



Filing # 217647076 E-Filed 02/26/2025 03:33:58 PM

IN THE CIRCUIT COURT OF THE NINETEENTH JUDICIAL CIRCUIT
 IN AND FOR OKEECHOBEE COUNTY, FLORIDA

DEUTSCHE BANK NATIONAL TRUST
 COMPANY, AS TRUSTEE FOR NOVASTAR
 MORTGAGE FUNDING TRUST, SERIES CASE NO. 47 2018 CA 000351
 2006-6 NOVASTAR HOME EQUITY LOAN
 ASSET-BACKED CERTIFICATES, SERIES
 2006-6

Plaintiff(s),

vs.

SYLVIA ANUEZ F/K/A SYLVIA
 INGERSOLL A/K/A SYLVIA JANE
 INGERSOLL; MANOLO ANUEZ

Defendant(s).

_____ /

AMENDED FINAL JUDGMENT OF FORECLOSURE NUNC PRO TUNC

This action before the Court on Plaintiff's Motion to Amend Summary Final Judgment of Foreclosure *Nunc Pro Tunc* and Reset Foreclosure Sale, (the "Motion"), which sought to amend the Court's Final Judgment entered on January 7, 2020, on the evidence presented and being otherwise duly advised in the premises,

IT IS ORDERED AND ADJUDGED that:

1. **Motion Granted.** There is no dispute of material facts and plaintiff's motion for summary judgment is granted.

2. **Amounts Due.** Plaintiff, Deutsche Bank National Trust Company, as trustee for NovaStar Mortgage Funding Trust, Series 2006-6 NovaStar Home Equity Loan Asset-Backed Certificates, Series 2006-6, 1661 Worthington Road, Suite 100, West Palm Beach, Florida 33409, is due:

Unpaid Principal Balance		\$167,141.44
Interest (at date of default 2.00021%) on the note and mortgage from 5/1/2018 to 2/19/2019		\$2,674.56
Per diem interest at \$9.28 from 2/20/2019 to 01/07/2020		\$2,988.16
Title search expense		\$300.00
Escrow Balance:		\$3,015.92
Taxes	\$7,785.40	
Insurance	\$12,148.61	
Escrow Payments/Credits	(\$36,206.14)	
Prior Servicer Escrow Balance (if applicable)	\$19,288.05	
Property Appraisal/BPO		\$85.00

Property Inspections	\$101.50
Attorneys' fees	
Finding as to reasonable number of hours:	
Finding as to reasonable hourly rate:	
Other*:	

(*The requested attorney's fee is a flat rate fee that the firm's client has agreed to pay in this matter. Given the amount of the fee requested and the labor expended, the Court finds that a lodestar analysis is not necessary and that the flat fee is reasonable.)

Attorneys' fees total	\$3,235.00
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Court costs	
Complaint Filing fee	\$930.00
Service of Process	\$130.00
Lis Pendens	\$20.00
Expert Affidavit	\$20.00
INITIAL TOTAL	\$180,641.58
POST-JUDGMENT ADVANCES	
County Taxes	\$6,784.19
Hazard Insurance	\$19,579.37
Property Inspection	\$527.00
BPO	\$255.00
Publication	\$563.04
Sale Fee	\$70.00
Reopen Fee	\$110.00
LESS: Payments received through bankruptcy court	(\$15,566.22)
AMENDED TOTAL	\$192,963.96

3. **Interest.** The Amended Total referenced in Paragraph 3 (\$192,963.96) shall bear interest from this date forward at the prevailing legal rate of interest in accordance with Section 55.03, Florida Statutes. The Initial Total in paragraph 1 that represents the amount of the original Final Judgment (\$180,641.58) shall bear interest *nunc pro tunc* to January 7, 2020, through the date of this Amended Final Judgment at the prevailing legal rate of interest in accordance with Section 55.03, Florida Statutes.

4. **Lien on Property.** Plaintiff holds a lien for the total sum superior to all claims or estates of defendant(s), (with the exception of any assessments that are superior pursuant to Section 718.116, or 720.3085, Florida Statutes) on the following described property in Okeechobee County, Florida:

THE SOUTH 1/2 OF LOT 4, ALL OF LOTS 5 AND 6, BLOCK 43, FIRST ADDITION TO SOUTH OKEECHOBEE, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 1, PAGE(S) 17, PUBLIC RECORDS OF OKEECHOBEE COUNTY, FLORIDA. LESS AND EXCEPT THEREFROM THE SOUTH 7.5 FEET OF SAID LOT 6, AS DESCRIBED BY ROBERT R. HOOVER, R.L. G. #4276, FROM SURVEY DATED JANUARY 10, 1989, AND REVISED APRIL 18, 1989, BY PURTZ, HOOVER & ASSOCIATES, INC., JOB NO. 75-28-983.

