

21ST MORTGAGE CORPORATION,
Plaintiff,

IN THE 3rd JUDICIAL CIRCUIT COURT IN
AND FOR DIXIE COUNTY, FLORIDA

vs.

Case No. 2023-CA-57

JAIME FRANCINE SCHINDLER; GERALD ALBERT
SCHINDLER; CANNON FARMS, INC.; HAZIE CANNON;
STEVE BENIFIEL; and UNKNOWN TENANT.

Defendant. /

SUMMARY FINAL JUDGMENT OF FORECLOSURE

This action was tried before the Court on May 29, 2024. On the evidence presented

IT IS ADJUDGED that:

1. Plaintiff owns and holds a valid, enforceable Note and Mortgage on the Defendant's real property described below.

2. The Defendants defaulted on the loan by failing to make the payments in accordance with the Note and Mortgage.

3. Plaintiff, **21st Mortgage Corporation, 620 Market Street, One Centre Square, Knoxville, TN 37902**, is due:

Principal:	\$132,224.11
Interest to date of this judgment	\$ 18,215.75
Title expenses	\$ 250.00
Attorneys' fees	
Finding as to reasonable number of hours: 14.1	
Finding as to reasonable hourly rate: \$235.00	
Finding as to reasonable flat fee: \$2,500.00	
Attorneys' fees total	\$ 5,813.50
Court Costs, now taxed	\$ 998.78
Other: Service of Process	\$ 888.80
Other: Escrow	\$ 4,205.99
Other: Late Charges	<u>\$ 405.00</u>
Subtotal:	\$163,001.93

LESS: Overage (\$ 0.78)

TOTAL \$163,001.15

that shall bear the interest at the rate of 9.34% a year.

4. Plaintiff holds a lien for the total sum superior to all claims or estates of Defendants, JAIME FRANCINE SCHINDLER, GERALD ALBERT SCHINDLER, CANNON FARMS, INC., HAZIE CANNON and STEVE BENIFIEL, on the following described property in Dixie County, Florida:

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SEE ATTACHED EXHIBIT "A"

**TOGETHER WITH A 2003 HRT0 66X28 MANUFACTURED HOME
BEARING SERIAL NO.'S: H400303GR AND H400303GL.**

together with all improvements and fixtures attached thereto.

5. 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 July 16, 2024, to the highest bidder for cash, except as prescribed in paragraph 4, at the Dixie County Courthouse located at 214 NE Hwy 351, Cross City, FL 32628 (Main Entrance) in accordance with Section 45.031, Florida Statutes, using the following method:

☒ In person beginning at 11:00 a.m. at the Dixie County Courthouse (Main Entrance), 214 NE HWY 351, Cross City, FL 32628 on the prescribed date.

6. 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 the 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. 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 the further order of this court.

8. On filing 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, 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 in the certificate of title shall be let into possession of the property. If any Defendant remains in possession of the property, the clerk shall without further order of the court issue forthwith a writ of possession upon request of the person named on the certificate of title.

9. Jurisdiction of this action is retained to enter further orders that are proper, including, without limitation, a deficiency judgment against those individuals on the Note who have not discharged this debt in Bankruptcy, orders and writs of possession, and leave to reopen case and file supplemental complaint for re-foreclosure.

NOTICE

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 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, AND THIS PROPERTY HAS QUALIFIED FOR THE HOMESTEAD TAX EXEMPTION IN THE MOST RECENT APPROVED TAX ROLL, 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, 214 NE Highway 3351, Cross City, FL 32628, 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, Three Rivers Legal Services, Inc., 853 SW Sisters Welcome Road, Lake City, Florida 32056, Telephone (386) 752-5960 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 Three Rivers Legal Services, Inc. FOR ASSISTANCE, YOU SHOULD DO SO AS SOON AS POSSIBLE AFTER RECEIPT OF THIS NOTICE.

ORDERED at, Dixie County, Florida.



Digitally signed by Judge
Mark E. Feagle
Date: 2024.05.30 09:58:59
-04'00'

Circuit Court Judge

CC:

Attorney for Plaintiff

☒ via email to: Leslie S. White, Esq., lwhite@deanmead.com

Attorney for Defendants Steve Benefil, Hazie Cannon and Cannon Farms, Inc.

☒ via email to: Douglas K. McKoy, Esq., doug@chiefndlegal.com;

legalassistant@chiefndlegal.com

Defendants

☒ via U.S. Mail to: Jamie F. Schindler, 431 NE 628th Street, Old Town, FL 32680; Gerald A. Schindler, 431 NE 628th Street, Old Town, FL 32680.

Exhibit "A"

Lot 33, FOREST ACRES SUBDIVISION, according to the plat thereof as recorded in Plat Book 1, Page 75, of the public records of Dixie County, Florida.

Together with a 2003 HORT double-wide mobile home bearing ID nos. H400303GR and H400303GL, Title nos. 88542069 and 88542120.

This certifies copies are
true and correct.



Digitally signed
by Lesli L.
Proveaux
Date:
2024.05.30
16:28:00 -04'00'