47

10/15

Order of Taking Money Breakdown

Case No: 02-2709-CA
Case Name: Goldsberry
Court Deposit Amount: 10314.63 ✓

10/15
10/22

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	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
453654000019	Goldsberry/Faith	GTE	11,12	12.98	1,980	20	$0.00	12.98	4,767.02		100	6760
453636000005	Gerken			12.98	1,980		$0.00	12.98	4,767.02		100	6760
45 36 4560005	Rugan			12.98	1,980		$0.00	12.98	4,767.02		100	6760
453713200005	Holtemeier			12.98	1,980		$0.00	12.98	4,767.02		100	6760
453626760007	Goss			82.71	1,980		$0.00	82.71	4,780.00			6760
							$0.00					
				134.63	9980		$0.00					
							$0.00					
							$0.00					
					OT Total (Total should include all court fees and monies awarded in the Order of Taking)		$0.00					

All 12/18/02

10314.63
- 134.63
10180.-
100.-
10080

OT: Fund: 348 Ltr: 8-18-02 War: 10-22-02

NAME	LTR	Warr	Fund
GOLDBERRY	10-21-02	12-18-02	348
GERKEN	" "	" "	" "
RUGAN	12-17-02	12-18-02	348
HOLTMEIER	2-10-03	2-11-03	348

#180 diff

Ent OT 2/10/03

Ent SFJ 2/12/02
+ ROE
2/20/03

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

'LORIDA DEPARTMENT OF
:NVIRONMENTAL PROTECTION, on
ehalf of THE BOARD OF TRUSTEES
)F THE INTERNAL IMPROVEMENT
'RUST FUND,

Petitioner,

s.

VERETT E. GOLDSBERRY, et al.,

Defendants.

_____/

Case No.: 02-2709-CA

Judge: BROUSSEAU

ORDER OF TAKING

THIS CAUSE came before the Court, and it appearing that proper notice was first given to l Defendants and to all persons having or claiming any equity, lien, title or other interest in or to e real property described in the Amended Petition in Eminent Domain, that the Petitioner would ply 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 legated authority for a public purpose.

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

4. That there are taxes due and owing on the properties described in the Petition In Eminent n... Said taxes, in the amount of $134.63 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 $10,314.63.

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 15 day of OCTOBER, 2002, at Naples, Collier County, Florida.

S/Ted Brousseau
CIRCUIT JUDGE

: all parties of record

DEP v. GOLDSBERRY, et al
SERVICE LIST

PARCEL: 45365400009

EVERETT E GOLDSBERRY
FLEEDA M. FAITH
3416 GUION RD
INDIANAPOLIS, IN 46222

PARCEL: 45363600005

WARNER GERKEN
PEARL GERKEN
201 VIRGINIA ST
SWEET SPRINGS, MO 65351

PARCEL: 45364560005

UNKOWN HEIRS MICHAEL J. ROGAN
NANCY SUE ROGAN MIKITAROFF
)62 CHICAGO ST
DEARBORN, MI 48124

PARCEL: 45371320005

LINDELL R. HOLTZMEIER
DAWN K. HOLTZMEIER
8166 LAVELLE RD
ATHENS, OH 45701

PARCEL: 45366760007

DAVID P. GOSS
MIRIAM M. GOSS
4606 RENWICK AVE
BALTIMORE, MD 21206

ALL PARCELS:

GUY CARLTON, TAX COLLECTOR
Collier County Government Complex, Bldg C-1
3301 Tamiami Trail, East
les, FL 34101

repared For: Glenn Tucker

8/22/2002

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

ESTIMATED TAXES DUE PENDING FINAL ORDER OF TAKING DATE

vs | Case # 02-2709 | Judge: Brousseau

ID #	Legal Desc:	IF PAID IN Nov-02	OR	IF PAID IN Dec-02	OR	IF PAID IN Jan-03
45365400009	Golden Gate Est U 162 W75' E180' Tr 115	12.98		12.98		12.98
45363600005	Golden Gate Est U 162 W75' E 150' Tr 104	12.98		12.98		12.98
45364560005	Golden Gate Est U 162 E75' Tr 110	12.98		12.98		12.98
45371320005	Golden Gate Est U 162 W75' E180' Tr 156 NE1/4 NE1/4 NE1/4	12.98		12.98		12.98
45366760007	Golden Gate Est U 162 E75' W180' Tr 125	82.71		83.43		84.16

DUE IN Nov-02	DUE IN Dec-02	OR	DUE IN Jan-03
134.63	135.35		136.08

PROPERTY OWNER: Taxes will
ne courts. Do not send payment to
ectors office. Should you have any
tions, please contact the Attorney
fice

RSONS REQUESTING A TAX SEARCH: The Tax Collector of Collier and employees of the Tax Collector disclaim any liability for any errors in or d herein and do not warrant the accuracy of this information. You n dent tax search prepared by a qualified abstract or title company or W. The delinquent tax records for Collier County are open for public yone desiring to perform a tax search.

