

MARINA COLON  
160 W Camino Real # 102  
City: Boca Raton, State: Florida, Zip: 33432  
Phone Number (561) 770-8909  
Email: [info@legalhelp4y.com](mailto:info@legalhelp4y.com)

**IN THE COUNTY COURT IN AND FOR  
BROWARD, FLORIDA**

MARINA COLON,

Interested Party(s),

vs.

ORIOLE GOLF AND TENNIS CLUB  
CONDOMINIUM ONE J ASSO,  
Plaintiff(s),

CARLOS COLON,

Defendant(s),

Case No.: CONO-24-006729

**DEFENDANT'S OBJECTION TO  
PLAINTIFF'S MOTION TO RESET  
SALE, MOTION FOR SECOND  
AMENDED JUDGMENT, AND  
REQUEST FOR AUTHORIZATION  
TO PAY PAST DUE TAXES AND  
CURRENT JUDGMENT**

**DEFENDANT'S OBJECTION TO PLAINTIFF'S MOTION TO RESET SALE,  
MOTION FOR SECOND AMENDED JUDGMENT, AND REQUEST FOR  
AUTHORIZATION TO PAY PAST DUE TAXES AND CURRENT  
JUDGMENT**

COMES NOW, the Defendant, Marina Colon, by and through pro se, and files this  
Objection to Plaintiff's Motion to Reset Sale, Motion for Second Amended Final

1 Judgment, and Request for Authorization to Pay Past Due Taxes, and in support thereof  
2 states:

3  
4 **1. Failure to Properly Serve Defendant**

5 Florida Statutes Section 48.031 requires strict compliance with proper service of  
6 process. The Plaintiff failed to serve Defendant, Marina Colon, as mandated by law,  
7 depriving her of the opportunity to contest the foreclosure action in a timely manner  
8 (*Juris v. Inamed Corp.*, 685 F.3d 1294, 1296 (11th Cir. 2012)).

9  
10 The Plaintiff's claim that due diligence was exercised is contradicted by the fact that  
11 numerous attorneys contacted Defendant after the judgment was entered, clearly  
12 demonstrating that her whereabouts were readily ascertainable (*Roberts v. Stidham*, 39  
13 *So. 3d 446, 448 (Fla. 2d DCA 2010)*).

14  
15 This failure of service constitutes a denial of Defendant's constitutional rights under  
16 the Due Process Clause of the Fourteenth Amendment and voids any judgment  
17 obtained (*Juris v. Inamed Corp.*, 685 F.3d at 1296; *Decker v. Kaplus*, 763 F.2d 15,  
18 *16 (1st Cir. 1985)*).

19  
20  
21 **2. Fraudulent Affidavit and Attorney Misconduct**

22 The affidavit submitted by Plaintiff to justify service is false and improperly executed,  
23 containing references to unrelated matters and lacking necessary documentation such  
24 as identification or verifiable details (*Alvarez v. Rendon*, 953 So. 2d 702, 709 (Fla. 5th  
25 *DCA 2007)*).

1 Attorneys have a duty to ensure the accuracy of affidavits submitted to the court. Filing  
2 a knowingly false affidavit constitutes misconduct under Florida Rule of Professional  
3 Conduct 4-8.4(c), which prohibits dishonesty, fraud, deceit, or misrepresentation (In re  
4 Amendments to Rules Regulating The Florida Bar, 41 So. 3d 210, 212 (Fla. 2010)).

6 **3. Improper Inclusion of Additional Fees and Costs**

7  
8 The Plaintiff seeks to amend the judgment to include assessments and attorney fees  
9 incurred after the original judgment. However, the Plaintiff has failed to provide  
10 exceptional circumstances justifying such an amendment, as required by Florida Rule  
11 of Civil Procedure 1.530 (Salkin v. Habitat II Condominium, Inc., 943 So. 2d 903,  
12 905 (Fla. 4th DCA 2006)).

14 Including fees for actions necessitated solely by the Plaintiff's own procedural  
15 deficiencies (e.g., failure to serve Defendant and reliance on a false affidavit) is  
16 inequitable and contrary to principles of fairness (Nationstar Mortgage LLC v. Silva,  
17 239 So. 3d 782, 785 (Fla. 3d DCA 2018)).

19  
20 **4. Defendant's Circumstances**

21 Defendant, an 82-year-old legally blind woman with numerous health issues, has  
22 endured significant hardship, including domestic violence and abandonment by her  
23 estranged spouse (Nationstar Mortgage LLC v. Silva, 239 So. 3d at 785).

25 Defendant's family, with great difficulty, has gathered funds to pay the current  
26 judgment amount, including taxes, in good faith. Plaintiff's attempt to further increase  
27

1 the judgment unnecessarily compounds the burden on an already vulnerable individual  
2 (*Haines v. Kerner*, 404 U.S. 519, 520 (1972)).

