

Filing # 219375850 E-Filed 03/21/2025 03:49:23 PM

IN THE COUNTY COURT OF THE FIFTH JUDICIAL CIRCUIT OF FLORIDA
IN AND FOR CITRUS COUNTY, FLORIDA
CASE NO: 24-CC-1090

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ARBOR LAKES PROPERTY OWNERS ASSOCIATION, INC.,
a Florida not-for-profit corporation,
Plaintiff,
vs.

WOLLMANN SERVICES & SOLUTIONS, LLC. and ANY UNKNOWN OCCUPANTS IN
POSSESSION,
Defendants.

_____ /

FINAL JUDGMENT OF FORECLOSURE

THIS MATTER was heard before the Court on the Motion for Summary Final Judgment of Foreclosure of Plaintiff, ARBOR LAKES PROPERTY OWNERS ASSOCIATION, INC. on March 21, 2025. After consideration of all evidence presented, this Court rules as follows:

IT IS ADJUDGED that:

1. The following amounts are due and owed to the Plaintiff:

(a) Quarterly Maintenance Assessments owing through 3/21/25		\$ 4,000.00
(b) Late Fees and Association Charges		350.00
(c) Interest owing through 3/21/25		776.97
(d) Total Costs		
Filing Fee	\$ 316.38	
Clerk's Summons Issuance Fee	20.00	
Service of Process Fee	140.00	
Fee of outside counsel for review of file	25.00	
Recording Fees	18.50	
Certified Postage	8.00	
		<u>527.88</u>
Subtotal		\$ 5,654.85
Attorney's Fees		<u>3,210.00</u>
Total Due		\$ 8,864.85

2. The total sum in paragraph 1 will bear interest at the prevailing statutory interest rate of 9.38% per year from this date through December 31 of this current year. Thereafter, on January 1 of each succeeding year until the judgment is paid, the interest rate will adjust in accordance with section 55.03, Florida Statutes.

3. Plaintiff, whose address is c/o Vine Management, LLC., 1515 E. Silver Springs Blvd., Suite 202, Ocala, FL 34470, holds a lien for the total sum specified in paragraph 1 herein. The lien of the Plaintiff is superior in dignity to all rights, titles, interests, or claims of the Defendant(s) and all persons, corporations, or other entities claiming by, through, or under the Defendant(s), or any of them and the property will be sold free and clear of all claims of the Defendant(s), with the exception of any assessments that are superior pursuant to sections 718.116 and 720.3085, Florida Statutes. The Plaintiff lien encumbers the subject property located in Citrus County, Florida, and described as:

Lot 18, ARBOR LAKES – UNIT III, a subdivision according to the plat thereof recorded in Plat Book 17, Pages 64-65, of the Public Records of Citrus County, Florida.

Property Address: 4570 N. Webster Island Ter., Hernando, Florida, 34442.

4. If the total sum with interest at the rate described in paragraph 1 and all costs accrued subsequent to this judgment are not paid, the Clerk of Circuit Court shall sell the subject property at public sale on **THURSDAY, MAY 8, 2025** to the highest bidder for cash, except as prescribed in Paragraph 5, in the following location:

In an online sale at www.citrus.realforeclose.com, beginning at 10 a.m. on the prescribed date

after having first given notice as required by section 45.031, Florida Statutes. Plaintiff must arrange for publication of notice of sale in accordance with chapters 45 and 702, Florida Statutes. The Plaintiff must file the original Notice of Sale and Affidavit of Proof of Publication with the Clerk no later than 24 hours prior to the sale.

Plaintiff or Plaintiff's attorney may also cancel or reschedule the sale by filing a motion with the Court in accordance with Florida Rules of Civil Procedure, Form 1.996(b) and may seek to reschedule the sale to a later date.

5. Plaintiff shall advance all subsequent required costs of this action. Except for the fee to the Clerk as provided in Section 45.035, Florida Statutes, and publishing costs supported by an affidavit, reimbursement or credit for such costs shall be by court order based upon a written motion and adjudication at a hearing with notice. If a third party bidder is the purchaser, the third party bidder must pay the documentary stamps attached to the certificate of title in addition to the bid.

6. If the Plaintiff incurs additional expenses subsequent to the entry of this final judgment but prior to the sale date specified in paragraph 4, Plaintiff may, by written motion served on all parties and adjudication at a hearing with notice, seek to amend this final judgment to include said additional expenses.

7. On the filing of 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, unless the property is purchased by a third party bidder; 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 2 from this date to the date of the sale; and by retaining any remaining amount pending further Order of this Court.

