

Filing # 161685781 E-Filed 11/21/2022 07:19:42 PM

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

CASE NO. CACE17002459 DIVISION: 11 JUDGE: Gundersen, Andrea Ruth (11)

**Deutsche Bank National**

Plaintiff(s) / Petitioner(s)

v.

**Beverly Spencer, et al**

Defendant(s) / Respondent(s)

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**FINAL SUMMARY JUDGMENT OF FORECLOSURE**

This action came before the Court on October 11, 2022 on the Plaintiff's Motion for Final Summary Judgment and Incorporated Memorandum of Law (the "Motion"), and the Court having reviewed the Motion and being otherwise fully advised in the premises, it is hereby **ORDERED AND ADJUDGED** that:

1. The Motion is hereby **GRANTED**.
2. Based on the Court's review of the Plaintiff's Motion for Final Summary Judgment, supporting affidavits, pleadings in the file, and there being no affidavit in opposition, a default being entered against Defendant(s) and Defendants' failure to appear, the Court hereby finds that there is no genuine issue of material fact and, as a matter of law, Plaintiff is entitled to a Final Summary Judgment of Foreclosure.
3. Service of process has been obtained with respect to all named defendants in this matter, including Beverly Spencer; 40D Team, LLC; Blueberry Hill Condominium Association, Inc.; and AJBM Limited Partnership.
4. Plaintiff, Deutsche Bank National Trust Company, Solely as Trustee for MASTR Specialized Loan Trust 2006-2 Mortgage Pass-Through Certificates, Series 2006-2, whose address is c/o PHH Mortgage Corporation as successor by merger to Ocwen Loan Servicing, LLC, 1661

Worthington Road, Suite 100, West Palm Beach, FL 33409, is due:

Item	Amount
Principal	\$ 67,058.72
Interest – through July 29, 2022	\$ 12,528.06
Escrow Advances	\$ 14,675.96
Other: Recoverable Balance	\$ 11,761.38
<b>Total</b>	<b>\$ 106,024.12</b>

that shall bear interest at the statutory rate pursuant to *Fla. Stat. § 55.03*.

5. Plaintiff holds a lien for the total sum superior to all claims or estates of Defendants on the property (the “Property”) described as:

**Condominium Unit No. 93, in Building 17, of Blueberry Hill Phase III, a Condominium, according to the Declaration thereof, as recorded in Official Records Book 5887, at Page 524, as amended, of the Public Records of Broward County, Florida.**

**a/k/a: 5815 Blueberry Court, #93, Lauderhill, Florida 33313**

6. If total sum with interest at the rate described in Paragraph 2 and all costs accrued subsequent to this Judgment are not paid, the Clerk of this Court shall sell the Property at Public Sale on January 5, 2023 to the highest bidder for cash, except as prescribed in Paragraph 5, in accordance with Section 45.031, *Florida Statutes*, at **10:00 a.m. Eastern Standard Time** online at <https://www.broward.realforeclose.com>.
7. 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 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.
8. 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 the 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 2 from this date to the date of the sale; and by retaining any remaining amount pending the further order of this Court. If Plaintiff is the successful purchaser at the foreclosure sale, Plaintiff may assign the successful bid without further order of this court.

9. On filing the Certificate of Sale, Defendants and all persons claiming under or against Defendants 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 filing the Certificate of Title, the person named on the Certificate of Title shall be let into possession of the property.

10. Jurisdiction of this action is retained to enter further orders that are proper, including, without limitation, supplement complaints, actions to cure title issues, and issuing writs of possession.

**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 LIEN HOLDER 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 BROWARD CLERK OF COURT WITHIN (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 YIOU**

**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 SOCIETY OF BROWARD COUNTY, 491 N. STATE ROAD 7, PLANTATION, FLORIDA 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 THE LEGAL AID SOCIETY OF BROWARD COUNTY, 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 21st day of November, 2022.

  
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Hon. Andrea Gundersen

**CIRCUIT COURT JUDGE**

Electronically Signed by Andrea Gundersen

**Copies Furnished To:**

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