

STATE OF WISCONSIN

CIRCUIT COURT
CIVIL DIVISION

VILAS COUNTY

THE MONEY SOURCE INC.
Plaintiff

Vs.

JUSTIN R. DUNCAN;
Defendant

**NOTICE OF SHERIFF'S
SALE**

Case No. 2022CV000022

Case Code No. 30404

PLEASE TAKE NOTICE that by virtue of a judgment of foreclosure entered on July 15, 2022, in the amount of \$164,866.64, the Sheriff, or Designee, will sell the described premises at public auction as follows:

TIME: November 10, 2022 at 2:00PM

TERMS:

1. 10% down in cash, cashier's check or certified funds at the time of sale; balance due within 10 days of confirmation of sale; failure to pay balance due will result in forfeit of deposit to plaintiff.
2. Sold "as is" and subject to all legal liens and encumbrances.
3. Buyer to pay applicable Wisconsin Real Estate Transfer Tax in addition to the purchase price.
4. Bidders not a party to this action are subject to the requirements of Wisconsin Statute Section 846.155.

PLACE: MAIN LOBBY OF THE VILAS COUNTY COURTHOUSE ADDITION, 330 COURT STREET, EAGLE RIVER, WI 54521

Property description:

LOTS THIRTY-FOUR (34) AND THIRTY-FIVE (35) IN THE RECORDED PLAT OF EAGLE HEIGHTS ADDITION NO. 1, SAID PLAT BEING A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER AND PART OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER, BOTH IN SECTION TWENTY-SEVEN, TOWNSHIP FORTY NORTH, RANGE TEN EAST OF THE FOURTH PRINCIPAL MERIDIAN, TOWNSHIP OF LINCOLN, VILAS COUNTY, WISCONSIN, ACCORDING TO THE RECORDED PLAT THEREOF.

Tax Key No.: 14-1318

Property Address: 4430 WHITE PINE LOOP, EAGLE RIVER, WI 54521

Shannon K Cummings
State Bar No. 1033710
Attorney for Plaintiff
633 W. Wisconsin Avenue, Suite 408
Milwaukee, WI, 53203
Phone: 312-541-9710
Mailing Address:
Johnson, Blumberg and Assoc.
30 NORTH LASALLE, SUITE 3650
Chicago, Illinois, 60602,

Dated this 6 day of October, 2022



JOSEPH PATH
VILAS COUNTY SHERIFF OR DESIGNEE

Johnson, Blumberg & Associates, LLC. is the creditor's attorney and is attempting to collect a debt on its behalf. Any information obtained will be used for that purpose.

DATE SIGNED: July 6, 2022

Electronically signed by Martha J. Milanowski
Circuit Court Judge

STATE OF WISCONSIN

CIRCUIT COURT
CIVIL DIVISION

VILAS COUNTY

THE MONEY SOURCE INC.

FINDINGS OF FACT,
CONCLUSIONS OF LAW
AND JUDGMENT
Case No. 2022CV000022

Plaintiff

Vs.

JUSTIN R. DUNCAN; UNKNOWN
SPOUSE OF JUSTIN R. DUNCAN,
Defendants

The summons and complaint in this action having been duly served upon the Defendants in this manner provided by law, due proof thereof being on file, Plaintiff is entitled to default judgment against the Defendants being wholly in default as shown by the declaration of default on file herein, and

Due notice of the pendency of this action having been filed in the office of the Registrar of Deeds for Vilas County more than twenty (20) days prior to this date; and upon the application of the plaintiff, through its counsel, Monica J. Paine of Johnson, Blumberg & Associates, LLC., and

The Court having examined the affidavit of default including mortgage documents on file herein, and having determined that all material allegations of the complaint on file herein are true, and

It further appearing that the mortgaged premises consists of a lot(s) that is not a one to four family residential structure thereon being twenty (20) acres or less and that said premises cannot be sold in parcels without injury to the interest of the parties, and

It further appearing that no defendant is in the military service or active state service and that no defendant is incompetent, an infant or under guardianship:

NOW THEREFORE, on motion of Monica J. Paine of Johnson, Blumberg & Associates, LLC. attorney for the plaintiff,

IT IS BY THE COURT FOUND, DETERMINED AND ADJUDGED:

1. That all of the material allegations of the plaintiff's complaint are proven true.
2. That Plaintiff's Motion for Default Judgment against Defendants, Justin R. Duncan, is hereby granted.
3. That the Defendant, Unknown Spouse of Justin R. Duncan does not exist and is dismissed.
4. That the following amounts are due to the plaintiff under the terms of the note and mortgage:

Current unpaid principal balance	\$149,776.25
Accrued interest from April 1, 2021 to May 24, 2022	\$9,443.20
Late Charges	\$423.96
Escrow Advances	\$1,468.28
Property Inspection Fees	\$195.00
PMI/MIP Insurance	\$306.60
<hr/>	
SUBTOTAL	\$161,613.29
Attorneys' fee for this lawsuit	\$2,775.00
Costs for this lawsuit	\$478.35
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TOTAL DUE	\$164,866.64

5. Post Judgment interest shall accrue at the current Note Rate.
6. That all sums hereafter advanced by the plaintiff for insurance, necessary repairs, preservation expenses and taxes not included in the judgment may be added to the judgment by order at any time after the entry thereof and before confirmation of sale upon the petition of the Plaintiff's attorney without notice.
7. That the mortgaged premises are owner occupied and have not been abandoned.

