Order of Taking Money Breakdown

OT 12/12/02
WD 12/18/02

Case No: 02-3449-CA
Case Name: Emery Paul Karu
Court Deposit Amount: $17,751.33 ✓

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
4523040003	Karu		4160	70.61	9360 ✓	20	$0.00
4523040008	Mitchell		4160	15.64	1980 ✓	20	$0.00
4523656007	Downing		4160	6.63	1980 ✓	20	$0.00
4550428006	Wiseman		4164	48.77	1980	20	$0.00
4549264000H	Bunch 2/3 settled GE		4164	49.68	21600 ✓	20	$0.00
	1/3 in court registry			—			$0.00
				191.33	17460		$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
70.61 ✓	4,929.39 ✓		100	14,360
15.64 ✓	4,600.36 ✓	—	100	6596
6.63 ✓	4,609.37 ✓	—	100	6596
49.68 ✓	4950.32 ✓	0	0	7160

17,751.33
- 191.33
17560.00
- 100
17460

OT: Fund: 348 Ltr: 12-16-02 War: 12-18-02

NAME	LTR	Warr	Fund
KARU	12-17-02	12-18-02	348
MITCHELL	4-8-04	4-13-04	348
DOWNING	4-5-04	4-7-04	332

OT
Ent ~~SFJ~~ 1/30/03 ROE

Ent SFJ 2/13/03 ROE

Ent SFJ 4/21/04 07

BTA 30118

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

Copy

Filed in Open Court
Date:
By: D.C.

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

Petitioner,

vs.

EMERY PAUL KARU, et al.,

Defendants.
_____/

Case No.: 02-3449-CA

Judge: HAYES

COPY

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 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, therefore

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 $191.33, 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 $17,751.33.

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 12 day of DECEMBER, 2002, at Naples, Collier County, Florida.

Hugh D. Hayes
CIRCUIT JUDGE

cc: all parties of record

DEP v. KARU, et al
SERVICE LIST

PARCEL: 45239040003

EMERY PAUL KARU
14 CORAL DR
HAZLET, NJ 07730

PARCEL: 45230400008

CHARLES N. MITCHELL
PO BOX 216
RUSSELLVILLE, AL 35653

PARCEL: 45236560007

NATHAN T. DOWNING, JR
KATHLEEN A. DOWNING
2605 LARCHVIEW DR
PAINESVILLE, OH 44077

PARCEL: 45504280006

CHARLES B. WISEMAN
ED WISEMAN
WILLIAM B. BATES
197 MARK TRL
DAYTON, TN 37321

PARCEL: 45492640004

HERBERT BUNCH
KATHY BUNCH
TRUDY BUNCH
WINIFRED BUNCH
JOHNNY M. BUNCH
1865 NE 208TH TER
MIAMI, FL 33179

ALL PARCELS:

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

epared For: Glenn Tucker

10/1/2002

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

ESTIMATED TAXES DUE PENDING FINAL ORDER OF TAKING DATE

DEP vs	Case # 02-3449	Judge: Hayes						
Name	ID #	Legal Desc:	IF PAID IN DEC	OR	IF PAID IN JAN	OR	IF PAID IN FEB
Karu	45239040003	Golden Gate Est U 160 Tr 100	70.61		70.61		70.61
Mitchell	45230400008	Golden Gate Est U 160 W 75' E 180' Tr 9	15.64		15.64		15.64
Downing	45236560007	Golden Gate Est U160 W 75' E 180' Tr 74	6.63		6.63		6.63
Wiseman	45504280006	Golden Gate Est U 164 W 75' E150' Tr 103	48.77		49.14		49.50
L n	45492640004	Golden Gate Est U 164 W75' E 180' Tr 19	49.68		50.05		50.43

DUE IN DEC	DUE IN JAN	OR	DUE IN FEB
191.33	192.07		192.81

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 an independent tax search prepared by a qualified abstract or title company or an ey 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.

