

**IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT
IN AND FOR LEON COUNTY, FLORIDA**

JOSEPH B. BLANDFORD et al.,

Plaintiffs

and KILLEARN HOMES ASSOCIATION,
INC., Intervenor-Plaintiff,

v.

CASE NO. 2014 CA 002865

PALMETTO CLUB PROPERTIES LIMITED
PARTNERSHIP et al.,

Defendants.

CLAIRE A. DUCHEMIN and

KILLEARN HOMES
ASSOCIATION, INC.,

Plaintiff and Intervenor Plaintiff,

v.

CASE NO. 2014 CA 003010

PALMETTO CLUB PROPERTIES LIMITED
PARTNERSHIP,

Defendant.

ORDER DISSOLVING INJUNCTION

This evidentiary hearing came before this Court on the Motion to Dissolve Temporary Injunction filed by Defendant Palmetto Club Properties Limited Partnership ("Defendant"). Based upon a review of the file, the relevant authority, and after considering the argument of counsel and the evidence tendered during the hearing, this Court finds as follows:

1. This action is premised on a recorded covenant and a purchase right contained therein.

2. The Order Granting in Part and Denying in Part Plaintiff's Verified Motion for Temporary Injunction was entered by Hon. James C. Hankinson, Circuit Judge, on December 29, 2014 ("Injunction").

3. This Court finds that there has been a significant change in the facts since the Injunction was entered and further finds that the Plaintiff no longer has a substantial likelihood of success on the waiver claim that was before Judge Hankinson. It appears as though Defendant has substantially complied with the covenant as opposed to seeking a waiver of same.

4. Defendant stated it was not disputing the earlier rulings as to irreparable injury and public interest; thus, these issues are not addressed herein.

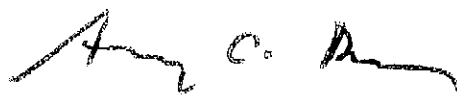
ACCORDINGLY, IT IS ORDERED AND ADJUDGED AS FOLLOWS:

1. Defendant's Motion is GRANTED. The Injunction is hereby dissolved.

2. Counsel for Plaintiff stated she will promptly appeal this order. Defendant's counsel voluntarily agreed to a temporary stay of this order to provide Plaintiff time to file a stay motion; thus, the Injunction's maintenance obligation shall remain in place until this Court rules on the stay motion. To keep Defendant's accommodation in place, Plaintiff must file the stay motion no more than ten (10) days from the later of either the date of this order or the date an order is entered on a rehearing motion if such a motion is timely filed. The parties shall cooperate on securing the expedited hearing(s) of said motion(s). The stipulated temporary stay shall be lifted if Plaintiff does not file a stay motion by the deadlines in this paragraph.

3. The above findings are preliminary in nature, are without prejudice to pending claims and defenses, and are not final determinations.

Entered this 29 of December, 2015.



Honorable Angela C. Dempsey
Circuit Judge

Copies to:
All Counsel of Record