

IN THE CIRCUIT COURT OF THE FIFTH JUDICIAL  
CIRCUIT OF FLORIDA IN AND FOR CITRUS COUNTY  
CIVIL ACTION

CASE NO. 2017 CA 000049

UNITED STATES OF AMERICA, acting through the  
United States Department of Agriculture, Rural  
Development, f/k/a Farmers Home Administration,  
a/k/a Rural Housing Service,

Plaintiff,

vs.

KECHA D. FRAZIER; ANDREW FRAZIER; AMELIA FRAZIER; ANITA FRAZIER; TYREE  
FRAZIER; JERMAINE FRAZIER; and CITRUS COUNTY, FLORIDA,

Defendant.

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**FINAL JUDGMENT OF FORECLOSURE**

THIS ACTION was heard before the Court on Plaintiff's Motion for Summary Final  
Judgment on August 3, 2017. Based on the evidence presented

IT IS ADJUDGED that:

1. **Amounts Due.** The Plaintiff, whose address is The United States of America,  
acting through the United States Department of Agriculture, Rural Development, f/k/a Farmers  
Home Administration, 2441 N.E. 3rd Street, suite 204-1, Ocala, Florida 34470-8289, is due:

Principal	\$21,305.86
Interest to date of this judgment	\$10,651.89
Title search expenses	\$ 250.00
Taxes for years (2012-2016)	\$ 3,603.79
Insurance Premiums for years (2011-2016)	\$ 3,398.36
Attorneys' fees total	\$ 1,400.00

Court costs, now taxed

Filing fees	\$ 494.00
Service of Process fees	\$ 250.11
Publishing costs Notice of Action	<u>\$ 176.64</u>
Court costs, now taxed total	\$ 920.75

Other:

Late charges	\$ 26.49
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Subtotal \$41,557.14

LESS: Escrow balance \_\_\_\_\_

LESS: Other \_\_\_\_\_

**TOTAL** **\$41,557.14**

that shall bear interest at the prevailing rate of interest per year.

2. **Lien on Property.** Plaintiff holds a lien for the total sum superior to all claims

or estates of defendant(s), on the following described property in CITRUS County, Florida:

Lot 122 and the East 25 feet of Lot 121, South Side Subdivision, as per plat thereof, recorded in Plat Book 2, Page 27, Public Records of Citrus County, Florida.

3. **Sale of Property.** If the total sum with interest at the rate described in

Paragraph 1 and all costs accrued subsequent to this judgment are not paid, the Clerk of the court shall sell the subject property at public sale on SEP 07 2017, 20  , to the highest

bidder for cash, except as prescribed in Paragraph 4 online in accordance with Section 45.031

(2017), Florida Statutes, using the following method (Check One)

At , beginning at on the prescribed date.

online beginning at 10:00 A.M., online at [www.citrus.realforeclose.com](http://www.citrus.realforeclose.com)

4. **Costs.** Plaintiff shall advance all subsequent required costs of this action,

**including but not limited to, payment of property taxes and insurance, 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, 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 necessary to pay the bid in full. If a third party bidder is the purchaser, the third party bidder must pay the documentary stamps attached to the Certificate of Title, in addition to, the bid and the Clerk's registry fee. If Plaintiff's representative is not present at the time of the foreclosure sale rescheduled herein and/or Plaintiff's credit bid has not been placed, the foreclosure sale shall be immediately cancelled. Plaintiff will immediately file its motion to reschedule the foreclosure sale date and be responsible for all costs of republication of the Notice of Sale.

5. **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 the Plaintiff's costs; second, documentary stamps affixed to the Certificate, unless the property is purchased by a third party bidder; 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 1 from this date to the date of the sale; **plus any interest that has accrued in the Court Registry by virtue of any deposits therein from third party purchasers at the sale,** and by retaining any remaining amount pending further Order this Court.

6. **Right of Redemption/Right of Possession.** On filing of 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 (2017) 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.

7. **Attorneys's Fees.** The court finds, based upon the affidavits/testimony presented and upon inquiry of counsel for the Plaintiff that 14 hours were reasonably expended by Plaintiff's counsel and that an hourly rate of \$155.00 is appropriate. Plaintiff's counsel represents that the attorneys' fees awarded does not exceed its contract fee with the Plaintiff. The court finds that there is/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). The requested attorneys' fees 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.

8. **Jurisdiction Retained.** Jurisdiction of this action is retained to enter further orders that are proper.

9. **The Plaintiff, UNITED STATES OF AMERICA, acting through the United States Department of Agriculture, Rural Development, f/k/a Farmers Home Administration is exempt from Documentary Stamp Tax under §201.02(6), Florida Statutes.**

**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.**

**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 THAT 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 (352)341-6430 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.**

**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 COMMUNITY LEGAL SERVICES OF MID-FLORIDA, INC., 106 N. OSCEOLA AVENUE, INVERNESS, FL 34450; (352) 726-6592, 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 COMMUNITY LEGAL SERVICES OF MID-FLORIDA, INC., 106 N. OSCEOLA AVENUE, INVERNESS, FL 34450; (352) 726-6592 FOR ASSISTANCE, YOU SHOULD DO SO AS SOON AS POSSIBLE AFTER RECEIPT OF THIS NOTICE.**

ORDERED at CITRUS County, Florida on Aug 3, 2017  
Carol A. Frazier  
Circuit Judge

Conformed copies furnished by regular United States Mail on Aug 7, 2017, to:  
By: [Signature]  
Judicial Assistant/Deputy Clerk

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Macon, GA 31211  
Defendant

ANITA FRAZIER  
7225 Crane Ave, Apt 20  
Jacksonville, FL 32216  
Defendant

CITRUS COUNTY, FLORIDA  
c/o Scott E. Carnahan, Chair  
110 N. Apopka Ave  
Inverness, FL 34450  
Defendant

KECHA D. FRAZIER  
9259 N Travis Drive  
Citrus Springs, FL 34434  
Defendant

TYREE FRAZIER  
c/o Deborah Robinson, Guardian  
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Defendant

JERMAINE FRAZIER  
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