

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

FTF LENDING, LLC,

Plaintiff,

v.

Case No. 2:19-cv-13-FtM-38NPM

SOUTHWEST DEVELOPMENTS,
INC. and JASON MELOCHE

Defendants.

**ORDER CONFIRMING THE SPECIAL MASTER'S
SALE OF REAL ESTATE**

Before the Court is Plaintiff's Motion to Confirm the Special Master's Sale of Real Estate (Doc. 82). No response was filed to the motion and the time to respond has lapsed.

On April 1, 2020, the Court entered a Memorandum and Order granting summary judgment in favor of Plaintiff FTF Lending, LLC and against all Defendants. (Doc. 70). Thereafter a Judgment (Doc. 71) was entered .

On May 29, 2020, the Court appointed attorney Matthew P. Flores as special master to conduct a foreclosure sale. (Doc. 78). And on August 11, 2020, Plaintiff filed a Notice of Special Master's Sale of Real Estate (Doc. 79). In addition, on September 3, 2020, Plaintiff filed a Notice of Proof of Publication of Foreclosure Sale in the *Business Observer* on August 7, 14, 21, 28, 2020. (Doc. 81). Finally, on

September 15, 2020, Plaintiff filed the Special Master's Report of Sale of Real Estate (Doc. 81).

Having reviewed: (1) the Plaintiff's Motion to Confirm the Special Master's Sale of Real Estate; (2) the Special Master's Notice of Sale of Real Estate; (3) the Proof of Publication of the Notice of Special Master's Sale of Real Estate; and (4) the Special Master's Report of Sale of Real Estate, the Court finds:

1. The terms of the foreclosure sale as set forth in the Final Judgment have been met; and
2. The Notice of Special Master's Sale of Real Estate was published in a newspaper of general circulation in Collier County, Florida on August 7, 2020, August 14, 2020, August 21, 2020, and August 28, 2020, respectively; and
3. The Special Master properly conducted the foreclosure sale on September 10, 2020 in all respects.
4. The Special Master's fees and costs for his services in conducting the foreclosure sale are reasonable and have been paid by the Plaintiff.

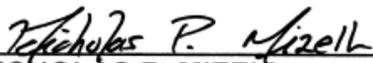
As a result, it is **ORDERED**:

- (1) Plaintiff's Motion to Confirm the Special Master's Sale of Real Estate (Doc. 82) is **GRANTED**.
- (2) The foreclosure sale of real estate situated in the State of Florida, County of Collier, and more commonly known as 73 7th Street, Bonita Springs, Florida 34134 (Parcel ID #24532960005) (the "Property"), which occurred on

September 10, 2020 at 12:00 p.m. outside the front door of the Property, is
CONFIRMED.

- (3) The Special Master is authorized and directed to issue a certificate of title or deed to the Property in favor of FTF Lending, LLC.
- (4) A Writ of Possession shall be awarded in favor of FTF Lending, LLC to place it in immediate possession of the Property.
- (5) The following lien(s) recorded against the Property shall be released such that title is vested in favor of FTF Lending, LLC free and clear of all claims, encumbrances, interests, and liens:
 - a) a certain mortgage and security agreement dated November 29, 2017, executed by Defendant, Southwest Developments, Inc., delivered to the Plaintiff, FTF Lending, LLC, and recorded on December 5, 2017 in the Office of the Clerk of the Circuit Court and Comptroller, Collier County, Florida as Instrument #5479285 (Official Records Book 5455 at Page 880); and
 - b) a certain notice of lis pendens filed by the Plaintiff, FTF Lending, LLC, and recorded on January 30, 2019 in the Office of the Clerk of the Circuit Court and Comptroller, Collier County, Florida as Instrument #5666198 (Official Records Book 5594 at Page 588).

DONE and ORDERED in Fort Myers, Florida on October 14, 2020.



NICHOLAS P. MIZELL
UNITED STATES MAGISTRATE JUDGE