

Filing # 176491093 E-Filed 06/29/2023 07:39:14 PM

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

CASE NO. CACE22017863 DIVISION: 13 JUDGE: Robinson, Michael A. (13)

Orchid Grove Association Inc

Plaintiff(s) / Petitioner(s)

v.

Derrik Paul Venarchick, et al

Defendant(s) / Respondent(s)

_____ /

SUMMARY FINAL JUDGMENT OF FORECLOSURE

This Cause having come before the Court on June 28, 2023, on Plaintiff's Motion for Entry of Summary Final Judgment of Foreclosure and the Court having considered the Motion and having reviewed the pleadings, exhibits and Affidavits filed therein, and finding that the answer is insufficient to preclude this Court from entering a Summary Judgment against the Defendant(s) as the Defendant(s) have admitted owing the amount due, and having reviewed the Court file and being otherwise fully aware of this action, it is,

Adjudged that Plaintiff's counsel and paralegal have reasonably expended 22.3 hours on this litigation at the rates set forth in their Affidavits previously filed in this case, and further adjudged as follows:

The Court has jurisdiction of the parties and the subject matter hereto. The equities are with the Plaintiff. That there is due the Plaintiff, **Orchid Grove Association, Inc.**, by the Defendant(s), **Derrik Paul Venarchick, Tammy Star Venarchick, and MV Realty PBC, LLC** , on account of the lien herein sought to be foreclosed the following sums:

\$	4,125.04	Principal through June 1, 2023;
\$	435.36	As interest from April 1, 2022 through June 27,
		2023 at 18% per annum;
\$	375.00	Late Fees;
\$	4,000.00	Fines
\$	2,209.17	For costs now taxed; (includes cost of \$245.00
		for publication of sale);

\$	(300.00)	Less Payments Made;
\$	5,367.00	For Reasonable Attorney's Fees;
\$	825.00	Guardian Ad Litem;

TOTAL: **\$17,036.57** together with interest at the rate of 6.58% per annum from the date of the entry of this Summary Judgment. Let execution issue forthwith.

Plaintiff holds a lien for the total sum referred to above, plus interest, superior to any claim or estate of all named Defendant(s) herein on the following described real property located in Broward County, Florida:

Lot 187, CYPRESS GROVE, according to the plat thereof as recorded in Plat Book 175, Page 137 through 150, of the Public Records of Broward County, Florida and all amendments thereto.

which property is located at the street address of:

**163 SW 7TH STREET,
POMPAHO BEACH, FLORIDA 33060**

If the total sum with interest at the rate prescribed by law and all costs of this action accruing subsequent to this Judgment are not paid, the Clerk of this Court shall sell the property at public sale on August 2, 2023, at 10:00 o'clock, A.M., online at www.broward.realforeclose.com, to the highest bidder for cash, except as prescribed in paragraph 4, in accordance with section 45.031, Florida Statutes. However, said Sale shall not be held unless Plaintiff's representative is in attendance and gives the opening bid.

Plaintiff shall advance all subsequent costs of this action and shall be reimbursed for them by the Clerk if the Plaintiff is not the purchaser of the property at the sale. If the Plaintiff is the purchaser, the Clerk shall credit Plaintiff's bid with the total sum of the Final Judgment of Foreclosure with interest and costs, accruing subsequent to this Judgment or such part of is as necessary to pay it in

full.

In the event that the Plaintiff is the successful bidder at the sale, the Plaintiff shall be entitled to assign the successful bid to a third party, without further order of the Court, and upon the Plaintiff submitting an Assignment of Bid, the Clerk is instructed to issue the Certificate of Title to any third party named therein.

On filing the Certificate of Title, the Clerk shall distribute the proceeds of the sale, as far as they are sufficient, by paying:

All of the Plaintiff's costs;

Documentary Stamps affixed to the Certificate;

Plaintiff's attorney's fees' and

the total sum due Plaintiff, less the items paid, plus interest at the rate prescribed in Paragraph 1, from this date to the date of sale; and

by retaining any amount remaining pending the further Order of this Court.

On filing the Certificate of Sale, the Defendants(s) and all persons claiming under or against them since the filing of the Notice of Lis Pendens are foreclosed of all estate or claim in the property, and the purchaser at the sale shall be let into possession of the property, and the Clerk shall issue a Writ of Possession upon the request of purchaser, his representatives or assigns without further Order of this Court.


IF THIS PROPERTY IS SOLD AT PUBLIC AUCTION, THERE MAY BE ADDITIONAL MONEY FROM THE SALE AFTER THE 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, IF ANY, YOU MUST FILE A CLAIM WITH THE CLERK NO LATER THAN THE DATE THAT THE CLERK REPORTS THE FUNDS AS UNCLAIMED. IF YOU FAIL TO FILE A TIMELY 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 RIGHT TO ANYONE ELSE IN ORDER FOR YOU TO CLAIM ANY MONEY TO WHICH YOU ARE ENTITLED. PLEASE CHECK WITH THE CLERK OF COURT, BROWARD COUNTY, 201 SE 6TH STREET, RM 230, FORT LAUDERDALE, FLORIDA 33301 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 SERVICES OF BROWARD COUNTY, INC. (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 FOR ASSISTANCE, YOU SHOULD DO SO AS SOON AS POSSIBLE AFTER RECEIPT OF THIS NOTICE.

Jurisdiction of this action is retained for the entry of further orders as are proper, including and without limitation, a deficiency judgment.

Case Number: CACE22017863

DONE AND ORDERED in Chambers at Broward County, Florida on 29th day of June, 2023.


CACE22017863 06-29-2023 8:27 AM
Hon. Michael Robinson
CIRCUIT COURT JUDGE
Electronically Signed by Michael Robinson

Copies Furnished To:

Dinna M. Toth , E-mail : dinna@toth-law.com
Fawn Powers , E-mail : Fawniep@comcast.net
Fawn Powers , E-mail : fawniep@comcast.net
Jill R. Ziluck , E-mail : Michelle.Mack@copbfl.com
Jill R. Ziluck , E-mail : Jill.Ziluck@copbfl.com
Karen Ann Green , E-mail : kgreen@kbrlegal.com
Karen Ann Green , E-mail : Efilings@kbrlegal.com