

*** FILED: BROWARD COUNTY, FL Brenda D. Forman, CLERK 7/24/2017 8:42:11 AM.***

IN THE CIRCUIT COURT OF THE SEVENTEENTH JUDICIAL CIRCUIT
IN AND FOR BROWARD COUNTY, FLORIDA

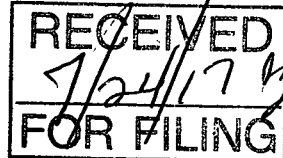
BUY RENT SELL NOW, LLC,
Plaintiff,

CIRCUIT CIVIL DIVISION

CASE NO.: CACE16-008902

v.

V & R FAMILY ENTERPRISES CORP., *et al.*,
Defendants.



FINAL JUDGMENT OF MORTGAGE FORECLOSURE

THIS ACTION was heard before this Honorable Court on Plaintiff, BUY RENT SELL NOW, LLC's ("Plaintiff") Motion for Summary Final Judgment of Mortgage Foreclosure on July 24, 2017. On the evidence presented, it is hereby **ORDERED AND ADJUDGED** as follows:

1. Plaintiff's Motion for Summary Final Judgment of Mortgage Foreclosure is hereby **GRANTED** and this Final Judgment is hereby entered in favor of the Plaintiff and against all of the following Defendants listed by name: V & R FAMILY ENTERPRISES CORP.; ROSA BOLDEN A/K/A ROSA M. BOLDEN A/K/A ROSA MAE BOLDEN, AS TRUSTEE OF THE VIRGIL LEE BOLDEN AND ROSA MAE BOLDEN REVOCABLE LIVING TRUST; ROSA BOLDEN A/K/A ROSA M. BOLDEN A/K/A ROSA MAE BOLDEN; VIRGIL LEE BOLDEN, AS TRUSTEE OF THE VIRGIL LEE BOLDEN AND ROSA MAE BOLDEN REVOCABLE LIVING TRUST; VIRGIL LEE BOLDEN; UNKNOWN BENEFICIARIES OF THE VIRGIL LEE BOLDEN AND ROSA MAE BOLDEN REVOCABLE LIVING TRUST; BUY RENT SELL NOW, LLC; GREGORY LEWIS; CITY OF FORT LAUDERDALE, FLORIDA; and UNKNOWN TENANTS/OWNERS 1 N/K/A AQUA BATTLE.

2. **Amounts Due and Owing.** Plaintiff, whose address is 3601 NE 17th Avenue, Oakland Park, FL 33334, is now due:

(a)	Unpaid Principal Balance on Note and Mortgage	\$24,760.31
(b)	2011 Interest	\$1,070.43
(c)	2012 Interest	\$163.96
(d)	2013 Interest	\$1,476.03
(e)	2014 Interest	\$976.03
(f)	2015 Interest	\$4,456.65
(g)	2016 Interest	\$4,456.86
(h)	2017 Interest at 18.00% from January 1, 2017 through July 24, 2017 (per diem: \$12.21)	\$2,503.17
(i)	Late Charges	\$200.00
(j)	Attorney's Fees	\$5,625.00
(k)	Attorney's Costs	\$501.00
	GRAND TOTAL DUE	\$46,189.44

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3. **Interest.** The Grand Total Due in Paragraph 2 shall bear interest from this date forward at the prevailing statutory interest rate, in accordance with Section 55.03, Florida Statutes.

4. **Attorney's Fees.** The Court finds, based upon the affidavits presented and upon inquiry of counsel for the plaintiff, that 22.50 hours were reasonably expended by Plaintiff's counsel and that an hourly rate of \$250.00 is appropriate. PLAINTIFF'S COUNSEL CERTIFIES THAT THE ATTORNEY FEE AWARDED DOES NOT EXCEED ITS CONTRACT FEE WITH THE PLAINTIFF. The Court finds that there are no reduction or enhancement factors for consideration by the Court pursuant to *Florida Patient's Compensation Fund v. Rowe*, 472 So. 2d 1145 (Fla. 1985).

