

IN THE CIRCUIT COURT OF THE THIRD JUDICIAL  
CIRCUIT, IN AND FOR MADISON COUNTY, FLORIDA

CASE NO.: 2023000088CAAXMX

Inst: 202500003320 Date: 07/30/2025 Time: 1:24PM  
Page 1 of 6 B: 1605 P: 112, WM D. Washington, Clerk of Court  
Madison, County, By: KP  
Deputy Clerk

WELLS FARGO BANK N.A., NOT IN ITS  
INDIVIDUAL OR BANKING CAPACITY, BUT  
SOLELY AS TRUSTEE FOR GREEN TREE 2008-MH1,

Plaintiff,

v.

WILLIE MITCHELL, JR. A/K/A WILLIE N.  
MITCHELL; UNKNOWN HEIRS, CREDITORS,  
DEVISEES, BENEFICIARIES, GRANTEES,  
ASSIGNEES, LIENORS, TRUSTEES, AND ALL  
OTHER PARTIES CLAIMING AN INTEREST BY,  
THROUGH, UNDER OR AGAINST THE ESTATE OF  
BOBBIE J. MITCHELL A/K/A BOBBIE JEAN LEE  
MITCHELL, DECEASED; SW BROOKWOOD  
AVENUE LAND TRUST #348, DEAS LAW TRUST  
LLC AS TRUSTEE; ALL UNKNOWN PARTIES  
CLAIMING INTERESTS BY, THROUGH, UNDER OR  
AGAINST A NAMED DEFENDANT TO THIS ACTION,  
OR HAVING OR CLAIMING TO HAVE ANY RIGHT,  
TITLE OR INTEREST IN THE PROPERTY HEREIN  
DESCRIBED; UNKNOWN TENANT #1; UNKNOWN  
TENANT #2,

Defendants.

**SUMMARY FINAL JUDGMENT**

**THIS ACTION** having come before the Court on Plaintiff's Amended Motion for Summary Judgment of Foreclosure and Reformation of Mortgage and Request for Attorney's Fees on July 24, 2025, with Danielle Spradley, Esq. as counsel for Plaintiff and Ralph R. Deas, Esq. as counsel for SW Brookwood Avenue Land Trust #348, Deas Law Trust Llc As Trustee having appeared. On the evidence presented, Plaintiff has shown that there is no genuine dispute as to any material fact and the Plaintiff is entitled to judgment as a matter of law. Plaintiff presented its Motion for Summary Judgment and Request for Attorney's Fees, supported by several Affidavits, which established all elements of its cause of action for mortgage foreclosure, including borrower's agreement to pay installment amounts due under the note and mortgage, a default by the borrowers under said agreement, and liability for amounts due as set forth in the Affidavits, including attorney's fees. The Affidavits and arguments made establish Plaintiff has proven

standing to bring this action as owner and holder, has complied with all condition precedent, and that Plaintiff's mortgage lien in superior to all named Defendants.

As no opposition was filed to Plaintiff's Motion for Summary Judgment by any Defendant in this action, and for the reasons set forth above, Plaintiff is entitled to judgment as a matter of law.

**IT IS ORDERED AND ADJUDGED that:**

1. **Amounts Due.** The Plaintiff, WELLS FARGO BANK N.A., NOT IN ITS INDIVIDUAL OR BANKING CAPACITY, BUT SOLELY AS TRUSTEE FOR GREEN TREE 2008-MH1 is due:

Principal Balance	\$33,755.00
Interest to 5/15/2025 at 12.85000%	\$12,289.64
Interest from 5/16/2025 to 7/24/2025 at \$11.88	\$831.60
Escrow Balance at Loan Transfer	(\$60.02)
Insurance	\$1,726.39
Taxes	\$298.93
Deferred Principal	\$2,944.62
Property Preservation	\$1,150.00
Winterization	\$150.00
Securing	\$100.00
Lawn Maintenance	\$2,407.73
Property Inspection	\$902.00
BPO/Appraisal Cost	\$275.00
Complain Filing	\$465.75
Service of Process	\$1,510.00
Publication-Notice of Action	\$265.54
Summons	\$10.35
Recording Costs	\$14.49
SUB-TOTAL	\$59,037.02
Attorney Fees	\$16,410.00
Insurance Proceeds Received	(\$26,453.74)
<b>JUDGMENT TOTAL:</b>	<b>\$48,993.28</b>

That must bear interest at the prevailing statutory rate pursuant to F.S. §55.03.

2. **Lien on Property.** The Plaintiff, WELLS FARGO BANK N.A., NOT IN ITS INDIVIDUAL OR BANKING CAPACITY, BUT SOLELY AS TRUSTEE FOR GREEN TREE 2008-MH1, c/o Shellpoint Mortgage Servicing, 75 Beattie Place, Suite LL202, Greenville, SC 29601, holds a lien for the total sum superior to all claims or estates of Defendant(s) WILLIE MITCHELL, JR. A/K/A WILLIE N. MITCHELL; UNKNOWN HEIRS, CREDITORS, DEVISEES, BENEFICIARIES, GRANTEES, ASSIGNEES, LIENORS, TRUSTEES, AND ALL OTHER PARTIES CLAIMING AN INTEREST BY, THROUGH, UNDER OR AGAINST THE

ESTATE OF BOBBIE J. MITCHELL A/K/A BOBBIE JEAN LEE MITCHELL, DECEASED;  
SW BROOKWOOD AVENUE LAND TRUST #348, DEAS LAW TRUST LLC AS TRUSTEE,  
on the following described property in Madison County, Florida:

**LOT NUMBER 7, BLOCK E, HAL STOY SUBDIVISION, AS PER PLAT  
RECORDED IN THE PUBLIC RECORDS OF MADISON COUNTY, FLORIDA.**

**TOGETHER WITH A 1978 FLINT, MOBILE HOME, LENGTH 57, VIN NO.  
FS61V3FB5266GA, TITLE NO. 15682644.**

**AKA 348 SW BROOKWOOD AVENUE, MADISON, FL 32340 F/K/A 1410  
BROCKWOOD ST., MADISON, FL 32340.**

The aforesaid lien of the Plaintiff is prior, paramount and superior to all rights, claim, liens, interest, claim, encumbrances and equities of the Defendants and all persons, firms or corporations claiming by, through or under said defendants or any of them and the property will be sold free and clear of all claims Defendants, with the exception of any assessments pursuant to Florida Statutes 718.116 and 720.3085.