3  
4 Courts have consistently recognized the need for equitable treatment in foreclosure  
5 cases involving elderly or disabled individuals (*Nationstar Mortgage LLC v. Silva*,  
6 *239 So. 3d at 785; Pelfrey v. Educ. Credit Mgmt. Corp.*, 71 F. App'x 139, 141 (11th  
7 *Cir.* 2003)).

9 **5. Tax Payment and Authorization**

10 The taxes referenced in Plaintiff's motion are not overdue until February 2025, and  
11 Defendant has committed to paying the taxes as part of the current judgment (Florida  
12 Statutes Section 197.322(3)).

13 Adding these amounts prematurely violates Florida Statutes Section 718.116(3), which  
14 governs condominium liens and assessments, and undermines the equitable resolution  
15 of this case (*Salkin v. Habitat II Condominium, Inc.*, 943 So. 2d at 905).

16 RELIEF REQUESTED

17 WHEREFORE, Defendant respectfully requests that this Honorable Court:

18  
19 Deny Plaintiff's Motion to Amend the Judgment to include additional attorney fees,  
20 costs, and assessments that are not justified or overdue.  
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1 Acknowledge the procedural deficiencies in Plaintiff's service of process and the  
2 submission of a false affidavit, which have prejudiced Defendant (Juris v. Inamed  
3 Corp., 685 F.3d at 1296).

4  
5 Allow the Defendant to pay the current judgment amount inclusive of the taxes due in  
6 February 2025 ( See Exhibit), without further penalties or fees (Florida Statutes Section  
7 197.322(3)).  
8

9 Grant any other relief this Court deems just and proper to protect Defendant's  
10 constitutional rights and prevent further injustice (Haines v. Kerner, 404 U.S. at 520).

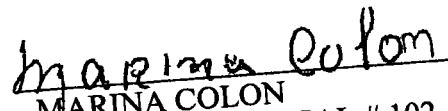
11 Respectfully Submitted,

12  
13 Marina Colon  
14 MARINA COLON  
15 160 W CAMINO REAL # 102  
16 BOCA RATON, FLORIDA 33432  
17 E-MAIL: info@legalhelp4y.com  
18 PHONE: (561) 770-8909  
19 In Pro Se  
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**Certificate of Service**

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished  
by E-mail to the parties listed below on this January 22, 2025.  
MICHAEL GOLDSTEIN, ESQ. E-MAIL: [mgoldstein@peytonbolin.com](mailto:mgoldstein@peytonbolin.com)  
Carlos Colon, E-MAIL: Carlos Colon Baez [taino1124@gmail.com](mailto:taino1124@gmail.com)

Respectfully submitted,

  
MARINA COLON  
160 W CAMINO REAL # 102  
BOCA RATON, FLORIDA 33432  
E-MAIL: [info@legalhelp4y.com](mailto:info@legalhelp4y.com)  
PHONE: (561) 770-8909  
In Pro Se

6. There is due and owing by the obligor(s) to the Plaintiff:

A total amount of \$23,039.38 is due, which includes the amounts detailed in the Affidavit of Amounts Due and Owing (Motion for Final Judgment EXHIBIT B) and additional sums accrued through October 22, 2024.

- a. \$11,461.56 in past due regular assessments (1/01/2023 – 10/17/2024);
- b. \$453.61 in past due special assessments (1/01/2023 – 10/17/2024);
- c. \$1,551.55 in interest accrued on the past due assessments (1/01/2023 – 10/17/2024);
- d. \$9,411.66 in Attorney fees & Costs pursuant to affidavits filed;
- e. \$125.00 in late fees; and
- f. \$36.00 in other costs incurred by Association incident to the collection process

**SUBTOTAL**

**\$23,039.38**

7. The grand total amount referenced in Paragraph 6 shall bear interest from this date forward at the prevailing legal rate of interest.

8. Plaintiff holds a lien for the grand total sum specified in Paragraph 6 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

BROWARD COUNTY, FORT LAUDERDALE, FLORIDA  
RECORDS, TAXES AND TREASURY DIVISION/TAX DEED SECTION

DATE: January 2nd, 2025  
PROPERTY ID # 484135-AC-0160 (TD # 52708)

# WARNING

PROPERTY IN WHICH YOU ARE INTERESTED IS LISTED IN THE ENCLOSED NOTICE

PEYTON BOLIN, PA, REGISTERED AGENT O/B/O ORIOLE GOLF & TENNIS CLUB  
CONDOMINIUM ONE J ASSOCIATION, INC.  
3343 W. COMMERCIAL BLVD.  
#100  
FORT LAUDERDALE, FL 33309

AS PER FLORIDA STATUTES 197.542, THE PROPERTY AT 7797 GOLF CIRCLE DRIVE #204, MARGATE, FL 33063 IS BEING SCHEDULED FOR TAX DEED AUCTION. ONCE THE PROPERTY IS SOLD, UNPAID TAXES CAN NO LONGER BE REDEEMED. OTHER TAX YEARS MAY BE OWED BUT NOT INCLUDED IN THE AMOUNT BELOW, PLEASE CALL FOR MORE INFORMATION.

