

IN THE CIRCUIT COURT OF THE SEVENTEENTH JUDICIAL CIRCUIT  
IN AND FOR BROWARD COUNTY, FLORIDA

IN RE:

CASE NO.: CACE 24-005243

HERON POND CONDOMINIUM  
ASSOCIATION, INC.

Petitioner.

v.

HERON POND CONDOMINIUM  
ASSOCIATION, INC.,

Defendant/Respondent

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**ORDER GRANTING RECEIVER, DANIEL J. STERMER'S, EMERGENCY EX PARTE  
MOTION TO ENFORCE NOTICE OF UNSAFE STRUCTURES ISSUED BY CITY OF  
PEMBROKE PINES AND REQUIRE ALL RESIDENTS TO VACATE THE PREMISES  
ON OR BEFORE AUGUST 29, 2024**

**THIS CAUSE** came before the Court on the *Receiver, Daniel J. Stermer's, Emergency Ex Parte Motion to Enforce Notice of Unsafe Structures Issued by the City of Pembroke Pines and Require all Residents to Vacate the Premises On Or Before August 29, 2024* (the "Motion"). The Court, having reviewed the Motion and considered the Motion<sup>1</sup>, the Court record, including documents filed of record by the Receiver, and having otherwise been fully advised in the premises, does hereby **ORDER AND ADJUDGE** as follows:

1. The Receiver's Motion is **GRANTED**.
2. Given the City's issuance of the Unsafe Structure Notices on all Buildings comprising the Property, the Receiver is justifiably concerned about the potential risk of bodily or

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<sup>1</sup> Capitalized terms used herein shall have the same definition set forth in the Motion.

property damage to the residents of the Property. Accordingly, all residents and guests of any Unit located at Heron Pond Condominium Association, Inc., are hereby ordered to vacate the Property by no later than 11:59 p.m. on August 29, 2024. No person shall be permitted to enter the Property without prior written authorization of the Receiver or this Court.

3. The Court directs the Broward Sheriff's Office to use any and all of the powers of the County to assist the Receiver in the discharge of this relief.

4. The Broward Sheriff's Office and those persons acting under its supervision are authorized to gain access to the condominium property and the individual condominium units, if necessary, by reasonable use of force, including, but not limited, unlocking any doors, or breaking any locks to gain access.

5. The Court further directs any and all law enforcement agencies to continue to enforce this Order on an ongoing basis, whether with or without the Broward Sheriff's Office

6. The Receiver is authorized to install a gate or barrier at all entrances to the Property and erect or install no trespassing signs throughout the Property. All persons entering the Property thereafter shall be considered trespassers on the Property and the Receiver and the Association shall be immune from any liability for injury as provided in §768.075 Fla. Stat. (2023) and all other applicable statutes.

7. Each Unit owner is enjoined from leasing his or her Unit pending further order of the Court.

8. The Receiver shall immediately provide notice of this Order by serving the Order via email to the notice list he has on file and on the Receiver's Website and by posting this Order on the to be installed front gates of the Association.

**DONE and ORDERED** in chambers at Broward County, Florida this 28<sup>th</sup> day of August,  
2024.

A handwritten signature in black ink that reads "Jack Tuter". The signature is written in a cursive style with a long horizontal stroke extending from the end of the name.

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Honorable Jack Tuter  
Circuit Court Judge

cc: All counsel of record