

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

UNITED STATES OF AMERICA,

CASE NO.: 8:16-CV-02958-JSM-JSS

Plaintiff,

vs.

WILLIAM ATHAN,

Defendant,

FINAL JUDGMENT OF FORECLOSURE

Pursuant to Federal Rule of Civil Procedure 55(b), it is hereby:

ORDERED AND ADJUDGED that:

1. Judgment is entered in favor of the Plaintiff United States of America, and against the Defendant, WILLIAM ATHAN, upon the Complaint herein,
2. Plaintiff shall recover of the Defendant the following sums:
 - a. Principal and interest through April 10, 2017 \$7,811,695.44
plus interest as specified in 18 USC §3612 to the date of this judgment,
for all of which sums let execution issue.
3. This judgment shall bear interest at the rate as prescribed by 18 USC §3612 and shall be enforceable as provided by 28 U.S.C. § 2001 et seq., 28 U.S.C. §§ 3001- 3307 and Fed. R. Civ. P. 69(a).
4. Plaintiff's address is: United States Attorney's Office, 400 N. Tampa Street, Suite 3200, Tampa, Florida 33602., Defendant's address is: Reg. No. 17743-014 at FPC Pensacola, 110 Raby Avenue, Pensacola, Florida 32509.
5. **Lien on Property.** Plaintiff, whose address is United States Attorney's Office, 400 N. Tampa Street, Suite 3200, Tampa, Florida 33602, holds a lien for the total sum specified in Paragraph 2 herein superior to all claims or estates of the defendant and all persons, corporations, or other entities claiming by, through, or under the defendant on the subject property located in property in POLK County, Florida and described as:

Real property located at 0 Alturas Babson Park Cutoff Rd., Neighborhoods 220010.00 and 220016.00, Lake Wells, Florida 33859, more particularly described as:

Tract No.1: That part of the North ½ of the North ½ of the NW ¼ of the SW ¼ of Section 27, Township 30 South, Range 27 East, lying Southerly and Easterly of State Road No. 640, less and except the South 100 feet and the East 1000 feet thereof.

Tract No. 4: The West 50 feet of the East 1000 feet of the North ½ of the North ½ of the NW ¼ of the SW ¼ of Section 27, Township 30 South, Range 27 East, lying South of State Road No. 640.

Tract No. 113: The East 50 feet of the West 740 feet of the SW ¼ of Section 26, Township 30 South, Range 27 East, lying South of State Road No. 640, less and except the South 2310 feet thereof.

As Recorded in Book 2263, Page 0807, Public Records of Polk County, Florida.

6. **Sale of Property.** If the total sum with interest at the rate described in Paragraph 3 and all costs accrued subsequent to this judgment are not paid, the United States Marshal shall sell the subject property at public sale at a location, date, and time in Polk County, Florida, to be determined by the United States Marshal. The subject property will be sold to the highest bidder for cash, after having first given notice as required by 28 USC §2002. Plaintiff shall be given an automatic bid at said sale of up to the Grand Total amount of this Final Judgment.
7. **Costs.** Plaintiff shall advance all subsequent costs of this action and shall be reimbursed for them by the United States Marshal 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 United States Marshal 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.
8. **Distribution of Proceeds.** On filing the Certificate of Title, the United States Marshal shall distribute the proceeds of the sale, so far as they are sufficient, by paying: first, all of the plaintiff's costs; second, documentary stamps affixed to the Certificate; third, the total sum due to the plaintiff, less the items paid, plus interest at the rate prescribed in paragraph 3 from this date to the date of the sale; and by retaining any remaining amount pending the further order of this court.
9. **Right of Possession.** Upon filing of the Certificate of Title, 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 the purchaser at sale shall be let into possession of the property.
10. **The Clerk is directed to CLOSE THIS CASE.**
11. **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 THE FINAL JUDGMENT.**

IF YOU ARE A SUBORDINATE LIEN HOLDER CLAIMING A RIGHT TO FUNDS REMAINING AFTER THE SALE, YOU MUST FILE A CLAIM WITH THE CLERK NO LATER THAN 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 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 THE LEGAL AID SERVICE OF POLK COUNTY, 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 THE COUNTY BAR ASSOCIATION LEGAL AID SOCIETY, YOU SHOULD DO SO AS SOON AS POSSIBLE AFTER RECEIPT OF THIS NOTICE.

DONE AND ORDERED in Chambers in Hillsborough County, Florida this 11 day of April, 2017.


UNITED STATES DISTRICT JUDGE

cc: Steven M. Davis, Esq. (Two Certified Copies)
WILLIAM ATHAN (Defendant)

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