



IN THE CIRCUIT COURT OF THE
FOURTH JUDICIAL CIRCUIT, IN AND
FOR DUVAL COUNTY, FLORIDA

CASE NO.: 16-2015-CA-002513

U.S. BANK NATIONAL ASSOCIATION,
AS TRUSTEE FOR CERTIFICATE
HOLDERS OF STRUCTURED ASSET
MORTGAGE INVESTMENTS II, INC.,
PRIME MORTGAGE TRUST,
CERTIFICATES SERIES 2007-1,

Plaintiff,

v.

CHARLOTTE GERRY and WILLIAM
GERRY, *et al.*,

Defendants.

CONSENT FINAL JUDGMENT OF FORECLOSURE

THIS ACTION was heard before the Court on a Plaintiff's Amended Motion for Summary Judgment on January 13, 2016. Being duly advised of the premises and the agreement between the parties, it is **ORDERED AND ADJUDGED** that:

1. Service of process has been duly and regularly obtained over Defendants:
 - a. CHARLOTTE GERRY;
 - b. WILLIAM GERRY, and
 - c. UNITED STATES OF AMERICA, DEPARTMENT OF THE TREASURY, INTERNAL REVENUE SERVICE.
2. **Amounts Due.** There is due and owing to the Plaintiff the following:

a. Unpaid Principal Balance on the Note and Mortgage:	\$ 647,050.87
b. Accrued interest from 10/01/14 thru 01/13/16: (Interest at 2.00000%):	\$ 13,907.72
c. Escrow/Impound Overdraft:	\$ 6,407.50
d. Unpaid Late Charges:	\$ 1,129.23
e. Unpaid Other Fees:	\$ 138.00

f. Recordation Fee:	\$ 10.00
g. Inspection Costs:	\$ 15.00
h. Appraisal Costs:	\$ 125.00
h. Outstanding Corporate Advances:	\$ 5,274.00
TOTAL	\$ 674,057.32

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

4. **Lien on Property.** Plaintiff, U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR CERTIFICATE HOLDERS OF STRUCTURED ASSET MORTGAGE INVESTMENTS II, INC., PRIME MORTGAGE TRUST, CERTIFICATES SERIES 2007-1, holds a lien for the grand total sum specified in Paragraph 2 herein. The lien of 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 Chapters 718 and 720, Florida Statutes. The Plaintiff's lien encumbers the subject property located in Duval County, Florida and is legally described as:

ALL THAT IS CERTAIN PARCEL OF LAND SITUATED IN THE COUNTY OF DUVAL AND THE STATE OF FLORIDA, BEING KNOWN AND DESIGNATED AS LOT 10, RIVER TRACE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 38, PAGES 48, 48A AND 48B OF THE PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

Property address: 6383 Whispering Oaks, Jacksonville, FL 32277.

5. **Sale of Property.** 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 Court shall sell the subject property at public sale on 4/13, 2016 to the highest bidder for cash, except as prescribed in Paragraph 6, at:

[] www.duval.realforeclose.com, Clerk's website for on-line auctions at 11:00 a.m. after having first given notice as required by Section 45.031, Florida Statutes.

6. **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. 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.

7. **Right of Redemption.** On filing of the Certificate of Sale, Defendant's right of redemption as proscribed by Florida Statutes, Section 45.0315 shall be terminated.

8. **Distribution of Proceeds.** On filing of 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 sale; and by retaining any remaining amount pending further Order of this Court.

9. **Right of Possession.** Upon filing of the Certificate of Title, 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, except as to claims or rights under Chapter 718 or 720, Florida Statutes, if any. Upon the filing the Certificate of Title, the person named on the Certificate of Title shall be let into the Property.

10. **Notice Pursuant to Amendment to Section 45.031, Florida Statutes (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 LIEN HOLDER 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, JIM FULLER (TELEPHONE 904-630-7700), 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 THE JACKSONVILLE AREA LEGAL AID SERVICES, 126 W. ADAMS STREET, JACKSONVILLE, FL 32202 (TELEPHONE (904) 356-8371), 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 THE JACKSONVILLE AREA LEGAL AID SERVICES, YOU SHOULD DO SO AS SOON AS POSSIBLE AFTER RECEIPT OF THIS NOTICE.

11. **Jurisdiction.** The Court retains jurisdiction of this action to enter further orders that are necessary and proper including, but not limited to, writs of possession. The Plaintiff has agreed not to pursue a deficiency judgment against the Defendants.

DONE AND ORDERED in Duval County, Florida, this 13th day of

[Signature] 2016.

[Signature]
Circuit Judge

Copies furnished to Service List:

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