06

Order of Taking Money Breakdown

Case No: 03-3648-CA
Case Name: Devlin
Court Deposit Amount: 30 224.42 ✓

Additional Monies Awarded at Stipulated Final Judgement

Parcel ID	Parcel Name	Project	Twn, Rng & Sec OR Unit	Back Taxes paid at OT Hearing	Court Deposit Amount per parcel	Court Fees ($100.00/ number of parcel in OT	OT Total
442044400008	Devlin	GLE	1143	67.94	10120	30	$0.00
443000400004	Carneyale		1143	34.12	4840	30	$0.00
443038800000	Bankard		1143	34.12	4840	30	$0.00
443030000000	Bertrand		1143	34.12	5280	30	$0.00
441506800006	Wagner		1142	34.12	4840	30	$0.00
				204.42		100	$0.00
					29920		$0.00
							$0.00
							$0.00
				OT Total (Total should include all court fees and monies awarded in the Order of Taking)			$0.00

Back Taxes paid at SFJ	Additional Payment to Seller at SFJ	Attorney's Fees paid at SFJ	Court Fees paid at SFJ	Total Spent to Aquire Parcel
67.94	3960	0	0	
34.12	5,625.88	—	100	7/21/03
34.12	4,685.88	—	100	
34.12	4,245.88	—	—	
34.12	4,685.88		100	

30,224.42
-204.42
30020
-100
29920 ✓

OT: Fund: 348 Ltr: 11-1-02 War: 11-6-02

NAME	LTR	Warr	Fund	
CARNEYALE	7-17-03	7-21-03	348	
BANKARD	2-19-04	2-23-04	348	
WAGNER	12-23-02	12-23-02		

Ent SFJ 2/13/03 ROE

Ent 11/22/02

Ent SFJ 8/12/03 JAW

Ent SFJ 4/6/04 DT

ROE

IN THE CIRCUIT COURT OF THE TWENTIETH JUDICIAL CIRCUIT,
IN AND FOR COLLIER COUNTY, FLORIDA

FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION, on behalf of THE BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND,

Petitioner,

vs.

JAMES F. DEVLIN, et al.,

Defendants.

_____/

Case No.: 02-2648-CA

Judge: HAYES

ORDER OF TAKING

THIS CAUSE came before the Court, and it appearing that proper notice was first given to all Defendants and to all persons having or claiming any equity, lien, title or other interest in or to the real property described in the Amended Petition in Eminent Domain, that the Petitioner would apply to this Court for an Order of Taking, and the Court being fully advised in the premises, it is

ORDERED and ADJUDGED as follows:

1. That this Court has jurisdiction of the subject matter and the parties to this cause.

2. That the pleadings in this cause are sufficient and the Petitioner is properly exercising its delegated authority for a public purpose.

3. That the Declaration of Taking filed in this cause by the Petitioner was made in good faith and based upon valid appraisals.

4. That there are taxes due and owing on the properties described in the Petition In Eminent Domain. Said taxes, in the amount of $204.42 are set forth in Exhibit "A" attached hereto.

5. That within twenty (20) days of the entry of this Order, Petitioner shall deposit the amount stated in the Declaration of Taking, plus the aforementioned taxes, plus a $100.00 Clerk of Court fee, for a total deposit in the amount of $30,224.42.

6. That upon payment of said deposit, fee simple title in and to the parcel described in the Petition in Eminent Domain and attached hereto as Exhibit "B", shall vest in The Board of Trustees of the Internal Improvement Trust Fund, subject only to outstanding oil, gas and mineral rights interests.

7. That upon payment of said deposit and without further notice or order of the Court, the Petitioner shall be entitled to possession of the parcels described above.

8. That upon payment of said deposit and without further notice or order of the court, the Clerk shall withdraw said $100.00 Clerk of Court fee.

9. That upon payment of said deposit and without further notice or order of the court, the Clerk shall disburse the aforementioned taxes to the Collier County Tax Collector.

DONE and ORDERED this 30 day of OCTOBER, 2002, at Naples, Collier County, Florida.

