

**COURT OF COMMON PLEAS  
FRANKLIN COUNTY, OHIO**

WILMINGTON SAVINGS FUND  
SOCIETY, FSB, AS TRUSTEE OF  
QUERCUS MORTGAGE INVESTMENT  
TRUST

Plaintiff

-vs-

KIMBERLY M. BISHOP, et al.

Defendants

CASE NO. 20 CV 001240

JUDGE: COLLEEN O'DONNELL

**FINAL JUDGMENT ENTRY**

THIS CAUSE was submitted to the Court and heard upon the Complaint of the Plaintiff, Plaintiff's Motion for Default Judgment, and the evidence. The Treasurer of Franklin County by counsel hereby enters his appearance herein for all purposes and approves these proceedings.

All necessary parties have been served with summons according to law and are properly before the Court. Further, Defendants, Kimberly M. Bishop, Unknown Spouse, if any, of Kimberly M. Bishop, Household Realty Corporation, Capital One Bank (USA) N.A., Midland Funding, LLC, DBA Midland Funding DE LLC and City of Columbus are in default of Answer or other pleading and thereby confess the allegations of the Complaint to be true. As such, said Defendants are forever barred from asserting any right, title or interest in and to the hereinafter described premises. It is therefore ordered that Plaintiff's Motion for Default Judgment is granted.

The Court finds that on July 27, 2011, Kimberly M. Bishop executed a promissory note in favor of Plaintiff's predecessor in the principal sum of \$43,859.00 plus interest at the rate of 4.5% per year. Thereafter, Kimberly M. Bishop defaulted in making payments due on the promissory note; that the amount due on the promissory note was accelerated in accordance with the terms set

forth therein and Plaintiff is owed the sum of \$32,228.74 on the promissory note plus interest of 4.25% per year from September 1, 2019.

IT IS THEREFORE ORDERED that Plaintiff is granted a Judgment against Defendant, Kimberly M. Bishop in the amount of \$32,228.74 on the promissory note plus interest of 4.25% per year from September 1, 2019, plus any advancements for taxes, insurance and other expenditures for the protection of the Property.

The Court further finds that Plaintiff may have advanced during the pendency of this action sums for the payment of taxes, hazard insurance premiums and protection of the property described herein, the total amount of which is undetermined at the present time, but will continue to accrue, and will be ascertained at the time of the confirmation of the foreclosure sale, and may be added to the first mortgage lien of the Plaintiff and shall be paid from the proceeds of the sale. The Court reserves for further order a determination of the exact, if any, amount due Plaintiff for said advances.

The Court further finds that, to secure the payment of the promissory note aforesaid, Kimberly M. Bishop, executed and delivered a certain mortgage deed as in the Second Count of the Plaintiff's Complaint, thereby conveying to Plaintiff the following described premises:

SEE LEGAL DESCRIPTION ATTACHED HERETO AS EXHIBIT "A" AND  
INCORPORATED HEREIN

Said Premises Commonly Known As: 2445 Botsford Pl, Columbus, OH 43232

Permanent Parcel Number: 010-132964-00

The Court finds that said mortgage was duly filed with the Recorder of Franklin County, Ohio, on August 11, 2011, and was thereafter recorded as Instrument No. 201108110100337 in the Mortgage Records of said County, and thereafter became and is a valid first lien upon said

premises, subject only to the lien of the Treasurer for taxes; that said mortgage deed was assigned to the Plaintiff; that said conditions in the mortgage deed have been broken by reason of non-payment and the same has become absolute and that the Plaintiff is entitled to have the equity of redemption and dower of all the Defendants in and to said premises foreclosed.

The Court finds that there is due the Treasurer of Franklin County, Ohio, taxes, accrued taxes, assessments and penalties on the premises hereinafter described, as shown on the County Treasurer's tax duplicate, the exact amount being unascertainable at the present time, but which amount will be ascertained at the time of sale, which are a valid and subsisting lien thereon for that amount so owing.

And, now to distribute the proceeds of said sale, it is ordered that the Sheriff or Private Sale Officer out of the funds in his hands pay:

- FIRST: The costs herein payable to Franklin County Clerk of Courts.
- SECOND: To the Treasurer of Franklin County, the unpaid taxes, assessments, interest and penalties due and payable on said premises.
- THIRD: To the Plaintiff, the sum of \$32,228.74 plus interest thereon at the rate of 4.25% per annum from September 1, 2019, together with advances, if any.
- FOURTH: The balance, if any, to be deposited with the Sheriff, pending further order.

The Court further finds that there is no just reason either legal or equitable for delay in entering judgment for the Plaintiff. It is therefore ORDERED, ADJUDGED AND DECREED that unless the sums hereinabove found due, together with the costs of this action, be fully paid within three (3) days from the date of the entry of this decree, the equity of redemption and dower of all the Defendants in and to said premises shall be foreclosed, and said premises sold; that, upon the issuance of a Praecipe for Order of Sale by Plaintiff's attorney shall thereafter issue to the Sheriff of Franklin County, directing them to appraise the property and advertise in a paper of

general circulation within the County, and sell said premises as upon execution and according to law, free and clear of the interest of all parties to this action except for the statutory lien of the Treasurer.

