

Filing # 148352493 E-Filed 04/25/2022 06:29:02 PM

**IN THE CIRCUIT COURT OF THE 17TH JUDICIAL CIRCUIT  
IN AND FOR BROWARD COUNTY, FLORIDA**

CASE NO. CACE22005384 DIVISION: 18 JUDGE: Fahnestock, Fabienne E. (18)

**GC Capital Partners**

Plaintiff(s) / Petitioner(s)

v.

**Solace Equity Finance LLC**

Defendant(s) / Respondent(s)

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**IN REM FINAL JUDGMENT OF FORECLOSURE BY CONSENT WITH THE RETENTION  
OF ALL SURPLUS RIGHTS**

**THIS ACTION** came before the Court on the Joint Stipulation for Entry of In Rem Final Judgment of Foreclosure by Consent with Defendant Retaining all Rights to Surplus and the Court having considered the record and having been advised that the parties have agreed to the form and entry of this order and being otherwise fully advised in the premises. On the evidence presented,

**ORDERED AND ADJUDGED** as follows:

1. This Court has jurisdiction of the subject matter hereof and the parties hereto and finds that the equities of this cause are with the Plaintiff and against the Defendant.
2. Defendant, SOLACE EQUITY FINANCE, LLC was properly served with process and consented to entry of this judgment.
3. Pursuant to the Joint Stipulation for Final Judgment of Foreclosure by Consent with the Retention of All Surplus Rights by Defendant, final judgment is **GRANTED** against all party defendants listed by name: SOLACE EQUITY FINANCE, LLC.
4. **Amounts Due.** Plaintiff, GC CAPITAL PARTNERS, whose address is 1033 N.E. 17<sup>th</sup> Way, Unit 904, Ft. Lauderdale, Florida 33304, is due:

Unpaid Principal Balance	\$	350,000.00
Interest thru 05/01/22	\$	0.00
Litigation Costs	\$	490.00

<b><u>TOTAL FORECLOSURE JUDGMENT</u></b>	<b>\$</b>	<b><u>350,490.00</u></b>
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Said amount due shall bear interest at the prevailing statutory rate pursuant to section 55.03, Florida Statute, i.e., 4.81% per annum.

5. **Lien on Property.** Plaintiff holds a lien for the total sum superior to all claims or estates of Defendant(s) on the following described residential real property located in Broward County, Florida:

UNIT No. 904 of VILLA MEDICI CONDOMINIUM PHASE 9, a Condominium, according to the Declaration of Condominium thereof, as recorded in Official Records Book 38705, at Page 433, of the Public Records of Broward County, Florida.

Commonly known as: 1033 N.E. 17<sup>th</sup> Way, Unit 904, Ft. Lauderdale, Florida 33304  
Tax Folio Number: 494235AG0520

6. **Lien Priority.** The aforesaid lien of the Plaintiff is prior, paramount and superior to all rights, claim, liens, interest, encumbrances and equities of the Defendant and all persons, firms or corporations claiming by, through or under said Defendant or any of them and the property will be sold free and clear of all claims of said Defendant, with the exception of any assessments pursuant to Florida Statutes §§718.116 and 720.3085.
7. **Sale of Property.** If the total sum with interest at the rate described in Paragraph 4 and all costs accrued subsequent to this judgment are not paid, the Clerk of Court shall sell the property at public sale on June 1, 2022, to the highest bidder for cash, except as set forth in Paragraph 8, by electronic sale beginning at 10:00 AM on the prescribed date at <http://www.broward.realforeclose.com> in accordance with section 45.031, Florida Statutes.
8. **Costs.** Plaintiff shall advance all subsequent costs of this action and shall be reimbursed for them by the clerk if Plaintiff is not the purchaser of the property for sale, provided, however, that the purchaser of the property for sale shall be responsible for the documentary stamps payable on the certificate of title. If the Plaintiff is the purchaser, the clerk shall credit Plaintiff's bid with the total sum with interest and costs accruing subsequent to this judgment, or such part of it, as is necessary to pay the bid in full.
9. **Right of Redemption/Right of Possession.** On filing the certificate of title, the clerk shall distribute the proceeds of the sale, so far as they are sufficient, by paying: first, all of Plaintiff's costs; second, documentary stamps affixed to the certificate; third, Plaintiff's attorneys' fees; fourth, the total sum due to Plaintiff, less the items paid, plus interest at the rate prescribed in paragraph 4 from this date to the date of the sale; and by retaining any remaining amount pending the further order of this court.
10. **Foreclosure of Interests:** On filing the certificate of sale, defendant(s) and all persons claiming under or against defendant(s) since the filing of the notice of lis pendens shall be foreclosed of all estate or claim in the property, except as to claims or rights under chapter 718 or chapter 720, Florida Statutes, if any. Upon the filing of the certificate of title, the person named on the certificate of title shall be let into possession of the property.

