



Filing # 210882948 E-Filed 11/13/2024 04:52:51 PM

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

BANK OF NEW YORK MELLON TRUST COMPANY, N.A. AS TRUSTEE FOR
MORTGAGE ASSETS MANAGEMENT SERIES I TRUST
Plaintiff(s), CASE NO. 2023 000227 CA

v.

UNKNOWN HEIRS, BENEFICIARIES, DEVISEES, SURVIVING SPOUSE,
GRANTEES, ASSIGNEE, LIENORS, CREDITORS, TRUSTEES, AND ALL OTHER
PARTIES CLAIMING AN INTEREST BY THROUGH UNDER OR AGAINST THE
ESTATE OF RICHARD H. COFFMAN, DECEASED; UNITED STATES OF AMERICA-
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT; SEACOAST NATIONAL
BANK F/K/A FIRST NATIONAL BANK AND TRUST COMPANY OF THE TREASURE
COAST; ANCIENT OAKS R.V. RESORT CONDOMINIUM ASSOCIATION, INC.;
KARLA A. CANNING A/K/A KARLA CANNING; PAULA MOOG;
Defendant(s).

FINAL JUDGMENT OF FORECLOSURE

This action was heard before the court on **November 13, 2024** and on the
evidence presented and being otherwise duly advised in the premises,

IT IS ORDERED AND ADJUDGED that:

1. **Final Judgment.** Plaintiff is entitled to entry of final judgment.

2. **Amounts Due.** Plaintiff, BANK OF NEW YORK MELLON TRUST
COMPANY, N.A. AS TRUSTEE FOR MORTGAGE ASSETS MANAGEMENT SERIES
I TRUST, is due:

Principal	\$87,374.50
Interest on the note and mortgage from 8/20/2022 to 10/31/2024	\$64,763.24
Per diem interest at \$33.77 per day from 11/01/24 to 11/13/24	\$439.01
Title search expense	\$425.00
Taxes	\$693.63
Flood Insurance	\$2,054.00
Insurance	\$5,140.00
Attorneys' fees	\$4,750.00

Additional Attorney's fees	\$1,640.00	
Finding as to reasonable number of hours 10		
Finding as to reasonable hourly rate \$175.00/hr. \$1,750.00		
Attorneys' fees total		\$8,140.00
Court costs		\$3,443.12
First Class Mail	\$0.84	
First Class Mail	\$0.84	
First Class Mail	\$0.84	
First Class Mail	\$0.84	
Complaint – Issue Summons	\$70.00	
Complaint – Per Defendant	\$2.50	
Complaint Filing	\$905.00	
Florida eFiling Service Fee	\$5.00	
Lis Pendens	\$5.00	
Service of Process	\$986.70	
Heir/Defendant Investigative Search	\$176.55	
Publication	\$232.56	
Fedex Mail	\$21.46	
First Class Mail	\$3.52	
First Class Mail	\$2.56	
Guardian Ad Litem	\$600.00	
First Class Mail	\$2.56	
First Class Mail	\$2.56	
Statutory First Class Mail	\$3.20	
Statutory First Class Mail	\$3.88	
Additional Costs		
MIP		\$13,098.83
Servicing Fees		\$6,600.00
Intra Month Per Diem Total		\$917.90
Property Inspections/Preservation		\$1,280.00
Appraisals		\$850.00
Subtotal (if applicable)		\$195,219.23
LESS: Escrow balance	
LESS: Unearned insurance premiums	
LESS: Other [describe]	
TOTAL		\$195,219.23

3. **Interest.** The total amount in paragraph 2 must bear interest from this date forward at the prevailing statutory rate of interest.

