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IN THE CIRCUIT COURT OF THE FOURTEENTH JUDICIAL CIRCUIT
IN AND FOR BAY COUNTY, FLORIDA
CIVIL DIVISION

SHORES OF PANAMA RESORT
COMMUNITY ASSOCIATION, INC.,
a Florida corporation not-for-profit,

Plaintiff,

vs.

CASE NO. 24000437CA

IRFAN SHEIKH and NAUSHEEN
SALEEM SHEIKH, HUSBAND AND WIFE;
UNKNOWN TENANTS IN POSSESSION.

Defendants.

_____ /

FINAL JUDGMENT OF FORECLOSURE

This action was before the Court for Final Hearing/Non-Jury Trial on February 25, 2025. Before the Court were counsel for Plaintiff SHORES OF PANAMA RESORT COMMUNITY ASSOCIATION, INC., and Plaintiff's corporate representative. On the evidence properly presented and having considered the arguments of Counsel for Plaintiff, the Court finds that Plaintiff that Plaintiff is entitled to judgment in its favor on its claims in the action. Accordingly, it is hereby

ORDERED AND ADJUDGED:

1. Plaintiff, a condominium association operating under Chapter 718, Florida Statutes, asserts a cause of action to foreclose its claim of lien for unpaid assessments and, alternatively, for a money judgment for such delinquent assessments.

2. Defendants, IRFAN SHEIKH and NAUSHEEN SALEEM SHEIKH, Husband and Wife, (the "**Owners**"), are individuals and the fee simple record owners of the following described real properties located in Bay County, Florida, to-wit:

Condominium Unit 2016, Shores of Panama I, a Condominium, all as set forth in the Declaration of Condominium and the Exhibits attached thereto and forming a part thereof, as recorded in Official Records Book 2740, Page 2252, of the Public Records of Bay County, Florida, and as may be amended from time to time, together with all of its appurtenances according to the Declaration of Condominium.

according to the Warranty Deed recorded at Official Records Book 4524, Page 551 of the Public Records of Bay County, Florida.

3. Defendants were served with process in this proceeding.

4. Defendant Owners are members of the Association and subject to and governed by the Association's Amended and Restated Declaration of Condominium of Shores of Panama I, a Condominium, recorded at Official Records Book 2941, Page 107, et seq., of the Public Records of Bay County, Florida (the "Declaration").

5. Pursuant to §718.111(4), Fla. Stat., Section 5 of the Association's Declaration of Condominium, the Association is empowered to make and collect assessments for common expenses against the individual units of Shores of Panama II, a Condominium.

6. The Association has levied assessments for common expenses against Owner's condominium unit.

7. Pursuant to §718.116(5)(a), Fla. Stat. and Section 5 of the Declaration, the Association has a lien on each condominium parcel to secure the payment of assessments and other amounts.

8. Owners have failed to pay the assessments on the Unit when due and are indebted to the Association.

9. As a result of Owners' failure to pay these assessments, the Association, pursuant to §718.116 and 718.121(4), Florida Statutes, recorded a Claim of Lien against the Unit that is the subject of this action.

10. No legally cognizable defenses to the claims of the Plaintiff have been asserted nor any issues created by reference or otherwise that would defeat or impede the Plaintiff's requested relief.

11. Defendants have failed to raise any issue of fact or law that would prevent the entry of a final judgment as to Plaintiff's claims in this cause of action.

12. In this action, Plaintiff has sought a judgment of foreclosure against Defendants for the foreclosure of the Claim of Lien recorded as to the condominium Unit that is the subject of this action and for which Plaintiff is entitled to judgment.

13. Plaintiff, **SHORES OF PANAMA RESORT COMMUNITY ASSOCIATION, INC.**, whose address is 9900 South Thomas Drive, Panama City Beach, Florida 32408, is owed **Thirty-One Thousand, Eight Hundred Fifty-One and 59/100 Dollars (\$31,851.59)** for unpaid assessments, interest and its attorney fees and costs incurred in this action. Accordingly, judgment is entered in favor of Plaintiff Shores of Panama Resort Community Association, Inc. and against Defendants IRFAN SHEIKH and NAUSHEEN SALEEM SHEIKH, Husband and Wife, in the amount of \$31,851.59, that shall bear interest at the rate of 9.38% from this date through December 31 of this current year, and thereafter, on January 1st of each succeeding calendar year until the judgment is paid, the interest rate will adjust in accordance with section 55.03, Florida Statutes, for all of which let execution issue.

14. Plaintiff holds a lien for the total sum of this Judgment superior to all claims or estates of Defendants, on the following-described property in Bay County, Florida:

Condominium Unit 2016, Shores of Panama I, a Condominium, all as set forth in the Declaration of Condominium and the Exhibits attached thereto and forming a part thereof, as recorded in Official Records Book 2740, Page 2252, of the Public Records of Bay County, Florida, and as may be amended from time to time, together with all of its appurtenances according to the Declaration of Condominium.

15. If the total sum of \$31,851.59 with interest at the rate described in paragraph 13 and all costs accrued subsequent to this judgment are not paid, the Clerk of this Court shall sell the property at public sale on **April 25, 2025**, to the highest bidder for cash, except as prescribed in paragraph 13, in accordance with section 45.031, Florida Statutes, using the following method:

X _____ By electronic sale beginning at 11:00 a.m. CST on the prescribed date at www.bay.realforeclose.com.

16. 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 judgment sum of \$31,851.59 with interest and costs accruing subsequent to this Judgment or such part of it as is necessary to pay the bid in full.

17. 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 Plaintiff's costs; second, documentary stamps affixed to the Certificate; third, Plaintiff's attorney's 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 the further order of this Court.

18. On filing the Certificate of Sale, Defendant(s) and all persons claiming 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, except as to claims or rights under Chapter 718 or Chapter 720, Florida Statutes, if any. Upon the filing of the Certificate of Title, the person named on the Certificate of Title shall be let into possession of the property.

19. Jurisdiction of this action is retained to enter further orders that are proper including,

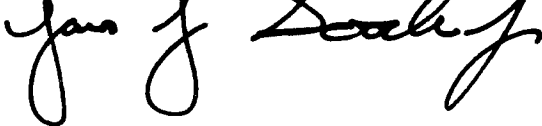
without limitation, a deficiency judgment.

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 THE 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 Bay County, Florida on Monday, March 3, 2025.

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James J. Goodman, Judge
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