Filing # 195760634 E-Filed 04/09/2024 09:50:12 AM

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INSTRUMENT # 2024048091 7 PG(S)
4/9/2024 12:45 PM
KAREN E. RUSHING
CLERK OF THE CIRCUIT COURT
SARASOTA COUNTY, FLORIDA
CIVIL COURTS Receipt # 3167713

IN THE CIRCUIT COURT OF THE TWELFTH JUDICIAL CIRCUIT IN AND FOR SARASOTA COUNTY, FLORIDA.
CIVIL DIVISION

CASE NO. 2023 CA 004317 NC

LAKEVIEW LOAN SERVICING, LLC,
Plaintiff,

vs.

THERESA A. DAVIDSON; CAPITAL ONE BANK (USA), N.A.; UNKNOWN TENANT NO. 1; UNKNOWN TENANT NO. 2; and 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,
Defendant(s).
_____/

SUMMARY FINAL JUDGMENT OF FORECLOSURE

THIS ACTION came before the Court on April 3, 2024 upon Plaintiff's Motion for Summary Final Judgment. Kathleen Achille, Esq. appeared for the Plaintiff. There were no appearances by any Defendants. Pursuant to *Fla. R. Civ. Pro. Rule 1.510* and the Court's review of the Motion for Summary Final Judgment, the supporting affidavits, the pleadings in the file, and the defaults entered, the Court finds that Plaintiff has proven its prima facie case, and that the Defendants have failed to adequately rebut Plaintiff's prima facie case and that as a matter of law, a Summary Final Judgment is appropriate. The Court therefore finds that no genuine issue as to any material fact exists that would preclude the entry of summary judgment and that the Plaintiff is entitled to the entry of a Final Judgment of Foreclosure as a matter of law. Thus on the evidence presented, IT IS ORDERED AND ADJUDGED THAT:

Filed 04/09/2024 12:29 PM - Karen E. Rushing, Clerk of the Circuit Court, Sarasota County, FL

1. This Court has jurisdiction of the subject matter hereof and the parties hereto. The equities of this action are with the Plaintiff, LAKEVIEW LOAN SERVICING, LLC. There is due to the Plaintiff, whose address is c/o Diaz Anselmo & Associates, P.A., P.O. BOX 19519, Fort Lauderdale, FL 33318, the sums of money as hereafter set forth:

A. Principal Balance		$172,857.47
B. 3.55300% interest at $ 16.83 per diem from May 1, 2022, to September 1, 2023		$8,188.80
C. Interest from September 2, 2023, to April 3, 2024		$3,618.45
D. MIP/PMI Insurance		$ 124.66
E. Pre-acceleration Late Charges		$ 37.46
F. Escrow Advances		$6,773.26
G. Title Search		$ 155.00
H. Filing Fee		$ 995.00
I. Service of Process		$ 693.00
J. Publication of Notice of Action		$ 130.00
K. Attorneys' Fees		$5,075.00
	TOTAL:	**$198,648.10**

2. A reasonable fee for the legal services rendered is set forth in the filed Affidavit of Attorney Fees and Costs. However, pursuant to the Plaintiff's fee agreement with Diaz Anselmo & Associates, P.A., the Plaintiff will pay attorneys' fees in the amount of $5,075.00.

3. A lien is held by the Plaintiff for the total sum specified in paragraph 1, plus interest, superior in dignity to any right, title, interest, or claim of the Defendants upon the mortgaged property herein foreclosed situate, lying and being in Sarasota County, Florida, to-wit:

LOT 9, BLOCK M, SOUTH GATE RIDGE UNIT 3, A SUBDIVISION

ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 10, PAGE 93, IN THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA.

4. If the total sum due to the Plaintiff, plus interest on the unpaid principal at the rate prescribed in the note and mortgage to date, and at the current statutory interest rate after the date through which interest is calculated in paragraph 1 above, and all costs of this proceeding incurred after the date of this Judgment are not forthwith paid, the Clerk of this Court shall sell that property at public sale at 9:00 a.m. on **June 4, 2024**, to the highest bidder or bidders for cash at the www.sarasota.realforeclose.com, after having first given notice as required by Section 45.031, Florida Statutes, except the Clerk shall not conduct the sale unless the Plaintiff or its representative is present to bid.

5. Plaintiff shall advance the cost of publishing the Notice of Sale and shall be reimbursed by the Clerk out of the proceeds of the sale if the Plaintiff is not the purchaser of the property, but such reimbursement will not be by the Clerk unless the Affidavit of Post Judgment Advances has been filed. The purchaser at the sale shall pay, in addition to the amount bid, the Clerk's fee, Clerk's registry fee and documentary stamps to be affixed to the Certificate of Title.