FLA. STATUTES MAY REQUIRE US TO NOTIFY OTHER PROPERTY OWNERS WHO LIVE AROUND THE PROPERTY SCHEDULED FOR SALE. IF YOU DO NOT OWN OR HAVE LEGAL INTEREST IN THIS PROPERTY, PLEASE DISREGARD THIS NOTICE.

PAYMENT MUST BE MADE IN CASH, MONEY ORDER OR CASHIER'S CHECK; PERSONAL OR BUSINESS CHECKS ARE NOT ACCEPTED.

**AMOUNTS SHOWN BELOW ARE ESTIMATED AMOUNTS DUE WHICH MAY BE SUBJECT TO ADDITIONAL FEES. PLEASE CALL (954) 357-5374 FOR THE CORRECT AMOUNT DUE PRIOR TO SUBMITTING ANY PAYMENT TO REDEEM UNPAID TAXES AND REMOVE THE PROPERTY FROM AUCTION.**

MAKE CASHIER'S CHECK OR  
MONEY ORDER PAYABLE TO: BROWARD COUNTY TAX COLLECTOR

\* Estimated Amount due if paid by January 31, 2025 .....\$2,107.47

Or

\* Estimated Amount due if paid by February 18, 2025 .....\$2,131.73

THERE ARE UNPAID TAXES ON THIS PROPERTY AND THE PROPERTY WILL BE SOLD AT PUBLIC AUCTION ON February 19, 2025 UNLESS ALL BACK TAXES ARE PAID PRIOR TO AUCTION.

TO MAKE PAYMENT, OR TO RECEIVE FURTHER INFORMATION, CONTACT THE RECORDS, TAXES & TREASURY DIVISION, TAX DEED SECTION, 115 S. ANDREWS AVENUE ROOM #A-100, FORT LAUDERDALE, FLORIDA 33301-1895. PHONE: (954) 357-5374

FOR TAX DEEDS PROCESS AND AUCTION RULES, PLEASE VISIT  
[www.broward.org/recordstaxestreasury](http://www.broward.org/recordstaxestreasury)



## Broward County, Florida

**INSTR # 119902264**

Recorded 11/13/24 at 04:16 PM

Broward County Commission

1 Page(s)

#13

### RECORDS, TAXES & TREASURY DIVISION/TAX DEED SECTION

#### NOTICE OF APPLICATION FOR TAX DEED NUMBER 52708

NOTICE is hereby given that the holder of the following certificate has filed said certificate for a tax deed to be issued thereon. The certificate number and year of issuance, the description of the property, and the name in which it was assessed are as follows:

Property ID: 484135-AC-0160  
Certificate Number: 1155  
Date of Issuance: 05/24/2022  
Certificate Holder: BLACK CUB, LLC SB MUNI CUST FOR  
Description of Property: ORIOLE GOLF & TENNIS CLUB CONDO  
ONE J UNIT 204  
PER CDO BK/PG: 5095/629

Name in which assessed: COLON, CARLOS MANUEL & MARINA  
Legal Titleholders: COLON, CARLOS MANUEL & MARINA  
7797 GOLF CIRCLE DR APT 204  
MARGATE, FL 33063-7312

All of said property being in the County of Broward, State of Florida.

Unless such certificate shall be redeemed according to law the property described in such certificate will be sold to the highest bidder on the 19th day of February, 2025. Pre-bidding shall open at 9:00 AM EDT, sale shall commence at 10:00 AM EDT and shall begin closing at 11:01 AM EDT at:

broward.deedauction.net  
\*Pre-registration is required to bid.

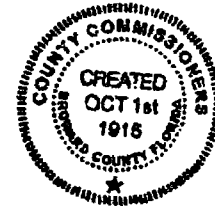
Dated this 4th day of November, 2024.

Monica Cepero  
County Administrator  
RECORDS, TAXES, AND TREASURY DIVISION



By:

Ablodun Ajayi  
Deputy



This Tax Deed is Subject to All Existing Public Purpose Utility and Government Easements. The successful bidder is responsible to pay any outstanding taxes.

Publish: browardcountylegalnotices.com  
Publish the Weeks of: 01/16/2025, 01/23/2025, 01/30/2025 & 02/06/2025  
Minimum Bid: 18821.21

**ENVELOPE 1**

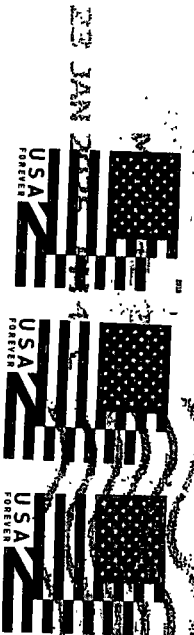
LEGAL HELP 4 YOU LLC  
ATTN: MARINA COLON CASE CONO24006729  
160 W CAMINO REAL #102  
BOCA RATON FL 33432

**To: IN THE COUNTY COURT IN AND FOR BROWARD, FLORIDA  
NORTH COURTHOUSE  
CLERK OFFICE  
1600 W Hillsboro Blvd,  
Deerfield Beach, FL 33442**

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