8. On filing of 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 provided in the Protecting Tenants at Foreclosure Act of 2009 Pub. L. No. 111-22, 123 Stat. 1660, or as to claims or rights under chapter 718 or chapter 720, Florida Statutes, if any. On filing

of the Certificate of Sale, Defendant's right of redemption as provided by section 45.0315, Florida Statutes shall be terminated.

9. The Court finds, based upon the affidavits presented and upon inquiry of counsel for the Plaintiff, that 10.7 hours were reasonably expended by Plaintiff's counsel and that an hourly rate of \$300.00 is appropriate. PLAINTIFF'S COUNSEL CERTIFIES THAT THE ATTORNEY FEE AWARDED DOES NOT EXCEED ITS CONTRACT FEE WITH PLAINTIFF. The Court finds that there are no reduction or enhancement factors for consideration by the Court pursuant to *Florida Patient's Compensation v. Rowe*, 427 So. 2d 1145 (Fla. 1985).

10. IMPORTANT INFORMATION PROVIDED pursuant to section 45.031, Florida Statutes:

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 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.

A SUBORDINATE LIENHOLDER IS THE HOLDER OF A SUBORDINATE LIEN AS SHOWN ON THE FACE OF THE PLEADINGS AS AN ENCUMBRANCE ON THE PROPERTY. A SUBORDINATE LIENHOLDER INCLUDES, BUT IS NOT LIMITED TO, A SUBORDINATE MORTGAGE, JUDGMENT, TAX WARRANT, ASSESSMENT LIEN, OR CONSTRUCTION LIEN. A SUBORDINATE LIENHOLDER NOT SHOWN ON THE FACE OF THE PLEADINGS IS NOT ENTITLED TO THE SURPLUS IF IT DID NOT INTERVENE IN THE ACTION WITHIN 30 DAYS AFTER THE RECORDING OF THE NOTICE OF LIS PENDENS. IF YOUR LIEN WAS PAID IN FULL FROM THE PROCEEDS OF THE SALE, YOU HAVE NO CLAIM TO THE SURPLUS. ONE YEAR AFTER THE SALE, ANY SURPLUS REMAINING WITH THE CLERK OF THE COURT MUST BE REMITTED TO THE DEPARTMENT OF FINANCIAL SERVICES, AS PROVIDED IN SECTION 45.032(3)(C), FLORIDA STATUTES.

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 CIRCUIT COURT AT 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 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.

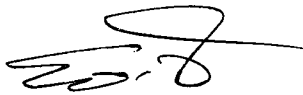
IF YOU CANNOT AFFORD TO PAY AN ATTORNEY, YOU MAY CONTACT A LEGAL SERVICES OFFICE TO SEE IF YOU QUALIFY FINANCIALLY FOR THEIR SERVICES. IF THEY CANNOT ASSIST YOU, THEY MAY BE ABLE TO REFER YOU TO A LOCAL BAR REFERRAL

AGENCY OR SUGGEST ANOTHER OPTION. IF YOU CHOOSE TO CONTACT ONE OF THESE SERVICES FOR ASSISTANCE, YOU SHOULD DO SO AS SOON AS POSSIBLE AFTER RECEIPT OF THIS NOTICE.

11. Only the judgment owner will be allowed to credit bid. An assignment of the final judgment of foreclosure filed with the Clerk of the Circuit Court prior to the public sale will effectively transfer with it the right to credit bid at the sale. Court approval of the assignment of the final judgment is not required.

12. The Court retains jurisdiction of this action to enter further Orders that are proper, including without limitation, Orders authorizing writs of possession and an award of attorney's fees, and to enter a deficiency judgment if the Defendant has not been discharged in bankruptcy.

DONE AND ORDERED in Inverness, Citrus County, Florida, on Friday, March 21, 2025.

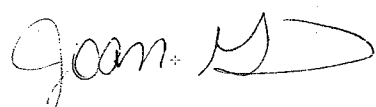
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Edward Spaight, County Judge
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a correct copy of the foregoing has been furnished using the Florida Court's E-Filing Portal, via U.S. Mail, and/or Electronic Mail in accordance with the corresponding addresses listed therein on MMMM.

Stephan C. Nikoloff
steve@assocaitionlawfl.com
brianne@associationlawfl.com
collections@assocaitionlawfl.com

Wollmann Servicers & Solutions, LLC.
7450 Dr. Phillips Blvd., Suite 303
Orlando, FL 32819

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Joan Gaither, Judicial Assistant
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