6. The Plaintiff may assign the Judgment or the bid to a third party without further order of the Court.

7. If the Plaintiff or Plaintiff's assignee is the purchaser at the sale, the Clerk shall credit on the bid of the Plaintiff or Plaintiff's assignee the total sum herein found to be due the Plaintiff or such portion thereof as may be necessary to pay fully the bid of the Plaintiff or Plaintiff's assignee.

8. On filing the Certificate of Title, the Clerk shall distribute the proceeds of the sale to Plaintiff c/o Diaz Anselmo & Associates, P.A., P.O. BOX 19519, Fort Lauderdale, FL 33318, so far as they are sufficient, by paying:

A. All of Plaintiff's costs,

B. Plaintiff's attorneys' fees,

C. The total sum due to Plaintiff as set forth above, less the items paid, with interest at the current statutory interest rate from the date through which interest is calculated in paragraph 1 above to the date of the sale. If, subsequent to the date of the Plaintiff's Affidavit of Indebtedness and prior to the sale contemplated in paragraph 5 hereof, the Plaintiff has to advance money to protect its mortgage lien, including but not limited to post judgment advances for property taxes and insurance, property preservation costs, post judgment attorney's fees and costs and post judgment bankruptcy attorney fees and costs, the Plaintiff or its Attorneys shall certify by affidavit to the Clerk and the amount due to Plaintiff shall be increased by the amount of such advances without further order of the Court.

D. The remaining proceeds, if any, shall be retained by the Clerk pending further Order of the Court.

9. If the United States of America is a Defendant in this action, they shall have the right of redemption provided by 28 U.S.C. §2410(c) from the issuance of a Certificate of Title, but the right shall thereafter expire.

10. Upon filing the Certificate of Sale, the Defendants and all persons claiming under or against them since the filing of the Notice of Lis Pendens shall be foreclosed of all estate or claim in the property, with the exception of any assessments that are superior pursuant to Florida Statutes, Section 718.116 (effective 4/1/1992, as amended) or Florida Statutes 720.3085 (effective 7/1/2008). Upon issuance of the Certificate of Title, the purchaser at the sale shall be let into possession of the property located at 3630 Glen Ridge Ln , Sarasota, FL 34233. The Clerk of the Court is hereby specifically authorized to issue a Writ of Possession for the property which is the

subject matter of this action, and the Sheriff is hereby authorized to serve the Writ forthwith.

11. 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.

12. IF YOU ARE A SUBORDINATE LIENHOLDER CLAIMING A RIGHT TO FUNDS REMAINING AFTER THE SALE, IF ANY, YOU MUST FILE A CLAIM WITH THE CLERK NO LATER THAN THE DATE THAT THE CLERK REPORTS THE FUNDS AS UNCLAIMED. IF YOU FAIL TO FILE A CLAIM, YOU WILL NOT BE ENTITLED TO ANY REMAINING FUNDS.

13. 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, OF SARASOTA COUNTY 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.

14. 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 THE COUNTY LEGAL AID OFFICE OF GULFCOAST LEGAL SERVICES, INC., GLASSER-SCHOENBAUM HUMAN SERVICES CENTER, 1750-17TH STREET, UNIT 1, SARASOTA, FL 34234, PHONE: (941) 366-1746 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 SARASOTACOUNTY AID SERVICES FOR ASSISTANCE, YOU SHOULD DO SO AS SOON AS POSSIBLE AFTER RECEIPT OF THIS NOTICE.

15. The Court retains jurisdiction of this action to enter further orders as are proper including, without limitation, deficiency judgments and supplemental actions to foreclose any interests omitted from this suit or as necessary for Plaintiff or its assigns to cure title defects as well as to adjudicate any post judgment dispute related to outstanding assessments as provided for by Chapter 718 and 720, Florida Statutes.

DONE AND ORDERED in Sarasota County, Florida on _____, 2024.

4/9/2024 9:50 AM 2023 CA 004317 NC
Circuit Court Judge
e-Signed 4/9/2024 9:50 AM 2023 CA 004317 NC

Within 5 days from the date of this Judgment, Plaintiff shall furnish a copy to all parties and e-file a Notice certifying service.

Copies furnished to all parties on the attached service list
1691-191000 / CR4

SERVICE LIST
Case No. 2023 CA 004317 NC

Diaz Anselmo & Associates, P.A.
Attorneys for Plaintiff
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Fort Lauderdale, FL 33318
Service E-mail: answers@dallegal.com

UNKNOWN TENANT NO. 1
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Sarasota, FL 34233

UNKNOWN TENANT NO. 2
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Sarasota, FL 34233

THERESA A. DAVIDSON
3630 GLEN RIDGE LN
SARASOTA, FL 34233

CAPITAL ONE BANK (USA), N.A.
c/o Corporation Service Company, R.A.
100 SHOCKOE SLIP FL 2
RICHMOND, VA 23219