

**IN THE CIRCUIT COURT OF THE 11TH
JUDICIAL CIRCUIT IN AND FOR
MIAMI-DADE COUNTY, FLORIDA**

CASE NO. 2014-30344-CA-01

**MARRIOTT RESORTS HOSPITALITY CORPORATION, a South Carolina
Corporation, Management Agent on behalf of VILLAS AT DORAL CONDOMINIUM
ASSOCIATION, INC., a Florida not for profit corporation, and All Owners as Agent,**

Plaintiff,

vs.

NATHANIEL O'BANNON, et al.,

Defendants.

FINAL JUDGMENT OF FORECLOSURE

COUNT VII

(DEFENDANTS JUAN ORLANDO HERNANDEZ and ANA ROSALINDA GARCIA)

THIS ACTION was heard before the Court on Plaintiff's Motion for Default Final Judgment on Thursday, June 11, 2015. On the evidence presented, **IT IS ORDERED AND ADJUDGED** that Plaintiff's Motion for Default Judgment is **GRANTED** against all Defendants listed by name: **JUAN ORLANDO HERNANDEZ and ANA ROSALINDA GARCIA.**

1. **Amounts Due and Owing.** Plaintiff is due:
 - a. **Claim of Lien** \$ **7,567.68**
 - b. **Interest from January 22, 2010 through June 11, 2015 (per diem continuing @ \$3.73)** \$ **3,717.30**
 - c. **Late Fees** \$
 - d. **Recording Fee** \$

2/24/15

FORECLOSURE

2015 JUN 11 AM 9:36

KENDRICK CAMERON

e. Service of Process	
Court costs	
Title Search	
Attorney's Costs	\$ 650.00
f. Attorney's Fees	
	\$ 500.00
GRAND TOTAL	\$ <u>12,434.98</u>

*(the requested attorney's fee is a flat fee that the firm's client has agreed to pay in this matter. Given the amount of the fee requested and the labor expended, the Court finds that a lodestar analysis is not necessary and that the flat fee is reasonable.)

2. **Interest.** The grand total amount referenced in Paragraph 1 shall bear interest from this date forward at the prevailing legal rate of interest, 4.75% a year.

3. **Lien on Property.** Plaintiff, whose address is P.O. Box 890, Lakeland, Florida 33802 holds a lien for the grand total sum superior to all claims or estates of the Defendants, on the following described property in Miami Dade County, Florida:

Unit Week 21 in Unit 5045, in VILLAS AT DORAL CONDOMINIUM, 4101 NW 87th Avenue, Miami, Florida 33178, according to the Declaration of Condominium thereof, as recorded in Official Records Book 19020 at Page 2397 in the Public Records of Miami-Dade County, Florida, and any amendments thereof. ✓

4. **Sale of Property.** If the grand amount with interest at the rate described in Paragraph 2 and all costs accrued subsequent to this judgment are not paid, the Clerk of the Court shall sell the subject property at public sale on 7/24, 2015, at 9:00 A.M. to the highest bidder for cash, except as prescribed in Paragraph 6, at Room 908, 140 West Flagler Street, Miami, Florida after having first given notice as required by Section 45.031, Florida Statutes, using the following method:

(x) By electronic sale beginning at 9:00 A. M. on the prescribed date at www.miamidade.realforeclose.com.

5. **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 documentary stamps affixed to 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.

6. **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 the Plaintiff's costs; second, documentary stamps affixed to the Certificate; 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 remaining amount pending the further order of this Court.

7. **Right of Possession.** Upon filing of the Certificate of Title, defendants and all persons claiming under or against defendants 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, Fla. Stat., if any. Upon filing of the Certificate of Title, the person named on the Certificate of Title shall be let into possession of the property, subject to the provisions of the "Protecting Tenant At Foreclosure Act of 2009."

8. **Jurisdiction.** The Court retains jurisdiction of this action to enter further orders that are proper, including, without limitation, writs of possession and deficiency judgments.

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, 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 homestead tax exemption in the most recent approved tax roll, the final judgment 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, 104 WEST FLAGLER STREET, ROOM 908, MIAMI, FLORIDA (TELEPHONE: (305) 375-5943). 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 THE LEGAL AID SOCIETY AT THE DADE COUNTY BAR ASSOCIATION, 123 N.W. 1ST AVENUE, SUITE 214, MIAMI, FLORIDA, (TELEPHONE: (305) 579-5733), 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 THE DADE COUNTY BAR ASSOCIATION LEGAL AID SOCIETY, YOU SHOULD DO SO AS SOON AS POSSIBLE AFTER RECEIPT OF THIS NOTICE.

DONE AND ORDERED in Chambers in Miami Dade County, Florida, this 11, day of June, 2015.

Honorable Bronwyn C. Miller
Circuit Judge
CASE #2014-30344-CA-01

Bronwyn Catherine Miller
Circuit Court Judge

FINAL ORDERS AS TO ALL PARTIES	
SRS DISPOSITION	
NUMBER	<u>12</u>
THE COURT DISMISSES THIS CASE AGAINST ANY PARTY NOT LISTED IN THIS FINAL ORDER OR PREVIOUS ORDERS. THIS CASE IS CLOSED.	
JUDGE'S INITIALS <u> </u>	

CONFORMED COPIES FURNISHED TO:

HOLLAND & KNIGHT LLP
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Orlando, Florida 32802

**JUAN ORLANDO HERNANDEZ
EDIF TORRE ALIANZA 12 PISO BLVD SAN JUAN BOSCO
TEGUCIGALPA
HONDURAS**

**ANA ROSALINDA GARCIA
EDIF TORRE ALIANZA 12 PISO BLVD SAN JUAN BOSCO
TEGUCIGALPA
HONDURAS**

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