5. **Lien on Properties.** Plaintiff holds a valid lien for the Grand Total Due superior to all claims or estates of Defendants. The lien of the Plaintiff is superior in dignity to any right, title, interest or claim of the Defendant and all persons corporations any other entities claiming by, through, or under the Defendants or any of them and the properties will be sold free and clear of all claims of the Defendants, with the exception of any assessments that are superior pursuant to Florida Statutes, Section 718.116 and/or 720.3085. The Plaintiff's lien encumbers the following described real properties located in Broward County, Florida:

PARCEL 1:

LOT 11, BLOCK A, HOME BEAUTIFUL PARK, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 47, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA

Property Address: 1220 NW 6th Court, Ft. Lauderdale, FL 33311

AND

PARCEL 2:

LOT 15, BLOCK 1 OF DORSEY PARK, FIRST ADDITION, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 21, PAGE 30, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

Property Address: 1505 NW 5th Street, Ft. Lauderdale, FL 33311
(jointly hereinafter referred to as the "Subject Properties").

6. **Sale of Properties.** If the Grand Total Due with interest at the rate described in Paragraph 3 and all costs accrued subsequent to this judgment are not paid, the Clerk of the Court shall sell the Subject Properties at public sale on the ____ day of 9/17, 2017, with the first sale commencing at 10:00 am on the specified date, (except legal holidays) in Broward County, Florida, in accordance with Section 45.031, Florida Statutes to the highest bidder for cash, except as prescribed herein, using the following method:

☐ www.broward.realforeclose.com

7. **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 Subject Properties for sale. If Plaintiff is the purchaser, the Clerk shall credit Plaintiff's bid with the Grand Total Due with interest

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and costs accruing subsequent to this judgment, or such part of it, as is necessary to pay the bid in full. The Clerk shall receive the service charge imposed in Section 45.031, Florida Statutes. If a third party bidder is the purchaser, the third party bidder must pay the documentary stamps attached to the Certificate(s) of Title in addition to the bid.

If the Plaintiff incurs additional expenses subsequent to the entry of this Final Judgment but prior to the sale date specified herein, Plaintiff may, by written motion served on all parties, seek to amend this Final Judgment to include said additional expenses.

8. **Distribution of Proceeds.** On filing the Certificates 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(s), unless one or both of the Subject Properties are purchased by a third party bidder; third, Plaintiff's attorneys' fees; fourth, the Grand Total Due to Plaintiff, less the items paid, plus interest at the rate prescribed in Paragraph 3 above from this date to the date of the sale; and by retaining any remaining amount pending the further order of this Court.

9. **Right of Redemption.** On filing the Certificates of Sale, the right of redemption as prescribed by Section 45.0315, Florida Statutes shall be terminated.

10. **Right of Possession.** Upon the filing of the Certificates of Sale, Defendants and all persons claiming by, through, under or against any of the Defendants since the date of the filing of the Notice of Lis Pendens shall be forever barred and foreclosed of all estate or claim in the Subject Properties, except as to claims or rights under Chapter 718 or Chapter 720 of the Florida Statutes, if any. Upon the filing of the Certificates of Title, the person named in the Certificates of Title shall be let into possession of the Subject Properties.

11. **Jurisdiction Retained.** The Court specifically reserves jurisdiction to enter further orders the Court deems just and proper to include, without limitation, the following: (1) orders related to pursuit and entry of deficiency judgment, if Defendant, ROSA BOLDEN A/K/A ROSA M. BOLDEN A/K/A ROSA MAE BOLDEN, has not been discharged in bankruptcy, or it is not prohibited by federal law or mutual settlement agreement; (2) orders granting additional attorney's fees and costs; (3) writs of possession; (4) orders determining the amount and responsibility for assessments that may be due a condominium or homeowner's association pursuant to Sections 718.116 or 720.3085 of the Florida Statutes; (5) orders arising out of re-foreclosure, to include permitting a supplemental complaint to add an interest-holder; and/or (6) orders involving reformation of the mortgage instrument or deed to perfect title.

