

2/28/2018 2:49 PM Tara S. Green

IN THE CIRCUIT COURT OF THE FOURTH
JUDICIAL CIRCUIT IN AND FOR CLAY COUNTY, FLORIDA
CIVIL ACTION

WELLS FARGO BANK, N.A.,

Plaintiff,

CASE NO.: 2017-CA-000190

vs.

DIVISION:

JAMES PERDUE A/K/A JAMES W. PERDUE; JULIE GRANT
PERDUE; WELLS FARGO BANK, NATIONAL ASSOCIATION,
SUCCESSOR BY MERGER TO WACHOVIA BANK, NATIONAL
ASSOCIATION; ANY AND ALL UNKNOWN PARTIES
CLAIMING BY, THROUGH, UNDER, AND AGAINST THE
HEREIN NAMED INDIVIDUAL DEFENDANT(S) 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; UNKNOWN
PARTY #1, UNKNOWN PARTY #2, UNKNOWN PARTY #3, AND
UNKNOWN PARTY #4 THE NAMES BEING FICTITIOUS TO
ACCOUNT FOR PARTIES IN POSSESSION

Defendant(s).

FINAL JUDGMENT OF FORECLOSURE

THIS ACTION was heard before the Court on Plaintiff's Non- Jury Trial on February 28, 2018. On
the evidence presented,

IT IS ADJUDGED that:

1. The Plaintiff's Final Judgment is GRANTED. Service of process has been duly and regularly obtained
over **James Perdue A/K/A James W. Perdue; Julie Grant Perdue; Wells Fargo Bank, National
Association, Successor By Merger To Wachovia Bank, National Association; Unknown Party #2 Nka
Julie Robson; and Unknown Party #1 NKA Robert Robson** defendants.

2. There is due and owing to the Plaintiff the following:

Principal due on the note secured by the mortgage foreclosed:	\$33,877.91
Interest on the note and mortgage from January 31, 2018 to February 23, 2018	\$162.13
Prior Interest through January 30, 2018	\$3,513.67
Title search expenses	\$325.00
Taxes	\$2,130.84
Insurance	\$8,046.74
Court Costs:	
Filing Fee	\$ 455.00
Service of Process	\$ 420.00
Additional Costs:	
Pre-Accelerated Late Charges through December 21, 2016	\$538.09
Attorney fees	\$3,450.00
GRAND TOTAL	\$52,919.38

3. The grand total amount referenced in Paragraph 2 shall bear interest from this date forward at the prevailing legal rate of interest.

4. Plaintiff WELLS FARGO BANK, N.A., whose address is c/o Wells Fargo Home Equity Group, 1 Home Campus, Des Moines, IA 50328-0001, holds a lien for the grand total sum specified in Paragraph 2 herein. The lien of the Plaintiff is superior in dignity to any right, title, interest or claim of the defendants and all persons, corporations, or other entities claiming by, through, or under the defendants or any of them and the property will be sold free and clear of all claims of the defendants, with the exception of any assessments that are superior pursuant to Florida Statutes, Section 718.116 and Section 720.3085. The Plaintiff's lien encumbers the subject property located in Clay County, Florida and described as:

LOT 2, BLOCK 147, BLACK CREEK PARK UNIT ONE, ACCORDING TO PLAT THEREOF AS RECORDED IN PLAT BOOK 11, PAGES 21 THROUGH 33, OF THE PUBLIC RECORDS OF CLAY COUNTY, FLORIDA. TOGETHER WITH THAT CERTAIN 1999 GENERAL ADMIRAL MOBILE HOME BEARING VIN NUMBER GMHGA2459822621 AND TITLE NUMBER 76734511.

Property address: 5374 CHICORY STREET, MIDDLEBURG, FL 32068

5. If the grand total amount with interest at the rate described in Paragraph 3 and all costs accrued subsequent to this judgment are not paid, the Clerk of the Court shall sell the subject property at public sale to the highest bidder on 30 May, 20 18, at 10:00AM, to the highest bidder for cash, except as prescribed in Paragraph 6, at www.clay.realforeclose.com, after having first given notice as required by Section 45.031, Florida Statutes. The Clerk shall not conduct the sale in the absence of the Plaintiff or its representative.

6. Plaintiff shall advance all subsequent costs of this action in addition to any advances to protect its collateral and shall be reimbursed for them by the Clerk if Plaintiff is not the purchaser of the property for sale. 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. The Clerk shall receive the service charge imposed in Section 45.031, Florida Statutes, for services in making, recording, and certifying the sale and title that shall be assessed as costs.

