

6/28/2018 12:05 PM Tara S. Green

IN THE CIRCUIT COURT OF THE 4TH JUDICIAL CIRCUIT  
IN AND FOR CLAY COUNTY, FLORIDA

CASE NO.: 2017-CA-000776

THE BANK OF NEW YORK MELLON FKA THE  
BANK OF NEW YORK AS TRUSTEE FOR THE  
CERTIFICATEHOLDERS OF CWABS, INC., ASSET  
BACKED CERTIFICATES, SERIES 2005-BC2,

Plaintiff,

v.

SHARRONDA ROBERTS; UNKNOWN SPOUSE OF  
SHARRONDA ROBERTS; ALL UNKNOWN PARTIES  
CLAIMING INTERESTS BY, THROUGH, UNDER OR  
AGAINST A NAMED DEFENDANT TO THIS ACTION,  
OR HAVING OR CLAIMING TO HAVE ANY RIGHT,  
TITLE OR INTEREST IN THE PROPERTY HEREIN  
DESCRIBED; MAYFIELD OWNERS ASSOCIATION,  
INC.; BEACH BOULEVARD AUTO FINANCE, INC.;  
U.S. BANK, N.A.; UNKNOWN TENANT #1;  
UNKNOWN TENANT #2,

Defendant(s).

**FINAL JUDGMENT OF FORECLOSURE**

THIS action having come before the Court on Plaintiff's Motion for Summary Judgment of  
Foreclosure and Request for Attorneys' Fees on June 27, 2018. On the evidence presented,

IT IS ORDERED AND ADJUDGED that:

1. The Plaintiff, THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK AS  
TRUSTEE FOR THE CERTIFICATEHOLDERS OF CWABS, INC., ASSET BACKED  
CERTIFICATES, SERIES 2005-BC2 is due:

Principal	\$108,293.26
Interest from 9/1/16 through 6/27/18 at 3.25%	\$6,625.13
Initial Escrow Balance	(\$368.25)
Insurance Disbursements	\$3,957.00
Tax Disbursements	\$3,862.28
Property Inspection	\$195.00
Court Costs	\$3,185.59

Foreclosure Costs	\$690.00
Property Preservation	\$39.00
Filing Cost	\$258.00
SUB TOTAL	\$126,737.01
Attorney Fees – Kelley Kronenberg	\$4,450.00
TOTAL	\$131,187.01

That shall bear interest at the prevailing statutory rate pursuant to Florida Statute 55.03.

2. The Plaintiff holds a lien for the total sum superior to all claims or estates of Defendant(s), SHARRONDA ROBERTS; UNKNOWN SPOUSE OF SHARRONDA ROBERTS; MAYFIELD OWNERS ASSOCIATION, INC.; BEACH BOULEVARD AUTO FINANCE, INC.; U.S. BANK, N.A.; UNKNOWN TENANT #1; UNKNOWN TENANT #2 on the following described property in Clay County, Florida:

**LOT 87, MAYFIELD, ACCORDING TO PLAT THEREOF AS RECORDED IN PLAT BOOK 36, PAGE 52, OF THE PUBLIC RECORDS OF CLAY COUNTY, FLORIDA.**

**Property Address: 3240 Talisman Drive, Middleburg, FL 32068**

The aforesaid lien of the Plaintiff is prior, paramount and superior to all rights, claim, liens, interest, claim, encumbrances and equities of the Defendants and all persons, firms or corporations claiming by, through or under said defendants or any of them and the property will be sold free and clear of all claims Defendants, with the exception of any assessments pursuant to Florida Statutes 718.116 and 720.3085.

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 27 September, 2018 to the highest bidder for cash, except as prescribed in Paragraph 5, [www.clay.realforeclose.com](http://www.clay.realforeclose.com) at 10:00 A.M. in accordance with Florida Statute 45.031 (1995)

4. In addition, Plaintiff may assign the Judgment and credit bid by the filing of an Assignment without further order of this court. The 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 the judgment, or such part of it, as 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 ant 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, except as to claims or rights under Chapter 718 (2010) 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. The court retains jurisdiction of this action to enter further orders that are proper, including, without limitation, *orders authorizing writs of possession and an award of attorney's fees, to enter deficiency judgments if the borrower has not been discharged in bankruptcy, and to enforce the adequate protection ordered, if applicable.* **This Court specifically reserves jurisdiction to re-open this matter for the purposes of re-foreclosing against unnamed or unintentionally omitted Defendants should this court deem it proper, upon proper motion by a party.**

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, 954-831-6565, 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 WHO IS 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 AID SERVICE OF BROWARD COUNTY, INC., 491 NORTH STATE ROAD 7, PLANTATION, FL 33317 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 AID SERVICE OF BROWARD COUNTY, INC., 491 NORTH STATE ROAD 7, PLANTATION, FL 33317, FOR ASSISTANCE, YOU SHOULD DO SO AS SOON AS POSSIBLE AFTER RECEIPT OF THIS NOTICE.

"The court retains jurisdiction in this matter to address any issues of entitlement, rights or obligations under Chapters 718 and 720, Florida Statutes, of the parties to this action, their

successors or assignees.”

DONE AND ORDERED in open court in Clay County, Florida this 27<sup>th</sup> day of June 2018.

  
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CIRCUIT JUDGE

**Copies furnished to:**

Reena Patel Sanders, Partner, Kelley Kronenberg, 8201 Peters Road, Suite 4000, Fort Lauderdale, FL 33324, [filrealprop@kelleykronenberg.com](mailto:filrealprop@kelleykronenberg.com); Sharronda Roberts, 3240 Talisman Drive, Middleburg, FL 32068; Thomas Lobello, III, Esq., Attorney for Beach Boulevard Auto Finance, Inc. P.O. Box 4400, Jacksonville, FL 32201; Kelly C. Usery, Esq., Ansbacher Law, Attorney for Mayfield Owners Association, Inc. 8818 Goobys Executive Drive, Jacksonville, FL 32217, [mortgage@ansbacher.net](mailto:mortgage@ansbacher.net); [kcu@ansbacher.net](mailto:kcu@ansbacher.net); U.S. Bank, N.A., 425 Walnut Street, Cincinnati, OH 45202; Unknown Spouse of Sharronda Roberts, 3240 Talisman Drive, Middleburg, FL 32068; Unknown Tenant #1, 3240 Talisman Drive, Middleburg, FL 32068; Unknown Tenant #2, 3240 Talisman Drive, Middleburg, FL 32068