11. **Jurisdiction Retained.** This Court retains jurisdiction of this cause for the purpose of entering any and all further orders as may be necessary and proper including, without limitation, writs of possession. The parties agreed that there may be no deficiency and this is to be an In Rem Final Judgment.
12. **Jurisdiction Continued.** The Court retains jurisdiction of this action to enter further orders that are proper, including, without limitation, orders authorizing supplemental proceedings to eliminate any interest omitted from this action, cure any title defects, determine amounts owed to associations, and an award of attorney's fees.
13. **Right to Surplus.** There are no "subordinate lienholders" as defined in section 45.032(1)(b) in this action as there are no subordinate liens shown on the face of the pleadings as an encumbrance on the property. As such, Defendant retains the right to any and all surplus funds.

**IF THIS PROPERTY IS SOLD AT PUBLIC AUCTION, THERE MAY BE ADDITIONAL MONEY FROM THE SALE AFTER PAYMENT OF PERSONS WHO ARE ENTITLED TO BE PAID FROM THE SALE PROCEEDS PURSUANT TO THIS FINAL JUDGMENT.**

**IF YOU ARE A SUBORDINATE LIENHOLDER CLAIMING A RIGHT TO FUNDS REMAINING AFTER THE SALE, YOU MUST FILE A CLAIM WITH THE CLERK NO LATER THAN SIXTY (60) DAYS AFTER THE SALE. IF YOU FAIL TO FILE A CLAIM, YOU WILL NOT BE ENTITLED TO ANY REMAINING FUNDS.**


**IF YOU ARE THE PROPERTY OWNER, YOU MAY CLAIM THESE FUNDS YOURSELF. YOU ARE NOT REQUIRED TO HAVE A LAWYER OR ANY OTHER REPRESENTATION AND YOU DO NOT HAVE TO ASSIGN YOUR RIGHTS TO ANYONE ELSE IN ORDER FOR YOU TO CLAIM ANY MONEY TO WHICH YOU ARE ENTITLED. PLEASE CHECK WITH THE CLERK OF THE COURT, HOWARD FORMAN, BROWARD COUNTY COURTHOUSE, 201 S.E. 6TH STREET, FT. LAUDERDALE, FL 33301, (TELEPHONE: 954-831-6938), WITHIN TEN (10) DAYS AFTER THE SALE TO SEE IF THERE IS ADDITIONAL MONEY FROM THE FORECLOSURE SALE THAT THE CLERK HAS IN THE REGISTRY OF THE COURT.**

**IF YOU DECIDE TO SELL YOUR HOME OR HIRE SOMEONE TO HELP YOU CLAIM THE ADDITIONAL MONEY, YOU SHOULD READ VERY CAREFULLY ALL PAPERS YOU ARE REQUIRED TO SIGN, ASK SOMEONE ELSE, PREFERABLY AN ATTORNEY WHO IS NOT RELATED TO THE PERSON OFFERING TO HELP YOU, TO MAKE SURE THAT YOU UNDERSTAND WHAT YOU ARE SIGNING AND THAT YOU ARE NOT TRANSFERRING YOUR PROPERTY OR THE EQUITY IN YOUR PROPERTY WITHOUT THE PROPER INFORMATION. IF YOU CANNOT AFFORD TO PAY AN ATTORNEY, YOU MAY CONTACT LEGAL AID SERVICE OF BROWARD COUNTY, INC., 491 NORTH STATE ROAD 7, PLANTATION, FL 33317, (TELEPHONE: 954-765-8950) TO SEE IF YOU QUALIFY FINANCIALLY FOR THEIR SERVICES. IF THEY CANNOT ASSIST YOU, THEY MAY BE ABLE TO REFER YOU TO A LOCAL BAR REFERRAL AGENCY OR SUGGEST OTHER OPTIONS. IF YOU CHOOSE TO CONTACT LEGAL AID SERVICE OF BROWARD COUNTY, INC., 491 NORTH STATE ROAD 7, PLANTATION, FL 33317, (TELEPHONE: 954-**

Case Number: CACE22005384

**765-8950) FOR ASSISTANCE, YOU SHOULD DO SO AS SOON AS POSSIBLE AFTER RECEIPT OF THIS NOTICE.**

**DONE AND ORDERED** in Chambers at Broward County, Florida on 25th day of April, 2022.

  
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CACE22005384 04-25-2022 12:47 PM

Hon. Fabienne Fahnestock

**CIRCUIT JUDGE**

Electronically Signed by Fabienne Fahnestock

**Copies Furnished To:**

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