

Bivins & Hemenway, P.A.

Attorneys At Law

1060 Bloomingdale Avenue, Valrico, Florida 33596 • Office: 813-643-4900 • Fax: 813-643-4904

February 25, 2014

VIA ELECTRONIC MAIL

PRIVATE & CONFIDENTIAL

Lumsden Trace/Valrico Homeowner's Association, Inc.
Attn: James Weatherford
P.O. Box 1822
Valrico, FL 33595-1822

Re: Rendition of Legal Services - Engagement Letter

Dear Mr. Weatherford:

This letter confirms the engagement of this law firm to represent Lumsden Trace/Valrico Homeowner's Association, Inc. (the "Company"), in connection with the collection of delinquent homeowners' association assessment fees due to the Company from time to time, as well as other ongoing resident violations of the Company's Declarations of Covenants and Restrictions. This engagement letter will also apply to any other legal matters with which the Company may request our assistance in the future, except where a separate engagement letter is executed for such services. This firm accepts the foregoing engagement beginning on February 25, 2014, and agrees to represent the Company on the terms described in this letter. Please have the Company President or another authorized corporate officer of the Company acknowledge the Company's acceptance of these terms of representation by signing and dating this letter where indicated below and returning it to me.

Eric Cruz and I will be primarily responsible for the legal representation provided by this firm to the Company. Other lawyers, law clerks, and legal assistants of this firm also will participate in the representation to the extent appropriate. We will use law clerks and legal assistants whenever advisable so this firm can provide legal services more economically.

For legal services provided by this firm to the Company, the minimum legal fee will be based on hourly billing rates for the lawyers, law clerks, and legal assistants performing the services. This firm's hourly billing rates for its lawyers currently range from \$150.00 to \$295.00. My hourly rate for this type of matter is currently \$295.00. Eric's hourly rate for this type of matter is currently \$150.00. This firm periodically adjusts the billing rates of its lawyers to reflect augmentation of their ability, experience, and reputation and to account for economic factors, such as increases in the cost of delivering legal services. The fee for services provided by this firm to the Company will be derived primarily, but not solely, from hourly billing rates.

The value of legal services is not strictly a function of how long it takes to perform them, nor is every hour of time worth the same, regardless of what this firm's lawyers do for the Company. Accordingly, this firm will take into account additional factors that lawyers traditionally consider in establishing legal fees, including the results obtained, the importance of the matter, the novelty and difficulty of the relevant legal issues, the expertise required to address those issues, any time constraints imposed by you or the attendant circumstances, and the nature and duration of the Company's client relationship with this firm.

We customarily collect an advance retainer fee from clients with whom we do not have an established client relationship. For the representation described above, we will require an advance retainer fee of \$1,000.00. This and any other retainer applicable to future services will be held in trust and applied to pay out of pocket costs and our monthly statements for the matter, but will be refundable to the Company to the extent not necessary to cover the fees we incur and costs we advance on the Company's behalf during the representation. A retainer is not an estimate of the total fees for our representation, which will be a function of the nature, extent, and complexity of the issues, the cooperation of the multiple parties to the transaction, and other factors outside of our control. We reserve the right to require replenishment of the retainer fee upon request should it be insufficient to cover the Company's legal fees and costs to completion of the representation. Without limiting the generality of the foregoing, if the Company instructs this firm to undertake a foreclosure action or other lawsuit on its behalf, we will, prior to initiating such action, require an additional cost deposit to cover the filing fees, service of process fees, and other foreseeable out of pocket costs associated with initiating such action, and/or an additional advance retainer fee to cover the estimated fees associated with the litigation.

This firm will mail to the Company's address set forth above (or any other address that it provides to us for billing purposes) a monthly statement for any services rendered and costs incurred during the preceding month. Payment of each statement is due in full when received, and a late charge of 1-1/2% per month is payable on demand on any statement balance that is not paid within 30 days after the date of the statement. If the Company does not object in writing to a statement within 30 days after the date of the statement, it will be deemed to have waived any objection to the statement. If collection action becomes necessary, the Company is liable for this firm's costs, expenses, and legal fees incurred in collecting a delinquent statement, including fees incurred by attorneys employed by this firm and regardless of whether incurred before a lawsuit is filed or in trial, pretrial, appellate, bankruptcy, garnishment, and judgment-execution proceedings, and those costs, expenses, and legal fees are payable on demand by this firm.

The Company is also financially responsible for all costs incurred by this firm in connection with this representation. Chargeable costs include expenses or disbursements for taxes, travel, document duplication, courier and messenger services, long distance telephone tolls, user fees for computer research, fees paid to experts, court reporters, and other third parties, filing, recording,

Lumsden Trace/Valrico Homeowner's Association, Inc.
Attn: James Weatherford
February 25, 2014
Page 3

certification, and registration fees, postage, and secretarial overtime and other extraordinary costs necessitated by the time constraints associated with the representation. As noted specifically above with respect to filing fees, service of process fees, and other anticipated costs in any litigation the Company may ask us to undertake on its behalf, we reserve the right to require an advance cost deposit whenever substantial costs can be predicted or, where possible, to have the Company billed directly for any major costs.

We invite you to discuss promptly with us any questions you have concerning a billing statement. We want our clients to be satisfied with both the quality and the value of this firm's legal services. We appreciate the opportunity to represent the Company and look forward to assisting the Company with its legal needs.

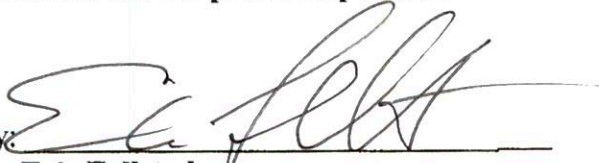
Very truly yours,



Robert W. Bivins

Accepted and agreed to
on February 26, 2014

**LUMSDEN TRACE/VALRICO
HOMEOWNER'S ASSOCIATION, INC.,
a Florida not-for-profit corporation**

By: 
Eric Follstad
President