Hugh D. Hayes

CIRCUIT JUDGE

cc: all parties of record

Prepared For: Glenn Tucker

8/21/2002

By: Collier County Tax Collector
Sam Young, Acquisition Specialist
(239) 774-8882

ESTIMATED TAXES DUE PENDING FINAL ORDER OF TAKING DATE

DEP vs	Case # 02-2648		Judge: Hayes				
Name	ID #	Legal Desc:	IF PAID IN Nov-02		IF PAID IN Dec-02	OR	IF PAID IN Jan-03
Devlin	44204440008	Golden Gate Est U 143 W 150' Tr 44	67.94		67.94		67.94
Carnevale	44200040004	Golden Gate Est U 143 E 75' Tr 1	34.12		34.12		34.12
Bankard	44202880000	Golden Gate Est U 143 W 75' Tr 27	34.12		34.12		34.12
Bertrand	44202000000	Golden Gate Est U 143 W 75' TE150' Tr 19	34.12		34.12		34.12
Wagner	44150680006	Golden Gate Est U 142 E 75' W 150' Tr 127	34.12		34.12		34.12

DUE IN Nov-02	DUE IN Dec-02	OR	DUE IN Jan-03
204.42	204.42		204.42

NOTICE TO PROPERTY OWNER: Taxes will be paid by the courts. Do not send payment to the Tax Collectors office. Should you have any further questions, please contact the Attorney Generals Office

NOTICE TO PERSONS REQUESTING A TAX SEARCH: The Tax Collector of Collier County, Florida and employees of the Tax Collector disclaim any liability for any errors in the information provided herein and do not warrant the accuracy of this information. You should have an independent tax search prepared by a qualified abstract or title company or an attorney at law. The delinquent tax records for Collier County are open for public inspection by anyone desiring to perform a tax search.

TDA -- THIS PROPERTY WILL BE SOLD AT AUCTION IF NOT PAID PROMPTLY.

Exhibit "A"

DEP v. DEVLIN, et al
LEGAL DESCRIPTIONS

DEVLIN-PARCEL: 44204440008

THE WEST 150 FEET OF TRACT 44, GOLDEN GATE ESTATES UNIT 143, AS RECORDED IN PLAT BOOK 5, PAGE 50, PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA

CARNEVALE-PARCEL: 44200040004

THE EAST 75 FEET OF THE EAST 150 FEET OF TRACT 1, GOLDEN GATE ESTATES UNIT 143, AS RECORDED IN PLAT BOOK 5, PAGE 50, PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA

BANKARD-PARCEL: 44202880000

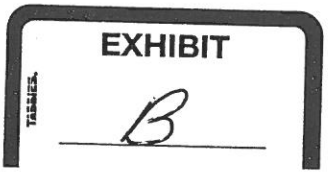
THE WEST 75 FEET OF THE WEST 150 FEET OF TRACT 27, GOLDEN GATE ESTATES UNIT 143, AS RECORDED IN PLAT BOOK 5, PAGE 50, PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA

BERTRAND-PARCEL: 44202000000

THE WEST 75 FEET OF THE EAST 150 FEET OF TRACT 19, GOLDEN GATE ESTATES UNIT 143, AS RECORDED IN PLAT BOOK 5, PAGE 50, PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA

PARCEL: 44150680006

THE EAST 75 FEET OF THE WEST 150 FEET OF TRACT 127, GOLDEN GATE ESTATES UNIT 142, AS RECORDED IN PLAT BOOK 7, PAGE 44, PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA



Amy

emorandum

Florida Department of
Environmental Protection

November 1, 2002

TO: **Naomi Dzikunu, Accountant IV**
Bureau of Finance & Accounting
Division of Administrative Services

FROM: **Lynda I. Godfrey, Closing Section Supervisor**
Bureau of Land Acquisition
Division of State Lands

SUBJECT: ORDER OF TAKING

Please process a voucher for payment as provided by the attached **Orders of Taking** for the Save Our Everglades (Golden Gate Estates) CARL Project and with the following accounting codes:

Org Code	EO	Fund	Object	Category	Project #
3710 3100 000	BQ	348021	562080	084108-02	00591

PAYEE: **Please see the attached list of 23 Orders of Taking**

PLEASE INCLUDE ALL PAYEE INFO PROVIDED IN THE ATTACHMENT ON THE WARRANTS!

If there is any additional information needed, please do not hesitate to contact this office.

