

Filing # 254965658 E-Filed 08/17/2026 10:02:01 AM

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

CASE NO.: 312025CC003021

JUDGE: MENZ

312025CC003021AXXXVB

VERONA TRACE HOMEOWNERS
ASSOCIATION, INC.,

Plaintiff,

vs.

THE ESTATE OF JOSEPH R. PONTE, THE
ESTATE OF SUZANNA G. PONTE, THE
UNKNOWN HEIR, DEVISEES, GRANTEEES,
ASSIGNEES, LIENORS, CREDITORS,
TRUSTEES, OR OTHER CLAIMANTS
CLAIMING BY, THROUGH, UNDER, OR
AGAINST JOSEPH R. PONTE, THE
UNKNOWN HEIRS, DEVISEES, GRANTEEES,
ASSIGNEES, LIENORS, CREDITORS,
TRUSTEES, OR OTHER CLAIMANTS
CLAIMING BY, THROUGH, UNDER, OR
AGAINST SUZANNA G. PONTE, THE
UNKNOWN EXECUTOR OF THE ESTATE OF
JOSEPH R. PONTE, THE UNKNOWN
EXECUTOR OF THE ESTATE OF SUZANNA
G. PONTE, JOSEPH MARTY PONTE AS AN
HEIR OF JOSEPH R. PONTE AND SUZANNA
G. PONTE, AND MARIA C. PONTE AS AN
HEIR OF JOSEPH R. PONTE AND SUZANNA
G. PONTE,

Defendants.

_____ /

FINAL JUDGMENT OF FORECLOSURE

(Form Approved by 19th Circuit Amended Administrative Order 2025-03)

This action was heard before the Court on the Plaintiff, VERONA TRACE
HOMEOWNERS ASSOCIATION, INC. (the "Plaintiff"), Motion for Summary Judgment and

Determination of Attorneys' Fees and Costs, and on the evidence presented and being otherwise duly advised in the premises:

IT IS ORDERED AND ADJUDGED that:

1. **Motion Granted.** There is no dispute of material facts and Plaintiff's Motion for Summary Judgment and Determination of Attorneys' Fees and Costs is granted. On the evidence presented, the Court finds Plaintiff proved its *prima facie* case for foreclosure: (1) Defendants failed to pay assessments and amounts due to Plaintiff; (2) Plaintiff complied with the notice requirements of *Fla. Stat.* §§720.3085(4)-(5); (3) Plaintiff recorded a valid claim of lien pursuant to *Fla. Stat.* §720.3085(1)(a); and (4) damages.

2. **Amounts Due.** Plaintiff, Verona Trace Homeowners Association, Inc., is due as of July 1, 2026:

Principal	\$ 11,752.13
Interest on the note and mortgage from <u>n/a</u>	\$ 0.00
Per diem interest at 4.75% from <u>n/a</u>	\$ 0.00
Title search expense	\$ 0.00
Taxes	\$ 0.00
Insurance premiums	\$ 0.00
Attorney's fees	
Finding as to reasonable number of hours: 0.5	
Finding as to reasonable hourly rate: \$375.00	
Finding as to reasonable number of hours: 2.05	
Finding as to reasonable hourly rate: \$335.00	
Finding as to reasonable number of hours: 1.1	
Finding as to reasonable hourly rate: \$315.00	
Finding as to reasonable number of hours: 1.7	
Finding as to reasonable hourly rate: \$275.00	
Finding as to reasonable number of hours: 15.7	
Finding as to reasonable hourly rate: \$250.00	
Attorneys' fees total	\$5,188.25
Paralegal fees	
Finding as to reasonable number of hours: 2.95	
Finding as to reasonable hourly rate: \$100.00	
Paralegal fees total	\$ 295.00
Court costs	

Filing Fees	\$ 681.92
Service Fees	\$ 2,343.90
Publication Fees	\$ 450.48

TOTAL	\$20,711.68
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3. **Interest.** The total amount in paragraph 2 shall bear interest from this date forward at the prevailing statutory rate of interest.