8. That the mortgaged premises consists of a lot(s) with a one to four family residential structure thereon more particularly described in the mortgage attached to the complaint herein as Exhibit B.
9. That the mortgaged premises cannot be sold in parcels without injury to the interest of the parties and unless sooner redeemed, said premises shall be sold at public auction under the direction of the sheriff, at any time after **three (3) months** from the date of entry of judgment. That if the purchaser at said auction is a party or person other than the plaintiff or its assignee, then the sheriff shall require that ten percent (10%) of the purchaser's bid be paid at the sale in cash, cashier's check or certified funds. The balance due upon confirmation of the sale shall be paid to the clerk of courts by cash, cashier's check or certified funds. That after deducting the fees and expenses of sale, the proceeds of sale shall first be applied to the amounts due plaintiff, together with the interest at the rate provided in the mortgage note and that the surplus, if any, shall be subject to the further order of this court.
10. That in the event the State of Wisconsin Department of Veterans Affairs is or should become a party to this action, notice of the sheriff's sale shall be given by certified mail, return receipt requested, to the department at Madison, Wisconsin, at least three weeks prior to the date of sale.
11. That in the event the United States of America is or should become a party to this action due to a lien junior to that of Plaintiff's lien, pursuant to 28 U.S.C. § 2410, the United States of America shall have one year from the date of sale within which to redeem, except that with respect to a lien arising under the internal revenue laws the period shall be 120 days or the period allowable for redemption under State law, whichever is longer.
12. That in the event the United States of America is or should become a party to this action due to a lien senior to that of Plaintiff's lien, the sale of the property which is the subject of this action shall be made subject to and without disturbing the lien of the United States of America, unless the United States consents that the property may be sold free of its lien and the proceeds divided as the parties may be entitled. Said lien may be adjudicated at a later date.
13. That following the sale of the mortgaged premises as authorized herein and upon the court's confirmation of said sale, the Defendants, each of them, his/her/their heirs, successors and assigns, and all persons claiming an interest in said premises subsequent to the filing of the lis pendens herein shall be forever barred and foreclosed of all right, title, interest, claim, lien or equity of redemption in and to said premises and any part, parcel or portion thereof.

14. That leave is hereby granted to the plaintiff to add defendants herein pursuant to section 846.09, Wis Stats.
15. That after the sheriff's sale, the sheriff shall make due report thereof to the court, and the purchaser shall be let into possession of the premises upon confirmation of the sheriff's sale and all parties to this action or other persons securing possession after the date the lis pendens was recorded shall deliver possession to said purchaser.
16. **That no deficiency judgment may be obtained against any Defendant.**
17. That all parties and all persons claiming under them are enjoined from committing waste upon the premises.
18. That the plaintiff may take all necessary steps to secure and winterize the subject property during the redemption period or until such time as this matter is concluded.
19. That this judgment pertains to the real estate described as follows:

LOTS THIRTY-FOUR (34) AND THIRTY-FIVE (35) IN THE RECORDED PLAT OF EAGLE HEIGHTS ADDITION NO. 1, SAID PLAT BEING A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER AND PART OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER, BOTH IN SECTION TWENTY-SEVEN, TOWNSHIP FORTY NORTH, RANGE TEN EAST OF THE FOURTH PRINCIPAL MERIDIAN, TOWNSHIP OF LINCOLN, VILAS COUNTY, WISCONSIN, ACCORDING TO THE RECORDED PLAT THEREOF.

Tax Key No.: 14-1318

Common Address: 4430 White Pine Loop, Eagle River, WI 54521

The clerk of this court will enter this judgment.

DATE SIGNED: July 15, 2022

Electronically signed by Martha J. Milanowski
Circuit Court Judge

STATE OF WISCONSIN

CIRCUIT COURT
CIVIL DIVISION

VILAS COUNTY

THE MONEY SOURCE INC.

Plaintiff

STATEMENT OF
INDEBTEDNESS

Case No. 2022CV000022

Vs.

JUSTIN R. DUNCAN; UNKNOWN
SPOUSE OF JUSTIN R. DUNCAN,

Defendants

Current unpaid principal balance	\$149,776.25
Accrued interest from April 1, 2021 to May 24, 2022 @ 5.50%	\$9,443.20
Late Charges	\$423.96
Escrow Advances	\$1,468.28
Property Inspection Fees	\$195.00
PMI/MIP Insurance	\$306.60
Attorneys' fee for this lawsuit	\$2,775.00
Disbursements	
Filing Fees	\$293.35
Recording Fee	\$35.00
Service Costs	\$150.00
TOTAL DUE	\$164,866.64

Redemption period granted by this court: **three (3) months**
Judgment entered this day, _____, 2022.

CLERK OF CIRCUIT COURT

BY: _____
Judgment Clerk

Deputy Clerk

STATE OF WISCONSIN

CIRCUIT COURT
CIVIL DIVISION

VILAS COUNTY

THE MONEY SOURCE INC.
Plaintiff

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Johnson, Blumberg and Assoc.
30 NORTH LASALLE, SUITE 3650
Chicago, Illinois, 60602,

Dated this ____ day of _____, 2022

JOSEPH FATH
VILAS COUNTY SHERIFF OR DESIGNEE

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