

**IN THE CIRCUIT COURT OF THE
ELEVENTH JUDICIAL CIRCUIT IN AND
FOR MIAMI-DADE COUNTY, FLORIDA**

CASE NO.: 07-43672 CA 09

STATE OF FLORIDA, OFFICE OF FINANCIAL
REGULATION,

Plaintiff,

v.

BERMAN MORTGAGE CORPORATION, a
Florida corporation, M.A.M.C. INCORPORATED,
a Florida corporation, DANA J. BERMAN, as
Owner and Managing Member,

Defendants,

and

DB ATLANTA, LLC, a Florida limited liability
company, et al.,

Relief Defendants.

FILED FOR RECORD
2015 JUL 22 AM 9:19
CLERK OF THE CIRCUIT COURT
MIAMI-DADE COUNTY, FLORIDA
CIVIL DIVISION #250

**ORDER GRANTING RECEIVER'S MOTION TO APPROVE THE
SALE OF REAL PROPERTY OWNED BY MAMC EMERALD CAY, LLC**

THIS MATTER came before the Court on July 22, 2015 for consideration of the Motion to Approve the Sale of Property owned by MAMC Emerald Cay, LLC (the "Motion"), filed by Michael I. Goldberg, in his capacity as the court-appointed receiver (the "Receiver") over Berman Mortgage Corporation, M.A.M.C. Incorporated, and the Relief Defendants, including Emerald Cay, LLC. The Court, having reviewed the Motion, being advised that notice was provided to all interested parties, each of whom have no opposition to the entry of this Order and being otherwise fully advised in the premises, makes the following findings:

- A. All interested parties in this action have received notice of the Motion.

A TRUE COPY
CERTIFICATION ON LAST PAGE
HARVEY RUMM, CLERK

B. The terms set forth in the Agreement for Sale and Purchase of Real Estate (the "Sale Agreement") on behalf of MAMC Emerald Cay, LLC for the sale of the real property located on S.R. 535 at Polynesian Isle Boulevard & Oxford Drive, comprising approximately 7.44 acres in Osceola County, Kissimmee, Florida to ABG 13, LLC are in the best interests of all parties hereto.

C. The Property, as more fully described in Exhibit A attached hereto and incorporated herein was marketed by Receiver or those acting at his direction in a commercially reasonable manner.

D. The sale price reflected in the Sale Agreement is more than what is likely to be realized at a public auction of the Property pursuant to Section 45.031, F.S.

E. The Receiver is not connected with the proposed purchaser under the Sale Agreement through any employment or ownership interest nor familial affiliation.

Based upon these findings, it is therefore **ORDERED AND ADJUDGED** that:

1. The Receiver's Motion to Approve the Sale of Property Owned by MAMC Emerald Cay, LLC is GRANTED.

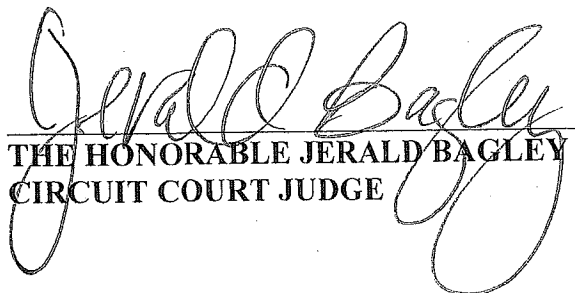
2. The Receiver is authorized to execute the Sale Agreement on behalf of MAMC Emerald Cay, LLC. (A true and correct copy of the Agreement is attached to the Motion as Exhibit 1.) The Receiver is further authorized to execute any documents and take any actions reasonably necessary to consummate the transactions contemplated therein.

3. Upon receipt of the consideration set forth in the Sale Agreement, and delivery of

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HARVEY RUMM, CLERK**

the deed and other documents called for in the Sale Agreement by the Receiver, the sale shall stand as confirmed, without further Order of the Court.

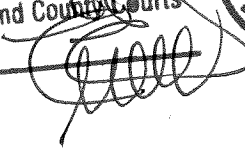
DONE AND ORDERED in Chambers in Miami-Dade County, Florida on this 22 day of July, 2015.