DEP v. KARU, et al
LEGAL DESCRIPTIONS

KARU-PARCEL: 45239040003

ALL OF TRACT 100, GOLDEN GATE ESTATES UNIT 160, AS RECORDED IN PLAT BOOK 7, PAGE 47, PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA

MITCHELL-PARCEL: 45230400008

THE WEST 75 FEET OF THE EAST 180 FEET OF TRACT 9, GOLDEN GATE ESTATES UNIT 160, AS RECORDED IN PLAT BOOK 7, PAGE 47, PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA

DOWNING-PARCEL: 45236560007

THE WEST 75 FEET OF THE EAST 180 FEET OF TRACT 74, GOLDEN GATE ESTATES UNIT 160, AS RECORDED IN PLAT BOOK 7, PAGE 47, PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA

WISEMAN-PARCEL: 45504280006

THE WEST 75 FEET OF THE EAST 150 FEET OF TRACT 103, GOLDEN GATE ESTATES UNIT 164, AS RECORDED IN PLAT BOOK 7, PAGE 51, PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA

BUNCH-PARCEL: 45492640004

THE WEST 75 FEET OF THE EAST 180 FEET OF TRACT 19, GOLDEN GATE ESTATES UNIT 164, AS RECORDED IN PLAT BOOK 7, PAGE 51, PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA



Katy

Memorandum

Environmental Protection

December 16, 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 21 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

Order of Taking Attachment

12/16/2002

Payee: Collier County, Clerk of Circuit Court

	Defendants	Case Number	Review Number	Amount
1	Herbert C. Cooley, et al.,	02-3471-CA	BLA300109	$58,192.15
2	Dino Cornella, et al.,	02-3440-CA	BLA300110	$28,107.64
3	Lural P. Foster, et al.,	02-3441-CA	BLA300111	$40,112.67
4	Thomas R. Foster, et al.,	02-3436-CA	BLA300112	$32,928.22
5	Devlin J. Haas, et al.,	02-3444-CA	BLA300113	$46,301.60
6	Clifford Ham, et al.,	02-3649-CA	BLA300114	$488,896.28
7	Florian Hoben, et al.,	02-3473-CA	BLA300115	$45,771.66
8	Eric Herz, et al.,	02-3472-CA	BLA300116	$41,459.90
9	Betty Jacks, et al.,	02-3448-CA	BLA300117	$37,283.00
10	Emery Paul Karu, et al.,	02-3449-CA	BLA300118	$17,751.33
11	Sally H. Ligon, et al.,	02-3540-CA	BLA300119	$14,160.16
12	Alberto Mata, et al.,	02-3523-CA	BLA300120	$386,943.23
13	Alberto Matos, et al.,	02-3541-CA	BLA300121	$37,409.64
14	William Post, JR., et al.,	02-3534-CA	BLA300122	$54,624.67
15	Lewis B. Raines, et al.,	02-3529-CA	BLA300123	$27,196.25
16	Charles E. Rauch, et al.,	02-3528-CA	BLA300124	$37,125.56
17	Iris Stevens, et al.,	02-3537-CA	BLA300125	$28,195.50
18	Nina E. Stovall, et al.,	02-3542-CA	BLA300126	$48,882.20
19	James V. Thomas, et al.,	02-3546-CA	BLA300127	$49,148.37
20	Victor J. Tritto, et al.,	02-3531-CA	BLA300128	$28,078.71
21	Frank J. Harmer, et al.,	02-2647-CA	BLA300139	$2,274.00
22				
23				
	Total of Orders			$1,550,842.74

F FLORIDA
COMPTROLLER
NCE ADVICE

4-04 565 424

THIS IS NOT A PAYMENT DEVICE

FLAIR ACCOUNT CODE	OLO	SITE	DOCUMENT NUMBER	OBJECT	DATE	PAYMENT NO
37-302348021-37100200-00-08410802	370000	08	D3000320730	5620	12/18/02	0971735

