Filing # 258821769 E-Filed 10/08/2026 04:14:00 PM

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

HERITAGE OAKS GOLF & COUNTRY CLUB, INC.,

Plaintiff,

vs.

5230-1323HHA TRUST dated June 22, 2023, LAND TRUST SERVICE CORPORATION, a Florida corporation, as Trustee, et al.,

Defendants.

/

CASE NO. 2026 CC 005029 NC

RECORDED IN OFFICIAL RECORDS
INSTRUMENT # 2026137330 4 PG(S)
10/9/2026 11:54 AM
KAREN E. RUSHING
CLERK OF THE CIRCUIT COURT
SARASOTA COUNTY, FLORIDA
CIVIL COURTS Receipt # 3555324

FINAL SUMMARY JUDGMENT OF FORECLOSURE

This action came before the Court on October 7, 2026 on Plaintiff's Motion for Summary Judgment of Foreclosure. The Court having reviewed the relevant portions of the record, and being otherwise fully advised in the premises, makes the following findings:

1. Plaintiff has secured unpaid assessments due against real property located in Sarasota County, Florida with a duly recorded Claim of Lien.

2. Plaintiff is entitled to an award in the amount of its reasonable attorney's fees. The Court finds that counsel for the Plaintiff has reasonably expended the following time at the following rates for the prosecution of the foreclosure of claim of lien, after considering the factors set forth in the Rules of Professional Conduct, hereby finds reasonable:

Attorneys' Fees:

Finding as to reasonable number of hours:
15 - Partners; 13.3 - Paralegals

Finding as to reasonable hourly rates:
$350 - Partners; $315 - Paralegals

Attorneys' Fees Total $9,439.50

It is thereupon, ORDERED AND ADJUDGED:

1. Plaintiff's Motion for Summary Judgment of Foreclosure is granted.

2. There is due and owing to Plaintiff, HERITAGE OAKS GOLF & COUNTRY CLUB, INC., 4800 Chase Oaks Drive, Sarasota, Florida 34241, from Defendant, 5230-1323HHA

Filed 10/08/2026 05:09 PM - Karen E. Rushing, Clerk of the Circuit Court, Sarasota County, FL

TRUST dated June 22, 2023, LAND TRUST SERVICE CORPORATION, a Florida corporation, as Trustee, 5230 Hyland Hills Avenue, Unit 1323, Sarasota, Florida 34241, the sum of $12,936.20 plus attorneys' fees in the amount of $9,439.50 and court costs in the sum of $367.25 for a total sum of **$22,742.95,** together with interest pursuant to Florida Statutes § 55.03, from the date of this decree until paid, together with such further sums as may be paid by the Plaintiff for costs advanced to protect the subject property. Plaintiff may file supplemental affidavits prior to the date of sale as provided herein setting forth such additional amounts as have been reasonable and necessarily expended by the Plaintiff to protect its interest in the subject property, and such amounts may be added to the amounts the Plaintiff may bid at sale pursuant to paragraph 5 below.

3. Plaintiff has a lien to secure the payment of the above itemized sums against the subject property located at 5230 Hyland Hills Avenue, Unit 1323, Sarasota, Florida 34241, described as:

> **Unit 1323, Building 1300, Veranda IV at Heritage Oaks, a Condominium, according to the Declaration of Condominium thereof recorded in Official Records Instrument 2000015022, and subsequent amendments thereto, and as per the plat thereof recorded in Condominium Book 34, pages 24, 24A through 24F, of the Public Records of Sarasota County, Florida.**

The lien of Plaintiff is prior, paramount, and superior to all rights, claims, liens, interests, encumbrances, and equities of the Defendants and all other persons, firms, or corporations claiming by, through, or under the Defendants and claiming any lien or interest in the subject property. The subject property will be sold free and clear of any such claims.

4. Unless the sums set forth in paragraph 2 above are paid to the Plaintiff or its attorneys, together with interest pursuant to Florida Statute 55.03 and any additional costs or advances identified in supplemental affidavits, the Clerk of this Court, after publication of Notice as required by Chapter 45 of the Florida Statutes, is directed to sell the subject property described in paragraph 3 above to the highest and best bidder for cash at electronic public sale at www.sarasota.realforeclose.com, free, clear, and in discharge of any and all claims, liens,

encumbrances, rights, equities, and interests of the Defendants and all persons, firms, or corporations claiming by, through, or under the Defendants. The sale shall be held on **November 23, 2026 at 9:00 a.m.** which is more than 20 days and less than 45 days after the entry of this Judgment, as provided by Chapter 45 of the Florida Statutes.

5. 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, 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. 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 plaintiffs 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 1 from this date to the date of the sale; and by retaining any remaining amount pending further order of this court.

7. That upon the sale being held in accordance with Chapter 45 of the Florida Statutes, and upon the Clerk's filing the Certificate of Sale, the sale shall stand confirmed and the Defendants and all persons claiming by, through, and under the Defendants since the filing of the Notice of Lis Pendens shall be forever barred and foreclosed of any equity, interest, claim, or right of redemption in and to the above-described property. Upon issuance of the Certificate of Title by the Clerk, the purchaser at the sale, or the purchaser's heirs, representatives, successors, or assigns shall be let into possession of the subject property so conveyed without delay, and the Clerk of this Court, shall issue a Writ of Possession forthwith upon application by the purchaser.

8. This Court shall retain jurisdiction over this cause for the purposes of a determination as to the disposition of any surplus, adjudications of any deficiency judgment, and for the purposes of making all further Orders and Decrees as may be necessary and proper.

9. 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.

DONE AND ORDERED in Sarasota, Sarasota County, Florida this _____ day of _____, 2026.

Honorable 005029 MC
County Court Judge

e-Signed 10/8/2026 4:13 PM 2026 CC 005029 NC

Conformed copies to:
David L. Boyette, Esquire
5230-1323HHA Trust dated June 22, 2023, Land Trust Service Corporation, as Trustee