89 524.50

Order of Taking Money Breakdown

Case No: 01-2987-CA
Case Name: Francis
Court Deposit Amount: $508,696.97 ✓

11/16/01

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
474040007	Barrios			784.82	43,430	66	$0.00
469680003	Francis			2481.44	308,180	66	$0.00
469260001	Tsai			1240.71	152,380	68	$0.00
				4,506.97	503,990	200	$0.00
					508,696.97 ✓		$0.00
*2nd OT - can't determine split							$0.00
475040006	Barrios **			Appr. 97.34	21,930	50	$0.00
476041208	Klise **			Appr. 97.34	43,430	50	$0.00
				194.68	65,300	100	$0.00
				OT Total (Total should include all court fees and monies awarded in the Order of Taking)			$0.00

OT

SOT

*Per Ellin Rubel - we paid an extra $100 in court fees. (1/15/02)

Combined SOT = 65,554.68
($194.68 taxes)($100.00 court fees)
~~taxes $65,260.00~~
~~can't determine split value~~
have the value of the parcels, but can not determine tax split. Appears taxes were paid over the value of the parcels, therefore we may have overpaid $194.68.

Additional Monies Awarded at Stipulated Final Judgement

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
~~167.68~~	~~44737.32~~ 89,474.63	∅	50	
2481.44	∅	514.04	100	
↓	686020	↓	↓	
	89474.64			
~~167.68~~	~~44737.32~~	∅	50	
∅	115960	∅	100	158,837.34**

SFJ

Name	Ltr	Wav	Fund
Francis	3-13-02	3-18-02	332
Klise	11-26-03	12-1-03	332
~~Barrios 06~~	~~01-29-04~~	~~02-2-04~~	~~332~~
Barrios 07	01-29-04	02-2-04	332
Barrios 06	1/29/04	2/2/04	332
Klise	11/26/03	12/1/03	332

OT
F: 332
L: 11/26/01
W: 11/28/01

SOT**
F: 332
L: 1-17-02
W: 1-22-02

RECEIVED

NOV 2 1 2001

Bureau of Land Acquisition
Division of State Lands
Dept. of Environmental Protection

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 TRUST FUND,

Petitioner,

v.

ANTONIO L. FRANCIS, et al.

Defendants.
_____/

CASE NO.: 01-2987-CA

JUDGE: HAYES

PARCELS: 00474040007
00469680003
00469200001

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 Amended 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 $4,506.97, are set forth in Exhibit "A" attached hereto.

5. That upon the payment of the deposit hereinafter specified, fee simple title in the parcels described in the Petition in Eminent Domain and attached hereto as "Exhibit B", subject only to outstanding oil, gas, and mineral right interests, fee simple title vests in The Board of Trustees of the Internal Improvement Trust Fund.

6. That the deposit of money will secure the persons lawfully entitled to the compensation which will be ultimately determined by final judgment of this Court.

7. That within twenty (20) days of the entry of this Order, Petitioner shall deposit the sum of $508,596.97 into the Registry of this Court. Said sum shall include the taxes due and owing on the property, plus a $100.00 fee for the Clerk of the Court. Upon deposit and without further order of the Court, the Clerk shall withdraw said $100.00 fee.

8. That upon deposit, as set forth above, and without further notice or order of this Court, the Petitioner shall be entitled to possession of the parcels described herein.

DONE and ORDERED this 16th day of **NOVEMBER, 2001** in Naples, Collier County, Florida.

