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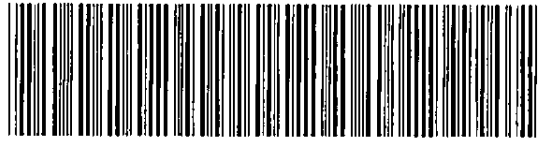
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GREGORY C. HARRELL
CLERK OF COURT AND COMPTROLLER - MARION COUNTY, FLORIDA

CLERK OF COURT
RECORDER OF OFFICIAL RECORDS
CLERK AND ACCOUNTANT OF THE BOARD OF COUNTY COMMISSIONERS
CUSTODIAN OF COUNTY FUNDS AND COUNTY AUDITOR

POST OFFICE BOX 1030
OCALA, FLORIDA 34478-1030
TELEPHONE (352) 671-5604
WWW.MARIONCOUNTYCLERK.ORG

October 21, 2024

Florida Department of State
The Centre of Tallahassee
2415 N. Monroe Street, Suite 810
Tallahassee, FL 32303

Re: Kingsland Ocala Waterway Owner's Association, Inc

Dear Sir/Ma'am:

Please find enclosed a certified copy of the Judgment of Dissolution, signed 06/24/24,
that is be sent to you as required by F.S. 617.1433.

If you have any questions, please feel free to contact us at 352-671-5610.

Thank you,

GREGORY C. HARRELL
CLERK OF COURT AND COMPTROLLER

By

Deputy Clerk

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2024 DEC -4 AM 9:50
CLERK OF COURT
MARION COUNTY, FLORIDA



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August 1, 2024

Florida Department of State
R.A. Gray Building, 500 S. Bronough St
Tallahassee, FL 32399

Re: Kingsland Ocala Waterway Owner's Association, Inc

Dear Sir/Ma'am:

Please find enclosed a certified copy of the Judgment of Dissolution, signed 06/24/24, that is be sent to you as required by F.S. 617.1433.

If you have any questions, please feel free to contact us at 352-671-5610.

Thank you.

GREGORY C. HARRELL
CLERK OF COURT AND COMPTROLLER

By S. Lewis
Deputy Clerk

IN THE CIRCUIT COURT OF THE FIFTH JUDICIAL
CIRCUIT IN AND FOR MARION COUNTY, FLORIDA

IN RE:

KINGSLAND OCALA WATERWAY
OWNER'S ASSOCIATION, INC. FKA
KINGSLAND PROPERTY OWNER'S
ASSOCIATION, INC., A FLORIDA NOT-
FOR-PROFIT CORPORATION,

Petitioner.

CASE NO.: 2023-CA-3030

JUDGMENT OF DISSOLUTION

THIS CAUSE came before the Court on Petitioner, KINGSLAND OCALA WATERWAY OWNER'S ASSOCIATION, INC. f/k/a KINGSLAND PROPERTY OWNER'S ASSOCIATION, INC. ("Corporation"), Petition for Judicial Dissolution filed with the Court on September 15, 2023. The Court having held an evidentiary hearing on February 5, 2024, having reviewed the court file, and being duly advised in the premises, the Court makes the following findings of fact and conclusions of law:

Findings of Fact

1. The Corporation's principal office is located in Marion County, Florida.
2. From January 29, 1998 through February 5, 2024, the Corporation sought to conduct business as a homeowner's association for two thousand seventy-six (2,076) real property lots in the following subdivisions in Marion County, Florida (jointly being the "KOWOA lots"), further described as follows:

- a. Kingsland Country Estates (Unit 22, Plat L/58);
- b. Ocala Waterways Estates (Section 27, Plat K/52); and
- c. Ocala Waterways Estates (Unrecorded Section 34, Township 16 South, Range

21 East).

3. During its operations, the Corporation previously relied on those certain Kingsland Country Estates Covenants and Restrictions recorded on February 6, 1998 in Book 2460, Pages 244 through 253 of the Official Records of Marion County (the “1998 Declaration”) as the authority for imposing legal duties and obligations on the KOWOA lots.

