

\*\*\*\* FILED: BROWARD COUNTY, FL Brenda D. Forman, CLERK 10/10/2018 4:30:00 PM.\*\*\*\*

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IN THE CIRCUIT COURT OF THE  
17<sup>TH</sup> JUDICIAL CIRCUIT IN AND FOR  
BROWARD COUNTY, FLORIDA

GREGORY FARRINGTON,  
Plaintiff,

CASE NO. CACE-17-022608 (11)

vs.

4465 SW 34 TERRACE "L.L.C.", a Florida limited  
liability company; JAMES STOTE; STEPHANIE R. DALE;  
LAKE PARK AT FOREST RIDGE HOMEOWNERS  
ASSOCIATION, INC., a Florida not for Profit Corporation;  
UNKNOWN TENANT IN POSSESSION #1; AND  
UNKNOWN TENANT IN POSSESSION #2;  
Defendants.

Filed In Open Court  
CLERK OF THE CIRCUIT COURT  
ON OCT 10 2018  
BY [Signature]

**AMENDED FINAL SUMMARY JUDGMENT OF MORTGAGE FORECLOSURE**

THIS CAUSE came before me on October 10, 2018 upon Plaintiff's Motion to Reset Foreclosure Sale and to Amend Final Judgment to Adjust Amounts due Plaintiff and the Court having examined the documents and pleadings filed herein and being otherwise fully advised, it is

ORDERED AND ADJUDGED as follows:

1. **Amounts Due.** Plaintiff, GREGORY FARRINGTON, whose address is 221 W. Oakland Park Blvd., Ft. Lauderdale, FL 33311 is due:

Principal.....	\$130,000.00
Interest to date of Judgment entered on March 19, 2018.....	\$ 10,096.56
Post Judgment Interest to date of this Judgment (October 10, 2018 ).....	\$ 4,759.87
Title Search Expense.....	\$ 225.00
Taxes.....	\$
Attorneys Fees total.....	\$ 4,440.00
Court Costs, now taxed.....	\$ 2,478.00
Other: Bankruptcy Attorneys fees and court costs.....	\$ 2,066.00
Other: Accumulated late charges.....	\$ 65.00
Sub-Total.....	<u>\$154,130.43</u>
Less: Payments Rec'd From US Trustee.....	<u>\$ -</u>
Total.....	\$154,130.43

that shall bear interest at the statutory rate provided in Florida Statute §55.03.

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2. **Lien on Property.** Plaintiff holds a lien for the total sum superior to all claims or estates of Defendant(s), on the following described properties in Broward County, Florida.

**Lot 51, of FOREST RIDGE CLUSTER HOMES IV A., according to the Plat thereof, recorded in Plat book 156, at Page 12, of the Public Records of Broward County, Florida.**

**a/k/a 8970 Lake Park Circle N., Davie, FL 33328-6984.**

3. **Sale of Property.** If the total sum with interest at the rate described in paragraph 1 and all costs accrued subsequent to this Judgment are not paid, the Clerk of this Court shall sell said property at Public Sale on 2/27/19, 2018, to the highest bidder for cash, except as described in Paragraph 4 in accordance with Section 45.031, Florida Statutes, by electronic sale beginning at 10:00 a.m. on the prescribed date at [www.broward.realforeclose.com](http://www.broward.realforeclose.com)

4. **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 incurred subsequent to this Judgment, or such part of it, as is necessary to pay the bid in full.

5. **Distribution of Proceeds.** 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 attorney's fees; fourth, the total sum due to Plaintiff, less the items paid, plus interest at the rate prescribed in paragraph 1 from this date to the date of the sale; and by retaining any remaining amount pending to the further order of this Court.

6. **Right of Redemption/Right of Possession.** On filing the Certificate of Sale, Defendant(s) 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, and Defendant's right of redemption as prescribed by Section 45.0315, Florida Statute (2013) shall be terminated, 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 and upon application by the purchaser or purchasers and payment of the appropriate fees and costs, the Clerk of the Court is hereby specifically authorized and directed to issue a Writ of Possession against named Defendant(s) for the premises and the Sheriff is hereby specifically authorized and directed to serve the Writ of Possession forthwith. Notwithstanding the foregoing, this paragraph is subject to the provisions of the Protecting Tenant At Foreclosure Act of 2009, as amended.

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7. **Attorney's Fees.** The Court finds, based upon the affidavits/testimony presented and upon inquiry of counsel for the Plaintiff that 14.80 hours were reasonably expended by Plaintiff's counsel and that an hourly rate of \$300.00 is appropriate. Plaintiff's counsel represents that the attorney's fees awarded does not exceed its contract fee with the Plaintiff. The Court finds that there is/are no reduction or enhancement factors for consideration by the Court pursuant to Florida Patients Compensation Fund v. Rowe, 472 So.2d 1145 (Fla. 1985).

8. **Jurisdiction Retained.** Jurisdiction of this action is retained to enter further orders that are proper, including without limitation, a motion for the taxation of additional attorney's fees and court costs pursuant to FRCP 1.525, a deficiency judgment and/or a writ of possession.

9. **Other.** The Plaintiff may assign the Judgment or the bid to a third party without further Order of the Court. If the Plaintiff or the Plaintiff's assignee is the purchaser at the sale, the Clerk shall credit on the bid of the Plaintiff or Plaintiff's assignee the total sum herein found to be due the Plaintiff or such portion thereof as may be necessary to pay fully the bid of the Plaintiff or Plaintiff's assignee.

IF THE 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 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 OF BROWARD COUNTY 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 THE COUNTY LEGAL AID OFFICE OF LEGAL AID SERVICE OF BROWARD COUNTY, INC., 491 N. STATE

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ROAD 7, PLANTATION, FL 33317, PHONE: (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 BROWARD COUNTY AID SERVICES FOR ASSISTANCE, YOU SHOULD DO SO AS SOON AS POSSIBLE AFTER RECEIPT OF THIS NOTICE.

DONE AND ORDERED in open court at Fort Lauderdale, Broward County, Florida, this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

  
\_\_\_\_\_  
JOEL I. LAZARUS  
CIRCUIT COURT JUDGE

Copies Furnished to:

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