

----- Original Message -----

Subject: RE: REQUEST FOR IMMEDIATE SUSPENSION OF SPECIAL VOTE MARCH 17,

2016 AT 7:00 PM - Myrtle Lake Baptist Church

From: "Eric N. Appleton"

Date: Sat, March 05, 2016 5:35 pm

Dear xxxx (attorney),

I normally do not communicate with homeowners directly, as that is not an authorized expense the board will assume. Also, it is impractical given the size of your community and the number of owners in all of the communities that I represent. Nevertheless, I am compelled to respond to your lengthy email, which apparently makes many assumptions without consideration of the facts and applicable legal documents. I am also compelled to respond for my client, as you invoked your law licenses in the communication to a represented party and made claims that causes of action exist against the HOA and the Board.

The Plantation Palms HOA Board is well aware of its duties, and it is trying quite hard to fulfill them. I can personally attest, as I have done at the two membership meetings that the HOA already held this year, that the prior board and the current board have spent countless hours and HOA funds in an effort to fully explore and study the community's rights and obligations relative to the golf course and its future, whatever that may be.

Full disclosure of those efforts and the results of same were made at prior board meetings, the annual meeting, and again at the special meeting held last month. Those efforts included consultation with an independent expert who advised what it would cost the HOA to take over and operate the golf course. Those efforts also included the exploration of interest of a residential developer in the parcels, as well as the community's views of such redevelopment of the golf course. (Critically, only 6 people at the annual meeting raised their hands in support of that concept.) Furthermore, those efforts by the Board included presenting general details of a third party purchasing the golf course, which has the most promise given available options at this time.

As a lawyer, I find it hard to believe that you would have sent the email below without having attended the board and membership meetings where these important and noticed briefings occurred. I, however, find it even harder to believe that you would send the email below if you were present at those recent membership meetings, where hundreds of members attended and heard hours of discussion on the subjects. All that effort was, of course, in addition to many mailings and board meetings where the topics were also covered.

With regard to the manufactured claim that the Board "shut down" other bids, that is an inaccurate rumor. We (the board, management and I) continue to be in touch with BIA, the office of Congressman Gus Bilirakis and the legal representatives of multiple potential buyers, including counsel for Rocky

Morgan. As you know, the HOA Board does not hold the power to unilaterally fix this situation. Such a resolution is dependent upon multiple parties and their interests aligning, including our government's approval of the short sale of the golf course property by MJS. With a looming tax deed sale impacting half of the golf course parcels, there is no time to waste here.

On the point of the Board's right to enter into such a contract or agreement with a golf course operator, although you called that "absurd", that action is consistent with multiple provisions in the Declaration, which I have discussed with the board, management and Mr. Friscia, who you copied on your email. Note that Mr. Friscia was also afforded the opportunity to speak at the last membership meeting on the Reserve's behalf; therefore, your claim that the Board is somehow stifling debate of these issues misses the mark completely. The Board has been completely transparent and even aggressive about holding membership and board meetings about these issues in order to inform all constituents of the facts and consequences of their choices. We have done that, as it is the right thing to do. We are, however, equally mindful that an owner could claim that the Board breached its duties for not acting to solve these problems.

I hope that you will personally attend the March 17 meeting and speak about your concerns. Before doing so, I sincerely hope that you have all of the facts and understand the substantial efforts that have been undertaken by the Board to find a solution to this terrible situation. As I advised the members at the last meeting, I would hate to be addressing the membership in August about how to manage this situation following a tax deed sale where one or more of the golf course parcels has been sold to an investor whose only goal is to capitalize on your communities dire circumstances.

Sincerely,

Eric N. Appleton