

8/22/2018 1:22 PM Tara S. Green

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

CIRCUIT CIVIL DIVISION
CASE NO. 2017-CA-000371

U.S. BANK, N.A., AS TRUSTEE, ON BEHALF OF
THE HOLDERS OF THE J.P. MORGAN
MORTGAGE ACQUISITION TRUST 2006-NC2
ASSET BACKED PASS-THROUGH
CERTIFICATES, SERIES 2006-NC2,

Plaintiff,

-vs-

THERESE BELIZAIRE a/k/a THERESE E.
BELIZAIRE a/k/a THERESA ERLA BELIZAIRE;
JEAN HENRY; UNKNOWN OCCUPANT;
OAKLEAF VILLAGE AT OAKLEAF PLANTATION;
OAKLEAF VILLAGE AT OAKLEAF PLANTATION
RESIDENTIAL LOTS,

Defendants.

FINAL JUDGMENT OF FORECLOSURE

THIS ACTION was heard before the Court on Plaintiff's Motion for Summary Final Judgment on August 22, 2018. On the evidence presented, **IT IS ORDERED AND ADJUDGED** that the Plaintiff's Motion for Summary Judgment is **GRANTED** against all Defendants listed by name:

- THERESE BELIZAIRE a/k/a THERESE E. BELIZAIRE a/k/a THERESA ERLA BELIZAIRE
- JEAN HENRY
- UNKNOWN OCCUPANT N/K/A NAME REFUSED
- OAKLEAF VILLAGE AT OAKLEAF PLANTATION
- OAKLEAF VILLAGE AT OAKLEAF PLANTATION RESIDENTIAL LOTS

1. **Amounts Due and Owing.** Plaintiff is due:

Principal due on the note secured by the mortgage foreclosed:	\$608,688.56
Interest on the note and mortgage from <u>08/01/2015</u> to <u>03/26/2018</u> :	\$35,075.16

Interest at \$35.51 per diem from <u>03/27/2018</u> to <u>08/22/2018</u> :	\$5,290.99
Escrow Advance:	\$17,422.67
Advance Balance:	\$4,405.00
Interest on Advance	\$1.74
GRAND TOTAL:	\$670,884.12

2. **Interest.** The grand total amount referenced in Paragraph 1 shall bear interest from this date forward at the prevailing legal rate of interest of 5.97% a year.
3. **Lien on Property:** Plaintiff, whose address is c/o Select Portfolio Servicing, Inc., 3217 S. Decker Lake Dr., Salt Lake City, UT 84119, holds a lien for the grand total sum superior to all claims or estates of the defendant(s), on the following described property in Clay County, Florida:

**LOT 3, OAK BROOK ACCORDING TO PLAT THEREOF AS RECORDED IN
PLAT BOOK 39, PAGE 8 THROUGH 13, OF THE PUBLIC RECORDS CLAY
COUNTY, FLORIDA.**

Property Address: 3628 OAKWORTH COURT, ORANGE PARK, FL 32065

4. **Sale of Property.** 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 this court shall sell the property at public sale on December 20, 2018, to the highest bidder for cash, except as prescribed in paragraph 5, beginning at 10:00 A.M. on the prescribed date, online at www.clay.realforeclose.com, in accordance with Section 45.031, Florida Statutes.
5. **Costs.** 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 documentary stamps affixed to 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.
6. **Distribution of Proceeds.** 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 2 from this date to the date of the sale; and by retaining any remaining amount pending the further order of this Court.
7. **Right of Redemption/Right of Possession.** Upon 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 Section 45.01315, Florida Statutes (2013) shall be terminated, except as to claims or rights under Chapter 718 or Chapter 720, Fla. Stat., if any. Upon filing of the Certificate of Title, the person named on the Certificate of Title shall be let into possession of the property, subject to tenant protections in compliance with the provisions of Section 83.561, Fla. Stat. (2015).

8. **Jurisdiction.** The Court retains jurisdiction of this action to enter further orders that are proper including, without limitation, writs of possession, reforeclosure, deficiency judgments, and to enforce claims or rights under Chapter 718 or Chapter 720, Florida Statutes.


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 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 FOR CLAY COUNTY, FLORIDA, 825 NORTH ORANGE AVENUE, GREEN COVE SPRINGS, FLORIDA 32043, 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 EQUITY IN YOUR PROPERTY WITHOUT THE PROPER INFORMATION. IF YOU CANNOT AFFORD TO PAY AN ATTORNEY, YOU MAY CONTACT JACKSONVILLE AREA LEGAL AID - CLAY COUNTY, (904) 284-8410, 3540 HIGHWAY 17, SUITE 101, GREEN COVE SPRINGS, FLORIDA 32043, 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 SOME OTHER OPTIONS. IF YOU CHOOSE TO CONTACT JACKSONVILLE AREA LEGAL AID, YOU SHOULD DO SO AS SOON AS POSSIBLE AFTER RECEIPT OF THIS NOTICE..

DONE AND ORDERED at Green Cove Springs, Clay County, Florida, this 22nd day of August, 2018.



Circuit Judge

Copies Furnished to all parties named below
and "occupant" at property address:

Nathan L. Wood, esq
Weitz and Schwartz, PA
Attorneys for Plaintiff
900 SE 3rd Ave, Ste 204
Fort Lauderdale, FL 33316
Nathan@weitzschwartz.com

Jerry W. Pryor, Esq
The Law Offices of Justin McMurray, PA
10175 Fortune Parkway, Ste 603
Jacksonville, FL 32256
Attorney for Jean Henry and Therese Belizaire
service@lojmpa.com
jerry@lojmpa.com

Unknown Occupant(s) n/k/a
Name refused
3628 Oakworth CT
Orange Park, FL 32065

OakLeaf Village at Oakleaf Plantation
3020 Hartley RD, Ste 100
Jacksonville, FL 32257

OakLeaf Village at Oakleaf Plantation Residential Lots
3020 Hartley RD, Ste 100
Jacksonville, FL 32257