

**IN THE CIRCUIT COURT OF THE EIGHTEENTH JUDICIAL CIRCUIT
IN AND FOR SEMINOLE COUNTY, FLORIDA**

**SEMINOLE COUNTY, a charter county
and a political subdivision of the State of
Florida,**

**CASE NO.: 2025-CA-001128
PARCEL NOS.: 101, 102, 104A, 104B,
104C, 111, 112, 113, 114,
116, 119, and 120**

Petitioner,

-vs-

**ESTATE OF MATTIE HAYWOOD AND
UNKNOWN HEIRS AND DEVISEES OF
MATTIE HAYWOOD (deceased), if any;
HATTAWAY HOLDINGS, LLC; CHARLES
EDWARD SANDERS, II; ESTATE OF
WILFRED A. SANDERS; ESTATE OF SOPHIA
S. MOTT a/k/a SOPHIA IANA MOTT; ESTATE
OF SANFORD F. DOUDNEY; RDC
ALTAMONTE SPRINGS, LLC, a foreign limited
liability company; ESTATE OF AMIE UPSON
AND UNKNOWN HEIRS AND DEVISEES OF
AMIE UPSON (deceased), if any; TERRY
UPSON, JR.; ESTATE OF IDA MCNORTON
AND UNKNOWN HEIRS AND DEVISEES OF
IDA MCNORTON (deceased), if any; FIRST
SPANISH BAPTIST CHURCH OF
ALTAMONTE SPRINGS, INC; ESTATE OF
DAVID CHARLES BUTLER AND UNKNOWN
HEIRS AND DEVISEES OF DAVID CHARLES
BUTLER (deceased), if any; CHARLES DAVID
BUTLER; and SEMINOLE COUNTY TAX
COLLECTOR, and ALL UNKNOWN PARTIES
WHO MAY HAVE AN INTEREST IN
PARCELS 101, 102, 104A, 104B, 104C, 111, 112,
113, 114, 116, 119, and 120,**

Defendants.

**STIPULATED MOTION FOR ENTRY OF ORDER OF TAKING, FINAL JUDGMENT,
AND ORDER TAXING ATTORNEYS' FEES AND COSTS AS TO DEFENDANT, RDC
ALTAMONTE SPRINGS, LLC, PARCELS 104 (B & C)**

Petitioner, **SEMINOLE COUNTY, FLORIDA**, and Defendants, **RDC ALTAMONTE, SPRINGS, LLC**, stipulate to the entry of the attached Order of Taking, Final Judgment, and Order Taxing Attorneys' Fees and Costs, a copy of which is attached hereto as Exhibit "1".

Respectfully submitted this ____ day of August, 2025.

/s/ Jay W. Small

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/s/ Brian Smith

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Telephone: (407) 843-4600
Attorney for Defendant, RDC Altamonte Springs, LLC

EXHIBIT 1

**IN THE CIRCUIT COURT OF THE EIGHTEENTH JUDICIAL CIRCUIT
IN AND FOR SEMINOLE COUNTY, FLORIDA**

**SEMINOLE COUNTY, a charter county
and a political subdivision of the State of
Florida,**

Petitioner,

**CASE NO.: 2025-CA-001128
PARCEL NOS.: 101, 102, 104A, 104B,
104C, 111, 112, 113, 114,
116, 119, and 120**

-vs-

**ESTATE OF MATTIE HAYWOOD AND
UNKNOWN HEIRS AND DEVISEES OF
MATTIE HAYWOOD (deceased), if any;
HATTAWAY HOLDINGS, LLC; CHARLES
EDWARD SANDERS, II; ESTATE OF
WILFRED A. SANDERS; ESTATE OF SOPHIA
S. MOTT a/k/a SOPHIA IANA MOTT; ESTATE
OF SANFORD F. DOUDNEY; RDC
ALTAMONTE SPRINGS, LLC, a foreign limited
liability company; ESTATE OF AMIE UPSON
AND UNKNOWN HEIRS AND DEVISEES OF
AMIE UPSON (deceased), if any; TERRY
UPSON, JR.; ESTATE OF IDA MCNORTON
AND UNKNOWN HEIRS AND DEVISEES OF
IDA MCNORTON (deceased), if any; FIRST
SPANISH BAPTIST CHURCH OF
ALTAMONTE SPRINGS, INC; ESTATE OF
DAVID CHARLES BUTLER AND UNKNOWN
HEIRS AND DEVISEES OF DAVID CHARLES
BUTLER (deceased), if any; CHARLES DAVID
BUTLER; and SEMINOLE COUNTY TAX
COLLECTOR, and ALL UNKNOWN PARTIES
WHO MAY HAVE AN INTEREST IN
PARCELS 101, 102, 104A, 104B, 104C, 111, 112,
113, 114, 116, 119, and 120,**

Defendants.