4. Multiple final judgments entered by courts in Marion County, Florida, however, ruled that the 1998 Declarations could not be imposed against all of the KOWOA lots because the Corporation did not own those lots at the time of recording and/or, because the owners of the KOWOA lots could not be compelled to be members of the Corporation, such final judgments (jointly the “Local Rulings”) being:

a. Final Judgment, *Coleman v. Southern Multicapital Corp.*, No. 08-CA-5909 (Fla. 5th Cir. Ct. May 8, 2017),

b. Order and Amended Final Judgment After Post-Judgment Motions and For Costs and Attorney’s Fees to be Recorded, *Marco Polo Builders, Inc. v. Southern Multicapital Corp.*, No. 03-CA-863 (Fla. 5th Cir. Ct. Oct. 3, 2007);

c. Final Judgment, *Kingsland Property Owners Association Inc. v. Bringsford*, No. 03-CC-58 (Fla. Marion Cnty. Ct. Mar. 2, 2004);

d. Final Judgment, *Kingsland Property Owners Association Inc. v. Bailey*, No. 03-CC-54 (Fla. Marion Cnty. Ct. Feb. 27, 2004);

e. Final Judgment, *Kingsland Property Owners Association Inc. v. Garman*, No. 03-CC-55 (Fla. Marion Cnty. Ct. Feb. 25, 2004); and

f. Final Judgment, *Kingsland Property Owners Association Inc. v. Stolle*, No. 03-CC-58 (Fla. Marion Cnty. Ct. Feb. 25, 2004).

5. As a result of the Local Rulings, the Corporation's current Board of Directors ultimately concluded that they could not feasibly and lawfully run the Corporation as a homeowner's association on behalf the KOWOA lots.

6. Thereafter, the Corporation noticed a Special Meeting of the Corporation's Board of Directors on April 25, 2023, and at the meeting a majority of Board Members voted for a judicial dissolution of the Corporation pursuant to the provisions of Section 617.1402(2), Florida Statutes.

7. The Corporation's current assets are as follows:

a. A commercial condominium unit located at 7500 SW 61st Avenue, Unit 600, Ocala, Florida, Parcel No. 35497-005146 (the "Office Unit").

b. A .23-acre parcel of undeveloped real estate, Parcel No. 3578-000-001 (the "Undeveloped Parcel").

c. Certain bank accounts totaling approximately \$111,000, further described as follows:

i. A bank account containing approximately \$17,000, last four numbers of such account being 8987.

ii. A bank account containing approximately \$32,000, last four numbers of such account being 8995.

iii. A bank account containing approximately \$62,000, last four numbers of such account being 5608.

d. An advanced fee of \$2,500.00 with Judicious Law, P.A. for any further legal services necessary for wrapping up the Corporation.

8. The Corporation's current liabilities are unknown at this time, and may include potential claims for reimbursement of annual dues from current and former owners of the KOWOA

lots.

Conclusions of Law

9. Pursuant to Section 617.1432(1), Florida Statutes, this Court has exclusive jurisdiction over the Corporation and all of its property wherever located. Pursuant to Section 617.1431(1), Florida Statutes, venue is proper in this Court.

10. Pursuant to Section 617.1432(2), Florida Statutes, the Corporation's members are not required parties to this proceeding to dissolve Corporation since no relief is sought against them individually.

11. Grounds for judicial dissolution exist, including that due to the Local Rulings it would not be feasible to operate the Corporation, and the Corporation has lawfully initiated these proceedings to voluntarily dissolve the Corporation under court supervision. *See* § 617.1430(4), Fla. Stat.