Property address: 300 Southwest 21st Street, Okeechobee, FL 34974

Tax ID # 3-28-37-35-0050-00430-0040

5. **Sale of Property.** If the total sum with interest at the rate described in paragraph 2 and all costs accrued subsequent to this judgment are not paid, the clerk of this court shall sell the property at public sale on April 16, 2025 to the highest bidder for cash, except as prescribed in paragraph 6, beginning at 11:00 a.m., <https://okeechobee.realforeclose.com>, in accordance with section 45.031, Florida Statutes. **The public sale shall not be postponed or canceled without a court order. All orders postponing or canceling the sale must be filed with the Clerk of Court no later than 5:00 p.m. five (5) business days before the sale date. Counsel for plaintiff must be certain that all sale and Clerk fees are paid and that the original proof of publication is filed no less than five (5) business days before the sale date. Failure to timely file the original proof of publication of the notice of sale and pay the sale and Clerk fees will stop the sale. Additionally, the failure of plaintiff's counsel to pay the sale fee and properly and timely publish the notice of sale may result in sanctions against the plaintiff, plaintiff's counsel individually, and the law firm representing the plaintiff. Any electronic sale by the Clerk shall be in accordance with the written administrative policy for electronic sales published by the Clerk at the official website for the Clerk and posted in the public areas of the Clerk's offices.**

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, provided, however, that the purchaser of the property for sale shall be responsible for the documentary stamps payable on the certificate of title. If plaintiff is the purchaser, plaintiff shall file an affidavit within 5 business days and the Clerk shall credit plaintiff's bid with the total sum with post-judgment interest and costs accruing subsequent to this judgment, or such part of it, as is necessary to pay the bid in full. The Clerk shall receive the service charge imposed in section 45.031, Florida Statutes.

7. **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 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 3 from this date to the date of the sale; and by retaining any remaining amount pending further order of this court.

8. **Right of Redemption.** 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 or chapter 720, Florida Statutes, if any.

9. **Right of Possession.** Upon filing of the certificate of title, the person named on the certificate of title shall be let into possession of the property. If any defendant or tenant remains in possession of the property, an Order Granting the Motion for Writ of Possession shall be entered without further notice or hearing, subject to the purchaser's compliance with Section 83.561, Florida Statutes.

10. **Jurisdiction Retained.** Jurisdiction of this action is retained to enter further orders that are proper including, without limitation, a deficiency judgment, writs of possession and such supplemental relief or judgments as may be appropriate.

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, 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 TIMELY 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, 312 NW 3RD STREET, OKEECHOBEE, FL 34972 AND 312 NW 3RD STREET, OKEECHOBEE, FL 34972 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 FLORIDA RURAL LEGAL SERVICES MONDAY THROUGH FRIDAY AT 1-888-582-3410 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 FLORIDA RURAL LEGAL SERVICES AT 1-888-582-3410 FOR ASSISTANCE, YOU SHOULD DO SO AS SOON AS POSSIBLE AFTER RECEIPT OF THIS NOTICE.

DONE AND ORDERED on _____ at Okeechobee, Florida, *nunc pro tunc* January 7, 2020.


eSigned by LAURIE BUCHANAN 02/26/2025 15:32:41 SwLLJBF
 Laurie Buchanan, Circuit Judge

A COPY OF THIS ORDER IS BEING SERVED ON THE FOLLOWING PARTIES VIA THE E-FILING PORTAL:

Justin Kelley, Esq.
 Brock & Scott, PLLC
 Attorney for Plaintiff
 4919 Memorial Hwy, Suite 135
 Tampa, FL 33634
 flcourtdocs@brockandscott.com

PLAINTIFF'S COUNSEL SHALL SERVE A COPY OF THIS ORDER ON THE FOLLOWING PARTIES IMMEDIATELY AND FILE A CERTIFICATE OF SERVICE IN THIS COURT FILE:

Sylvia Anuez f/k/a Sylvia Ingersoll a/k/a Sylvia Jane Ingersoll
300 SW 21st St.
Okeechobee, FL 34974

Manolo Anuez
300 SW 21st St.
Okeechobee, FL 34974