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

Exhibit "A"

DEP v. GOLDSBERRY, et al
LEGAL DESCRIPTIONS

GOLDSBERRY-PARCEL: 45365400009

THE WEST 75 FEET OF THE EAST 180 FEET OF TRACT 115, GOLDEN GATE ESTATES, UNIT 162, AS RECOREDED IN PLAT BOOK 7, PAGE 49, PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA.

GERKEN-PARCEL: 45363600005

THE WEST 75 FEET OF THE EAST 150 FEET OF TRACT 104, GOLDEN GATE ESTATES UNIT 162, AS RECORDED IN PLAT BOOK 7, PAGE 49, PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA

ROGAN-PARCEL: 45364560005

THE EAST 75 FEET OF THE EAST 150 FEET OF TRACT 110, GOLDEN GATE ESTATES, UNIT 162, AS RECORDED IN PLAT BOOK 7, PAGE 79, PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA.

HOLTZMEIER-PARCEL: 45371320005

THE WEST 75 FEET OF THE EAST 180 FEET OF TRACT 156, GOLDEN GATE ESTATES UNIT 162, AS RECORDED IN PLAT BOOK 7, PAGE 49, PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA

GOSS-PARCEL: 45366760007

THE EAST 75 FEET OF THE WEST 180 FEET OF TRACT 125, GOLDEN GATE ESTATES UNIT 162, AS RECORDED IN PLAT BOOK 7, PAGE 49, PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA

EXHIBIT
2

er of Taking
Attachment

Payee: Collier County, Clerk of Circuit Court

	Defendants	Case Number	Review Number	Amount
1	William H. Butler, et al.,	02-2703-CA	BLA283581	$19,974.13
2	Sol Biren, et al.,	02-2700-CA	BLA283582	$41,990.73
3	James K. Cain, et al.,	02-2582-CA	BLA283583	$17,308.68
4	Francisco Calixto, et al.,	02-2649-CA	BLA283584	$33,760.20
5	John Scott Davis, et al.,	02-2711-CA	BLA283585	$19,292.12
6	Violet M. Fonville, et al.,	02-2692-CA	BLA283586	$40,233.11
7	Dudley C. Goodwin, JR., et al	02-2579-CA	BLA283587	$18,037.85
8	Everett E. Goldsberry, et al.,	02-2709-CA	BLA283588	$10,314.63
9	Margaret Hartung, et al.,	02-2693-CA	BLA283589	$17,955.74
10	Ruberta May Jordon, et al.,	02-2651-CA	BLA283590	$36,859.54
11	Benjamin Krick, Jr., et al.,	02-2706-CA	BLA283591	$245,633.53
12	Marion Kot, et al.,	02-2576-CA	BLA283592	$19,299.82
13	Joseph J. Lobo, et al.,	02-2573-CA	BLA283593	$68,139.30
14	John H. Lentz, et al.,	02-2577-CA	BLA283594	$20,519.34
15	Timothy Maloney, et al.,	02-2572-CA	BLA283595	$36,878.77
16	Mark A. Perry, et al.,	02-0278-CA	BLA283596	$336,407.54
17	Robert A. Ongert, et al.,	02-2644-CA	BLA283597	$38,626.65
18	aura Paine, et al.,	02-2575-CA	BLA283598	$11,253.34
19	ussell Riley, et al.,	02-2689-CA	BLA283599	$41,911.73
20	Mildred G. Smith, et al.,	02-2578-CA	BLA283600	$14,229.00
21	Henry A. Stewart, et al.,	02-2643-CA	BLA283601	$10,425.56
22	Mark Nathan Wadel	02-2710-CA	BLA283602	$10,786.22
23	Shady Lee Walters, et al.,	02-2581-CA	BLA283603	$11,330.67
24	Anna D. Zarro, et al.,	02-2707-CA	BLA283604	$31,056.60
	Total of Orders			$1,152,224.80

STATE OF FLORIDA
OFFICE OF COMPTROLLER
REMITTANCE ADVICE

4-04 188 465

THIS IS NOT A PAYMENT DEVICE

FLAIR ACCOUNT CODE	OLO	SITE	DOCUMENT NUMBER	OBJECT	DATE	PAYMENT NO
37-302348021-37100200-00-08410802	370000	08	D3000212600	5620	10/22/02	0631763