12. PURSUANT TO FLORIDA STATUTES, SECTION 45.031:

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 THE 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

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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, 201 S.E. 6TH STREET, FORT LAUDERDALE, FLORIDA 33301 (TELEPHONE: (954) 831-5795), 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 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 LEGAL AID SERVICE OF BROWARD COUNTY, 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 THE LEGAL AID SERVICE OF BROWARD COUNTY, YOU SHOULD DO SO AS SOON AS POSSIBLE AFTER RECEIPT OF THIS NOTICE.

13. Service of process has been duly and regularly obtained over Defendants, V & R FAMILY ENTERPRISES CORP., ROSA BOLDEN A/K/A ROSA M. BOLDEN A/K/A ROSA MAE BOLDEN, AS TRUSTEE OF THE VIRGIL LEE BOLDEN AND ROSA MAE BOLDEN REVOCABLE LIVING TRUST, ROSA BOLDEN A/K/A ROSA M. BOLDEN A/K/A ROSA MAE BOLDEN, VIRGIL LEE BOLDEN, AS TRUSTEE OF THE VIRGIL LEE BOLDEN AND ROSA MAE BOLDEN REVOCABLE LIVING TRUST, VIRGIL LEE BOLDEN, UNKNOWN BENEFICIARIES OF THE VIRGIL LEE BOLDEN AND ROSA MAE BOLDEN REVOCABLE LIVING TRUST, BUY RENT SELL NOW, LLC, GREGORY LEWIS, CITY OF FORT LAUDERDALE, FLORIDA, and UNKNOWN TENANTS/OWNERS 1, N/K/A AQUIA BATTLE. Proof of such service is in the Court file.

14. All judgments, liens and encumbrances in favor of Defendant, CITY OF FORT LAUDERDALE against the Subject Properties are hereby foreclosed out and eliminated.

15. The Plaintiff may assign the judgment and credit bid by the filing of an assignment without further order of the Court.

DONE and ORDERED in Broward County, Florida this ____ day of 7/24, 2017.


CIRCUIT COURT JUDGE

Copies furnished to all parties on attached Service List.

In Attendance:

Evan R. Raymond, Esq., FL Bar No. 85300, Counsel for Plaintiff

Virgil & Rosa Bolden, Pro Se

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SERVICE LIST

Harris S. Howard, Esq.
Evan R. Raymond, Esq.
HOWARD LAW GROUP
Regions Bank Building
450 N. Park Road, #800
Hollywood, FL 33021
E-Mail: harris@howardlawfl.com
evan@howardlawfl.com
pleadings@howardlawfl.com
Counsel for Plaintiff

Rhonda Montoya Hasan, Esq.
Cynthia A. Everett, Esq.
City Attorney City of Ft. Lauderdale
100 North Andrews Avenue
Fort Lauderdale, FL 33301
E-Mail: Rhasan@fortlauderdale.gov
Gburney@fortlauderdale.gov
Counsel for Defendant, City of Fort Lauderdale, Florida

Rosa Bolden a/k/a Rosa M. Bolden a/k/a Rosa Mae Bolden, Individually and as Trustee of The Virgil Lee Bolden and Rosa Mae Bolden Revocable Living Trust
1553 NW 4th St.
Fort Lauderdale, FL 33311

Virgil Lee Bolden, Individually and as Trustee of The Virgil Lee Bolden and Rosa Mae Bolden Revocable Living Trust
1553 NW 4th St
Fort Lauderdale, FL 33311

V & R Family Enterprises Corp.
c/o Tommy L. Bolden, R.A.
401 NW 15th Ave.
Fort Lauderdale, FL 33311

V & R Family Enterprises Corp.
1553 NW 4th St
Fort Lauderdale, FL 33311

Unknown Tenants/Owners 1
n/k/a Aquia Battle
1220 NW 6th Ct
Fort Lauderdale, FL 33311