7. On filing of the Certificate of Sale, defendant's right of redemption as prescribed by Florida Statutes, Section 45.0315 shall be terminated.

8. 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 attorneys' fees; fourth, the total sum due to the Plaintiff, less the items paid, plus interest at the rate prescribed in paragraph 3 from this date to the date of the sale. During the sixty (60) days after the Clerk issues the certificate of disbursements, the Clerk shall hold the surplus pending further Order of this Court.

9. Upon filing of the Certificate of Title, defendant and all persons claiming under or against defendant since the filing of the Notice of Lis Pendens shall be foreclosed of all estate or claim in the property and the purchaser at sale shall be let into possession of the property.

10. The Court finds, based upon the affidavits presented and upon inquiry of counsel for the Plaintiff, that the flat fee of \$3,450.00 is reasonable and appropriate for the Plaintiff's counsel's attorney's fees. The Court finds that there are no reasons for either reduction or enhancement pursuant to Florida Patient's Compensation Funds v. Rowe, 472 So. 2d 1145 (Fla. 1985), and the Court therefore has awarded reasonable attorney's fees in the amount indicated in paragraph 2 of this Judgment.

11. **NOTICE PURSUANT TO AMENDMENT TO SECTION 45.031, FLA. ST. (2006).**

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 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, CLAY COUNTY CLERK OF COURTS ATTN: FORECLOSURE P.O. BOX 698 GREEN COVE SPRINGS, FL 32043 CLAY COUNTY CLERK OF COURTS ATTN: FORECLOSURE 825 NORTH ORANGE AVENUE GREEN COVE SPRINGS, FL 32043, [TELEPHONE: 904-269-6302 x6566], 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 JACKSONVILLE AREA LEGAL AID, INC., P.O. BOX 1999, GREEN COVE SPRINGS, FL 32043 TELEPHONE: (904) 284-8410, 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 SERVICES, YOU SHOULD DO SO AS SOON AS POSSIBLE AFTER RECEIPT OF THIS NOTICE.

12. If Plaintiff is the successful purchaser at the foreclosure sale, Plaintiff may assign the successful bid without further order of this court.

13. The Court finds that Plaintiff has standing to seek and receive the relief obtained herein.

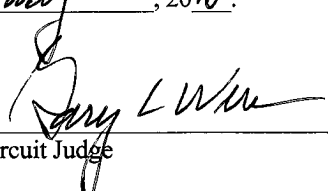
14. Any funds payable from third party funds including attorney fees and costs shall be made payable to Plaintiff.

15. The Court specifically reserves jurisdiction to enter further orders the Court deems just and proper to include, without limitation, the following: orders related to pursuit and entry of deficiency judgment, if Defendant has not been discharged in bankruptcy, or it is not prohibited by federal law or mutual settlement agreement; orders granting additional attorney's fees and costs; writs of possession; orders determining the amount and responsibility for assessments that may be due a condominium or homeowner's association pursuant to sections 718.116 or 720.3085 of the Florida Statutes; orders arising out of re-foreclosure, to include permitting a supplemental complaint to add an interest-holder, and/or; orders involving reformation of the mortgage instrument or deed to perfect title.

16. Plaintiff has a first and prior mortgage in and to the Property described in the legal description, intended that the real property described in the Mortgage included an improvement to the land, specifically the Manufactured Home, and that such Manufactured Home would be permanently affixed to such land. The Manufactured Home has been at all times since the execution of the Note and

Mortgage, up to and including the filing of this action permanently affixed to and part of the real property described above. The real Property will be sold jointly and simultaneously with the Manufactured Home as part of the foreclosure sale. The Court should order and direct the sale of the Property accordingly to law for the satisfaction of the money judgment due Plaintiff.

ORDERED at Clay County, Florida on 28 February, 2018.


Circuit Judge

NL-16-035647

Copies furnished to:

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Jacksonville, FL 32202

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Wells Fargo Bank, National Association, successor by merger to Wachovia Bank, National Association

c/o President or Vice-President

503 S. PIERRE ST

ST PIERRE, SD 57501

Unknown Party #2 NKA JULIE ROBSON

5374 CHICORY ST

MIDDLEBURG, FL 32068

Unknown party #1 NKA ROBERT ROBSON

5374 Chicory Street

Middleburg, FL 32068