,

v.

CASE NO. 2014 CA 002290
DIVISION: UD

GREGORY A. POLK; UNKNOWN SPOUSE OF
GREGORY A. POLK, ANY AND ALL UNKNOWN
PARTIES CLAIMING BY, THROUGH, UNDER, AND
AGAINST THE HEREIN NAMED INDIVIDUAL
DEFENDANTS WHO ARE NOT KNOWN TO BE DEAD
OR ALIVE, WHETHER SAID UNKNOWN PARTIES MAY
CLAIM AN INTEREST AS SPOUSES, HEIRS, DEVISEES,
GRANTEES, OR OTHER CLAIMANTS; TENANT #1;
TENANT #2,

Defendants. /

FINAL SUMMARY JUDGMENT OF FORECLOSURE

THIS ACTION was tried before the Court on plaintiff's Motion for Summary Final Judgment
on MARCH 23, 2015. On the evidence presented;

IT IS ADJUDGED that:

1. There is no dispute of material facts and plaintiff's motion for summary judgment is
granted and Plaintiff, BRANCH BANKING AND TRUST COMPANY, Whose address is: 7701
Airport Ctr Drive, Suite 3100, Greensboro, NC 27409, is due:

| | |
|---|-------------------|
| Principal | \$116,044.64 |
| Interest to date of this judgment (03/23/15) | \$ 5,802.20 |
| Title search expense | \$ 295.00 |
| Inspection fee | \$ 156.42 |
| Pro Rata MIP / PMI | \$ 105.06 |
| Attorney's fees | |
| Finding as to reasonable number of hours: _____ | |
| Finding as to reasonable hourly rate: _____ | |
| Other*: _____ | <u>\$2,500.00</u> |

(*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 the labor expended, the Court finds that a lodestar analysis is
not necessary and that the flat fee is reasonable.)

Attorney's fees total \$ 2,500.00

Court Costs now taxed:

| | |
|--------------------|-------------|
| Filing fee | \$ 1,001.12 |
| Service of Process | \$ 338.00 |

Subtotal

\$126,242.44

| | |
|-----------------------------------|---------|
| LESS: Escrow balance | \$ 0.00 |
| LESS: Unearned insurance premiums | \$ 0.00 |
| LESS: Other: _____ | \$ 0.00 |

TOTAL**\$126,242.44**

that shall bear interest at the rate of 4.75% per year.

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

THE WEST 61.51 FEET OF THE EAST 84.97 FEET OF LOT 30, LESS AND EXCEPT THAT PORTION OF SAID LOT, AS DESCRIBED: COMMENCING AT THE MOST SOUTHERLY SOUTHEAST CORNER OF SAID LOT; THENCE NORTH 65 DEGREES 00 MINUTES 56 SECONDS WEST, ALONG THE SOUTH LINE OF SAID LOT 4.77 FEET FOR THE POINT OF BEGINNING; THENCE CONTINUE NORTH 65 DEGREES 00 MINUTES 56 SECONDS WEST, 27.27 FEET; THENCE NORTH 25 DEGREES 48 MINUTES 49 SECONDS EAST, 32.23 FEET; THENCE SOUTH 62 DEGREES 04 MINUTES 51 SECONDS EAST 27.68 FEET; THENCE SOUTH 25 DEGREES 48 MINUTES 44 SECONDS WEST, 30.75 FEET TO THE POINT OF BEGINNING, ALL BEING IN BLOCK A, BAYWOODS SUBDIVISION, UNIT NO. 2, PHASE ONE, ESCAMBIA COUNTY, FLORIDA, ACCORDING TO THE PLAT FILED IN PLAT BOOK 9 AT PAGE 91, OF THE PUBLIC RECORDS OF SAID COUNTY.

and commonly described as: 4319 BAYWOODS DR., PENSACOLA, FL 32504; including the building, appurtenances, and fixtures located therein.

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 the court shall sell the property at public sale to the highest bidder for cash, except as prescribed in paragraph 4, in accordance with section 45.031, Florida Statutes; bidding begins at 11:00 a.m. Central Time at www.escambia.realforeclose.com, on May 12, 2015.

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 of 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 attorney's 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 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 the 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.

7. Jurisdiction of this action is retained to enter further orders that are proper including, without limitation, a deficiency judgment.

8. The Court reserves jurisdiction of the parties and of this cause for the purpose of allowing: (a) deficiency judgments against those parties who may be personally liable; (b) re-foreclosures; (c) amended final judgments (d) the issuance of writs of possession; (f) determining the claims in and to any cash surplus that may be produced at the foreclosure sale; (f) awarding supplementary attorneys' fees; and (g) granting such other relief as may be appropriate.

9. The Court has jurisdiction over the subject matter hereof and the parties hereto, GREGORY A. POLK; UNKNOWN SPOUSE OF GREGORY A. POLK N/K/A TERESA POLK; TENANT #1 N/K/A GREG POLK; TENANT #2, and the equities herein are with the Plaintiff. All necessary parties have been served, and proof of such service is in the court file.

10. 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.

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 SIXTY (60) DAYS AFTER THE SALE. IF YOU FAIL TO FILE A CLAIM, YOU WILL NOT BE ENTITLED TO ANY REMAINING FUNDS.

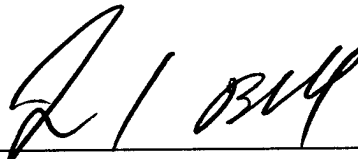
[If the property has qualified for the homestead tax exemption in the most recent approved tax roll, also include the following two paragraphs:]

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, 190 GOVERNMENTAL CENTER, PENSACOLA, FL 32502, (850) 595-4130, 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 LEGAL SERVICES OF NORTH FLORIDA INC. (850)-432-8222 OR NORTHWEST FLORIDA LEGAL SERVICES, INC. (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 LEGAL SERVICES OF NORTH FLORIDA INC. (850)-432-8222 OR NORTHWEST FLORIDA LEGAL SERVICES, INC. (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
on March 22, 2015



Presiding Judge

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing Final Summary Judgment of Foreclosure has been furnished to the following by regular U.S. Mail on this 26 day of March, 2015.

Robert M. Coplen, Esquire, 10225 Ulmerton Road, Suite 5A, Largo, FL 33771,
foreclosure@coplenlaw.net

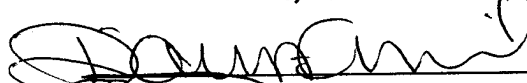
Gregory A. Polk, 7242 Bay Crest Road, Southport, FL 32409;

Unknown Spouse of Gregory A. Polk n/k/a Teresa Polk, 7242 Bay Crest Road, Southport, FL 32409;

Tenant #1 n/k/a Greg Polk, 4319 Baywoods Drive, Pensacola, FL 32504;

Tenant #2, 4319 Baywoods Drive, Pensacola, FL 32504

PAM CHILDERS, CLERK & COMPTROLLER



Deputy Clerk/Judicial Assistant