**STIPULATED ORDER OF TAKING, FINAL JUDGMENT, AND ORDER TAXING
ATTORNEYS' FEES AND COSTS AS TO DEFENDANT, RDC ALTAMONTE
SPRINGS, LLC, PARCELS 104 (B & C)**

THIS CAUSE came before the Court on the parties' Stipulation for Entry of Order of Taking, Final Judgment, and Order Taxing Attorneys' Fees and Costs ("Order of Taking and Final

Judgment”) of Petitioner, **SEMINOLE COUNTY** (“County”), and Defendant, **RDC ALTAMONTE SPRINGS LLC, A DELAWARE LIMITED LIABILITY COMPANY** (“Defendant RDC”), and the Court being fully advised in the premises, upon consideration, it is hereby,

ORDERED and ADJUDGED:

1. That the Court has jurisdiction of the subject matter of and the parties to this cause pursuant to Chapters 73 and 74, Fla. Stat. (2024).

2. The Defendant RDC is the fee simple owner of Parcels 104B and 104C.

3. That the pleadings in this cause are sufficient.

4. That the County is properly exercising its delegated authority.

5. That the County is acquiring the property for a public purpose.

6. That the taking of this property is reasonably necessary to serve the public purpose for which the County is acquiring the property.

7. That the estimate of value, declaration of taking or amended declaration of taking, as the case may be, filed in this cause by the County are in good faith and based upon a valid appraisal.

8. That, upon the deposit to be made in this case into the Registry of this Court, the right, title, or interest specified in the Petition, as described herein, will vest in the County, to-wit:

SEE EXHIBIT “A” ATTACHED HERETO.

That the deposit of money secured the person(s) lawfully entitled to the compensation pursuant to Chapter 73, Fla. Stat. (2024).

9. That the sum of money to be deposited in the Registry of this Court within twenty (20) days of the entry of this Order of Taking and Final Judgment shall be in the total amount total of **TWO HUNDRED TWENTY THOUSAND TWO HUNDRED TWENTY AND 00/100**

DOLLARS (\$220,220.00) for Parcels 104B and 104C which is in full settlement of all claims for compensation for the taking of Parcels 104B and 104C, including claims related to compensation for the taking of real estate, improvements located thereon, severance damages, business damages, statutory interest, or other claims for other compensation. The sum of money due Defendant RDC as compensation for the taking shall be subject to apportionment claims, if any.

10. That the Clerk of this Court shall forthwith, upon deposit of the aforesaid sum, pay to the Defendant, **SEMINOLE COUNTY TAX COLLECTOR** (“Defendant Tax Collector”), the amount of pro-rated taxes due and past due taxes on the above-referenced Parcels 104B and 104C, if any, and mail said payment to Defendant, **SEMINOLE COUNTY TAX COLLECTOR** (“Defendant Tax Collector”), or designee, 1101 E. First Street, Sanford, FL 32771.

11. That the Clerk of this Court shall forthwith, upon deposit of the aforesaid sum, issue a check in the amount of **TWO HUNDRED TWENTY THOUSAND TWO HUNDRED TWENTY AND 00/100 DOLLARS (\$220,220.00)**, less pro-rated real estate taxes in Paragraph 10 due Defendant Tax Collector, payable to Lowndes, Drosdick, Doster, Kantor & Reed, P.A. Trust Account and mail said payment to Lowndes, Drosdick, Doster, Kantor & Reed, P.A., c/o Brian E. Smith, Esq., 215 N. Eola Dr., Orlando, FL 32801 for further disbursement.

