

Filing # 214394270 E-Filed 01/11/2025 12:30:32 PM

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

CASE NO. CACE24004632 DIVISION: 13 JUDGE: Robinson, Michael A. (13)

CAPTAIN'S PARADISE CONDOMINIUM

Plaintiff(s) / Petitioner(s)

v.

Roger Davis, et al

Defendant(s) / Respondent(s)

_____ /

FINAL SUMMARY JUDGMENT OF FORECLOSURE

THIS ACTION was heard before the Court on via ZOOM on January 7, 2025 on Plaintiff's Motion for Final Summary Judgment of Foreclosure. On the evidence presented,

IT IS ORDERED AND ADJUDGED that:

1. The Plaintiff's Motion for Final Summary Judgment of Foreclosure is GRANTED. Service of process has been duly and regularly obtained over Defendants: ROGER BARRY DAVIS and LOUIS A. SUPRASKI.
2. **Amounts Due.** There is due and owing to the Plaintiff Captain's Paradise Condominium, Inc. the sum of money as hereinafter set forth:

a. Principal through 01/07/25	\$	34,020.00
b. Other charges through 01/07/25	\$	0.00
c. Interest through 01/07/25 on said principal	\$	6,857.44
d. Cost of Placing and Releasing Lien	\$26.50	
e. Foreclosure Title Report	68.00	
f. Certified/Registered Mail, Return Receipt Requested	7.45	
g. Certified/Registered Mail, Return Receipt Requested	7.81	
h. Deed Search	3.25	
i. Clerk Auction Fee	70.00	
j. Service of Process	325.00	
k. Court Filing Fee	406.00	
l. Court Filing Fee	55.00	
m. Updated Foreclosure Title Report	3.00	
n. Expert Witness Fee	50.00	

Case Number: CACE24004632

o. Clerk Foreclosure Sale Fee	70.00	
p. Publication of Sale	175.00	
TOTAL COSTS:		\$ 1,267.01
Less Payments received		<u>\$ 920.00</u>
SUB-TOTAL		\$ 41,224.45
Attorney's fees		\$ <u>5,470.50</u>
Finding as to reasonable number of hours: 29.90		
Finding as to reasonable hourly rate: <u>\$175.00-\$210.00</u>		
TOTAL		\$ 46,694.95

3. **Interest.** The total amount referenced in Paragraph 2 shall bear the highest post-judgment interest rate allowable by law.
4. **Lien on Property.** Plaintiff, whose address is Captain's Paradise Condominium, Inc., Attn: Board of Directors, 136 Golden Isles Drive, #402, Hallandale Beach, FL, 33009 holds a lien for the total sum specified in Paragraph 2 herein superior to all claims or estates of the defendants and all persons, corporations, or other entities claiming by, through, or under the defendants on the subject property located in property in Broward County, Florida and described as:

Unit No. 202 together with the right to use Condominium Boat Slip No. 6 of Captain's Paradise Condominium, Inc., a Condominium, according to the Declaration of Condominium thereof, as recorded in O.R. Book 8924, Page 88, and all exhibits and amendments thereto, Public Records of Broward County, Florida.

A/K/A: 136 Golden Isles Drive, Apt. 202, Hallandale, FL 33009-8826

5. **Sale of Property.** If the total sum 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 property at public sale on **March 5, 2025**, to the highest bidder for cash, except as prescribed in Paragraph 6, in accordance with section 45.031, Florida Statutes, using the following method:

[] <https://www.broward.realforeclose.com/>, the Clerk's website for online auctions, at 10:00 AM,

after having first given notice as required by Section 45.031, Florida Statutes.

6. **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 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.

7. **Right of Redemption.** On filing of the Certificate of Sale, defendant's right of redemption as proscribed by Florida Statutes, Section 45.0315 shall be terminated; except for that of the United States of America, which has 365 days to redeem. If the USA is a defendant for any other reason (i.e. Federal Tax Lien, etc.) the redemption period is 120 days not 365.
8. **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 the plaintiff's costs; second, documentary stamps affixed to the Certificate; third, plaintiff's attorneys' fees; fourth, the total sum due to the plaintiff, less the items paid, plus interest at the rate prescribed in paragraph 3 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 Possession.** Upon filing of the Certificate of Title, defendant and all persons claiming under or against defendant since the filing of the Notice of Lis Pendens shall be foreclosed of all estate or claim in the property and the purchaser at sale shall be let into possession of the property.
10. **Attorney Fees.** The Court finds, based upon the affidavits presented and upon inquiry of counsel for the plaintiff, that 29.90 hours were reasonably expended by plaintiff's counsel and that an hourly rate of \$175.00-\$210.00 is appropriate. PLAINTIFF'S COUNSEL REPRESENTS 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).
11. **Retained Jurisdiction.** Jurisdiction of this action is retained to enter further orders that are proper including, without limitation, writs of possession, a deficiency judgment or for an order reopening the case to allow the Plaintiff to foreclose on any party not named in the original complaint. The court shall also retain jurisdiction to enter an order requiring the property owner to pay a reasonable rental amount for the property if the property owner remains in possession of the property after entry of this foreclosure judgment, pursuant to Section 718.116(6)(c), Fla. Stat. and/or Section 720.3085(1)(e), Fla. Stat.
12. **NOTICE PURSUANT TO AMENDMENT TO SECTION. 45.031. FLA. ST. (2006)**

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

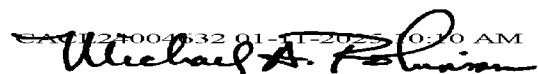
Case Number: CACE24004632

NO LATER THAN THE DATE THAT THE CLERK REPORTS THE FUNDS AS UNCLAIMED. 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, 201 SE 6TH STREET, FORT LAUDERDALE, FL 33301, (954) 831-7740, 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 N. STATE ROAD 7, PLANTATION, FL 33317 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 COUNTY BAR ASSOCIATION LEGAL AID SOCIETY, YOU SHOULD DO SO AS SOON AS POSSIBLE AFTER RECEIPT OF THIS NOTICE.

DONE AND ORDERED in Chambers at Broward County, Florida on 11th day of January, 2025.

CACE24004632 01-11-2025 10:10 AM

CACE24004632 01-11-2025 10:10 AM

Hon. Michael Robinson

CIRCUIT COURT JUDGE

Electronically Signed by Michael Robinson

Copies Furnished To:

Adam Alexander Supraski , E-mail : adamsupraski@gmail.com

Adam Alexander Supraski , E-mail : Asupraski@baytitleco.com

Case Number: CACE24004632

Adam Alexander Supraski , E-mail : ASupraski@SupraskiLaw.com

Karena Joy Mattingly , E-mail : Cofoservicemail@beckerlawyers.com

Karena Joy Mattingly , E-mail : COFOEfile@beckerlawyers.com

Karena Joy Mattingly , E-mail : kmattingly@beckerlawyers.com

LOUIS A SUPRASKI , E-mail : supraski@supraskilaw.com

Michael Howard Wolf , E-mail : mikewolflaw@yahoo.com

Michael Howard Wolf , E-mail : eservice@mhwlawfirm.com

Michael Howard Wolf , E-mail : michaelhowardwolf@mhwlawfirm.com

Roger Barry Davis , E-mail : rogerlaw1@aol.com