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:

THAT CERTAIN CONDOMINIUM PARCEL DESIGNATED AS LOT 6 OF BLOCK 18 OF ANCIENT OAKS R.V. RESORT NO. III, A CONDOMINIUM INCLUDING A 1/114 UNDIVIDED INTEREST IN AND TO THE COMMON ELEMENTS THEREOF, ALL IN ACCORDANCE WITH AND SUBJECT TO ALL OF THE TERMS, PROVISIONS, CONDITIONS, RIGHTS, PRIVILEGES, OBLIGATIONS, EASEMENTS AND LIENS OF AND AS SET FORTH IN THAT CERTAIN DECLARATION OF CONDOMINIUM OF ANCIENT OAKS R. V. RESORT NO. III, A CONDOMINIUM, AND ALL ITS EXHIBITS AND ATTACHMENTS, AS RECORDED IN OFFICIAL RECORDS BOOK 283, AT PAGES 1959-2099, ET SEQ., OF THE PUBLIC RECORDS OF OKEECHOBEE COUNTY, FLORIDA, TOGETHER WITH ALL THE TENEMENTS, HEREDITAMENTS AND APPURTENANCES THERETO BELONGING OR IN ANYWISE APPERTAINING

TOGETHER WITH A 1990 FLEETCRAFT CORP. MOBILE HOME WITH VIN # FLFLL79A09159DP AND TITLE # 48885847.;
Property address: 5312 SE 67TH AVENUE, OKEECHOBEE, FL 34974

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 must sell the property at public sale on **January 15, 2025** to the highest bidder for cash, except as prescribed in paragraph 6, by electronic sale at Okeechobee beginning at **11:00 a.m.** <https://okeechobee.realforeclose.com> in accordance with section 45.031, Florida Statutes. **The public sale must 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 must 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 must advance all subsequent costs of this action and must 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 must be responsible for the documentary stamps payable on the certificate of title. If plaintiff is the purchaser, plaintiff must file an affidavit within 5 business days and the clerk must 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 must receive the service charge imposed in Section 45.031, Florida Statutes.

7. **Distribution of Proceeds.** On filing the certificate of title, the clerk must 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 2 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 must be foreclosed of all estate or claim in the property, and defendant's right of redemption as prescribed by section 45.0315, Florida Statutes, must be terminated, except as to the rights of a bona fide tenant occupying residential premises under the federal Protection Tenants at Foreclosure Act, 12 U.S.C. sec. 5220, note, or section 83.5615, Florida Statutes, and claims or rights under chapter 718 or chapter 720, Florida Statutes, if any.

9. **Right of Possession.** On the filing of the certificate of title, the person named on the certificate of title must be let into possession of the property subject to the rights of a bona fide tenant occupying residential premises under the Federal Protecting at Foreclosure Act, 12 U.S.C. sec 5220, note, or section 83.5615, Florida Statutes. If any defendant or tenant remains in possession of the property, an Order Granting the Motion For Writ of Possession must be entered without further notice or hearing, subject to the purchaser's compliance with Section 83.5615, Florida Statutes.

10. **Attorneys' Fees.** The court finds, based upon the affidavits/testimony presented and upon inquiry of counsel for the plaintiff that **10** hours were reasonably expended by plaintiff's counsel and that an hourly rate of **\$175.00** is appropriate. Plaintiff's counsel represents that the attorney fee awarded does not exceed its contract fee with the plaintiff. The court finds that there are no reduction or enhancement factors for consideration by the court under *Florida Patients Compensation Fund v. Rowe*, 472 So. 2d 1145 (Fla. 1985). (If the court has found that there are reduction or enhancement factors to be applied, then such factors must be identified and explained herein).

AND

The requested attorneys' fees of **\$6,390.00** are 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.

11. **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.

