

**IN THE CIRCUIT COURT OF THE TWELFTH JUDICIAL CIRCUIT
IN AND FOR SARASOTA COUNTY, FLORIDA**

RIVIERA CLUB VILLAGE
HOMEOWNERS' ASSOCIATION, INC.
A Florida nonprofit corporation,

Plaintiff

Case No.: 2026-CA-000592NC
DIVISION A CIRCUIT

v.

SUSAN K. SPEAR, as Trustee of the
Living Trust of Susan K. Spear,
UNKNOWN SPOUSE OF SUSAN K. SPEAR,
UNKNOWN TENANT 1, and
UNKNOWN TENANT 2,

Defendants.

**RECORDED IN OFFICIAL RECORDS
INSTRUMENT # 2026131091 4 PG(S)**

9/28/2026 2:11 PM

KAREN E. RUSHING

**CLERK OF THE CIRCUIT COURT
SARASOTA COUNTY, FLORIDA**

CIVIL COURTS

Receipt # 3550041

**SECOND AMENDED ORDER GRANTING PLAINTIFF'S
MOTION FOR SUMMARY JUDGMENT
(Amended only to add auction site address)**

The Court having considered Plaintiff's Motion for Summary Judgment e-filed on July 17, 2026 [DIN 26], and no response filed by Defendants, and for good cause shown, finds as follows:

FINDINGS

1. This is an action to foreclose a Claim of Lien for unpaid assessment encumbering the real property described below, pursuant to Florida Statutes Section 720.3085.
2. There is no genuine issue as to any material fact, and Plaintiff is entitled to judgment as a matter of law pursuant to Florida Rule of Civil Procedure 1.510.
3. Plaintiff is the owner and holder of a Claim of Lien recorded on July 10, 2025, in Instrument #2025104311 of the Public Records of Sarasota County, Florida (the "Claim of Lien") encumbering the real property described in Paragraph 4 below.
4. The real property that is subject of this action is situated in Sarasota County, and is legally described as:

Lot 3, Riviera Club Village at Longwood Run, Phase I, as per plat thereof recorded in Plat Book 32, Pages 48 and 48A through 48D, of the Public Records of Sarasota County, Florida.

Property address: 5705 Monte Rosso Road, Sarasota, FL 34243 (“Property”)

5. Defendant, Susan K. Spear, as Trustee of the Living Trust of Susan K. Spear is the owner of record of the Property.
6. Plaintiff’s lien is superior to all claims, liens, or interests of Defendants named herein.
7. As of September 14, 2026, the total amount due and owing to Plaintiff is as follows:

Unpaid Assessments: \$5,132.24

Reasonable Attorney's Fees: \$6,857.33

Filing Fees / Other Taxable Costs: \$1,271.33

TOTAL: \$13,260.90

ORDER

Based on the foregoing findings, it is thereupon ORDERED and ADJUDGED that:

1. Plaintiff’s Motion for Summary Judgment of Foreclosure of Claim of Lien for Assessments is GRANTED.
2. Plaintiff, RIVIERA CLUB VILLAGE HOMEOWNERS’ ASSOCIATION, INC., whose address is c/o C&S Community Management Services, Inc., 4301 32nd Street W, A-20, Bradenton, FL 34205 is due the sum of **\$13,260.90** from Defendants, for which sum let execution issue.
3. Plaintiff holds a lien for the total sum specified above, superior to all claims or estates of the Defendants, on the following described real property located in Sarasota County, Florida:

Lot 3, Riviera Club Village at Longwood Run, Phase I, as per plat thereof recorded in Plat Book 32, Pages 48 and 48A through 48D, of the Public Records of Sarasota County, Florida.

Property address: 5705 Monte Rosso Road, Sarasota, FL 34243 (“Property”)

4. If the total sum specified above, with interest at the rate described, and all costs accruing subsequent to this Order, are not paid to Plaintiff prior to the scheduled judicial sale date, the Clerk of the Court shall sell the Property at public sale to the highest and best bidder for cash, at <https://www.sarasota.realforeclose.com> on Tuesday, October 27, 2026, at 9:00 a.m., in accordance with Florida Statutes Section 45.031.
5. Notice of sale shall be published and the sale shall be conducted in accordance with Florida Statutes Section 45.031, including the requirement that any bidder other than Plaintiff post with the Clerk a deposit equal to 5% of the final bid at the time of sale, and the requirement that the Clerk issue a Certificate of Sale and, absent timely-filed objections, a Certificate of Title as provided by statute.
6. Plaintiff shall advance all subsequent costs of this action and shall be reimbursed for those costs by the Clerk if Plaintiff is not the purchaser of the Property at the foreclosure sale, provided that the purchaser of the Property at the sale shall be responsible for the documentary stamps due on the certificate of title.
7. On the filing of the Certificate of Sale, Defendant(s) and all persons claiming by, through, 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 the purchaser at the sale shall thereafter be let into possession of the Property.

8. The Court retains jurisdiction of this action to enter further orders as may be proper, including, without limitation, writs of possession, deficiency judgments (if applicable), and a supplemental award of attorney's fees and costs incurred by Plaintiff after the date of this Order.
9. Reserved for additional relief, if applicable.

DONE AND ORDERED in Sarasota County, Florida on this 25th day of September, 2026, nunc pro tunc September 15, 2026.


HON. DANA MOSS, Circuit Judge

e-Signed 9/25/2026 4:16 PM 2026 CA 000592 NC

Copes to:

Nicole Price Fanto, Esq. (via Florida e-Portal)

Susan K. Spear as Trustee of The Living Trust of Susan K. Spear
5705 Monte Rosso Rd.
Sarasota, FL 34243