THE HONORABLE JERALD BAGLEY
CIRCUIT COURT JUDGE

Conformed copies to:

All counsel of record

Posted to the Receiver's Web Site

STATE OF FLORIDA, COUNTY OF DADE
I HEREBY CERTIFY that the foregoing is true and correct copy of the original on file in this office. July 22, 2015
HARVEY RUVIN, Clerk of Circuit and County Courts
Deputy Clerk 

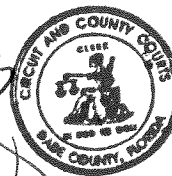


EXHIBIT A**PARCEL 1:**

LOT 3:

Commence at the Northwest corner of Section 2, Township 25 South, Range 28 East, Osceola County, Florida; thence run South 89° 55' 59" East, along the North line of said Section 2, a distance of 385.04 feet to the Point of Beginning of SOUTHBRIDGE "TRACT 1" as recorded in Plat Book 5, Page 199, of the Public Records of Osceola County, Florida; thence continue South 89° 55' 59" East, along said North line of Section 2, 724.01 feet to a point on the Westerly right of way line of State Road 535; thence departing said North line, run South 36° 57' 19" East, along the Westerly right of way line of State Road 535, 42.13 feet to the Point of Beginning; thence continue South 36° 57' 19" East, along said right of way of State Road 535, 160.23 feet; thence departing said right of way line, run South 53° 02' 33" West, 466.61 feet; thence run North 36° 58' 54" West, 63.45 feet to the beginning of a curve concave Northeasterly, having a radius of 188.00 feet, a chord bearing North 23° 11' 54" West, a chord distance of 89.58 feet, through a central angle of 27° 34' 01", thence run along the arc of said curve 90.45 feet to the point of tangency; thence run North 09° 24' 53" West, 32.65 feet to the beginning of a curve concave Southeasterly, having a radius of 138.00 feet, a chord bearing of North 35° 27' 57" East, a chord distance of 194.75 feet, through a central angle of 89° 45' 39"; thence run along the arc of said curve 216.19 feet to the point of tangency; thence run North 80° 20' 46" East, 139.72 feet to the beginning of a curve concave Northwesterly, having a radius of 125.00 feet, a chord bearing of North 66° 40' 56" East, a chord distance of 59.06 feet, through a central angle of 27° 19' 40", thence run along the arc of said curve, 59.62 feet to the point of tangency; thence run North 53° 01' 06" East, 63.03 feet to the Point of Beginning.

LOT 1:

Commence at the Northwest corner of Section 2, Township 25 South, Range 28 East, Osceola County, Florida; thence run South 89° 55' 59" East, along the North line of said Section 2, a distance of 385.04 feet to the Point of Beginning of SOUTHBRIDGE "TRACT 1", as recorded in Plat Book 5, Page 199, of the Public Records of Osceola County, Florida; thence departing said North line, run South 09° 24' 53" East along the Westerly line of SOUTHBRIDGE "TRACT 1", 535.15 feet; thence run South 19° 13' 22" East, 290.97 feet; thence run South 37° 00' 09" East 15.82 feet to a point on the Northerly right of way line of Polynesian Isles Boulevard; thence departing aforesaid Westerly line of SOUTHBRIDGE "TRACT 1", run North 73° 16' 10" East, along the right of way of Polynesian Isles Boulevard, 206.35 feet, to the Point of Beginning, thence departing said right of way line run North 16° 43' 50" West, 120.32 feet; thence run North 61° 43' 50" West, 82.86 feet; thence run North 09° 24' 53" West 68.24 feet; thence run North 80° 35' 07" East 36.59 feet to the beginning of a curve concave Northwesterly, having a radius of 114.00 feet, a chord bearing of North 47° 26' 29" East, a chord distance of 124.66 feet, through a central angle of 66° 17' 16", thence run along the arc of said curve 131.89 feet to the point of a non tangent line; thence run North 53° 01' 06" East 58.91 feet; thence run South 36° 58' 54" East, 107.49 feet to the beginning of a curve concave Westerly, having a radius of 100.00 feet, a chord bearing of South 13° 41' 32" East, a chord distance of 79.08 feet, through a central angle of 46° 34' 45", thence run along the arc of said curve 81.30 feet to the point of tangency, thence run South 09° 35' 51" West 34.01 feet to the beginning of a curve concave Easterly, having a radius of 100.00 feet, a chord bearing of South 11° 07' 24" East, a chord distance of 70.76 feet through a central angle of 41° 26' 30", thence run along the arc of said curve 72.33 feet to the point of tangency; thence run South 31° 50' 39" East, 18.28 feet to a point on the Northerly right of way line of Polynesian Isles Boulevard, said point also being a point on a non radial curve concave Northwesterly, having a radius of 533.69 feet, a chord bearing of