It is further Ordered that the Sheriff shall provide counsel for Plaintiff with notice of the sale date and compliance with ORC §2329.26 by mailing a copy of the first advertisement of sale to counsel for Plaintiff within seven (7) days of the date of the first publication. Counsel for Plaintiff will prepare the conveyance form and Sheriff's deed and submit to the Sheriff.

If this is a residential property and the property remains unsold after the first auction, then a second auction shall be held and the property shall be sold to the highest bidder without regard to the minimum bid requirement in §2329.20 of the Revised Code. This auction shall be held no earlier than seven days and not later than thirty days after the first auction.

If there is a bidder at the second or subsequent sales, the judgment creditor and the first lien holder have the right to redeem the property within fourteen days of the sale, by paying the purchase price to the Clerk of Court. Upon timely payment, the court will proceed as described in R.C. §2329.31 with the redeeming party considered the successful purchaser at sale.

In the event an order of sale is returned by the Sheriff unexecuted, subsequent orders of sale shall issue in accord with appraisal instructions contained in the Praeceptum for those sales.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that, the after said sale has been completed, a deed will be conveyed to the purchaser and a Writ of Possession of said property

will be executed by the sheriff and be issued.

RECORD IS HEREBY ORDERED.

**INSTRUCTIONS TO THE CLERK: THIS IS A FINAL APPEALABLE ORDER.**  
**Pursuant to Civ.R.58(B), you are to serve notice of this judgment and its date of entry upon the journal to all parties not in default for failure to appear within three days of the of the Judgment's entry upon the journal and note the service in the appearance docket.**

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JUDGE COLLEEN O'DONNELL

Date: \_\_\_\_\_

Approved by:

/s/ Jessica M. Johnson  
LOGS Legal Group LLP  
Jessica M. Johnson (#0093300)  
4805 Montgomery Road, Suite 320  
Norwood, OH 45212  
Phone: (513) 396-8100  
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Email: [jesjohnson@logs.com](mailto:jesjohnson@logs.com)

20-037673 FC01; sk; January 10, 2022

**EXHIBIT A**  
**LEGAL DESCRIPTION**

**Situated in the State of Ohio, County of Franklin and in the City of Columbus:**

**Being Lot Number One Hundred Nine (109) of WALNUT BLUFF NO. 1, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 34, pages 42 and 43, Recorder's Office, Franklin County, Ohio.**

**Property Address: 2445 Betsford Place, Columbus, OH 43232**  
**Tax ID No.: 010-152964-09**

**CERTIFICATE OF SERVICE**

Copies of the foregoing entry have been sent via ordinary U.S. Mail, or via e-mail if an e-mail address is available in the court's case management system, to the following:

LOGS Legal Group LLP  
4805 Montgomery Road, Suite 320  
Norwood, OH 45212  
Attorney for Plaintiff  
jesjohnson@logs.com

Charles R. Ellis, 0090492  
373 S. High St.  
15th Floor  
Columbus, OH 43215  
Email: cellis@franklincountyohio.gov

Kimberly M. Bishop  
2445 Botsford Pl  
Columbus, OH 43232

Unknown Spouse, if any, of Kimberly M. Bishop  
2445 Botsford Pl  
Columbus, OH 43232

United States of America  
Columbus Division  
Office of the United States Attorney - Southern  
District  
303 Marconi Blvd., Suite 200  
Columbus, OH 43215

Household Realty Corporation  
Trevor Chambers  
c/O Successor, HSBC Finance Corporation  
1421 W Shure Dr #100  
Arlington Heights, IL 60004

Capital One Bank (USA) N.A.  
100 Shockoe Slip  
2nd Floor  
Richmond, VA 23219

Midland Funding, LLC, DBA Midland Funding  
DE LLC  
Canon Business Process Services, Inc.  
7530 Lucerne Drive Suite 303  
Middleburg Heights, OH 44130

City of Columbus  
City Hall  
90 W. Broad Street  
Columbus, OH 43215

Copies Mailed by Clerk: \_\_\_\_\_

(Date) \_\_\_\_\_

\_\_\_\_\_  
CLERK OF COURTS



Franklin County Court of Common Pleas

**Date:** 02-28-2022  
**Case Title:** WILMINGTON SAVINGS FUND SOCIETY FSB AS T -VS-  
KIMBERLY M BISHOP ET AL  
**Case Number:** 20CV001240  
**Type:** ORDER

It Is So Ordered.

A handwritten signature in cursive script, "Colleen O'Donnell", is written over a circular, textured seal. The seal appears to be the official seal of the Franklin County Court of Common Pleas.

/s/ Judge Colleen O'Donnell

Court Disposition

Case Number: 20CV001240

Case Style: WILMINGTON SAVINGS FUND SOCIETY FSB AS T -  
VS- KIMBERLY M BISHOP ET AL

Case Terminated: 12 - Default

Final Appealable Order: Yes

Motion Tie Off Information:

1. Motion CMS Document Id: 20CV0012402022-01-1399980000  
Document Title: 01-13-2022-MOTION FOR DEFAULT JUDGMENT  
- PLAINTIFF: WILMINGTON SAVINGS FUND SOCIETY FSB AS T  
Disposition: MOTION GRANTED
2. Motion CMS Document Id: 20CV0012402020-06-2299970000  
Document Title: 06-22-2020-MOTION TO STAY - PLAINTIFF:  
WILMINGTON SAVINGS FUND SOCIETY FSB AS T  
Disposition: MOTION RELEASED TO CLEAR DOCKET