

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

RNPM, LLC

Plaintiff

vs

NILDA RIVERA-CRUZ; AURELIO
FEBUS-RODRIGUEZ

Defendants

CIVIL 12-1422CCC

JUDGMENT

Plaintiff RNPM, LLC has applied for judgment by default (**docket entry 8**). It appears from the records of this case that the Clerk entered default against the defendants (docket entry 7) for their failure to plead or file an answer to the complaint, or otherwise appear, and that plaintiff is entitled to a judgment by default. Accordingly,

IT IS HEREBY ORDERED; ADJUDGED AND DECREED that Defendants pay Plaintiff the following sums:

\$102,538.65 in principal, \$3,712.14 in accrued interest as of June 11, 2012, which continue to accrue at 91/8% per annum until payment in full, accrued late charges, and any disbursements made by plaintiff in accordance with the mortgage deed, plus costs, and \$11,815.00 in attorney's fees.

1. In default of the payment of those sums or of any part of them, within ten (10) days from the date of entry of this judgment, the following mortgaged property, described in the Spanish language, shall be sold at public auction to its highest bidder, without an appraisal or right of redemption for the payment of plaintiff's mortgage within the limits secured by it:

URBANA: Solar y casa radicados en el Barrio Sabana Llana, de Río Piedras, término municipal de San Juan, Puerto Rico, marcado con el Número Dieciséis (#16) del Bloque "H" de la Urbanización Montecarlo, con una cabida superficial de Trescientos Ochenta y Seis punto Ochenta y Dos metros cuadrados (386.82 m.c.). En lindes por el NORTE, con el Solar Número Quince (#15) del mismo bloque, en una longitud de Veintisiete punto Sesenta y Tres metros (27.63 m.); por el SUR, con el Solar Número Diecisiete (#17)

del mismo bloque, en una longitud de Veintisiete punto Sesenta y Tres metros (27.63 m.); por el ESTE, con los Solares Número Seis (#6) y Siete (7) del propio bloque en una longitud de Catorce metros (14.00 m.); y por el OESTE, con la Avenida Montecarlo, por donde está marcado con el Número Mil Doscientos Setenta y Nueve (#1279), en una longitud de Catorce metros (14.00 m.).

Enclava sobre el descrito solar una casa residencial de concreto y bloques.

La Propiedad está inscrita al Folio Doscientos Cinco (205) Vuelto del Tomo Doscientos Noventa y Tres (293) de Sabana Llana, Finca número Doce Mil Quinientos Catorce (#12,514), Registro de la Propiedad de San Juan, Sección Quinta.

2. Upon plaintiff's compliance with Fed. R. Civ. P. 53, the court may appoint a Special Master to conduct the sale, but the Special Master shall not proceed to carry out the said sale, or do anything in connection with it, until further order by this Court and under the form and conditions to be directed by the Court.

3. The sale to be conducted by the appointed Special Master shall be subject to the confirmation of the Court, and the purchaser or purchasers of the property shall be entitled to receive its possession. The minimum bid to be accepted at the first public sale in accordance with the mortgage deed is **\$118,150.00**.

4. Any funds derived from the sale to be conducted in accordance with the terms of this judgment and such further orders of the Court shall be applied as follows:

(a) To the payment of all proper expenses attendant upon the sale, including the expenses, outlays and compensation of the Special Master; after the compensation and expenses shall have been fixed and approved by the Court, all expenses shall be deducted from the sum provided in the deed of mortgage for costs, charges and disbursements, expenses and attorney's fees.

(b) To the payment of all expenses or advances made by the plaintiff.

(c) To the payment to plaintiff of the amount of \$102,538.65 in principal, \$3,712.14 in accrued interest as of June 11, 2012, which continues to accrue at the rate of 91/8% per annum until payment in full, accrued late charges, and any

disbursements made by plaintiff in accordance with the mortgage deed, plus costs, and \$11,815.00 in attorney's fees.

(d) If after making all those payments there is a surplus, it shall be delivered to the Clerk of the Court, subject to further orders of the Court.

(e) If after making all those payments there is a deficiency, plaintiff may seek further orders by the Court to collect the deficiency from defendants.

(f) Plaintiff may apply to the Court for such further orders, as it may deem advisable to its interests, in accordance with the terms of this judgment.

SO ORDERED AND ADJUDGED.

At San Juan, Puerto Rico, on July 31, 2012.

S/CARMEN CONSUELO CEREZO
United States District Judge