PAYMENT AMOUNT
$ 1,550,842.74

DO NOT CASH

AGENCY DOCUMENT NO
VF02408

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
022647CA	$ 2,274.00	023436CA	$ 32,928.22	023440CA	$ 28,107.64
023441CA	$ 40,112.67	023444CA	$ 46,301.60	023448CA	$ 37,283.00
023449CA	$ 17,751.33	023471CA	$ 58,192.15	023472CA	$ 41,459.90
023473CA	$ 45,771.66	023523CA	$ 386,943.23	023528CA	$ 37,125.56
023529CA	$ 27,196.25	023531CA	$ 28,078.71	023534CA	$ 54,624.67
023537CA	$ 28,195.50	023540CA	$ 14,160.16	023541CA	$ 37,409.64
023542CA	$ 48,882.20	023546CA	$ 49,148.37	023649CA	$ 488,896.28

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

FLAIR ACCOUNT CODE 37-302348021-37100200-00-08410802 SWDN D3000320730 ADN VF02408 OBJECT 5620 DATE 12/18/02 WARRANT NO 0971735 63-69 630

OLO 370000 SITE 08 CONTACT (850) 488-6439 FOR PAYMENT QUESTIONS VOID AFTER 12 MONTHS

STATE OF FLORIDA
OFFICE OF COMPTROLLER

4-04 565 424

PAY AMOUNT $*1,550,842.74

ONE-MILLION-FIVE-HUNDRED-FIFTY-THOUSAND-EIGHT-HUNDRED-FORTY-TWO DOLLARS AND 74 CENTS

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

⑈340971735⑈ ⑆063000694⑆ ⑈12⑈

Case No.: 02-3449-CA Name: Karu / Downing

Parcel ID: 452365600007 4/7/04

4/21/04 D2

A) Total Amount Order to Seller (as stated in Stipulated Final Judgement) $ 6,596

Subtract

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

C) **Subtotal** $ 4616 A-B

Subtract

D) Property taxes due and owing on said parcel (as stated in SFJ) - $ 6.63

E) Total due to seller = $ 4609.37 C-D

Atty Fees $

Warrant should equal D + E + $100.00 for Court Fees + Atty Fees $4,716.00 D+E+100+Atty

Warrant actually equals $ 4,709.37

Difference of: $ 6.63

☑ 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

COPY

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

Petitioner,

v.

EMERY PAUL KARU, et al.,

Defendants.
_____/

Case No. 02-3449-CA

Judge: MARTIN

STIPULATED FINAL JUDGMENT AS TO DEFENDANTS
NATHAN T. DOWNING, JR., DECEASED, AND KATHLEEN A. DOWNING, HIS WIFE

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, Kathleen A. Downing, surviving Joint Tenant, 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 **45236560007**, shall have and recover the total sum of **SIX THOUSAND FIVE HUNDRED NINETY-SIX AND NO/100 DOLLARS ($6,596.00)**, 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 **SIX AND 63/100 DOLLARS. ($6.63).**

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 **45236560007** 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 NINE AND 37/100 DOLLARS** 4,709.37 **($4,609.37)**, 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.

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 **SIX THOUSAND FIVE HUNDRED EIGHTY-NINE AND 37/100 DOLLARS ($6,589.37) to Kathleen Downing** and send it to her at 2605 Larchview Drive, Painesville, OH 44077. 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 22 day of March, 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, Kathleen A. Downing, surviving Joint Tenant, 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 Shook