4. **Lien on Property.** Plaintiff holds a lien for the total sum superior to all claims or estates of defendants (with the exception of any assessments that are superior pursuant to Section 718.116, or 720.3085, Florida Statutes) on the following described property in Indian River County, Florida:

LOT 224, REPLAT OF PORTIONS OF VERONA TRACE SUBDIVISION & THE VILLAS AT VERONA TRACE, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 22, PAGE(S) 16 THROUGH 23, INCLUSIVE, OF THE PUBLIC RECORDS OF INDIAN RIVER COUNTY, FLORIDA.

Property Address: 9985 E Villa Circle, Vero Beach, Florida 32966

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 September 22, 2026, to the highest bidder for cash, except as prescribed in paragraph 6, by electronic sale at <https://www.indian-river.realforeclose.com/> beginning at 10:00 a.m. in accordance with section 45.031, Florida Statutes. **The public sale must not be postponed or canceled without a court order. All orders postponing or canceling the sale must be filed with the clerk of court no later than 5:00 p.m. five (5) business days before the sale date. Counsel for plaintiff must be certain that all sale and clerk fees are paid and that the original proof of publication is filed no less than five (5) business days before the sale date. Failure to timely file the original proof of publication of the notice of sale and pay the**

sale and clerk fees will stop the sale. Additionally, the failure of plaintiff's counsel to pay the sale fee and 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, plaintiff shall file an affidavit within 5 business days and the clerk shall credit plaintiff's bid with the total sum with post-judgment 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 must 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 defendant or tenant remains in possession of the property, an Order Granting the Motion for Writ of Possession shall be entered without further notice or hearing, subject to the purchaser's compliance with Section 83.561, *Florida Statutes*.

10. **Jurisdiction Retained.** Jurisdiction of this action is retained to enter further orders that are proper including, without limitation, awards of attorney's fees and costs incurred after the filing of the Motion for Summary Judgment and Determination of Attorneys' Fees and Costs, a deficiency judgment, claims on surplus funds, writs of possession and such other supplemental relief or judgments as may be appropriate.

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, IF ANY, YOU MUST FILE A CLAIM WITH THE CLERK NO LATER THAN THE DATE THAT THE CLERK REPORTS THE FUNDS AS UNCLAIMED. IF YOU FAIL TO FILE A TIMELY 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 COURT, MARTIN COUNTY, 100 EAST OCEAN BLVD., STUART, FL 34994 772.288.5717 (Civil Division), 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 MONDAY THROUGH FRIDAY AT 1-888-582-3410 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 FLORIDA RURAL LEGAL SERVICES AT 1-888-582-3410 FOR ASSISTANCE, YOU SHOULD DO SO AS SOON AS POSSIBLE AFTER RECEIPT OF THIS NOTICE.

DONE AND ORDERED on August 17, 2026, in Indian River County, Florida.

08/17/2026 09:01:42
2025 CC 002021

eSigned by NICOLE MENZ 08/17/2026 09:01:42 URmAKmEE

NICOLE P. MENZ, COUNTY JUDGE

Service List Follows:

Copies Furnished by E-Portal to:

Plaintiff's Counsel, John P. Carrigan, Esq., Ross Earle Bonan Ensor & Carrigan, P.A., P.O. Box 2401, Stuart, FL 34995 (jpc@reblawpa.com)

Plaintiff's Counsel, Grace A. White, Esq., Ross Earle Bonan Ensor & Carrigan, P.A., P.O. Box 2401, Stuart, FL 34995 (gaw@reblawpa.com)

Plaintiff's counsel shall serve paper copies on all Defendants not otherwise served by U.S. Mail to:

Judgment Holder:

Board of Directors
Verona Trace Homeowners Association, Inc.,
Courtesy Of: Campbell Property Management
401 Maplewood Drive, STE 23
Jupiter, FL 33458

Defendants:

Estate of Joseph R. Ponte
9985 E. Villa Circle
Vero Beach, Florida 32966

Estate of Suzanna G. Ponte

9985 E. Villa Circle
Vero Beach, Florida 32966

Joseph Marty Ponte
9985 E. Villa Circle
Vero Beach, Florida 32966

Unknown Executor of The Estate of Joseph R. Ponte and Suzanna G. Ponte
c/o Carmela Clark
118 Erie Point
Hoschton, GA 30548

Maria Ponte
7840 Horned Lark Circle
Port St. Lucie, FL 34952

**Record & Return
to Plaintiff's Counsel:**

John P. Carrigan, Esq.
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