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Suite, Apt. #, etc.		Suite, Apt. #, etc.			DO NOT WRITE IN THIS SPACE				
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HADAMENT 33671

IN THE CIRCUIT COURT OF THE NINTH JUDICIAL CIRCUIT IN AND FOR ORANGE COUNTY, FLORIDA CIVIL DIVISION

TYMBER SKAN ON THE LAKE OWNERS ASSOCIATION, SECTION ONE, INC.,

Plaintiff.

VS.

CASE NO. C1098-10123

DORIS J.J. PORCHIA; UNKNOWN TENANT-1; UNKNOWN 2.

Defendant.

DORIS J.J. PORCHIA

Third Party Plaintiff,

vs.

TYMBER SKAN ON THE LAKE OWNERS ASSOCIATION, SECTION ONE, INC.
TYMBER SKAN ON THE LAKE OWNERS ASSOCIATION, SECTION TWO, INC.,
TYMBER SKAN ON THE LAKE OWNERS ASSOCIATION, SECTION THREE, INC. and TYMBER SKAN ON THE LAKE HOMEOWNERS' ASSOCIATION, INC.,

Third Party Defendants.

ORDER GRANTING MOTION TO APPOINT RECEIVER

This cause came on to be heard upon the April 17, 2001 Motion to Replace Received for TYMBER SKAN ON THE LAKE HOMEOWNERS' ASSOCIATION, INC., on May 1, 2001, the Court having reviewed the Motion, the court file, having heard argument of counsel and being otherwise fully advised in the premises, it is therefore,

ORDERED AND ADJUDGED that:

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duly and punctually paid prior to the time that any penalties or interest would accrue), utilities, insurance premiums owed by the Association, and the payment of any judgment rendered herein;

- (f) manage the Association during the pendency of this action;
- use his best efforts to secure full compliance by the condominium associations and unit owners with the terms and conditions of the condominium's Declarations and Bylaws, and leases;
- (h) Make, subject to Paragraph 6 below, all repairs and perform all maintenance on the buildings, appurtenances and the grounds within the Association's responsibility in order to prevent excessive depreciation or devaluation of the property arising from lack of prudent care, and make all arrangements for the furnishing to the property of utility, maintenance, and other services and for the acquisition of equipment and supplies necessary for the management, operation, maintenance, and servicing of the Association;
- (i) cause to be placed and kept in force all forms of insurance required by law or needed to protect the Association adequately, including but not limited to public liability insurance, fire and extended coverage insurance, burglary and theft insurance, such insurance coverage to be placed with such companies, in such amounts, and with beneficial interest appearing therein as is prudent. Receiver shall promptly investigate an make a full and timely written report to the insurance company and the court as to all accidents, claims or damages related to the ownership, operation, and maintenance of the Association, any

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Payable Report. In addition, the Receiver shall submit a report describing any matter relating to the Association which has occurred or continued during the preceding calendar month and which materially affects the management, operation or maintenance thereof;

- (p) take such other action as is related to the management and control of the Association; and
- (q) act as the Association, with all rights and powers of the Association, as set
- 4. The Receiver is hereby authorized to make assessments against the condominium owners pursuant to the condominium's Declarations and also is authorized to make demand upon all condominium owners and tenants occupying the property governed by the Association for condominium assessments, rents, and other charges now due and past due or which may hereafter become due and payable.
- 5. The Receiver is hereby authorized to enter into contracts on behalf of the Association to carry out the duties permitted by this Order. Furthermore, the Receiver is directed to renter into an agreement with Sentry Management to assist with management of the property and finances of the Association.
- is permitted to pledge the assets and other interest of the Association as collateral for loans.
- 7. The Receiver shall give notice to Section 1, Section 2 and Section 3, of his appointment as Receiver and advise them to direct any communications to the Association to the Receiver.

reasonable amount of their fees and expenses of the Receiver and Receiver's counsel shall be determined by the Court.

- 12. The Receiver shall undertake any and all additional duties as this Court may provide by its Orders, and the Receiver shall be at liberty to apply to this Court at any time during the pendency of this action for further direction.
- 13. Frank Carlson, is hereby relieved of this duties as receiver of Tymber Skan on the Lake Homeowners Association, Inc., as he is being replaced by Cliff Wright. Frank Carlson shall be paid for all services rendered through the date of this Order.

DONE AND ORDERED in chambers in Orlando, Orange County, Florida this ____ day of May, 2001.

*/ JEFFORDS D. MILLER

CIRCUIT COURT JUDGE

Copies furnished to:

Francis E. Friscia, Esquire Randy Hillman, Esquire George Meier, Esquire Chris Draper, Esquire