12. That, pursuant to §§ 73.091 and 73.092, Fla. Stat. (2024), Defendant RDC recovers attorneys’ fees and experts’ fees and costs in the amount of **FORTY-FOUR THOUSAND SEVEN HUNDRED AND EIGHTY AND 00/100 DOLLARS (\$44,780.00)**. Within thirty (30) days from the date of entry of this Order of Taking and Final Judgment, the County shall pay **FORTY-FOUR THOUSAND SEVEN HUNDRED AND EIGHTY AND 00/100 DOLLARS (\$44,780.00)** to the Lowndes, Drosdick, Doster, Kantor & Reed, P.A. Trust Account, c/o Brian E. Smith, Esq., 215 N. Eola Dr., Orlando, FL 32801.

13. That Exhibit “B” is a set of the County’s right of way maps pertaining to the subject property; Exhibit “C” is a set of the construction plans pertaining to the subject property; and Exhibit “D” generally indicates the location of the modification of the driveway location and configuration. The County shall construct the project in substantial conformity with Exhibits “B,” “C,” and “D” as they relate to the subject property. Defendant RDC retains its rights and remedies under *Central and Southern Florida Control District v. Wye River Farms, Inc.*, 297 So.2d 323 (Fla. 4th DCA 1974), *cert. denied*, 310 So. 2d 745 (Fla. 1975).

14. That, upon deposit as set forth in Paragraph 9 above and without further notice or order of this Court, the County shall be entitled to possession of the property described in the Petition as Parcels 104B and 104C.

15. That the Court hereby retains jurisdiction to enter any orders necessary for the enforcement of this Order of Taking and Final Judgment.

DONE AND ORDERED in Chambers this ____ day of _____, 2025, in Seminole County, Florida.

Susan Stacy, Circuit Judge

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the foregoing as filed with the Clerk of the Court on the _____ day of August 2025, I electronically filed the foregoing document with the Clerk of the Court using the Florida Courts E-Filing Portal System. Accordingly, a copy of the foregoing is being served on this day to all attorneys/interested parties identified on the ePortal Electronic Service List, via transmission of Notices of Electronic Filing generated by the ePortal System.

Judicial Assistant

EXHIBIT “A”

PARCEL 104B LEGAL DESCRIPTION

THAT PART OF:

EAST 1/2 OF THE SOUTHEAST 1/4 OF SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 22, TOWNSHIP 21 SOUTH, RANGE 29 EAST, SEMINOLE COUNTY, FLORIDA, LESS RIGHT-OF-WAY FOR HILLVIEW DRIVE, ALSO LESS AND EXCEPT, THAT PORTION THEREOF CONTAINED IN QUIT CLAIM DEED TO SEMINOLE COUNTY RECORDED IN O.R. BOOK 9852, PAGE 1880, PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA.

BEING THOSE CERTAIN LANDS AS DESCRIBED AS PARCEL 6 IN OFFICIAL RECORDS BOOK 10098, PAGE 190 OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA.

Lying within the following metes and bounds description:

Begin at the Southeast corner of the Southeast 1/4 of Southwest 1/4 of Northwest 1/4 of aforesaid Section 22; thence South 89°57'56" West along the South line of said Northwest 1/4 of Section 22, for a distance of 328.84 feet, to a point along the West line of the aforesaid Parcel described in the aforesaid Official Records Book 10098, Page 190, or the Southerly projection thereof; thence departing said South line, run North 00°25'22" East along said West line, for a distance of 25.00 feet to a point along a line that is parallel with the South line of said Northwest 1/4, said point also being along the North line of the Monumented and Occupied Right-of-Way for Hillview Drive; thence departing said West line, run North 89°57'56" East along said parallel line and said North line, for a distance of 328.72 feet to a point along the East line of the aforesaid SE1/4, SW1/4, NW1/4; thence run South 00°09'19" West along said East line, for a distance of 25.00 feet to the Point of Beginning.

Containing 8,219 square feet more or less

Which includes 3,294 square feet more or less, within the paved road for Hillview and 4,925 square feet more or less, lying outside of the paved road for Hillview

PARCEL 104C LEGAL DESCRIPTION

THAT PART OF:

The Northwest 1/4 of the Southwest 1/4, and the Northeast 1/4 of the Southwest 1/4 of Section 22, Township 21 South, Range 29 East, of Seminole County, Florida.

