

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

Federal National Mortgage Association

Plaintiff

vs.

Kelli A. Motta

Defendant

CIVIL ACTION NO: 1:20-cv-00033-NT

**RE: VACANT REAL PROPERTY
260 State Route 46, Bucksport, ME 04416**

**Mortgage:
November 7, 2007
Hancock County Registry of Deeds
Book 4888, Page 302**

JUDGMENT OF FORECLOSURE AND SALE

Address: 260 State Route 46, Bucksport, ME 04416

**Mortgage: November 7, 2007, Book: 4888, Page: 302, Hancock County Registry of Deeds
Property is vacant**

This matter came before the Court pursuant to the Default entered on May 20, 2020, against the named Defendant, Kelli A. Motta (ECF No. 7), Fed. R. Civ. P. 55(b), this Court's Foreclosure Procedural Order dated October 6, 2020 (ECF No. 13), and the General Orders issued in response to the recent outbreak of Coronavirus Disease 2019 ("**COVID-19**") in accordance with the *Pandemic/Infectious Disease Plan for the United States District Court for the District of Maine*. (March 2020).

Plaintiff, Federal National Mortgage Association ("**FNMA**"), was represented by John A. Doonan, Esq. The Defendant, Kelli A. Motta, has not appeared or opposed Plaintiff's Motion for Default Judgment of Foreclosure and Sale.

All persons interested having been duly notified in accordance with the law, and after consideration of the Affidavits with supporting documentary evidence and Memorandum of Law in Support of Plaintiff's Motion for Default Judgment on Documentary Evidence, the Plaintiff's Motion for Default Judgment is **GRANTED**. The remaining counts are hereby **DISMISSED** without prejudice at the request of the Plaintiff.

JUDGMENT on Count I – Foreclosure and Sale is hereby **ENTERED** as follows:

1. If the Defendant or their heirs or assigns pay FNMA the amount adjudged due and owing as of October 13, 2020 (attorney’s fees and deficiency are waived) (\$296,640.28) within 90 days of the date of the Judgment, as that time period is calculated in accordance with 14 M.R.S.A. § 6322, FNMA shall forthwith discharge the Mortgage and file a dismissal of this action on the ECF Docket. The following is a breakdown of the amount due and owing:

Description	Amount
Principal Balance	\$138,530.81
Interest	\$98,491.67
Escrow Advance	\$29,782.34
Lender Paid Expenses	\$31,270.07
Forbearance	(\$666.91)
Hazard Suspense/Hazard Loss	(\$767.70)
Grand Total	\$296,640.28

2. If the Defendant or their heirs or assigns do not pay FNMA the amount adjudged due and owing (\$296,640.28) within 90 days of the Judgment, as that time period is calculated in accordance with 14 M.R.S.A. § 6322, their remaining rights to possession of the property at 260 State Route 46, Bucksport, Maine 04416 (“**Bucksport Property**”) shall terminate, and FNMA shall conduct a public sale of the Bucksport Property in accordance with 14 M.R.S.A. § 6323, disbursing the proceeds, first to itself in the amount of \$296,640.28 after deducting the expenses of the sale, with any surplus to be disbursed pursuant to Paragraph 5 of this Judgment, and in accordance with 14 M.R.S.A. § 6324. FNMA may not seek a deficiency judgment against the Defendant pursuant to the Plaintiff’s waiver of deficiency in its Motion.
3. Pursuant to 14 M.R.S.A. § 2401(3)(F), the Clerk, if requested, shall sign a certification after the appeal period has expired, certifying that the applicable period has expired

without action or that the final judgment has been entered following appeal.

4. The amount due and owing is \$296,640.28 as of October 13, 2020.
5. The priority of interests is as follows:
 - Federal National Mortgage Association has first priority, in the amount of \$296,640.28, pursuant to the subject Note and Mortgage and there are no parties-in-interest other than the Defendant who has second priority.
6. The pre-judgment interest rate is 6.75%, see 14 M.R.S.A. § 1602-B, and the post-judgment interest rate will be calculated pursuant to 28 U.S.C. § 1961.
7. The following information is included in this Judgment pursuant to 14 M.R.S.A. § 2401(3):

	PARTIES	COUNSEL
PLAINTIFF	Federal National Mortgage Association 5600 Granite Parkway Plano, TX 75024	John A. Doonan, Esq. Reneau J. Longoria, Esq. Doonan, Graves & Longoria, LLC 100 Cummings Center Suite 225D Beverly, MA 01915
DEFENDANT	Kelli A. Motta 44 Mill Street Lakeville, MA 02347	Defaulted Pro Se

- a) The docket number of this case is 1:20-cv-00033-NT.
- b) All parties to these proceedings received notice of the proceedings in accordance with the applicable provisions of the Federal Rules of Civil Procedure.
- c) A description of the real estate involved, 260 State Route 46, Bucksport, ME 04416, is set forth in Exhibit A to the Judgment herein.
- d) The street address of the real estate involved is 260 State Route 46, Bucksport, ME 04416.

The Mortgage was executed by the Defendant, Kelli A. Motta, on November 7, 2007. The

book and page number of the Mortgage in the Hancock County Registry of Deeds is **Book 4888, Page 302.**

- e) This Judgment shall not create any personal liability on the part of the Defendant, but shall act solely as an *in rem* judgment against the property, 260 State Route 46, Bucksport, ME 04416.

SO ORDERED.

/s/ Nancy Torresen
United States District Judge

Dated this 7th day of January, 2021.