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 Kathleen A Downing

Kathleen A. Downing

SOE Box

April 5, 2004

CASE NAME	Parcel #	DEFENDANTS	AMOUNT	CASE #
BICKING	00479200004 00479280008	PRANEE THNANIVAS	$ 89,100.00	02-3524-CA
BREWER	42682240000	ROBERT AND SUZANNE PARKER	$ 3,988.09	02-5276-CA
BROGAN	43430600008	SUZANNE HOLMES BROGAN	$ 29,530.00	02-0408-CA
BROOKS	42981480008	RITA H. SHUNK	$ 52,600.00	02-2650-CA
COLLIER	00471920007 00474920004	COLLIER CATTLE CORPORATION	$ 226,220.00	01-2990-CA
COTTAGE	00482186801	CARLOS AYALA	$ 55,180.00	01-3409-CA
COTTAGE	00487923001	VICTOR SHER	$ 112,251.75	01-3409-CA
FONDRIEST	43262880009	ROLANDO GUTIERREZ	$ 38,101.00	01-4053-CA
GALIN	00482175809	GALIN, INC	$ 23,850.00	03-2685-CA
GALIN	00483200304	HYUNG HANG	$ 49,681.70	01-3411-CA
HART	43040320008	RADOMIR PENJEVIC	$ 54,600.00	02-0145-CA
HAWKINS	00482240006	SANDRA HAWKINS	$ 46,600.00	02-2694-CA
KARU	45236560007	NATHAN AND KATHLEEN DOWNING	$ 4,709.37	02-3449-CA
O'DONNELL	44327520009	JESUS OLIVE AND ISIS OLIVE	$ 33,420.00	02-0142-CA
RAMIREZ	00482161004 00482160500	OTTO RIGABA AND GLADYS RIGABA	$ 67,762.16	01-3415-CA
SHELLER	00773800003	JAMES THOMPSON	$ 36,749.82	02-1532-CA
SHER REALTY	00482169802	SHER REALTY, INC	$ 23,850.00	03-2688-CA
TROPICAL	00474160000 00476041305 00476041606	TROPICAL RANCH PROPERTIES	$ 177,710.00	01-3147-CA
TROPICAL	00476040102 00476041101 00476041907	TROPICAL RANCH PROPERTIES	$ 177,710.00	01-2989-CA
			$ 1,303,613.89	

STATE OF FLORIDA

DEPARTMENT OF FINANCIAL SERVICES

REMITTANCE ADVICE

4-02 816 172

THIS IS NOT A PAYMENT DEVIC

FLAIR ACCOUNT CODE	OLO	SITE	DOCUMENT NUMBER	OBJECT	DATE	PAYMENT NO
37-302332010-37100200-00-08410804	370000	08	D4000526628	5690	04/07/04	1433290

PAYMENT AMOUNT
$ 1,303,613.89

DO NOT CASH

AGENCY DOCUMENT NO
VF04959

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
012990CA	$ 226,220.00	013147CA	$ 355,420.00	013409CA	$ 167,431.75
013411CA	$ 49,681.70	013415CA	$ 67,762.16	014053CA	$ 38,101.00
020142CA	$ 33,420.00	020145CA	$ 54,600.00	020408CA	$ 29,530.00
021532CA	$ 36,749.82	022650CA	$ 52,600.00	022694CA	$ 46,600.00
023449CA	$ 4,709.37	023524CA	$ 89,100.00	025276CA	$ 3,988.09
032685CA	$ 23,850.00	032688CA	$ 23,850.00		

Mailed
3-9-04
LRA

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

FLAIR ACCOUNT CODE: 37-302332010-37100200-00-08410804 | VENDOR ID: VF04959 | OBJECT: 5690 | DATE: 04/07/04 | WARRANT NO: 1433290 | 63-69 / 630

OLO: 370000 | SITE: 08 | DOCUMENT NO: D4000526628 | QUESTIONS: (850) 245-2494, FCO | VOID AFTER 12 MONTHS

STATE OF FLORIDA

DEPARTMENT OF FINANCIAL SERVICES

4-02 816 172

PAY

ONE MILLION THREE HUNDRED THREE THOUSAND SIX HUNDRED THIRTEEN DOLLARS AND 89 CENTS

AMOUNT
$*1,303,613.89

TO THE ORDER OF

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

EXPENSE WARRANT

TO: DIVISION OF TREASURY
TALLAHASSEE

CHIEF FINANCIAL OFFICER

⑈1433290⑈ ⑆063000694⑆ 42⑈