

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

TD BANK, N.A., as successor by merger to CASE NO.: 2017 CA 000820  
CAROLINA FIRST BANK, as successor by  
merger with MERCANTILE BANK,

Plaintiff,

vs.

JANE F. CHAPMAN; MARY K. CHAPMAN;  
UNKNOWN SPOUSE OF JANE F.  
CHAPMAN; UNKNOWN SPOUSE OF MARY  
K. CHAPMAN; TENANT #1 and UNKNOWN  
TENANT(S) IN POSSESSION, IF ANY,

Defendants.

**FINAL JUDGMENT OF FORECLOSURE**

This action was tried before the court on July 25, 2018, on Plaintiff's Motion for Summary Judgment and Brief in Support against Defendants, JANE F. CHAPMAN; MARY K. CHAPMAN; and UNKNOWN SPOUSE OF MARY K. CHAPMAN N/K/A GREGORY TIBETTS (hereinafter collectively referred to as "Defendants"). On the evidence presented IT IS ADJUDGED that:

1. **Amounts Due.** Plaintiff, TD BANK, N.A., a national banking association, as successor by merger with Carolina First Bank, as successor by merger with Mercantile Bank, 2035 Limestone Road, Wilmington, DE 19808, is due

Unpaid Principal Balance:	\$149,604.81
Interest through May 25, 2018: (Per Diem Interest \$19.469110)	\$11,930.13
Interest from May 26, 2018 through July 25, 2018	\$1,187.62
Late Charges:	\$100.00
Appraisals:	\$371.99
Inspections:	\$66.00
Legal Fees:	\$2,185.00
Court Costs:	\$1,672.75
Taxes:	\$548.84

Misc. Fees:	\$206.00
<b>Total Amount Due:</b>	<b>\$167,873.14</b>

That shall bear interest at a rate of 5.97% per year.

2. **Lien on Property.** Plaintiff holds a lien for the total sum superior to all claims or estates of defendant, on the following described property in Citrus County, Florida:

LOTS 23 AND 24, BLOCK 222, INVERNESS HIGHLANDS SOUTH,  
ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT  
BOOK 3, PAGES 51 THROUGH 66, INCLUSIVE, PUBLIC RECORDS OF  
CITRUS COUNTY, FLORIDA

**Property Address: 305 Edison Street, Inverness, Florida 34452**

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 this court shall sell the property at public sale on 8/30/2018, to the highest bidder for cash, except as prescribed in paragraph 4, by electronic sale beginning at 10:00 a.m. Eastern Standard Time on the prescribed date at www.citrus.foreclose.com, in accordance with section 45.031, Florida Statutes.

4. **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, 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.

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

6. **Right of Redemption/Right of Possession.** On filing the certificate of sale, defendant and all persons claiming under or against defendant 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.

7. **Attorneys' Fees.** 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 including, without limitation, a deficiency judgment.

**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 the property being foreclosed on has qualified for the homestead tax exemption in the most recent approved tax roll, the final judgment shall 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 CONTACT THE CLERK OF THE COURT, INVERNESS COURTHOUSE - MAIN OFFICE, 110 N APOPKA AVE, INVERNESS, FL 34450, (352)341-6424 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 COMMUNITY LEGAL SERVICES OF MID-FLORIDA, 106 N. OSCEOLA AVENUE, INVERNESS, FL 34450, CITRUS COUNTY HELPLINE: (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 (NAME OF LOCAL OR NEAREST LEGAL AID OFFICE AND TELEPHONE NUMBER) FOR ASSISTANCE, YOU**

**SHOULD DO SO AS SOON AS POSSIBLE AFTER RECEIPT OF THIS NOTICE.**

ORDERED at Citrus County, Florida, on this \_\_\_\_\_ day of July, 2018.

  
CIRCUIT COURT JUDGE  
07/25/2018

Copies furnished to:

**Danielle Rundlett Burns**, Duane Morris LLP, 1875 NW Corporate Blvd., Suite 300, Boca Raton, FL 33431-8561, [drburns@duanemorris.com](mailto:drburns@duanemorris.com), [jfgarcia@duanemorris.com](mailto:jfgarcia@duanemorris.com), [mlchapski@duanemorris.com](mailto:mlchapski@duanemorris.com)

**Jane F. Chapman**, 7602 E. Gospel Island Road. Inverness, FL 34450

**Mary K. Chapman**, 305 Edison Street, Inverness, FL 34452

**Unknown Spouse of Mary K. Chapman n/k/a Gregory Tibetts**, 1608 Coldwell St., Orlando, FL 32828

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by electronic or U.S. Mail on 07/31/2018.

By 