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

REGIONS BANK D/B/A REGIONS
MORTGAGE,

CASE NO.: 17-2020-CA-000296

Plaintiff,

vs.

KENNETH R. DANIELS, *et al.*,

Defendants.

_____ /

IN REM FINAL JUDGMENT OF FORECLOSURE

This case came before the Court on the Motion for Summary Final Judgment of Foreclosure of Plaintiff, REGIONS BANK D/B/A REGIONS MORTGAGE ("Plaintiff"). A hearing was held on August 24, 2022. The Court, having considered the pleadings and proofs submitted, and having reviewed the Court file, and finds:

1. Due and legal service of process was made on Defendant, U.S. DEPARTMENT OF HOUSING & URBAN DEVELOPMENT, 451 7th Street, SW, Washington, DC, 20410. Due and legal constructive service was made on Defendants, KENNETH R. DANIELS, 4606 Laborde Lane, Pensacola, FL 32514, UNKNOWN SPOUSE OF KENNETH R. DANIELS, 4606 Laborde Lane, Pensacola, FL 32514, UNKNOWN TENANTS IN POSSESSION NO. 1, 4606 Laborde Lane, Pensacola, FL 32514 and UNKNOWN TENANTS IN POSSESSION NO. 2, 4606 Laborde Lane, Pensacola, FL 32514. The Notice of Action was published in the Escambia Sun Press on January 27, 2022 and February 2, 2022. This Court has jurisdiction over the parties in this cause and its subject matter. The allegations contained in the Complaint have been proved by competent evidence, and the equities in this cause are with Plaintiff. The Plaintiff is the prevailing party in this action.

2. The Plaintiff hired Winderweedle, Haines, Ward & Woodman, P.A. to pursue this action, and is obligated to pay the firm a reasonable fee for its services. \$4,350.00 is a reasonable fee for services rendered in this cause.

It is ADJUDGED that:

1. Plaintiff, whose address is 6200 Poplar Ave., 4th Floor, Memphis, TN 38119, is due:

a.	Principal due on the Note and Mortgage:	\$81,921.89
b.	Interest:	\$11,933.14
c.	Late Charges:	\$79.60
d.	Real Estate Taxes:	\$2,386.32
e.	Hazard Insurance:	\$6,849.25
f.	NSF Balance:	\$15.00
g.	Other Fees:	\$400.00
h.	Attorneys' fees:	\$4,350.00
i.	Attorneys' costs:	\$2,076.61
	TOTAL DUE:	\$110,011.81

that shall bear interest at the rate of 4.34% per year, from the date of this Judgment until paid, and any further sums in connection herewith. The Plaintiff is limited to *in rem* relief in this action.

2. The Plaintiff holds a lien for the total sum superior to all claims or estates of Defendants on the following described property in Escambia County, Florida:

Lot 17, Block J, Unit No. 4, Northpointe Subdivision, according to the map or plat thereof as recorded in Plat Book 10, at page 95, of the public records of Escambia County, Florida.

3. If the total sum due, with interest at the rate prescribed by law, and all costs of this action accruing subsequent to this Judgment are not paid, the Clerk of this Court shall sell the Property at public sale, on **November 2, 2022, by electronic sale at 11:00 a.m. CST** at

www.escambia.realforeclose.com to the highest bidder for cash, except as prescribed in paragraph 4, in accordance with § 45.031 Fla. Stat.

4. Plaintiff shall be reimbursed by the Clerk for all costs advanced by Plaintiff should a party other than Plaintiff be the purchaser of the Property at the sale. Any purchaser other than Plaintiff shall pay all service charges assessed by the Clerk of the Court under § 28.24 Fla. Stat., together with Property documentary stamps to be affixed to the Certificate of Title. If Plaintiff is the purchaser, the Clerk shall credit Plaintiff's bid with the total sum due hereunder with interest and costs accruing subsequent to this Judgment or the part of it as is necessary to pay the bid in full.

5. Any sums expended by Plaintiff for ad valorem taxes, hazard insurance, or Property preservation also shall be credited to Plaintiff's bid. If Plaintiff is to include those sums in Plaintiff's bid, Plaintiff shall file an affidavit setting forth those expenditures.

6. On filing the Certificate of Title, the Clerk shall distribute the proceeds of the sale and other money collected by the Clerk in connection with 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; and fourth, the total sum due to Plaintiff plus interest at the rate prescribed by law from this date to the date of the sale. During the sixty (60) day period after the Clerk issues a Certificate of Disbursements, the Clerk shall hold any surplus pending further Order of this Court.

7. The sale shall be held in accordance with § 45.031 Fla. Stat., and, when the Clerk files the Certificate of Sale, all persons shall forever be barred and foreclosed of any and all equity or right of redemption in and to the Property. Furthermore, when the Clerk files the Certificate of Title as provided by § 45.031 Fla. Stat., the sale shall stand confirmed, and the purchasers at the

sale, their heirs, representatives, successors, or assigns, without delay, shall be let into possession of the premises as conveyed. The Clerk of the Court is specifically authorized to issue a Writ of Possession for the premises located at 4606 Laborde Lane, Pensacola, FL 32514, and the Sheriff is authorized to serve the Writ of Possession immediately after issuance of the Certificate of Title.

8. Notice pursuant to §45.031, Fla. Stat.:

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 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, 190 W. GOVERNMENT STREET, PENSACOLA, FL 32502 (TELEPHONE: (850) 595-3780), 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 (1741 N. PALAFOX STREET, PENSACOLA, FLORIDA 32501 (850) 432-8222, WWW.LSNF.ORG, 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 THE LEGAL SERVICES OF NORTH FLORIDA, YOU SHOULD DO SO AS SOON AS POSSIBLE AFTER RECEIPT OF THIS NOTICE.

9. Within 5 days from the date of eservice of this Final Judgment the Plaintiff shall:


a. Furnish a copy of this Final Judgment to each self-represented party by U.S.

Mail, first class, postage paid; and

b. File a certificate signed by Plaintiff's counsel that delivery of this Final Judgment has been made as set forth herein.

10. The This court retains jurisdiction over the parties and the subject matter for the purpose of making any and all further orders as may be necessary and proper, including, but not limited to, Writs of Possession and reforeclosure.

DONE and ORDERED in Escambia County, Florida.


eSigned by CIRCUIT JUDGE JAN SHACKELFORD in 2020 CA 000296
on 08/29/2022 17:06:35 4KClgWFX

Circuit Judge

cc:

Parties will receive service from the Courts at the e-mail designations on the service list of the ePortal. The Attorney/movant shall effectuate service upon any party not registered on the service list of the ePortal and file a Certificate of Compliance within five business days.

Michael C. Cabom, Esq.