PAYMENT AMOUNT
$ 1,152,224.80

DO NOT CASH

AGENCY DOCUMENT NO
VF01480

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
020278CA	$ 336,407.54	022572CA	$ 36,878.77	022573CA	$ 68,139.30
022575CA	$ 11,253.34	022576CA	$ 19,299.82	022577CA	$ 20,519.34
022578CA	$ 14,229.00	022579CA	$ 18,037.85	022581CA	$ 11,330.67
022582CA	$ 17,308.68	022643CA	$ 10,425.56	022644CA	$ 38,626.65
022649CA	$ 33,760.20	022651CA	$ 36,859.54	022689CA	$ 41,911.73
022692CA	$ 40,233.11	022693CA	$ 17,955.74	022700CA	$ 41,990.73
022703CA	$ 19,974.13	022706CA	$ 245,633.53	022707CA	$ 31,056.60
022709CA	$ 10,314.63	022710CA	$ 10,786.22	022711CA	$ 19,292.12

mailed
10-24-02
LBR

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

FLAIR ACCOUNT CODE 37-302348021-37100200-00-08410802 SWDN D3000212600 ADN VF01480 OBJECT 5620 DATE 10/22/02 WARRANT NO 0631763 63-69 630

STA OLO 370000 SITE 08 CONTACT (850) 488-6439 FOR PAYMENT QUESTIONS

VOID AFTER 12 MONTHS

STATE OF FLORIDA
OFFICE OF COMPTROLLER

4-04 188 465

PAY

AMOUNT
$*1,152,224.80

ONE MILLION ONE HUNDRED FIFTY TWO THOUSAND TWO HUNDRED TWENTY FOUR AND 80/100 DOLLARS

EXPENSE WARRANT

TO THE ORDER OF

VENDOR ID NUMBER

TO: TREASURER OF FLORIDA
TALLAHASSEE

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

COMPTROLLER OF FLORIDA

⑈340631763⑈ ⑆063000694⑆ L21

Case No.: 02-2709-CA Name: Goddsberry/Faith

Parcel ID: 45365400009

A) Total Amount Order to Seller (as stated in Stipulated Final Judgement) $ 6,760

Subtract

B) Total Amount Paid to Seller at Order of Taking - $ 1,980

C) **Subtotal** $ 4,780 A-B

Subtract

D) Property taxes due and owing on said parcel (as stated in SFJ) - $ 12.98

E) Total due to seller = $ 4,767.02 C-D

Atty Fees $

Warrant should equal D + E + $100.00 for Court Fees + Atty Fees $ 4,880 D-E+100+Atty

Warrant actually equals $ 4,867.02

Difference of: $ 12.98

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

IN THE CIRCUIT COURT OF THE TWENTIETH 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,

Case No. 02-2709-CA

Judge: BROUSSEAU

EVERETT E. GOLDSBERRY, et al.,

Defendants.
_____/

STIPULATED FINAL JUDGMENT
AS TO DEFENDANT,
EVERETT E. GOLDSBERRY AND FLEEDA M. FAITH

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, Everett E. Goldsberry and Fleeda M. Faith, 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 45365400009 shall have and recover the total sum of **SIX THOUSAND SEVEN HUNDRED SIXTY AND NO/100 DOLLARS ($6,760.00)**, which sum represents complete payment of full compensation for property taken, attorney's fees, expert fees and costs, interest, 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 property taxes due and owing on said parcel in the amount of **TWELVE AND 98/100 DOLLARS ($12.98).**

4. Petitioner has previously deposited the amount of **ONE THOUSAND NINE HUNDRED EIGHTY AND NO/100 DOLLARS ($1,980.00)** into the Registry of the Clerk of the Circuit Court toward acquisition of said parcel 45365400009 at which time title to said parcel, as described in the Petition in Eminent Domain, vested in the name of Petitioner.

5. Within thirty (30) days of Petitioner's receipt of a Court-approved copy of this Stipulated Final Judgment, Petitioner shall deposit the additional sum of **FOUR THOUSAND SEVEN HUNDRED SIXTY-SEVEN AND 02/100 DOLLARS ($4,767.02)** into the Registry of the Clerk of the Circuit Court, which sum represents the difference between full compensation owed to said Defendant and Petitioner's prior deposit, less the aforementioned taxes.

6. Upon the deposit of the sum as set forth in paragraph five (5) above and without further order of the Court, the Clerk of the Circuit Court shall pay the total sum of **SIX THOUSAND SEVEN HUNDRED FORTY-SEVEN AND 02/100 DOLLARS ($6,747.02) as follows:**

   1. **THREE THOUSAND THREE HUNDRED SEVENTY-THREE AND 51/100 DOLLARS ($3,373.51) to Gary Goldsberry,** and send it to him at 1181 W. State Road 42, Mooresville, IN 46158; and

2. THREE THOUSAND THREE HUNDRED SEVENTY-THREE AND 51/100 DOLLARS ($3,373.51) to Fleeda M. Faith and send it to her at 3416 Guion Road, Indianapolis, IN. 46222-167. Said sum represents full compensation, less the aforementioned 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 15 day of Oct, 2002 at Naples, Collier County, Florida.

