

STATE OF MAINE
SAGADAHOC, ss

SUPERIOR COURT
Location: West Bath
Civil Action
Docket No. BATSC-RE-11-16
AMH -SAG- 7/16/2012

Bank of America, N.A., successor by merger to)
BAC Home Loans Servicing, LP,)
Plaintiff)
)
vs.)
)
Ray A. Morrill,)
Defendant)
)
and)
)
Frances Lee Neely Morrill,)
)
Party-in-Interest)

JUDGMENT OF FORECLOSURE AND SALE

(Title to Real Estate is Involved)

**Mortgage recorded in Sagadahoc County Registry of Deeds in Book 1934, Page 41.
Street Address: 741 Carding Machine Road, Bowdoinham, Maine**

This matter came before the Court on pursuant to Plaintiff's Complaint for Foreclosure by Civil Action. A trial was held on July 13, 2012, and the Court finds in favor of the Plaintiff as follows:

1. That Defendant has breached the condition of Plaintiff's mortgage recorded in the Sagadahoc County Registry of Deeds in Book 1934, Page 41.
2. The amount due on the Plaintiff's note and mortgage as of July 13, 2012, is as follows:

Principal	\$ 70,425.12
Accrued Interest	9,842.27
Recording Fees	16.00
Mortgage Insurance	91.18
Fees Due	1,915.69
Escrow Balance Due	3,732.91
TOTAL	\$ 86,023.17

Pursuant to 14 M.R.S.A. §§ 1602-B and 1602-C, the prejudgment interest rate is 6.8750% per annum of said principal balance and the post-judgment interest rate is 6.8750% per annum.

Plaintiff is awarded Attorney's Fees in the amount of ~~\$520.69~~ ^{\$3,320.69} and Attorney's Disbursements in the amount of \$520.69.

Amly
7-13-12

Plaintiff is entitled to add any additional amounts advanced by Plaintiff to protect its mortgage security and costs of sale.

3. The order of priority of the claims of the parties who have appeared in this action is as follows:

FIRST: The Plaintiff, by virtue of its mortgage in the above amounts and attorneys fees.

SECOND: Defendant for the surplus, if any.

4. Party-In-Interest Frances Lee Neely Morrill has failed to answer or otherwise appear.

5. The Plaintiff's claim for attorney's fees is integral to the relief sought, within the meaning of Rule 54(b)(2) M.R.Civ.P. Because the amount of attorney's fees awarded under this judgment is based on a flat fee, there is no just reason for delay in the entry of final judgment for Plaintiff on all claims. *in part*

WHEREFORE, it is hereby ordered and decreed that, unless within ninety days from the date hereof, the Defendant pays the Plaintiff the amount due, together with accrued interest and attorney's fees and costs as set forth above, Plaintiff shall sell the mortgaged real estate pursuant to 14 M.R.S.A. §6321 et seq. and disburse the proceeds of said sale after deducting the expenses thereof, in the amounts and priorities as determined above. An execution shall issue for any deficiency, provided the statutory requirements are met.

Plaintiff is granted exclusive possession of the real estate mortgaged to it upon expiration of the statutory ninety (90) day redemption period. A Writ of Possession shall be issued to Plaintiff for possession of said real estate if it is not redeemed, as aforesaid.

The following provisions are set forth pursuant to 14 M.R.S.A. §2401:

1. The names and addresses, if known, of all parties to the action, including the counsel of record, are set forth in Schedule A attached hereto.

2. The docket number is BATSC-RE-11-16.

3. The Court finds that all parties have received notice of the proceeding in accordance with the applicable provisions of the Maine Rules of Civil Procedure.

4. The street address and a description of the real estate involved is set forth in Schedule B attached hereto.

5. The Plaintiff is responsible for recording the attested copy of the judgment and for paying the appropriate recording fees.

The Clerk is hereby directed to enter this Judgment as a final judgment pursuant to Rule 54(b)(1).

The Clerk is specifically directed pursuant to M.R.Civ.P. Rule 79(a) to enter this Judgment on the civil docket by a notation incorporating it by reference.

DATED: 13 July 2012



Justice, Superior Court

Date entered in the docket book: 7/14/12

SCHEDULE A

Name and Address of Party

Name and Address of Counsel

Bank of America, N.A., as successor by merger to BAC Home Loans Servicing, LP 6400 Legacy Drive Plano, Texas 75042	David J. Jones, Esq. Kathleen T. Konkoly, Esq. Jensen Baird Gardner & Henry 11 Main Street Suite #4 Kennebunk, Maine 04043
Ray A. Morrill 741 Carding Machine Road Bowdoinham, Maine 04008	Pro Se
Frances Lee Neely Morrill 741 Carding Machine Road Bowdoinham, Maine 04008	None of Record

SCHEDULE B

Street Address: 741 Carding Machine Road, Bowdoinham, Maine

Description:

A certain lot or parcel of land, with any buildings thereon, situated in the Town of Bowdoinham, County of Sagadahoc, and State of Maine, bounded and described as follows:

BEGINNING at a point along the easterly side of the Carding Machine Road, so-called, and the southerly boundary of premises now or owned by Densmore and an iron pin;

THENCE running in a generally easterly direction along the southerly boundary of lands now or formerly owned by Densmore for a distance of two hundred ninety-six (296) feet to an iron pin;

THENCE turning at an angle and running in a generally southerly direction for a distance of two hundred twenty-five (225) feet to an iron pin.

THENCE turning at an angle and running in a generally westerly direction for a distance of two hundred sixty-two (262) feet to the easterly side of the Carding Machine Road, so-called, and an iron pin;

THENCE turning at an angle and running in a generally northerly direction along the easterly side of the Carding Machine Road, so-called, for a distance of two hundred seventy-five (275) feet to the southerly boundary of lands now or formerly owned by Densmore and an iron pin and point of beginning.

CERTIFICATE OF CLERK

The final judgment in Docket No. BATSC-RE-11-16 was entered on the docket on _____.

I hereby certify that

___ the applicable appeal period has expired without action

___ the final judgment has been entered after remand following appeal.

Dated:

Clerk

BAC HOME LOANS SERVICING LP - PLAINTIFF

Attorney for: BAC HOME LOANS SERVICING LP
DAVID J JONES - RETAINED 06/13/2011
JENSEN BAIRD ET AL
11 MAIN STREET
SUITE 4
KENNEBUNK ME 04043

SUPERIOR COURT

SAGADAHOC, ss.

Docket No BATSC-RE-2011-00016

DOCKET RECORD

vs

RAY A MORRILL - DEFENDANT
741 CARDING MACHINE ROAD
BOWDOINHAM ME 04008
FRANCES LEE NEELY MORRILL - PARTIES IN INTEREST
741 CARDING MACHINE ROAD
BOWDOINHAM ME 04008

Filing Document: COMPLAINT
Filing Date: 06/13/2011

Minor Case Type: FORECLOSURE