LIG/lbr

cc: Sheryl P. Jones
File

Attachments

STATE OF FLORIDA

OFFICE OF COMPTROLLER

REMITTANCE ADVICE

4-04 305 993

THIS IS NOT A PAYMENT DEVICE

FLAIR ACCOUNT CODE	OLO	SITE	DOCUMENT NUMBER	OBJECT	DATE	PAYMENT NO
37-302348021-37100200-00-08410802	370000	08	D3000240009	5620	11/06/02	0733611

PAYMENT AMOUNT
$ 1,184,399.67

DO NOT CASH

AGENCY DOCUMENT NO
VF01768

COLLIER COUNTY CLERK OF THE
CIRCUIT COURT
COLLIER COUNTY COURTHOUSE
3301 E TAMIAMI TR
NAPLES FL 34112

PLEASE DIRECT QUESTIONS TO: (850) 488-6439, ENVIRON. PROTECTION - FCO

VENDORS NOW CAN VIEW PAYMENT INFORMATION AT HTTP://FLAIR.DBF.STATE.FL.US

INVOICE NUMBER	AMOUNT	INVOICE NUMBER	AMOUNT	INVOICE NUMBER	AMOUNT
022571CA	$ 15,141.67	022574CA	$ 15,120.97	022580CA	$ 13,251.18
022641CA	$ 42,185.84	022642CA	$ 35,283.75	022645CA	$ 53,412.80
022646CA	$ 70,722.60	022647CA	$ 14,053.02	022648CA	$ 30,224.42
022650CA	$ 42,838.62	022652CA	$ 26,191.66	022690CA	$ 261,389.71
022691CA	$ 21,188.15	022694CA	$ 325,140.26	022695CA	$ 18,223.99
022696CA	$ 16,631.94	022697CA	$ 18,242.73	022698CA	$ 33,771.67
022699CA	$ 20,575.90	022701CA	$ 21,152.61	022702CA	$ 18,945.23
022704CA	$ 16,408.60	022705CA	$ 54,302.35		

Mailed
11-7-02

DETACH CAREFULLY AND RETAIN FOR YOUR RECORDS BEFORE CASHING OR DEPOSITING THE WARRANT

COMPTROLLER'S OFFICE STATE OF FLORIDA

ACCOUNT CODE 37-302348021-37100200-00-08410802 VENDOR/PAYEE NUMBER VF01768 DATE 11/06/02 WARRANT NO 0733611 63-69 630

OLO 370000 SITE 08 CONTACT (850) 488-6439 DOCUMENT NUMBER D3000240009 OBJECT 5620 PAYMENT QUESTIONS VOID AFTER 12 MONTHS

STATE OF FLORIDA 4-04 305 993

PAY OFFICE OF COMPTROLLER AMOUNT

ONE MILLION ONE HUNDRED EIGHTY FOUR THOUSAND THREE HUNDRED NINETY NINE DOLLARS AND 67 CENTS $*1,184,399.67

TO THE ORDER OF EXPENSE WARRANT

COLLIER COUNTY CLERK OF THE TREASURER OF FLORIDA
CIRCUIT COURT TALLAHASSEE
COLLIER COUNTY COURTHOUSE
3301 E TAMIAMI TR
NAPLES FL 34112

COMPTROLLER OF FLORIDA

Order of Taking Attachment 10//31/02

Payee: Collier County, Clerk of Circuit Court

	Defendants	Case Number	Review Number	Amount
1	Jayona Beal, et al.,	02-2690-CA	BLA283626	$261,389.71
2	Roger F. Bertrand, et al.,	02-2652-CA	BLA283627	$26,191.66
3	Emma Gay Beys, et al.,	02-2574-CA	BLA283628	$15,120.97
4	H. Bryant Brooks, et al.,	02-2650-CA	BLA283629	$42,838.62
5	James A. Burrus, et al.,	02-2695-CA	BLA283630	$18,223.99
6	Joe Colombo, et al.,	02-2705-CA	BLA283631	$54,302.35
7	C.C. Cook, et al.,	02-2571-CA	BLA283632	$15,141.67
8	James F. Devlin, et al.,	02-2648-CA	BLA283633	$30,224.42
9	R. Dumartin, et al.,	02-2702-CA	BLA283634	$18,945.23
10	Wilbert Elliot, et al.,	02-2691-CA	BLA283635	$21,188.15
11	Wilbert A. Feil, et al.,	02-2699-CA	BLA283636	$20,575.90
12	Frank J. Harmer, et al.,	02-2647-CA	BLA283637	$14,053.02
13	Sandra Hawkins, et al.,	02-2694-CA	BLA283638	$325,140.26
14	Herbert L. Howe, et al.,	02-2646-CA	BLA283639	$70,722.60
15	Eldon A. Lauzon, et al.,	02-2704-CA	BLA283640	$16,408.60
16	Edward P. Morando, et al.,	02-2701-CA	BLA283641	$21,152.61
17	Walter E. Nass, et al.,	02-2645-CA	BLA283642	$53,412.80
18	George M. Ross, et al.,	02-2696-CA	BLA283643	$16,631.94
19	Thomas J. Serra, et al.,	02-2642-CA	BLA283644	$35,283.75
20	Paul R. Sheets, et al.,	02-2697-CA	BLA283645	$18,242.73
21	Charles J. Toth, et al.,	02-2641-CA	BLA283646	$42,185.84
22	Luis H. Bauza, et al.,	02-2698-CA	BLA283647	$33,771.67
23	Robert F. Beach, et al.,	02-2580-CA	BLA283648	$13,251.18
	Total of Orders			$1,184,399.67

