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.

NANCY HENNING, et al.

Defendants.
_____/

CASE NO.: 01-2993-CA

JUDGE: HAYES

PARCELS: 476040801
476042003

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 $310.18 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, shall vest 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 $ 44,270.18 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

Prepared For: Glenn Tucker

8/24/01

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

DEP vs	Case # 01-2993	Judge: Hayes								
					IF PAID IN OCT			IF PAID IN		
Name	ID #	Legal Desc:	Pro Ration	Current	Del Tax	Total	OR	Del Tax	Total	
Henning, Nancy	00476040801	13-50-28 N1/2 SE1/4 SW1.4 NW1/4	155.09			155.09				
Herbstzuber, Paul	00476042003	13-50-28 SS1/2 SW1/4 NE1/4 NE1/4	155.09			155.09				
Johnson, C M	00476042809	13-50-28 SE1/4 NW1/4 NW1/4	310.19			310.19				
Klinsukont, Apichart	00475120007	13-50-28 S1/2 SW1/4 SW1/4 NE1/4	155.09		213.58	368.67				

DUE IN OCT 989.04 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

DEP v. HENNING
LEGAL DESCRIPTIONS

HENNING-PARCEL: 00476040801

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

HERBSTZUBER-PARCEL: 00476042003

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

EXHIBIT
B

DEP v. HENNING, et al.
SERVICE LIST

Parcel: 476040801

JAMES W. McDONALD, JR
Attorney for Defendant (Henning)
17000 SOUTHWEST 272 ST
HOMESTEAD, FLORIDA 33031

Parcel: 476042003

JAMES W. McDONALD, JR
Attorney for Defendant (HERBSTZUBER)
17000 SOUTHWEST 272 ST
HOMESTEAD, FLORIDA 33031

ALL PARCELS:

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

Florida Department of
Environmental Protection

Memorandum

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** **Review # 281399**
Nancy Henning, et al, Case No: 01-2993 CA **Amount $ 44,370.18**
Order of Taking

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 FLORID
OFFICE OF COMPTROLLER
REMITTANCE ADVICE

4-01 768 48

THIS IS NOT A PAYMENT DE

FLAIR ACCOUNT CODE	OLO	SITE	DOCUMENT NUMBER	OBJECT	DATE	PAYMEN
37-302332010-37100200-00-08410800	370000	08	D2000298278	5620	11/28/01	08689

PAYMENT AMOUNT
$ 44,370.18

DO NOT CASH

AGENCY DOCUMENT NO
VF03407

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
012983CA	$ 44,370.18

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

FLAIR ACCOUNT CODE	SWDN	ADN	OBJECT	DATE	WARRANT NO
37-302332010-37100200-00-08410800	D2000298278	VF03407	5620	11/28/01	0868982 63-69 630

OLO 370000 SITE 08 CONTACT (850) 488-6438 FOR PAYMENT QUESTIONS

VOID AFTER 12 MONTHS

STATE OF FLORIDA
OFFICE OF COMPTROLLER

4-01 768 48

PAY
FORTY-FOUR-THOUSAND-THREE-HUNDRED-SEVENTY & 18/100 DOLLARS

AMOUNT
$****44,370.18

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 FLORID
TALLAHASSEE

COMPTROLLER OF FLORIDA

⑈24086898 20 2⑈ ⑆063000694⑆ ⑈4 2⑈

Case No.: 01-2993-CA Name: Henning / Klinsuksont

Parcel ID: 0047512 0007

A) Total Amount Order to Seller (as stated in Stipulated Final Judgement) $ 75,990

Subtract

B) Total Amount Paid to Seller at Order of Taking - $ 21,930.00

Subtotal $ 54,060 A-B

C)

Subtract

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

Total due to seller = $ 54,060 C-D

E) Atty Fees $ Ø

Warrant should equal D + E + $100.00 for Court Fees + Atty Fees $ 54,160. D+E+100+Atty

Warrant actually equals $ 54,160.00

Difference of: $ Ø

☐ 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,

v.

NANCY HENNING, et al.,
Defendants

_____/

Case No. 01-2993-CA

Judge: Brousseau

Parcel: 00475120007

STIPULATED FINAL JUDGMENT AS TO DEFENDANT, APICHART KLINSUKONT and CHINTA KLINSUKONT

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, Apichart Klinsukont and Chinta Klinsukont, together with their attorney, James McDonald, on behalf of himself, the firm, Attorney Bill Hoppe, and 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. Defendant, owner of parcel 00475120007, and Tropical Ranch Properties, Inc. and Collier Cattle Corporation, owners of an easement on said parcel, shall have and

recover the total sum of **SEVENTY-FIVE THOUSAND NINE HUNDRED NINETY AND NO/100 DOLLARS ($75,990.00),** 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 no property taxes due and owing on said parcel.

