

**THE ELEVENTH JUDICIAL CIRCUIT  
MIAMI-DADE COUNTY, FLORIDA**

**CASE NO. 06-1  
(Court Administration)**

**ADMINISTRATIVE ORDER  
NO. 06-02**

**IN RE: UNIFORM FINAL  
JUDGMENT OF MORTGAGE  
FORECLOSURE**

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**WHEREAS**, it has become common practice for attorneys to submit Final Judgments of Mortgage Foreclosure containing various terms and provisions not included in Form 1.996 of the Florida Rules of Civil Procedure; and

**WHEREAS**, it is necessary to promote uniformity and ease of review in examining these proposed Final Judgments;

**NOW, THEREFORE**, pursuant to the authority vested in me as Chief Judge of the Eleventh Judicial Circuit of Florida under Rule 2.050 of the Florida Rules of Judicial Administration, it is hereby ordered and directed that Final Judgments of Mortgage Foreclosure shall be submitted in the form attached hereto unless otherwise directed by the Judge to whom the matter has been assigned.

This Order shall take effective immediately upon execution and shall remain in effect until further order of the court.

**DONE AND ORDERED** in Chambers at Miami-Dade, Florida, this \_\_\_\_\_ day of January, 2006.

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**JOSEPH P. FARINA, CHIEF JUDGE  
ELEVENTH JUDICIAL CIRCUIT OF FLORIDA**

IN THE CIRCUIT COURT OF THE  
ELEVENTH JUDICIAL CIRCUIT IN AND  
FOR MIAMI-DADE COUNTY, FLORIDA

GENERAL JURISDICTION DIVISION

Plaintiff(s),

CASE NO. \_\_\_\_\_

v.

Defendant(s).

\_\_\_\_\_ /

**FINAL JUDGMENT OF FORECLOSURE**

(Pursuant to Administrative Order No. 06-02)

THIS ACTION was heard before the Court on Plaintiff's Motion for Summary Final Judgment on \_\_\_\_\_, 20\_\_\_. On the evidence presented IT IS ADJUDGED that:

1. The Plaintiff's Motion for Summary Judgment is GRANTED. Service of process been duly and regularly obtained over \_\_\_\_\_, defendants. (List all defendants.)
2. There is due and owing to the Plaintiff the following:

Principal due on the note secured by the mortgage foreclosed:	\$ _____
Interest on the note and mortgage from _____ to _____	\$ _____
Per diem interest at _____% from _____ to _____	\$ _____
Title search expenses	\$ _____
Taxes for the year of _____	\$ _____
Insurance premiums	\$ _____

Court Costs:	
Filing fee	\$ _____
Service of Process at \$ _____ per defendant	\$ _____
Publication for _____	\$ _____

SUBTOTAL	\$ _____
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Additional Costs:	
_____	\$ _____
_____	\$ _____

SUBTOTAL	\$ _____
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Attorney fees based upon _____ hours at \$ _____ per hour	\$ _____
Less: Undisbursed escrow funds	\$ _____
Less: Unearned insurance premiums	\$ _____

GRAND TOTAL \$ \_\_\_\_\_

3. The grand total amount referenced in Paragraph 2 shall bear interest from this date forward at the prevailing legal rate of interest.
4. Plaintiff, whose address is \_\_\_\_\_, holds a lien for the grand total sum specified in Paragraph 2 herein. The lien of the plaintiff is superior in dignity to any right, title, interest or claim of the defendants and all persons, corporations, or other entities claiming by, through, or under the defendants or any of them and the property will be sold free and clear of all claims of the defendants, with the exception of any assessments that are superior pursuant to Florida Statutes, Section 718.116. The plaintiff's lien encumbers the subject property located in Miami-Dade County, Florida and described as:

(LEGAL DESCRIPTION)

Property Address: \_\_\_\_\_

5. If the grand total amount with interest at the rate described in Paragraph 3 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 \_\_\_\_\_, 20\_\_\_\_, at 11:00 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. The Clerk shall not conduct the sale in the absence of the plaintiff or its representative.
6. 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. 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.
7. 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 any remaining amount pending further Order of this Court.
8. On filing of the Certificate of Sale, defendant's right of redemption as proscribed by Florida Statutes, Section 45.0315 shall be terminated.

9. On filing of the Certificate of Title, defendant and all persons claiming under or against defendant since the filing of the Notice of Lis Pendens shall be foreclosed of all estate or claim in the property and the purchaser at sale shall be let into possession of the property.
  
10. The Court finds, based upon the affidavits presented and upon inquiry of counsel for the plaintiff, that \_\_\_\_\_ hours were reasonably expended by plaintiff's counsel and that an hourly rate of \$\_\_\_\_\_ is appropriate. PLAINTIFF'S COUNSEL REPRESENTS THAT THE ATTORNEY FEE AWARDED DOES NOT EXCEED IT'S CONTRACT FEE WITH THE PLAINTIFF. The Court finds that there are no reduction or enhancement factors for consideration by the Court pursuant to Florida Patient's Compensation Fund v. Rowe, 472 So.2d 1145 (Fla. 1985).

ANY ADDITIONS, MODIFICATION OR CHANGES TO THE PROVISIONS ABOVE SHOULD BE SET FORTH IN BOLD TYPE AND CONSECUTIVELY NUMBERED PARAGRAPHS.

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

ORDERED at Miami, Florida, on \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Circuit Judge

Copies furnished to: