

Filing # 223396264 E-Filed 05/19/2025 11:24:19 AM

IN THE COUNTY COURT OF THE 19th
JUDICIAL CIRCUIT IN AND FOR
INDIAN RIVER COUNTY, FLORIDA

312024CC002796AXXXVB
CASE NO: 2024-CC-002796

NORTHFIELD HOLDING CORP., a
Florida Corporation d/b/a FLORIDA
WINDOW AND DOOR, LLC.

Plaintiff,

vs.

BEVERLY MCMAHON, et al.,

Defendants.

_____ /

FINAL JUDGMENT OF FORECLOSURE

THIS CAUSE comes before the Court upon Plaintiff's Motion for Entry of Final Judgment of Foreclosure, after default of the Defendants, with the Court having examined the pleadings on file, and otherwise being fully advised in the premises, it is hereby

ORDERED AND ADJUDGED:

1. That Plaintiff's Motion is **GRANTED**.

2. **Amounts Due.** Plaintiff, Northfield Holding Corp., a Florida Corporation d/b/a Florida Window and Door, LLC. is due:

a.	Principal Amount due under Contract	\$16,115.00
b.	Interest from 11/9/2023-5/16/2025*	\$4,402.71
	<i>*@18% per annum / \$7.95 per diem</i>	
c.	Costs Incurred by Plaintiff	\$1,160.00
d.	Attorney's Fees Incurred by Plaintiff based upon:	
	20.60 hours at \$350.00 per hour	\$7,195.00
TOTAL:		<u>\$28,315.55*</u>

*That shall bear interest at the rate of 9.15% per annum.

3. **Lien on Property.** Plaintiff holds a lien for the total sum superior to any claim or estate of defendant(s) on the following described property in Indian River County, Florida:

Lot 26, Block 148 OF VERO BEACH HIGHLANDS, UNIT 4, according to the plat thereof as recorded in Plat Book 8, Page 38, of the Public Records of Indian River County, Florida.

a/k/a 1745 18th Avenue, SW, Vero Beach, FL 34962 (the “**Subject Property**”).

4. **Sale of Property.** If the total sum, with interest, at the rate described in Paragraph 2 and all costs subsequent to this judgment and/or incurred subsequent to the execution of Plaintiff’s affidavit or Plaintiff’s attorneys’ affidavits are not paid, the Clerk of this Court shall sell the property at public sale on the 3rd day of July, 2025, to the highest bidder for cash, except as prescribed in Paragraph 6, at:

indian-river.realforeclose.com, in accordance with Section 45.031, Florida Statutes (2013), using the following method:

 X By electronic sale beginning at 10:00 a.m. on the prescribed date at:

indian-river.realforeclose.com.

5. **That should the successful highest bidder not complete the sale, per the Clerk of the Court’s procedures, the Clerk is to immediately issue a check to the Plaintiff representing the 5% deposit less fees and costs.**

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. **Distribution of Proceeds.** On filing the Certificate of Title, the Clerk shall distribute the proceeds of the sale, so far as they are sufficient in the following order: (1) all of plaintiff’s costs; (2) documentary stamps affixed to the certificate; (3) Plaintiff’s

attorneys' fees; (4) the total sum due Plaintiff including amounts that came due through the date of sale, less the items paid, plus interest at the rate prescribed by in Paragraph 2 from this date to the date of the sale; and by retaining any amount remaining pending the further order of this Court.

8. **Right of Redemption/Right of Possession.** Upon 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 and defendant's right of redemption as proscribed by §45.031, Florida Statutes (2013) shall be terminated. Upon the filing of the certificate of title, the person named on the certificate of title shall be let into possession of the property.

9. **Attorneys' Fees.** The Court finds, based upon the affidavits/testimony presented and upon inquiry of counsel for the Plaintiff, that 20.60 hours were reasonably expended by Plaintiff's counsel and that an hourly rate of \$350.00 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 is/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). If the court has found that there are reduction or enhancement factors to be applied, then such factors must be identified and explained herein.

10. **Jurisdiction Retained.** That this Court retains jurisdiction of this cause for the purpose of making any and further orders as may be necessary and proper including, without limitation, writs of possession, deficiency judgments amendments to the final judgment, the filing of a supplemental complaint, and awards of attorneys' fees and costs. A Writ of Possession shall be issued without further Order of the Court.

11. That if Plaintiff should elect to assign this Summary Final Judgment of Foreclosure or its bid at or after sale, the assignments shall be effective upon the filing of a Notice of Assignment of Final Judgment or Bid and the Clerk of the above-entitled Court is hereby directed to issue the Certificate of Title to such officer without further payment by such officer.

12. **"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 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 the property being foreclosed on has qualified for the homestead tax exemption in the most recent approved tax roll, the final judgments shall additionally contain the following statement in conspicuous type:

"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, FORECLOSURE DEPARTMENT, 2000 16TH AVENUE, VERO BEACH, FL 32960, TEL: (772) 226-3157 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 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 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 510 SOUTH US HWY 1, FORT PIERCE, FL 34948, TELEPHONE: (772) 466-4766 TO SEE IF YOU QUALIFY FINANCIALLY FOR THE SERVICES. IF THEY CANNOT ASSIST YOU, THEY MAY BE ABLE TO REFER YOU TO A LOCAL BAR REFERRAL AGENCY OR SUGGEST OTHER OPTION. IF YOU CHOOSE TO CONTACT (COUNTY LEGAL AID SERVICE) FOR ASSISTANCE, YOU SHOULD DO SO AS SOON AS POSSIBLE AFTER RECEIPT OF THIS NOTICE.”

DONE AND ORDERED in Chambers at Indian River County, Florida on this 19th day of May, 2025.

05/19/2025 10:58:26

eSigned by NICOLE MENZ 05/19/2025 10:58:26 RHTVVUvZ

County Court Judge Nicole P. Menz
for County Court Judge Robyn E. Stone