

**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.

**ORDER GRANTING RECEIVER'S MOTION TO
APPROVE THE SALE OF THE HAINES CITY PROPERTY**

THIS MATTER came before the Court on July 31, 2017 upon the hearing on the *Motion to Approve Sale of the Haines City Property* (the "Motion"), filed by Michael I. Goldberg, in his capacity as the court-appointed receiver (the "Receiver") over Berman Mortgage Corporation ("BMC"), M.A.M.C. Incorporated ("MAMC"), and the Relief Defendants.

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, does hereby find that:

A. Pursuant to the *Temporary Injunction and Agreed Order Appointing Receiver* (“Receivership Order”) dated December 11, 2007, Michael Goldberg is the Court-appointed Receiver over BMC and MAMC and the Relief Defendants.

B. The Court has jurisdiction over the vacant land (the “Vacant Land”) located in Polk County, Florida hereinafter described as follows:

Tract 28, less the East 186.36 feet, and Tract 29, in the Southeast ¼ of Section 21, Township 27 South, Range 27 East, according to the plat of Florida Development Co. Tract, as recorded in Plat Book 3, Page 60 through 63, inclusive, Public Records of Polk County, Florida, LESS right-of-way for State Road 580.

C. The terms set forth in the Vacant Land Contract (the “Sale Agreement”) with Haines City, Florida are in the best interests of all parties hereto.

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

E. The Receiver is not connected with Haines City through any employment or ownership interest nor familial affiliation.

It is therefore **ORDERED AND ADJUDGED** that:

1. The Motion is **GRANTED**.
2. The Receiver is authorized to execute the Sale Agreement and is further authorized to execute any documents and take any actions reasonably necessary to consummate the transactions contemplated therein without further Order of the Court.
3. The proceeds of the sale shall be held in escrow pending resolution of competing claims to all or part of the sale proceeds either through a determination by this Court or agreement of the parties.
4. A copy of this Order shall be filed in the Official Records of Polk County, Florida.

5. The Court shall retain jurisdiction to enforce the terms of the Sale Agreement.

DONE AND ORDERED in Chambers in Miami-Dade County, Florida on this _____ day
of _____, 2017.

CONFIRMED COPY

JUL 31 2017

PEDRO P. ECHARTE, JR.
CIRCUIT COURT JUDGE

**THE HONORABLE PEDRO P. ECHARTE JR.
CIRCUIT COURT JUDGE**

Conformed copies to:

All counsel of record

Posted to the Receiver's Web Site