

IN THE CIRCUIT COURT OF THE
7TH JUDICIAL CIRCUIT IN AND
FOR VOLUSIA COUNTY, FLORIDA
CASE NO. 93-10098-CIDL-01

LONG LEAF PLANTATION HOME
OWNERS ASSOCIATION, INC.,
Plaintiff,

vs.

ELEODORO DECASTRO and
DIANA DECASTRO,
Defendants.

VOLUSIA CO., FL
3836 4934

SETTLEMENT AGREEMENT

The Plaintiff, LONG LEAF PLANTATION HOME OWNERS ASSOCIATION, INC., and the Defendants, ELEODORO DECASTRO and DIANA DECASTRO, hereby stipulate that this case shall be dismissed with prejudice, upon the following basis:

1. The Defendants have removed the non-conforming pool enclosure that was the subject of this suit, and thus the Defendants are now in compliance with the covenants and restrictions.

2. The Defendants agree to pay to the Plaintiff on or before June 30, 1993 the sum of \$400.00 as a partial reimbursement of the attorney's fees and costs incurred by the Plaintiff in the prosecution of this suit. Payment shall be made to the attorney for the Plaintiff, by check payable to the Taylor and Early, P.A. Trust Account. If the \$400.00 is not paid in full by June 30, 1993, then the Defendants agree to pay the sum of \$1,016.50, representing the entire amount of the fees and costs incurred by the Association, which sum shall become due and payable on July 1, 1993. In addition, the higher sum shall bear interest at the rate of 12% per annum from July 1, 1993.

3. Upon the signing of this Agreement by all parties, and upon the delivery by the Defendants to the Plaintiff of a notice of dismissal or other satisfactory evidence that the Defendants have dismissed their complaint filed with the Florida Commission on Human Relations, Case No. 93-3432, and with the U. S. Department of Housing and Urban Development, Case No. 04-93-0200-1, with prejudice, the Plaintiffs shall dismiss this suit with prejudice.

4. In addition to the dismissal of their respective actions, each party does hereby remise, release, acquit, satisfy, and forever discharge the other of and from all, and all manner of actions, causes of action, suits, damages, claims and demands whatsoever which either party ever

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had, now has or may have in the future against the other party arising out of the subject matter of their respective actions; provided however, this general release shall not apply to any other violation by the Defendants of any of the Long Leaf Plantation subdivision covenants and restrictions. This release by the Defendants shall also apply to those individuals named in the Defendants' complaints filed with the Florida Commission on Human Relations and with the U. S. Department of Housing and Urban Development, namely, Joyce Monaco, Fred Collins, Nancy Grant, Diane Smith, Julie Irizarry (Irizarry), Bob Hessler, and Charles Early, P.A.

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IN WITNESS WHEREOF the parties have set their hands and seals on the dates indicated below.

LONG LEAF PLANTATION HOME OWNERS ASSOCIATION, INC.

Charles L. Early, Jr.
Charles L. Early, Jr., Esq.
Taylor and Early, P.A.
112 North Florida Avenue
DeLand, FL 32720
(904) 734-2558
Attorneys for Plaintiff

By: Paul Fuller
Paul Fuller, Chairman of Board of Directors

Date: March 29, 1993

Date: March 29, 1993

Diana DeCastro
Diana DeCastro

Eleodoro DeCastro
Eleodoro DeCastro

Date: _____

Date: _____

IN THE CIRCUIT COURT, SEVENTH
JUDICIAL CIRCUIT IN AND FOR
VOLUSIA COUNTY, FLORIDA

CASE NO: 93-10098-CIDL-01
DIVISION:

LONG LEAF PLANTATION HOME
OWNERS ASSOCIATION, INC.,

Plaintiff,

-vs-

ELEODORA DECASTRO and
DIANA DECASTRO,

Defendants.

ORDER FOR ATTORNEY'S FEES AND COSTS

THIS CAUSE, came on for hearing upon Plaintiff's Motion for
Attorney's Fees and Costs, on the 5th day of October, 1993 and the
14th day of March, 1994, the Court having heard argument by counsel,
and being otherwise fully advised in the premises, it is;

ORDERED AND ADJUDGED:

1. Defendants, ELEODORA DECASTRO and DIANA DECASTRO are hereby
ordered to pay attorney's fees and costs in the amount of FOUR
HUNDRED DOLLARS (\$400.00), which shall be considered full and
complete satisfaction of the Petitioner's claim.

DONE AND ORDERED in Chambers, DeLand, Volusia County, Florida,
this 18 day of March, 1994.

C. McFerrin Smith III
C. McFERRIN SMITH, III, CIRCUIT JUDGE

Copies to:

Charles J. Cino, Attorney for Defendants
Charles L. Early, Jr., Attorney for Plaintiffs

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