Case No.: 02-2648-CA
Parcel ID: 442028800000 (Platted)

Name: Devlin / Bankard 2/23/04

3/8/04
92

A) Total Amount Order to Seller (as stated in Stipulated Final Judgement) $9,560

B) Total Amount Paid to Seller at Order of Taking - $4,840

C)

Subtract **Subtotal** $4,720 A-B

D) Property taxes due and owing on said parcel (as stated in SFJ) - $34.12

E)

Total due to seller = $4685.88 C-D
Atty Fees $ Ø

Warrant should equal D + E + $100.00 for Court Fees + Atty Fees

Warrant actually equals $4785.88 D+E+100+Atty

Difference of: $4785.88
$ Ø

☐ Check here if taxes due on SFJ not included in warrant amount

IN THE CIRCUIT COURT OF THE 20th JUDICIAL DISTRICT IN AND FOR COLLIER COUNTY, FLORIDA

FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION on behalf of THE BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND,

Petitioner,

v.

JAMES F. DEVLIN, et al.,

Defendants.

_____/

COPY

Case No. 02-2648-CA

Judge: MARTIN

STIPULATED FINAL JUDGMENT AS TO DEFENDANT MARTIN LEROY BANKARD

THIS MATTER having come before the Court upon Joint Motion of the Petitioner, Florida Department of Environmental Protection on behalf of the Board of Trustees of the Internal Improvement Trust Fund, by and through undersigned counsel, and Defendant, Martin Leroy Bankard, and the Court being fully advised in the premises, it is therefore:

ORDERED AND ADJUDGED as follows:

1. The pleadings in this cause are sufficient and Petitioner is properly exercising its delegated authority for a public purpose.

2. Defendant, owner of parcel **44202880000**, shall have and recover the total sum of **NINE THOUSAND FIVE HUNDRED SIXTY AND NO/100 DOLLARS ($9,560.00)**, which sum represents complete payment of full compensation for property taken, interest, attorney's fees, experts' fees and costs, and any and all other claims of whatsoever kind or nature, by said Defendant with respect to the particular parcel

specified herein.

3. There are taxes due and owing on said parcel in the amount of **THIRTY-FOUR AND 12/100 DOLLARS. ($34.12).**

4. Petitioner has previously deposited the amount of **FOUR THOUSAND EIGHT HUNDRED FORTY AND NO/100 DOLLARS ($4,840.00)** into the Registry of the Clerk of the Circuit Court toward acquisition of said parcel **44202880000** at which time title to said parcel, as described in the Petition in Eminent Domain, vested in the name of the Petitioner.

5. Within thirty (30) days of Petitioner's receipt of the Court's approval of this Stipulated Final Judgment, Petitioner shall deposit into the Registry of the Court the additional sum of **FOUR THOUSAND SIX HUNDRED EIGHTY-FIVE AND 88/100 DOLLARS ($4,685.88)**, which represents the difference between full compensation owed to said Defendant and Petitioner's prior deposit made pursuant to the Order of Taking, and less the outstanding property taxes.

4,785.88

6. Upon deposit of the amount set forth in paragraph five (5) above and without further order of the Court, the Clerk of the Court shall, within seven (7) days of the date of said deposit, pay the total sum of **NINE THOUSAND FIVE HUNDRED TWENTY-FIVE AND 88/100 DOLLARS ($9,525.88) to Martin L. Bankard** and send it to him at 3750 Yardley Avenue N, St. Petersburg, FL 33713. Said sum represents full compensation, less the aforementioned property taxes.

7. Upon entry of this Stipulated Final Judgment, any and all claims by said Defendant for full compensation, attorney's fees, expert fees and costs, interest, and all other claims

of whatsoever kind or nature shall be resolved with respect to said Defendant and parcel specified herein and the said Defendant shall seek no further compensation from Petitioner.

DONE AND ORDERED this 9 day of Feb., 2004 at Naples, Collier County, Florida.