BEING A PORTION OF THOSE CERTAIN LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 10098, PAGE 190 OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA.

Lying within the following metes and bounds description.

Commence at the Northwest corner of the Southwest 1/4 of aforesaid Section 22; thence North 89°57'56" East along the North line of said Southwest 1/4 of Section 22, for a distance of 657.66 feet, to a point along the West line of the aforesaid Parcel Described in Official Records Book

10098, Page 190, or the Northerly projection thereof, said point also being the Point of Beginning; thence continue North $89^{\circ}57'56''$ East along said North line for 844.02 feet to a point along the East line of the aforesaid Parcel, or the Northerly projection thereof; thence departing said North line, run South $00^{\circ}12'44''$ West along said East line for a distance of 25.00 feet, to a point along a line that is parallel with said North line of the Southwest 1/4, said point also being along the South line of the Monumented and Occupied Right-of-Way for Hillview Drive; thence departing said East line, run South $89^{\circ}57'56''$ West along said parallel line and said South line, for a distance of 844.01 feet to a point along the aforesaid West line of the Parcel; thence run North $00^{\circ}11'32''$ East along said West line or the Northerly projection thereof, for a distance of 25.00 feet; to the Point of Beginning:

Containing 21,101 square feet more or less

Which includes 8,325 square feet more or less, within the paved road for Hillview and 12,776 square feet more or less, lying outside of the paved road for Hillview.

EXHIBIT “B”

**SEMINOLE COUNTY
DEPARTMENT OF TRANSPORTATION**

**RIGHT OF WAY
MAP**

**HILLVIEW DRIVE
DRAINAGE IMPROVEMENT
SEMINOLE COUNTY, FLORIDA**

LOCATED IN SECTIONS 22
TOWNSHIP 21 SOUTH, RANGE 29 EAST



(VICINITY MAP)



LEGEND

- A.B.M. - AIRBORNE PHOTOGRAPHIC MAPPING
- A.C. - ADJUTANT GENERAL'S OFFICE
- A.D. - AIR FORCE
- A.E. - AIR FORCE ENGINEERING CENTER
- A.F. - AIR FORCE
- A.G. - AIR FORCE
- A.H. - AIR FORCE
- A.I. - AIR FORCE
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- K. - KUTTING PLANE
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- N.S. - NEIGHBORHOOD
- N.T. - NEIGHBORHOOD
- N.U. - NEIGHBORHOOD
- N.V. - NEIGHBORHOOD
- N.W. - NEIGHBORHOOD
- N.X. - NEIGHBORHOOD
- N.Y. - NEIGHBORHOOD
- N.Z. - NEIGHBORHOOD

GENERAL NOTES

1. THIS RIGHT OF WAY MAP IS THE PROPERTY OF THE SEMINOLE COUNTY DEPARTMENT OF TRANSPORTATION. IT IS TO BE USED ONLY FOR THE PURPOSES FOR WHICH IT WAS PREPARED AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF THE SEMINOLE COUNTY DEPARTMENT OF TRANSPORTATION.
2. THE RIGHT OF WAY MAP IS BASED ON THE SURVEY DATA AND RECORDS OF THE SEMINOLE COUNTY DEPARTMENT OF TRANSPORTATION AND THE SURVEY DATA AND RECORDS OF THE SEMINOLE COUNTY DEPARTMENT OF TRANSPORTATION.
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SURVEYOR'S CERTIFICATION

I, **DAVID J. HARRIS**, a duly licensed Professional Engineer in the State of Florida, do hereby certify that the above described project is in accordance with the provisions of the Florida Statutes, Chapter 481, Part I, and the rules and regulations of the Board of Professional Engineers, Registered Professional Surveyors and Registered Professional Land Surveyors, Florida Board of Professional Engineers, Registered Professional Surveyors and Registered Professional Land Surveyors, and that the project is in accordance with the provisions of the Florida Statutes, Chapter 481, Part I, and the rules and regulations of the Board of Professional Engineers, Registered Professional Surveyors and Registered Professional Land Surveyors, Florida Board of Professional Engineers, Registered Professional Surveyors and Registered Professional Land Surveyors.