CIRCUIT JUDGE

copies: all parties of record

DEP v. FRANCIS, et al.
SERVICE LIST

Parcel: 474040007

McDONALD & ASSOCIATES
ATTORNEYS AT LAW CHARTERED
JAMES W. McDONALD, JR
17000 SOUTHWEST 272ND ST
HOMESTEAD, FLORIDA 33031
ATTORNEY FOR :DIGNA BARRIOS & MARIA D. MENDEZ

Parcel: 469680003

SANTOS & COMPANY, PA
PAUL F. ANGUEIRA, ESQ
25 SE SECOND AVE, SUITE 1235
MIAMI, FL 33131
ATTORNEY FOR: ANTONIO L. FRANCIS & TERESA FRANCIS

Parcel: 469200001

PAUL C. DARROW, PA
1404 GOODLETTE ROAD NORTH
NAPLES, FLORIDA 34102
ATTORNEY FOR: TUNGHUA TSAI

ALL PARCELS:

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

Prepared For: Glenn Tucker

8/24/01

By: Collier County Tax Collector
Sam Young, Acquisition Specialist
(941) 774-8882

DEP vs	Case # 01-2987		Judge: Hayes						
Name	ID #	Legal Desc:	Pro Ration	Current	IF PAID IN OCT Del Tax	Total	OR	IF PAID IN Del Tax	Total
Barrios, Digna	00474040007	13-50-28 N 1/2 S1/2 SE1/4 NE1/4	310.19		474.63	784.82			
Barrios, DIgna	00475040006	13-50-28 S1/2 SW1/4 SE1/4 NE1/4	155.09		243.69	398.78			
Francis, Antonia	00469680003	2-50-28 W1/2 SW1/4	2,481.44			2,481.44			
Klise, Tommie	00476041208	13-50-28 SW1/4 NW1/4	310.19			310.19			
Tsai, Tunghus	00469200001	1-50-28 SW1/4 SW1/4	1,240.71			1,240.71			

DUE IN OCT 5,215.94 **OR** DUE IN 0.00

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.

EXHIBIT "A"

EXHIBIT
A

DEP v. FRANCIS
LEGAL DESCRIPTIONS

BARRIOS-PARCEL: 474040007

The North ½ of the South ½ of the Southeast ¼ of the Northeast ¼ of Section 13, Township 50 South, Range 28 East, Collier County, Florida.

FRANCIS-PARCEL: 469680003

The West ½ of the Southwest ¼ of Section 2, Township 50 South, Range 28 East, Collier County, Florida.

TSAI-PARCEL: 469200001

The Southwest ¼ of the Southwest ¼ of Section 1, Township 50 South, Range 28 East, Collier County, Florida.

EXHIBIT
B

Memorandum

Florida Department of
Environmental Protection

November 26, 2001

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

FROM: Robert A. Hicks, OMC II
Division of State Lands

SUBJECT: ORDER OF TAKING

Please process a voucher for payment as provided by the attached **Order 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 2100 000	JS	332010	562080	084108-00	00591

PAYEE: Collier County, Clerk of Circuit Court
Antonio L. Francis, Case No: 01-2987 CA
Order of Taking

Review # 281397
Amount $ 508,696.97

PLEASE INCLUDE ALL PAYEE INFO PROVIDED ABOVE ON WARRANT!

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

RAH:me

cc: SOEGGE Team

Attachments

STATE OF FLORIDA
OFFICE OF COMPTROLLER
REMITTANCE ADVICE

4-01 768 480

THIS IS NOT A PAYMENT DEVICE

FLAIR ACCOUNT CODE	OLO	SITE	DOCUMENT NUMBER	OBJECT	DATE	PAYMENT NO
37-302332010-37100200-00-08410800	370000	08	D2000298276	5620	11/28/01	0868980

PAYMENT AMOUNT
$ 508,696.97

DO NOT CASH

AGENCY DOCUMENT NO
VF03405

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

PLEASE DIRECT QUESTIONS TO: (850) 488-6438, ENVIRON. PROTECTION - FCO

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

INVOICE NUMBER		AMOUNT
012987CA	$	508,696.97

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

FLAIR ACCOUNT CODE	SWDN	ADN	OBJECT	DATE	WARRANT NO 63-69 / 630
37-302332010-37100200-00-08410800	D2000288276	VF03405	5620	11/28/01	0868880