Based on the foregoing, it is **ORDERED AND ADJUDGED**, as follows:

- A. Corporation's Petition for Judicial Dissolution filed with the Court on September 15, 2023, is **GRANTED**. The Corporation is dissolved with the effective date of the dissolution being July 1, 2024.
- B. Pursuant to Section 617.1433, Florida Statutes, the Clerk of the Court of Marion County, Florida, shall deliver a certified copy of this Judgment of Dissolution to the Florida Department of State, which shall file it.
- C. Pursuant to Section 617.1432(1), Florida Statutes, this Court hereby appoints as receiver Gilligan, Anderson, Phelan, Williams & Green, P.A. c/o Christopher Anderson, Esq. (hereinafter, the "Receiver").
- D. Pursuant to Section 617.1432(2), Florida Statutes, the Court finds that Receiver shall not be

required to post a bond.

E. Pursuant to Section 617.1432(3), Florida Statutes, the Court hereby directs the Receiver to wind up and liquidate the affairs of the Corporation as follows:

a. To the extent the Corporation has not already done so, the Corporation is to cease operations as follows:

i. Upon filing of a certified copy of this order with the Florida Department of State, the Corporation shall discontinue providing estoppel letters for the subsequent sale of the KOWOA lots, instead directing any such inquiry to this Judgment. The Corporation shall, however, continue to receive any payment provided for the completion of an estoppel letter issued prior to the date of this Judgment.

ii. Upon the entry of this Judgment, the Corporation shall discontinue performing any review of potential improvements to the KOWOA lots, or any other enforcement of the 1998 Declaration.

iii. Upon the entry of this Judgment, the Corporation shall discontinue any collection of any annual dues.

b. Unless permitted by this Order, or a subsequent Order entered by this Court, operations of the Corporation, and payment of expenses, shall be limited to the following:

i. Monthly payment for telephone and internet service (approximately \$270 per month).

ii. Monthly payment of IT services (approximately \$270 per month).

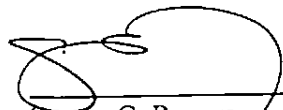
iii. Monthly payment of electric, water, and sewer utilities (less than \$150 per

month).

- iv. Weekly payroll expenses for the Corporation's sole employee, Donna Jammes (approximately \$500 to \$600, paid weekly), to perform wind-up services to the Corporation, including:
 - 1. Assistance in providing notice to previous and current owners of the KOWOA lots, to include responding to inquiries, updates to the Corporation's website, and mailing of notice to potential claimants.
 - 2. Preparation and showing of the Office Unit for potential sale.
- v. Trimonthly payments for pest control services (less than \$100 every three months).
- c. On or before August 1, 2024, the Receiver shall present to this Court, the following:
 - i. A proposal for the listing and sale of the Office Unit.
 - ii. A proposal for the disposition of the Undeveloped Parcel.
 - iii. A proposed creditor claim and/or distribution plan for any current or former owners of the KOWOA lots.
 - iv. A proposed notice to the current owners of KOWOA lots describing the Receiver's proposals provided above, and providing instructions on presenting any objection to the proposal.
- d. Until further Order is entered, on the first Monday of every subsequent month, the Receiver shall file a report with the Court summarizing expenses, current status of any duties of the Receiver, and any unpaid fees incurred by the Receiver.
- e. Upon motion, the Receiver may request the Court enter an order allowing for the payment of fees for services rendered as Receiver.

F. The Court retains jurisdiction to amend this order, to enter any subsequent order, and to entertain any lawful motion, objection, or request made by the Receiver or any interested party as may be necessary or proper to supervise wind up and liquidate the affairs of the Corporation.


DONE AND ORDERED this 22nd day of June, 2024, in Marion County, Florida.



Steven G. Rogers
Circuit Court Judge

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by electronic service via the Court's e-filing portal this 22nd day of June, 2024, to: Kingsland Ocala Waterway Owner's Association, Inc. fka Kingsland Property Owner's Association, Inc., c/o Judicious Law, P.A., c/o Bradford J. Tropello, Esq., bjt@judiciouslawpa.com and ma@judiciouslawpa.com; and Gilligan, Anderson, Phelan & Williams, P.A. c/o Christopher Anderson, Esq., canderson@ocalalaw.com and peining@ocalalaw.com, 1531 SE 36th Street, Ocala, Florida 34471.



Glenda Wallace, Judicial Assistant