S/ Ted Brousseau
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, Everett E. Goldsberry and Fleeda M. Faith, 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.

Elaine M. Asad FBN: 0109630
Office of the Attorney General
110 SE 6th Street, 9th Floor
Ft. Lauderdale, FL 33301-5000
Telephone: 954.712.4609
Telefax: 954.721.4716

Gerald E Goldsberry Executor of the Estate of Everett E Goldsberry
Everett E. Goldsberry

X Fleeda M Faith
Fleeda M. Faith

Stipulated Final Judgements
Attachment

Payee: Collier County, Clerk of Circuit Court

	Defendants	Case Number	Amount
1	Ann Brion, et al.,	02-1534-CA	$6,616.26
2	Willliam H. Butler, et el.,	02-2703-CA	$4,761.91
3	William H. Butler, et al.,	02-2703-CA	$4,761.91
4	James K. Cain, et al.,	02-2582-CA	$4,412.17
5	Everette E, Goldsberry, et al.,	02-2709-CA	$4,867.02
6	Everette E, Goldsberry, et al.,	02-2709-CA	$4,867.02
7	Dudley C. Goodwin, et al.,	02-2579-CA	$3,098.65
8	Margaret Hartung, et al.,	02-2698-CA	$4,846.69
9	Margaret Hartung, et al.,	02-2693-CA	$4,867.10
10	Margaret Hartung, et al.,	02-2693-CA	$4,867.02
11	Marion Kot, et al.,	02-2576-CA	$5,003.02
12	Benjamin Krick, Jr., et al.,	02-2706-CA	$5,083.80
13	Theodore Orantes,et al.,	01-4027-CA	$1,110.81
14	Laura Paine, et al.,	02-2575-CA	$4,761.91
15	Laura Paine, et al.,	02-2575-CA	$4,867.02
16	Russell Riley, et al.,	02-2689-CA	$3,973.37
17	Russell Riley, et al.,	02-2689-CA	$4,184.09
18	~~John Rondo, et al.,~~	~~02-407-CA~~	~~$2,059.10~~ — error in STF
	Mildred G. Smith, et al.,	02-2578-CA	$4,703.02
	Henry A. Stewart, et al.,	02-2643-CA	$4,846.69
21	Mark Nathan Wadel, et al.,	02-2710-CA	$4,846.69
22	Mark Nathan Wadel, et al.,	02-2710-CA	$4,846.69
23	Shady Lee Walters, et al.	02-2581-CA	$4,564.69
24	Shady Lee Walters, et al.	02-2581-CA	$4,564.69
25	Anna D. Zarro, et al.,	02-2707-CA	$4,787.57
	Total of Orders		$112,168.91

STATE OF FLORIDA
OFFICE OF COMPTROLLER
REMITTANCE ADVICE

4-04 565 425

THIS IS NOT A PAYMENT DEVICE

FLAIR ACCOUNT CODE	OU	SITE	DOCUMENT NUMBER	OBJECT	DATE	PAYMENT NO
7-302348021-37100200-00-08410802	37000	08	D3000320731	5690	12/18/02	0971736

PAYMENT AMOUNT
$ 89,210.98

DO NOT CASH

AGENCY DOCUMENT NO
VF02409

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
022709CA	$ 4,867.02	023436CA	$ 15,119.74	023440CA	$ 9,966.43
023449CA	$ 5,029.39	023473CA	$ 5,020.93	023524CA	$ 9,894.34
023528CA	$ 4,083.77	023531CA	$ 4,571.88	023534CA	$ 4,613.11
023535CA	$ 4,620.93	023537CA	$ 4,571.88	023541CA	$ 4,613.11
023542CA	$ 2,928.60	023546CA	$ 9,309.85		

mailed
12-20-02

THE DEPARTMENTS OF BANKING & FINANCE AND INSURANCE WILL BECOME THE DEPT. OF FINANCIAL SERVICES ON JANUARY 7, 2003

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

WARRANT NO 63-69 630

VOID AFTER 12 MONTHS

4-04 565 425

PAY AMOUNT

EIGHTY-NINE THOUSAND TWO HUNDRED TEN AND 98/100

$89,210.98

TO THE ORDER OF

EXPENSE WARRANT

TREASURER OF FLORIDA

TALLAHASSEE

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

Rec'd 12-20-02