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

VOID AFTER 12 MONTHS
4-01 768 480

STATE OF FLORIDA
OFFICE OF COMPTROLLER

PAY
FIVE-HUNDRED-EIGHT-THOUSAND-SIX-HUNDRED-NINETY-SIX & 97/100 DOLLARS

AMOUNT
$***508,696.97

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: TREASURER OF FLORIDA
TALLAHASSEE

COMPTROLLER OF FLORIDA

⑈2408689800⑆ ⑆063000694⑆ ⑈42⑈

OFFICE OF THE ATTORNEY GENERAL

DEPARTMENT OF LEGAL AFFAIRS
THE CAPITOL
TALLAHASSEE, FLORIDA 32399-1050

ROBERT A. BUTTERWORTH
Attorney General
State of Florida

Please Reply to:
Office of the Attorney General
Eminent Domain, 9th Floor
110 S.E. 6th Street
Ft. Lauderdale, Florida 33301-5000
(954) 712-4600; FAX (954) 712-4761

December 4, 2001

Clerk of the Circuit Court
Collier County Courthouse
3301 Tamiami Trail East
Naples, FL 34112

ATTENTION: DARLENE

RE: **DEP v. FRANCIS**
CASE NO.: 01-~~3987~~-CA

Dear Darlene:

Enclosed please find our check in the amount of $508,696.97 representing the monies specified in the Order of Taking inclusive of the $100.00 clerk's fee in the above captioned case.

As always, thank you for your assistance.

Sincerely,

ELLIN J. RUBEL
PARALEGAL SPECIALIST

Enclosure

VIA FEDEX

Barrios

Name: ~~Francis~~ / Mendez 2/2/04

2/19/04

+ 477040007

ated in Stipulated Final Judgement) $ 244,980

ubtract

of Taking - $ 65,360

Subtotal $ 179,620 A-B

act

rcel (as stated in SFJ) - $ 670.73

Total due to seller = $ 178,949.27 C-D ÷ 89,474.64

Atty Fees $ ~~0~~

Court Fees + Atty Fees $ 179,720 D+E+100+Atty

Warrant actually equals $ 179,049.27

Difference of:

in warrant amount $ 670.73

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,

v.

ANTONIO L. FRANCIS, et al.,

Defendants.

_____/

Case No. 01-2987-CA

Judge: Martin

Parcel: 00475040006
00474040007

STIPULATED FINAL JUDGMENT AS TO DEFENDANTS, DIGNA BARRIOS and MARIA MENDEZ

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 Defendants, Digna Barrios and Maria Mendez, by and through their attorney, James McDonald, on behalf of himself, the firm, Attorney Bill Hoppe, Attorney George Vega, Tropical Ranch Properties, Inc. and Collier Cattle Corporation, 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. Defendants, owners of parcels, 00475040006 and 00474040007 , and Tropical Ranch Properties, Inc. and Collier Cattle Corporation, owners of an easement on said parcels, shall have and recover for both parcels combined, the total sum of **TWO**

HUNDRED FORTY-FOUR THOUSAND NINE HUNDRED EIGHTY AND NO/100 DOLLARS ($244,980.00), which sum represents complete payment of full compensation, improvements taken, easements, interest, and any and all other claims of whatsoever kind or nature with respect to the particular parcel specified herein, exclusive of attorneys fees, expert fees and costs.

3. There are property taxes due and owing on both parcels in the total sum of **SIX HUNDRED SEVENTY AND 73/100 DOLLARS ($670.73).**

4. Petitioner has previously deposited the total sum of **SIXTY FIVE THOUSAND THREE HUNDRED AND SIXTY AND NO/100 DOLLARS ($65,360.00)** into the Registry of the Circuit Court toward the acquisition of parcels 475040006 and 474040007 at which time title to said parcels, as described in the Petition in Eminent Domain, vested in the name of Petitioner. The deposit has been withdrawn.

5. Within thirty (30) days of Petitioner's receipt of a copy of a Court approved Judgment, Petitioner shall deposit the additional sum of **ONE HUNDRED AND SEVENTY-EIGHT THOUSAND NINE HUNDRED FORTY-NINE AND 27/100 DOLLARS ($178,949.27)** into the Registry of the Clerk of the Circuit Court, which sum represents the difference between full compensation owed for said parcels and Petitioner's prior deposit, less the aforementioned taxes, exclusive of attorney fees, expert fees and costs.