/s/ Lawrence D. Martin

CIRCUIT COURT JUDGE

JOINT MOTION

COMES NOW, Petitioner, Florida Department of Environmental Protection on behalf of the Board of Trustees of the Internal Improvement Fund, by and through undersigned counsel, and Defendant, Martin Leroy Bankard, and together move the Court for entry of the above Stipulated Final Judgment and advise the Court they are authorized to enter into this Motion.

Annie J. Shook FBN: 0640603
Office of the Attorney General
110 SE 6th Street, 9th Floor
Ft. Lauderdale, FL 33301-5000
Telephone: (954)712-4600
Attorney for Petitioner

X Martin Leroy Bankard
Martin Leroy Bankard

SDE

Florida Department of
Environmental Protection

Memorandum

February 19, 2004

TO: **Naomi Dzikunu, Accountant IV**
Bureau of Finance & Accounting
Division of Administrative Services

FROM: **Lynda I. Godfrey, Closing Section Supervisor**
Bureau of Land Acquisition
Division of State Lands

SUBJECT: STIPULATED FINAL JUDGMENT

Please process a voucher for payment concerning the attached **Stipulated Final Judgments.** Please use the following accounting codes (FFTF):

Org Code	EO	Fund	Object	Category	Project #
3710 3100 000	HS	348022	569000	084108-03	00591

PAYEE: Collier County Clerk of Court
Amount $ 13,679.93
See attached list of 3 Judgments

PLEASE INCLUDE ALL PAYEE INFO PROVIDED ON THE WARRANT.

If there is any additional information needed, please do not hesitate to contact this office.

LIG:lrl

cc: Sheryl P. Jones
File Copy

STATE OF FLORIDA
DEPARTMENT OF FINANCIAL SERVICES
REMITTANCE ADVICE

4-02 545 385

THIS IS NOT A PAYMENT DEVICE

FLAIR ACCOUNT CODE	OLO	SITE	DOCUMENT NUMBER	OBJECT	DATE	PAYMENT NO
37-302348002-37100200-00-08410803	370000	08	D4000436970	5690	02/23/04	1197238

PAYMENT AMOUNT
$ 13,679.93

DO NOT CASH

AGENCY DOCUMENT NO
VF04085

COLLIER COUNTY CLERK OF THE
CIRCUIT COURT
COLLIER COUNTY COURTHOUSE
3301 E TAMIAMI TR
NAPLES FL 34112

PLEASE DIRECT QUESTIONS TO: (850) 245-2494, FCO

VENDORS NOW CAN VIEW PAYMENT INFORMATION AT HTTP://FLAIR.DBF.STATE.FL.US

INVOICE NUMBER	AMOUNT	INVOICE NUMBER	AMOUNT	INVOICE NUMBER	AMOUNT
021551CA	$ 4,791.49	022648CA	$ 4,785.88	025265CA	$ 4,102.56

mailed
2-25-04
LRB

DETACH CAREFULLY AND RETAIN FOR YOUR RECORDS BEFORE CASHING OR DEPOSITING THE WARRANT

FLAIR ACCOUNT CODE: 37-302348002-37100200-00-08410803 SWDN: D4000436970 ADN: VF04085 OBJECT: 5690 DATE: 02/23/04 WARRANT NO: 1197238 63-69/630

OLO 370000 SITE 08 CONTACT (850) 245-2494 FOR PAYMENT QUESTIONS

VOID AFTER 12 MONTHS

4-02 545 385

STATE OF FLORIDA
DEPARTMENT OF FINANCIAL SERVICES

PAY THIRTEEN-THOUSAND-SIX-HUNDRED-SEVENTY-NINE AND 93/100 DOLLARS

AMOUNT $****13,679.93

TO THE ORDER OF:
COLLIER COUNTY CLERK OF THE
CIRCUIT COURT
COLLIER COUNTY COURTHOUSE
3301 E TAMIAMI TR
NAPLES FL 34112

VENDOR ID NUMBER

EXPENSE WARRANT

TO: DIVISION OF TREASURY
TALLAHASSEE

CHIEF FINANCIAL OFFICER

⑈1197238⑈ ⑆063000391⑆ 52⑈

February 18, 2004

ASE NAME	Parcel #	DEFENDANTS	AMOUNT	CASE #
L. Virginia Delancey	42920640003	Lawrence J. Helmer	$4,791.49	02-1551-CA
James F. Devlin	44202880000	Martin Leroy Bankard	$4,785.88	02-2648-CA
Richard L. Davis	45373080000	Barbara Lou Warner	$4,102.56	02-5265-CA
TOTAL			**$ 13,679.93**	