

Filing # 98927745 E-Filed 11/15/2019 09:15:17 AM

**IN THE COUNTY COURT IN AND FOR  
INDIAN RIVER COUNTY, FLORIDA**

PLUM HOLLOW CONDOMINIUM  
ASSOCIATION, INC. , a Florida not for profit  
corporation,

CASE NO.: 312019CC000719XXXXXX

Plaintiff,  
vs.

SHARON MILLIGAN, UNKNOWN SPOUSE OF  
SHARON MILLIGAN, BANK OF AMERICA, N.A.,  
PORTFOLIO RECOVERY ASSOCIATES, LLC,  
JANE DOE, UNKNOWN TENANT IN  
POSSESSION AND JOHN DOE, UNKNOWN  
TENANT IN POSSESSION

DEFENDANTS.

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**FINAL DEFAULT JUDGMENT OF FORECLOSURE**

This action was heard before the court on Plaintiff's Motion for Default Final Judgment. On the evidence presented;

IT IS ADJUDGED that:

1. **Final Judgment.** The Plaintiff is entitled to entry of Final Judgment.

2. **Value of Claim.** At the initiation of this action, in accordance with section 28.241 (1 )(a)2.b., Florida Statutes, plaintiff estimated the amount in controversy of the claim to be \$14,871.00. In accordance with section 28.241 (1 )(a)2.c., Florida Statutes, the Court identifies the actual value of the claim to be \$16,902.11, as set forth below. For any difference between the estimated amount in controversy and the actual value of the claim that requires the filing fee to be adjusted, the Clerk shall adjust the filing fee. In determining whether the filing fee needs to be adjusted, the graduated filing fee scale in section 28.241 (1 )(a)2.d., Florida Statutes, controls. If an excess filing fee was paid, the Clerk shall provide a refund of the excess fee. If an additional filing fee is owed, the plaintiff shall pay the additional fee at least five business days prior to the judicial sale. If any additional filing fee owed is not paid prior to the judicial sale, the Clerk shall cancel the judicial sale without further order of the Court.

2. **Amounts Due.** Plaintiff, **PLUM HOLLOW CONDOMINIUM ASSOCIATION, INC., a Florida not for profit corporation,** is due:

Assessments:	\$11,531.50
Interest	\$3,968.45
Special Assessments	1,402.16
Title search expense	\$250.00

Attorneys' fees	
Finding as to reasonable number of hours:	11.00
Finding as to reasonable hourly rate:	\$300.00
Attorneys' fees total	\$3,300.00
Court costs	
Filing fees	\$305.00
Summons fee	\$60.00
Service of Process at \$40.00 per defendant	\$240.00
Sale fee	\$140.00
Publication (TBD)	
<b>TOTAL</b>	<b>\$21,197.11</b>

**3. Interest.** The total amount in paragraph 2 shall bear interest from this date forward at the prevailing rate.

**4. Lien on Property.** Plaintiff holds a lien for the total sum superior to all claims or estates of defendant(s), on the following described property in Indian River County, Florida:

Legal Description: Unit B-204, PLUM HOLLOW, A CONDOMINIUM, according to the Declaration of Condominium recorded in Official Records Book 501 at Page 7 of the Public Records of Indian River County, Florida.

Property address: **1850 40th Avenue, Unit B-204, Vero Beach, Florida 32960.**

**5. Sale of Property.** If the 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 7, 2020, to the highest bidder for cash, except as prescribed in paragraph 6, by electronic sale at <https://www.indian-river.realforeclose.com/index.cfm> beginning at 10:00 a.m. in accordance with section 45.031, Florida Statutes **The public sale shall not be postponed or canceled without a court order, and shall proceed regardless of whether plaintiff, a plaintiff's representative, or plaintiff's counsel is present. All orders postponing or canceling the sale must be filed with the clerk of court no later than 5:00 p.m. two business days before the sale date. Counsel for plaintiff must be certain that the clerk has the original proof of publication of the notice of sale on file no less than three business days before the sale date. Failure to file the original proof of publication of the notice of sale will stop the sale. The failure of plaintiff's counsel to properly and timely publish the notice of sale may result in sanctions against the plaintiff, plaintiff's counsel individually, and the law firm representing the plaintiff.** Any electronic sale by the clerk shall be in accordance with the written administrative policy for electronic sales published by the clerk at the official website for the clerk and posted in the public areas of the clerk's offices.

**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. The clerk shall receive the service charge imposed in Section 45.031, Florida Statutes.

**7. 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 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.

**8. Right of Redemption.** On filing the certificate of sale, defendant(s) and all persons claiming under or against defendant(s) 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.

**9. Right of Possession.** Upon the filing of the certificate of title, the person named on the certificate of title shall be let into possession of the property. If any party remains in possession of the property, the clerk shall without further order of the court issue forthwith a writ of possession upon request of the person named on the certificate of title.

**10. Jurisdiction Retained.** Jurisdiction of this action is retained to enter further orders that are proper including, without limitation, a deficiency judgment.

**11. Additional language.**

**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 LIENHOLDER 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, (INDIAN RIVER COUNTY, FLORIDA) 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 FLORIDA RURAL LEGAL SERVICES AT 510 SOUTH US HIGHWAY 1, SUITE 1, P.O. BOX 4333, FORT PIERCE, FLORIDA 34948, (772) 466-47666 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 (NAME OF LOCAL OR NEAREST LEGAL AID OFFICE AND TELEPHONE NUMBER) FOR ASSISTANCE, YOU SHOULD DO SO AS SOON AS POSSIBLE AFTER RECEIPT OF THIS NOTICE.**

ORDERED on November 15, 2019.

  
eSigned by DAVID C. MORGAN 11/15/2019 09:11:57 wB&GHHE  
**County Judge**

Copies Furnished by U.S. Mail to:  
All parties of record