SHEET INDEX

SHEET NO.	TITLE
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2	GENERAL NOTES
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SPECIFIC PURPOSE SURVEY		SEMINOLE COUNTY - HILLVIEW DR		SHEET 1 OF 8	
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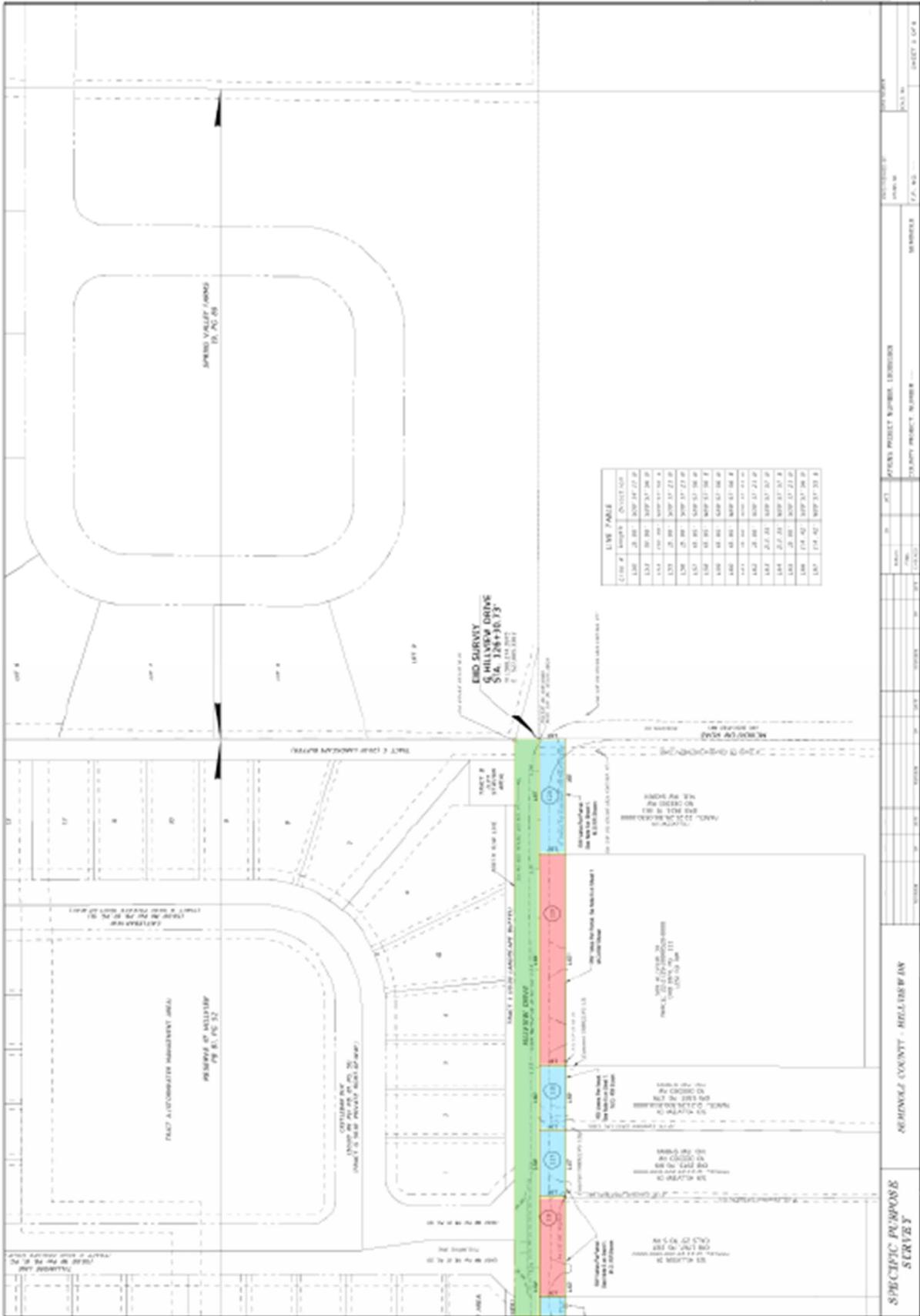
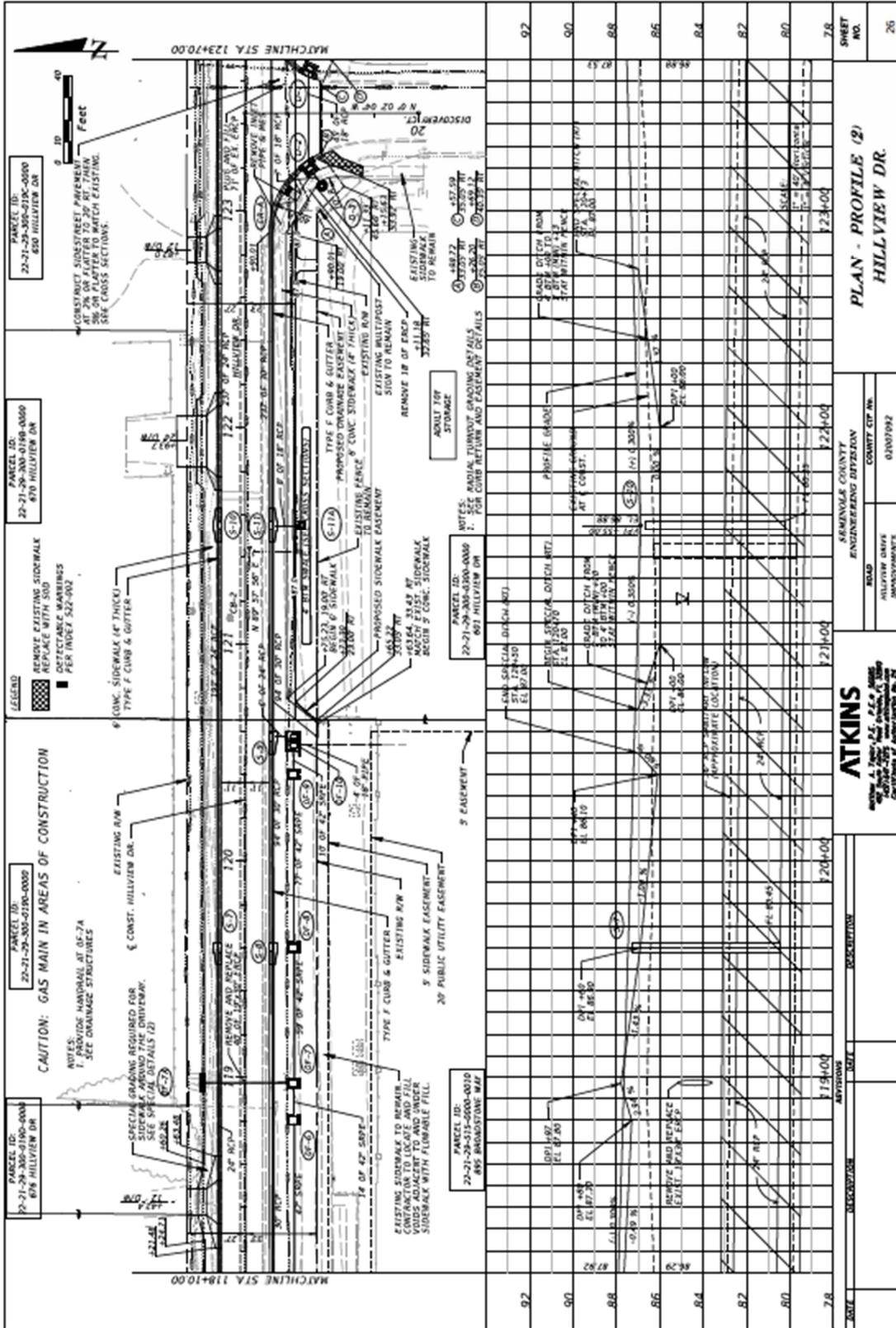


EXHIBIT “C”



DATE	DESCRIPTION	BY	CHKD
11/19/04	ADDITIONS		
12/14/04			
12/24/04			
12/31/04			

ATKINS
 JOHN A. TERRY, P.E., P.L.L.C.
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 FAX: 312.467.1001
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SENECA COUNTY
 ENGINEERING DIVISION
 ROAD
 HILLVIEW DRIVE
 IMPROVEMENTS
 2004023
 12.18.04
 COUNTY OFF. NO.
 030101942

PLAN - PROFILE (2)
HILLVIEW DR.
 SHEET NO. 26

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EXHIBIT “D”