South 65° 45' 01" West, a chord distance of 139.68 feet, through a central angle of 15° 02' 19", thence run along said right of way line and the arc of said curve 140.08 feet to the point of tangency; thence run South 73° 16' 10" West 31.17 feet to the Point of Beginning.

TRACT C:

Commence at the Northwest corner of Section 2, Township 25 South, Range 28 East, Osceola County, Florida; thence run South 89° 55' 59" East along the North line of said Section 2, a distance of 385.04 feet to the Point of Beginning, said point also being the Point of Beginning of SOUTHBRIDGE "TRACT 1" as recorded in Plat Book 5, Page 199, of the Public Records of Osceola County, Florida; thence continue South 89° 55' 59" East along said North line of Section 2, 724.01 feet to a point on the Westerly right of way line of State Road 535; thence departing said North line run South 36° 57' 19" East, along the Westerly right of way line of State Road 535, 42.13 feet; thence departing said Westerly right of way, run South 53° 01' 06" West, 63.03 feet to the beginning of a curve concave Northwesterly, having a radius of 125.00 feet, a chord bearing of South 66° 40' 56" West, a chord distance of 59.06 feet, through a central angle of 27° 19' 40"; thence run along the arc of said curve, 59.62 feet to the point of tangency; thence run South 80° 20' 46" West, 139.72 feet to the beginning of a curve concave Southerly having a radius of 138.00 feet, a chord bearing of a 70° 03' 23" West, a chord distance of 49.30 feet, through a central angle of 20° 34' 46", thence run along the arc of said curve, 49.57 feet to a radial line, thence run North 30° 13' 59" West along said radial line, 59.31 feet; thence run North 89° 55' 59" West, 416.82 feet to a point on the Westerly line of aforesaid SOUTHBRIDGE "TRACT 1"; thence run North 09° 24' 53" West, along said Westerly line, 85.47 feet to the Point of Beginning.

PARCEL 2:

Lot 3, CALYPSO CAY COMMERCIAL, PHASE II, Section 2, Township 25 South, Range 28 East, Osceola County, Florida, as recorded in Plat Book 18, Page 43, of the Public Records of Osceola County, Florida.

LESS AND EXCEPT:

TRACT "A":

A portion of Lot 3, CALYPSO CAY COMMERCIAL, PHASE II, as recorded in Plat Book 18, Page 43, of the Public Records of Osceola County, Florida, more particularly described as follows: Commence at the Northwest corner of CALYPSO CAY COMMERCIAL, PHASE II, Section 2, Township 25 South, Range 28 East, Osceola County, Florida, as recorded in Plat Book 18, Page 43, of the Public Records of Osceola County, Florida, said point also being a point on the Southerly right of way of Polynesian Isles Boulevard; thence departing said Southerly right of way run South 37° 00' 09" East, along the Westerly lot line of aforesaid Lot 3, 449.30 feet; thence run South 69° 47' 21" East, 145.19 feet, to the Point of Beginning, thence departing said Westerly lot line of said Lot 3, run North 53° 02' 39" East, 132.71 feet to a point on the Easterly lot line of said Lot 3; thence run South 36° 57' 21" East, along said Easterly line of said Lot 3, 146.43 feet, to a point on the Southerly lot line of said Lot 3; thence run South 53° 02' 39" West, along said Southerly lot line, 63.26 feet to the Southwesterly corner of said Lot 3; thence run North 36° 58' 55" West, 38.83 feet; thence run North 69° 47' 21" West, 128.06 feet to the Point of Beginning.