

TAYLOR COUNTY FLORIDA GARY KNOWLES
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IN THE CIRCUIT COURT OF THE THIRD JUDICIAL CIRCUIT,
IN AND FOR TAYLOR COUNTY, FLORIDA

EUSTIS THOMAS GUNTER and
CAROL R. GUNTER,

Case No. 62020CA000500XXXXCX

Plaintiffs,

Vs.

HENRY JAY, III and
LISA MARIE JAY,

Defendants.

FINAL JUDGMENT OF FORECLOSURE

THIS CAUSE having come before the Court on the Plaintiffs' Motion for Summary Final Judgment at a hearing on February 18, 2021, the Court having considered the pleadings and proofs submitted, having reviewed the Court file, and being otherwise fully advised in the premises, it is

ORDERED and ADJUDGED as follows:

1. Service of process has been properly perfected as to Defendants herein. This Court has jurisdiction of the parties in this cause and its subject matter. The allegations contained in the Verified Complaint have been proven by competent evidence, and the equities in this cause are with Plaintiffs.

2. A default was entered against all parties on January 8, 2021. The Court emailed the hearing Zoom link to Defendant, Henry Jay, III with the email address provided by him. Further, the Court called the Defendant, Henry Jay, III during the hearing and he did not answer. The voicemail box of Defendant, Henry Jay, III was also full and the Court could not leave a message. All Defendants failed to appear.

3. The Plaintiffs hold a lien for the total sum superior to all claims or estates of the Defendants, on the following real property in Taylor County, Florida:

BEGINNING AT THE POINT OF 65 FEET SOUTH OF THE SOUTHEAST CORNER OF BLOCK ONE OF THE TOWN OF PERRY, FLORIDA, SAID BEGINNING POINT BEING THE NORTHEAST CORNER OF BLOCK 50 OF THE J. C. CURLS ADDITION NORTH, TO THE TOWN OF PERRY, FLORIDA; THENCE RUN WEST ALONG GREEN STREET 110 FEET; THENCE RUN SOUTH 75 FEET; THENCE EAST 110 FEET TO JEFFERSON STREET; THENCE NORTH ALONG THE WEST LINE OF JEFFERSON STREET 75 FEET TO THE POINT OF BEGINNING AND CONTAINING 8,250 SQUARE FEET AND BEING IN LOT 1 OF BLOCK 50 OF THE J. C. CURLS ADDITION NORTH TO THE TOWN OF PERRY, FLORIDA.

For identification purposes, the mailing address is 107 South Jefferson Street, Perry, Florida 32347.

4. The Plaintiffs are due the following sums:

Principal due on the Note and Mortgage:	\$191,748.85
Interest from June 11, 2020 to November 16, 2020	\$4,149.08
Interest at 18% after the aforementioned date at the rate of \$26.26 per day through February 18, 2021	\$2,468.44
Late Fees	\$924.89
2020 Property Taxes	\$2,504.54
Costs	\$1,345.00
Attorney's Fees	\$3,125.00
Total:	\$206,265.80

Plus, interest at the statutory rate per annum from the date of this Judgment until paid, and any further sums in connection herewith.

5. 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, at 11:00 a.m., on ___March 25, 2021___, to the highest bidder or bidders for cash, except as set forth hereinafter, at the Taylor County Courthouse, Perry, Florida, in accordance with section 45.031, Florida Statutes, except the clerk shall not conduct the sale unless Plaintiffs or their representative is present to bid at the sale.

6. The Plaintiffs shall advance all subsequent costs of this action and shall be reimbursed for them by the Clerk if Plaintiffs are 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 Plaintiffs are the purchasers, the Clerk shall credit Plaintiffs' 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.

7. 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 Plaintiffs' costs; second, documentary stamps affixed to the certificate; third, Plaintiffs' attorney's fees; fourth, the total sum due to Plaintiffs, less the items paid, plus interest at the rate prescribed in paragraph three (30 from this date to the date of the sale; and by retaining any remaining amount pending further order of this Court.

8. On filing the Certificate of Sale, Defendants and all persons claiming under or against Defendants since the filing of the Notice of Lis Pendens shall be foreclosed of all estate or claim in the property and defendant's right of redemption as prescribed by section 45.0315, Florida Statutes (2013) shall be terminated, except as to claims or rights under chapter 718 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.

9. The Court finds based upon the testimony presented and upon inquiry of counsel

for the Plaintiffs that 10.7 hours were reasonably expended by Plaintiffs' counsel and that an hourly rate of \$250.00, and that 2.0 hours were reasonably expended by Plaintiffs' paralegal and that an hourly rate of \$100.00 is appropriate. Plaintiffs' counsel represents that the attorney's fees awarded does not exceed its contract fee with the Plaintiffs. The Court finds that there are no reduction or enhancement factors for consideration by the Court pursuant to *Florida Patients Compensation Fund v. Rowe*, 472 So. 2d 1145 (Fla. 1985).

10. This Court retains jurisdiction of this cause for the purpose of making any and all further orders as may be necessary and proper, including, without limitation, Writs of Possession and Deficiency Judgment, and any supplemental actions to re-foreclose any junior liens or interest that have been omitted from this Final Judgment of Foreclosure.

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.

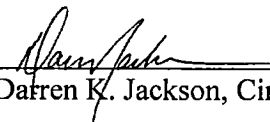
IF YOU ARE A SUBORDINATE LIENHOLDER CLAIMING A RIGHT TO FUNDS REMAINING AFTER THE SALE, YOU MUST FILE A CLAIM WITH THE CLERK NO LATER THAN 60 DAYS AFTER THE SALE. IF YOU FAIL TO FILE A CLAIM, YOU WILL NOT BE ENTITLED TO ANY REMAINING FUNDS.

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 CONTACT THE CLERK OF THE COURT AT 108 NORTH JEFFERSON STREET, PERRY, FLORIDA 32347 WITHIN 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 THREE RIVERS LEGAL SERVICES, INC. AT 334 NW LAKE CITY AVENUE, LAKE CITY, FLORIDA 32055 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 THREE RIVERS LEGAL SERVICES, INC. AT 334 NW LAKE CITY AVENUE, LAKE CITY, FLORIDA 32055 FOR ASSISTANCE, YOU SHOULD DO SO AS SOON AS POSSIBLE AFTER RECEIPT OF THIS NOTICE.

DONE AND ORDERED in Perry, Taylor County, Florida, on this __19__ day of February 2021.



Darren K. Jackson, Circuit Judge

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of this Final Judgment of Foreclosure was mailed by U.S. mail and/or electronic transmission on 2/19/21 , to the following:

Rachel C. Butler, Esq.
rcb@rkkattorneys.com
rac@rkkattorneys.com

Henry Jay, III and Lisa Marie Jay
417 Worley Way
Perry, Florida 32347