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 Court must sell the property at public sale on September 17, 2025 to the highest bidder for cash, except as prescribed in Paragraph 5, in the lobby of the Madison County Courthouse, 125 SW Range Avenue, Madison, FL 32340 at 11:00 A.M. in accordance with § 45.031, Fla. Stat.

4. **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 documentary stamps payable on the certificate of title. If plaintiff is the purchaser, the Clerk must 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 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 1 from this date to the date of the sale; and by retaining ant remaining amount pending the further order of this court.

6. **Right of Redemption/Right of Possession.** 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 claims or rights of bona fide tenant occupying residential premises under the federal Protecting Tenants at Foreclosure Act, 12 U.S.C. § 5220, note, or section 83.5615, Florida Statutes, and claim or rights

under Chapter 718 or Chapter 720, Florida Statute, if any. 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 Tenants at Foreclosure Act, 12 U.S.C. § 5220, note, or section 83.5615, Florida Statutes.

7. **Attorney's Fees.** The court finds, based on the affidavits/testimony presented and on inquiry of counsel for the plaintiff that 33.50 hours were reasonably expended by plaintiff's counsel and that an hourly rate of up to \$300.00 plus flat fees of \$6,975.00 that the firm's client has agreed to pay in this matter 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 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)

8. **Jurisdiction Retained.** Jurisdiction of this action is retained to enter further orders that are necessary or are proper including, but not limited to, re-foreclosure against any subordinate interest omitted from these proceedings, determining the amounts owed to any condominium or homeowners association, or issuance of a writ of possession and the entry of a deficiency judgment, when and if such deficiency is sought if the parties liable under the note have not been discharged in bankruptcy (however no deficiency may be sought if the parties liable under the note were subject to an order allowing Plaintiff or its predecessors-in-interest only in rem relief from the bankruptcy automatic stay).

9. **The Court finds that, as a matter of law, the Plaintiff may reform the mortgage to express the true intent of the parties. The legal description on the mortgage recorded in the public records of MADISON county at Official Records Book 505 at Page 47 is hereby reformed to read:**

**LOT NUMBER 7, BLOCK E, HAL STOY SUBDIVISION, AS PER PLAT RECORDED IN THE PUBLIC RECORDS OF MADISON COUNTY, FLORIDA.**

**TOGETHER WITH A 1978 FLINT, MOBILE HOME, LENGTH 57, VIN NO. FS61V3FB5266GA, TITLE NO. 15682644**

**The Certificate of Title issued after the foreclosure sale shall reflect the reformed legal description.**

10. **Assignment - The Plaintiff may assign the Judgment and credit bid by the filing of an assignment prior to the issuance of the Certificate of Title without further order of the Court.**

**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, 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, 850-973-1500, 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 WHO IS 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, 334 NW LAKE CITY AVENUE, LAKE CITY, FL 32055, (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, 334 NW LAKE CITY AVENUE, LAKE CITY, FL 32055, FOR ASSISTANCE, YOU SHOULD DO SO AS SOON AS POSSIBLE AFTER RECEIPT OF THIS NOTICE.

“The court retains jurisdiction in this matter to address any issues of entitlement, rights or obligations under Chapters 718 and 720, Florida Statutes, of the parties to this action, their successors or assignees.”

**DONE AND ORDERED** in Chambers, in Madison County, Florida this 29th day of July 2025.



ACTING CIRCUIT JUDGE E. BAILEY BROWNING, III

## CERTIFICATE OF SERVICE

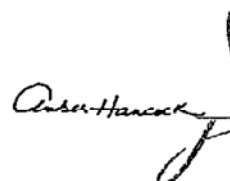
I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished using the Florida Court's E-Filing E-Portal, via U.S. Mail, and/or Electronic Mail in accordance with the corresponding addresses listed to the following:

Danielle Spradley, Esquire  
[ftlrealprop@kelleykronenberg.com](mailto:ftlrealprop@kelleykronenberg.com)  
[dspradley@kelleykronenberg.com](mailto:dspradley@kelleykronenberg.com)  
*Attorney for Plaintiff*

Ralph Deas, Esquire  
[ralphdeas@deaslawoffice.com](mailto:ralphdeas@deaslawoffice.com)  
*Attorney for Defendant SW Brookwood  
Avenue Land Trust # 348,  
Deas Law Trust LLC as Trustee*

Unknown Heirs, Creditors, Devisees,  
Beneficiaries, Grantees,  
Assignees, Lienors, Trustees, And All Other  
Parties Claiming an Interest By, Through,  
Under or Against the Estate of Bobbie J.  
Mitchell A/K/A Bobbie Jean Lee Mitchell,  
Deceased,  
1406 Hays Street Ste 6  
Tallahassee, FL. 32301  
*Last known address/Publication*

Willie Mitchell  
623 SW Parramore Avenue  
Madison, FL. 32340

 Digitally signed by  
Amber Hancock  
Date: 2025.07.29  
09:00:20 -04'00'

Copies provided by: \_\_\_\_\_  
Case Manager