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

LAGUNA OF VERO BEACH CONDOMINIUM
ASSOCIATION, INC., a Florida
Not for Profit corporation,

Case No. 312026CC001289
312026CC001289AXXXVB

v.

WHITFIELD CHARLES AKERLEY, JR.,
UNKNOWN SPOUSE WHITFIELD CHARLES
AKERLEY, JR., UNKNOWN TENANT IN
POSSESSION #1, And UNKNOWN TENANT IN
POSSESSION #2,

Defendants.

FINAL JUDGMENT OF FORECLOSURE

THIS CAUSE came before the Court on the 28th day of September, 2026, on Plaintiff's Motion for Summary Final Judgment of Foreclosure, including a Hearing to Tax Attorneys' Fees and Costs, and on the evidence presented and being otherwise duly advised in the premises, it is

ORDERED AND ADJUDGED that:

1. **Final Judgment.** There is no dispute of material facts and Plaintiff is entitled to entry of Final Judgment. On the evidence presented, the Court finds Plaintiff proved its prima facie case for foreclosure: (1) contract/covenant/agreement to pay assessments; (2) breach; (3) notice to Defendant; (4) claim of lien recorded; and (5) damages. Plaintiff has standing to foreclose its Claim of Lien pursuant to Florida Statutes Chapter 718. The Court further finds Defendant have not presented any evidence or proven any avoidances to the entry of final summary judgment of foreclosure.

2. **Amounts Due.** Plaintiff, LAGUNA OF VERO BEACH CONDOMINIUM ASSOCIATION, INC., whose mailing address is 1530 South 42nd Circle, Vero Beach, Florida 32967, is due:

Assessments	\$7,906.00
Interest (18%)	1,440.28
Late Fees	475.00
Attorneys' Fees	
Finding as to reasonable flat fees	\$2,300.00
Finding as to reasonable number of attorney hours	
for Charles W. McKinnon:	0.1
Finding as to reasonable hourly rate:	395.00

Finding as to reasonable number of attorney hours		
for Lisa R. Hamilton:	18.7	
Finding as to reasonable hourly rate:	\$375.00	
Finding as to reasonable number of legal assistant hours		
for Sheila Jensen:	3.0	
Finding as to reasonable hourly rate:	\$150.00	
Credit for attorneys' fees paid from partial payments	(\$23.95)	9,778.05
Court and Collection Costs		
Court Filing Fees		319.16
Summons Fees		40.00
Recording Lis Pendens Fee		5.00
Foreclosure Sale Fees		140.00
Military Search Fee		50.00
Service of Process		725.70
Recording Fees (Claim of Lien)		10.00
Title Search		200.00
Expert Witness Report and Affidavit Fee		350.00
Collection Costs (postage, photocopies, courier, research, etc.)		330.23
Credit for costs paid from partial payments		(13.08)
TOTAL:		\$ 21,756.34

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:

Unit No. 1-208 of Laguna of Vero Beach Condominium, according to the Declaration of Condominium thereof, as recorded in Official Records Book 1777, Page 1733, of the Public Records of Indian River County, Florida.

Property Address: 1670 N. 42nd Circle #208, Vero Beach, FL 32967.

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 this Court shall sell the property at public sale on November 5, 2026, to the highest bidder for cash, except as prescribed in paragraph 7, by electronic sale at www.indian-river.realforclose.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 must 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 3 from this date to the date of the sale; and by retaining any remaining amount pending 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 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. **Attorneys' Fees.** The Court finds, based upon the affidavits/testimony presented and upon inquiry of counsel for Plaintiff that the flat fees set forth in Paragraph 2 above, the hours reasonably expended as set forth in Paragraph 2 above, and the rates set forth in Paragraph 2 above are reasonable and commensurate with fees/rates charged within the community. Plaintiff's counsel represented that the attorney's fees awarded do not exceed its contract fee with the Plaintiff. The Court finds that there are no reduction or enhancement factors for consideration by the Court under Florida Patients Compensation Fund v. Rowe, 472 So.2d 1145 (Fla. 1985).

11. **Jurisdiction Retained.** Jurisdiction of this action is retained to enter further orders that are proper including, without limitation, a deficiency judgment, writs of possession and such 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 THE COURT, OKEECHOBEE COUNTY CLERK OF THE CIRCUIT COURT, 312 NW 3RD STREET, OKEECHOBEE, FLORIDA 34972, 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 in Vero Beach, Florida, Indian River County, Florida, this 28th day of September, 2026.

09/28/2026 10:49:54

eSigned by NICOLE MENZ 09/28/2026 10:49:54 E8X2Hd

NICOLE P. MENZ
County Judge

Copies furnished through the Clerk's Eportal to:

Lisa R. Hamilton, Esq.
McKinnon & Hamilton, PLLC
lhcwmlaw@bellsouth.net

Copy furnished by Plaintiff's attorney by First Class Mail to:

Mr. Whitfield Charles Akerley, Jr.
1670 N. 42nd Circle #208
Vero Beach, FL 32967