12. The Reformation of Mortgage as prayed for in Count II of Plaintiff's Complaint is GRANTED, on the grounds that there are no issues of material fact and Plaintiff is entitled to such relief as a matter of law. This Order shall express the true intent of the parties and order that the Mortgage recorded June 28, 2006 in Official Records Book 604, Page 767, of the Public Records of Okeechobee County reflect the correct and proper legal description to wit: THAT CERTAIN CONDOMINIUM PARCEL DESIGNATED AS LOT 6 OF BLOCK 18 OF ANCIENT OAKS R.V. RESORT NO. III, A CONDOMINIUM INCLUDING A 1/114 UNDIVIDED INTEREST IN AND TO THE COMMON ELEMENTS THEREOF, ALL IN ACCORDANCE WITH AND SUBJECT TO ALL OF THE TERMS, PROVISIONS, CONDITIONS, RIGHTS, PRIVILEGES, OBLIGATIONS, EASEMENTS AND LIENS OF AND AS SET FORTH IN THAT CERTAIN DECLARATION OF CONDOMINIUM OF ANCIENT OAKS R. V. RESORT NO. III, A CONDOMINIUM, AND ALL ITS EXHIBITS AND ATTACHMENTS, AS RECORDED IN OFFICIAL RECORDS BOOK 283, AT PAGES 1959-2099, ET SEQ., OF THE PUBLIC RECORDS OF OKEECHOBEE COUNTY, FLORIDA, TOGETHER WITH ALL THE TENEMENTS, HEREDITAMENTS AND APPURTENANCES THERETO BELONGING OR IN ANYWISE APPERTAINING.

TOGETHER WITH A 1990 FLEETCRAFT CORP. MOBILE HOME WITH VIN # FLFLL79A09159DP AND TITLE # 48885847

[Any language which needs to be added to the final judgment must be inserted at this point using paragraphs numbered sequentially beginning with paragraph 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 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 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.

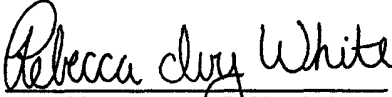
[If the property being foreclosed on has qualified for the homestead tax exemption in the most recent approved tax roll, the final judgment must additionally contain the following statement in conspicuous type:]

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 N.W. 3RD STREET. OKEECHOBEE, FLORIDA 34972, 863-763-2131312 N.W. 3RD

STREET. OKEECHOBEE, FLORIDA 34972, 863-763-2131 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 SERVICE – FORT PIERCE OFFICE, 510 SOUTH US HIGHWAY 1, SUITE 1, FORT PIERCE, FLORIDA 34948, (772) 466-4776, 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 SERVICE – FORT PIERCE OFFICE, (772) 466-4776, FOR ASSISTANCE, YOU SHOULD DO SO AS SOON AS POSSIBLE AFTER RECEIPT OF THIS NOTICE.

DONE AND ORDERED on November 13, 2024 at Okeechobee, Florida.


REBECCA I. WHITE, Circuit Judge

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

ALDRIDGE PITE, LLP E-Mail:ServiceMail@aldridgepite.com
Attorney for Plaintiff
5300 West Atlantic Avenue, Suite 303
Delray Beach, FL 33484
[FAX: Aldridge Pite, LLP @ 561-392-6965]

Julia Kite Powell, Esq. juliakp@tampabay.rr.com
GAL for Unknown heirs, beneficiaries, devisees, surviving spouse, grantees, assignee, lienors, creditors, trustees, and all other parties claiming an interest by through under or against the estate of Richard H. Coffman, deceased
PO Box 18645
Tampa, FL 33679

Robert B. Burr, Esq.
Rossin & Burr, PLLC
Attorney for Ancient Oaks R.V. Resort Condominium Association, Inc.
1665 Palm Beach Lakes Blvd.
The Forum – Suite 101
West Palm Beach, FL 33401
eservice@rossinburrllaw.com

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

United States of America-Department of Housing and Urban Development
c/o United States Attorney
United States Attorney's Office, Southern District of Florida
99 Northeast 4th Street, 13th Floor
Miami, FL 33132

Seacoast National Bank f/k/a First National Bank and Trust Company of the Treasure Coast
c/o President, Vice President, Chairman
815 Colorado Ave.
Stuart, FL 34994

Karla A. Canning a/k/a Karla Canning
1831 SE 33rd St
Okeechobee, FL 34974

Paula Moog
1137 Avenue F
Ormond Beach, FL 32174