179.049.27

6. Upon 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 **ONE HUNDRED SEVENTY-EIGHT THOUSAND NINE HUNDRED FORTY-NINE AND 27/100 DOLLARS ($178,949.27) to McDonald & Associates, Attorneys-at-**

Law, Chartered, Trust Account, and send it c/o James McDonald, 17000 SW 272nd Street, Homestead, FL 33031.

7. Upon entry of this Stipulated Final Judgment, any and all claims for full compensation, improvements taken, interest, easements, and all other claims of whatsoever kind or nature shall be resolved with respect to the parcels specified herein and the said Defendants, DIGNA BARRIOS and MARIA MENDEZ, Tropical Ranch Properties, Inc. and Collier Cattle Corporation, shall seek no further compensation from Petitioner, exclusive of attorney fees, expert fees and costs.

8. The Court retains jurisdiction in this matter only on the issue of attorney fees, expert fees and costs if the parties cannot reach an agreement.

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

The original of this document was signed
JAN 20 2004
by Ted Brousseau
Circuit Judge

_____
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, Defendants, Digna Barrios and Maria Mendez, Tropical Ranch Properties, Inc. and Collier Cattle Corporation, by and through their attorney, James McDonald on behalf of himself, the firm, Attorney Bill Hoppe, and Attorney George Vega, 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
Attorney for Petitioner

James McDonald FBN: 52579
17000 SW 272nd Street
Homestead, FL 33031
Tel: 305-245-7892
Fax: 305-245-7893
On behalf of himself, Attorney Bill Hoppe,
Attorney George Vega and said Defendants

DEPARTMENT OF FINANCIAL SERVICES
REMITTANCE ADVICE

4-02 434 649

THIS IS NOT A PAYMENT DEVICE

FLAIR ACCOUNT CODE	OLO	SITE	DOCUMENT NUMBER	OBJECT	DATE	PAYMENT NO
37-302332008-37100200-00-08410804	370000	08	D4000395569	5690	02/02/04	1090264

PAYMENT AMOUNT
$ 2,630,372.86

DO NOT CASH

AGENCY DOCUMENT NO
VF03678

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
012242-CA	$ 5,320.12	012987-CA	$ 179,049.27	012988-CA	$ 1,178,206.00
012991-CA	$ 189,914.73	012992-CA	$ 125,320.00	012993-CA	$ 61,504.91
012995-CA	$ 117,160.00	013148-CA	$ 119,820.00	013411-CA	$ 62,160.00
013416-CA	$ 137,160.00	014026-CA	$ 2,134.73	021559-CA	$ 308,491.64
022699-CA	$ 4,846.00	022703-CA	$ 4,527.48	023441-CA	$ 3,492.02
023446-CA	$ 8,078.93	023473-CA	$ 4,579.90	023525-CA	$ 55,217.00
023534-CA	$ 5,501.88	025272-CA	$ 3,315.62	032690-CA	$ 2,042.63
032693-CA	$ 52,530.00				

mailed
2-3-04
SRR

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

STATE OF FLORIDA
DEPARTMENT OF FINANCIAL SERVICES

PAY TWO MILLION SIX HUNDRED THIRTY THOUSAND THREE HUNDRED SEVENTY TWO DOLLARS AND 86 CENTS

TO THE ORDER OF
COLLIER COUNTY CLERK OF THE
CIRCUIT COURT
COLLIER COUNTY COURTHOUSE
3301 E TAMIAMI TR
NAPLES, FLORIDA

DATE 02/02/04
WARRANT NO 1090264
63-69 630
VOID AFTER 12 MONTHS
4-02 434 649
AMOUNT
$2,630,372.86
EXPENSE WARRANT
TO: DIVISION OF TREASURY
TALLAHASSEE
CHIEF FINANCIAL OFFICER