4. Petitioner has previously deposited the sum of **TWENTY-ONE THOUSAND NINE HUNDRED THIRTY AND NO/100 DOLLARS ($21,930.00),** into the Registry of the Circuit Court toward acquisition of said parcel 00475120007 at which time title to said parcel, 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 **FIFTY-FOUR THOUSAND SIXTY AND NO/100 DOLLARS ($54,060.00)** into the Registry of the Clerk of the Circuit Court, which sum represents the difference between full compensation owed and Petitioner's prior deposit, exclusive of attorney fees, expert fees and costs.

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 **FIFTY-FOUR THOUSAND SIXTY AND NO/100 DOLLARS ($54,060.00) to McDonald & Associates, Attorneys-at-Law, Chartered, Trust Account,** and send it c/o James McDonald, 17000 SW 272nd Street, Homestead, Florida 33031.

7. Upon entry of this Stipulated Final Judgment, any and all claims for full

compensation, improvements taken, easements, interest, and all other claims of whatsoever kind or nature shall be resolved with respect the parcel specified herein and the said Defendant, 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 24 day of Nov, 2003 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, Defendant, Apichart Klinsukont and Chinta Klinsukont, by and through their attorney, James McDonald on behalf of himself, the firm, Attorney Bill Hoppe, and Attorney George Vega, Tropical Ranch Properties, Inc. and Collier Cattle Corporation, 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

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

Tropical Ranch Properties, Inc.

By:_____

_____
Print Name & Title

Collier Cattle Corporation

By:_____

_____
Print Name & Title

Stipulated Final Judgements 11/26/2003
Attachment

Pa Collier County

	Defendants	Case Number	Parcel Number	Amount
1	Willoughby	01-3410-CA	476041703	$107,160.00
2	Warfield	01-3410-CA	472280005	$62,160.00
3	Spencer	01-3410-CA	475720009	$127,160.00
4	Patterson	02-3525-CA	473280004	$103,120.00
5	Sobalvarro	01-3148-CA	476043206	$54,160.00
6	International Logistics Group, LTD.	01-3415-CA	471800004	$107,160.00
7	Saulog	01-2994-CA	476041004	$54,004.91
8	Sukram	01-2994-CA	476000003	$128,660.00
9	Mata/Sardina	02-3523-CA	472880007	$103,120.00
10	Netherly/Phoommuang	02-3523-CA	472400005	$202,586.00
11	Shaw	02-3523-CA	471360007	$239,373.00
12	Mazarchuk	02-3523-CA	475440004	$52,120.00
13	Perez	01-2992-CA	474960006	$54,160.00
14	Mitchell	01-2992-CA	475400002	$54,160.00
15	Klinsukont	01-2993-CA	475120007	$54,160.00
16	Wood	01-2993-CA	476042809	$115,160.00
17	Herbstzuber	01-2993-CA	476042003	$54,004.91
18	Quade	02-1544-CA	44024320007	$4,796.80
19	Fick	01-2991-CA	476042207/42401	$116,220.00
20	Klise	01-2987-CA	476041208	$115,160.00
21	Fajardo,Sanchez and Tropical	01-2991-CA	47520008	$54,160.00
22	Chanthasone/ Rattanavong	02-1559-CA	472760004	$54,037.91
23	Swartwood	02-1509-CA	42671760009	$4,632.16
24	Fognini	03-2624-CA	44211520005	$9,126.00
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Total of Orders **$2,030,561.69**

Katy

Memorandum

Florida Department of
Environmental Protection

November 26, 2003

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:

Org Code	EO	Fund	Object	Category	Project #
3710 2100 000	JS	30-2-332010	569000	084108-00	00591

PAYEE: Collier County Clerk of Court
Amount $2,030,561.69

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

4-02 073 911

REMITTANCE ADVICE

THIS IS NOT A PAYMENT DEVICE

FLAIR ACCOUNT CODE	OLO	SITE	DOCUMENT NUMBER	OBJECT	DATE	PAYMENT NO
37-302332008-37100200-00-08410804	370000	08	D4000279922	5690	12/01/03	0768812

PAYMENT AMOUNT
$ 2,030,561.69

DO NOT CASH

AGENCY DOCUMENT NO
VF02528

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
012987CA	$ 115,160.00	012991CA	$ 54,160.00	012992CA	$ 108,320.00
012993CA	$ 223,324.91	012994CA	$ 182,664.91	013410CA	$ 296,480.00
013415CA	$ 107,160.00	013418CA	$ 54,160.00	021509CA	$ 4,632.16
021544CA	$ 4,796.80	021559CA	$ 54,037.91	023523CA	$ 597,199.00
023525CA	$ 103,120.00	029914CA	$ 116,220.00	032624CA	$ 9,126.00

Mailed
12-3-03
KRA

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

STATE OF FLORIDA — DEPARTMENT OF FINANCIAL SERVICES — WARRANT NO. 0768812

4-02 073 911

PAY — AMOUNT $2,030,561.69

TWO MILLION THIRTY THOUSAND FIVE HUNDRED SIXTY-ONE & 69/100 DOLLARS

VOID AFTER 12 MONTHS

EXPENSE WARRANT

TO: DIVISION OF TREASURY
TALLAHASSEE

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

CHIEF FINANCIAL OFFICER

⑈0768812⑈ ⑆063000097⑆