

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION**

In re:

LEGACY POOLS, LLC,

**CASE NO. 6:22-bk-03123-LVV
CHAPTER 11**

Subchapter V Election

Debtor.

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**NOTICE OF FILING THIRD MODIFICATION TO THE
SUBCHAPTER V PLAN OF REORGANIZATION FOR LEGACY POOLS, LLC**

LEGACY POOLS, LLC (the “Debtor”) hereby gives notice of filing:

1. **THIRD MODIFICATION TO SUBCHAPTER V PLAN OF REORGANIZATION FOR
LEGACY POOLS, LLC.** (Doc. No. 32).

RESPECTFULLY SUBMITTED this 3rd day of February, 2023.

/s/ Daniel A. Velasquez

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the **NOTICE OF FILING THIRD MODIFICATION TO THE PLAN OF REORGANIZATION FOR LEGACY POOLS, LLC** has been furnished either electronically and/or by U.S. First Class, postage prepaid mail to: United States Small Business Administration, c/o Christopher Emden, Assistant United States Attorney, 400 N. Tampa Street, Suite 3200, Tampa, Florida 33602; all parties receiving notice via CM/ECF; all parties in interest identified in the attached mailing matrix; the Office of the United States Trustee, c/o Bryan E. Buenaventura., 400 West Washington Street, Suite 1100, Orlando, Florida 32801, and the Subchapter V Trustee, Robert Altman, PO Box 922, Palatka, Florida 32178, robertaltman@bellsouth.net; this 3rd day of February 2023.

/s/ Daniel A. Velasquez

Daniel A. Velasquez, Esq.

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**THIRD MODIFICATION TO SUBCHAPTER V PLAN OF REORGANIZATION FOR
LEGACY POOLS, LLC**

COUNSEL FOR DEBTOR

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ORLANDO, FLORIDA 32801

February 3, 2023

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

In re:

LEGACY POOLS, LLC,

CASE NO. 6:22-bk-03123-LVV
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THIRD MODIFICATION TO SUBCHAPTER V PLAN OF REORGANIZATION
FOR LEGACY POOLS, LLC

LEGACY POOLS, LLC (the “Debtor”), by and through its undersigned counsel, and pursuant to 11 U.S.C. § 1193(a), files the following modification to the Subchapter V Plan of Reorganization (Doc. No. 32) (the “Plan”). All terms of the Plan not altered by the modifications herein, and the modifications at Doc. Nos. 80 and 147, shall remain as set forth in the Plan.

ARTICLE V – TREATMENT OF IMPAIRED CLASSES.

Article V, Section B, Subsection 12 is modified to read as follows:

C. Secured Claims.

1. Class 12 – Allowed Secured Claim of the U.S. Small Business Administration.

Class 12 consists of the Allowed Secured Claim of the U.S. Small Business Administration (the “SBA”) in the amount of \$396,109.97 which is secured by substantially all of the Debtor’s Personal Property (the “SBA Collateral”). In full satisfaction of its Allowed Class 12 Claim, the SBA shall retain its lien on the SBA Collateral and shall receive monthly principal and interest payments commencing on the Effective Date based on a 20-year amortization at 5.00% interests with the SBA’s Class 12 Claim paid in full on or before the last day of the 60th month following the Effective Date. The balance of the SBA’s Allowed Claim shall be entitled to receive treatment as a general unsecured claim consistent with the terms and conditions of Class 13. In addition to monthly principal and interest payments, the SBA shall receive \$3,000.00 on the

Effective Date, representing funds received from the sale of the SBA Collateral. For a period of six (6) months following the Effective Date, and while the Debtor remains in compliance with the terms of the Plan, the SBA voluntarily agrees not to pursue the Debtor's officers, Charles "Chad" Black or Kristin Black, on account of any alleged personal guaranty provided to the SBA. The provisions of the Conditional Injunction established under Article VII, Section S below do not apply to the SBA; rather, the provisions of Class 12 shall govern any restriction on the pursuit of litigation against Charles "Chad" Black or Kristin Black. Upon payment of the Class 12 Claim in full, the Allowed Secured Claim of the SBA shall be fully satisfied, and any associated liens and UCC-1 filings (if any) shall be released, withdrawn or terminated. Class 12 is Impaired.

<End of Class 12>

ARTICLE VII – MISCELLANEOUS.

Article VII, Section P (Distribution of Unclaimed Property) is amended to include the following sentence at the end of the section: "The foregoing procedure regarding Unclaimed Property shall not apply to the United States Small Business Administration."

<End of Article VII, Section P Modification>

Article VII, Section S, Subsection 1(d) shall be amended to include the following sentence at the end of the section: "Given the progress made on ongoing pool projects, Debtor anticipates it will take six (6) months to complete all projects for homeowners participating in the Construction Trust."

<End of Article VII, Section S, Subsection 1(d) Modification>