

MARYANNE MORSE, CLERK OF CIRCUIT COURT
SEMINOLE COUNTY
BK 06264 Pgs 1628 - 1640; (13pgs)
CLERK'S # 2006086859
RECORDED 05/30/2006 10:59:44 AM
RECORDING FEES 0.00
RECORDED BY J Eckenroth

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

CASE NO. 2005-CA-1123-13-K

SEMINOLE COUNTY, a political
subdivision of the State of
Florida,

Petitioner,

vs.

JOSE A. GARCIA, et al.,

Defendant(s).

FILED IN OFFICE
MARYANNE MORSE
CLERK OF CIRCUIT COURT
SEMINOLE COUNTY
05 MAY 25 PM 3:49

STIPULATED FINAL JUDGMENT
RELATING TO PARCEL NO. 115, BUNNELL ROAD

THIS CAUSE having come before this Court on the joint motion for entry of a Stipulated Final Judgment made by Petitioner, Seminole County, and Defendant, Johnnie F. Murray, (hereinafter "Defendant"); an Order Of Taking having been entered by the Court on August 4, 2005; it appearing to the Court that the parties were authorized to enter into such motion; and the Court being fully advised in the premises, finds as follows:

FINDINGS:

1. The compensation to be paid and other consideration to be provided as set forth herein by Petitioner is full, just and reasonable for all parties concerned.
2. The 2005 pro-rata taxes in the amount of SIXTY-THREE AND 80/100 DOLLARS (\$63.80) were paid to Ray Valdes, Seminole County Tax Collector, in accordance with this Court's Order Allowing

Seminole County v. Garcia, et al.
Case No. 05-CA-1123-13-K
Stipulated Final Judgment Relating To
Parcel No. 115, Bunnell Road
Page 2 of 6

C

94
CA

Withdrawal From Court Registry entered August 29, 2005. It is therefore

ORDERED AND ADJUDGED that:

3. Defendant shall have and recover from Petitioner the total sum of FIFTY-EIGHT THOUSAND ONE HUNDRED FORTY-SEVEN AND 67/100 DOLLARS (\$58,147.67), subject to apportionment with all others, if any, claiming any interest in the property, as full payment for the property taken, designated as Parcel No. 115, and for damages resulting to the remainder from the severance of Parcel No. 115, and for all other damages of any kind and nature from the acquisition of Parcel No. 115, **inclusive** of statutory attorney's fees in the amount of EIGHT THOUSAND ONE HUNDRED EIGHTY-THREE AND 67/100 DOLLARS (\$8,183.67) and cost reimbursements of NINE THOUSAND NINE HUNDRED SIXTY-FIVE AND NO/100 DOLLARS (\$9,965.00). Petitioner shall have a credit against the foregoing judgment amount equal to SEVENTEEN THOUSAND AND NO/100 DOLLARS (\$17,000.00), which was deposited by the Petitioner in accordance with the Order of Taking entered by the Court on August 4, 2005, leaving a balance of FORTY-ONE THOUSAND ONE HUNDRED FORTY-SEVEN AND 67/100 DOLLARS (\$41,147.67).

4. Defendant releases Petitioner from any and all further claims arising from or related to the instant eminent domain case including any and all statutory entitlement to interest that would result or may have accrued as a result of this eminent domain proceeding and that from the aforementioned sum, all liens, encumbrances and assessments, if any, against the property shall be paid.

Seminole County v. Garcia, et al.
Case No. 05-CA-1123-13-K
Stipulated Final Judgment Relating To
Parcel No. 115, Bunnell Road
Page 3 of 6

5. The Petitioner and Defendant acknowledge that no non-monetary benefits were achieved for any Defendants in this case.

6. Petitioner shall deposit the amount of FORTY-ONE THOUSAND TWO HUNDRED NINETY-SEVEN AND 67/100 (\$41,297.67), of which ONE HUNDRED FIFTY AND NO/100 DOLLARS (\$150.00) is the Clerk's fee, into the Registry of this Court within thirty (30) days of entry of this Stipulated Final Judgment.

7. The Clerk of this Court shall disburse from the monies deposited and/or previously deposited by Petitioner in the Registry of the Court as follows:

To THOMAS P. CALLAN, P.A., TRUST ACCOUNT, by check to be mailed to c/o Timothy A. Dix, Esq., 921 Bradshaw Terrace, Orlando, FL 32806 the amount of FORTY-ONE THOUSAND ONE HUNDRED FORTY-SEVEN AND 67/100 DOLLARS (\$41,147.67) for land, improvements, severance damage, statutory interest, statutory attorneys' fees, experts' fees and cost reimbursements.

8. Title to Parcel No. 115, to wit:

PARCEL NO. 115
FEE SIMPLE

BUNNELL ROAD

A part of the property described in Official Records Book 504, Page 124 recorded in Public Records of Seminole County, Florida, being that portion of Section 20, Township 21 South, Range 29 East described as follows:

COMMENCE at the Southwest corner of Lot 59, McNeil's Orange Villa according to the plat thereof as recorded in Plat Book 2, Pages 99-101, Public Records of Seminole County, Florida; thence South 89°34'30" East, a distance of 68.41 feet along the North Right-of-Way line of Bunnell Road to the East line of the West 68.41 feet of said Lot 59 and the POINT OF BEGINNING; thence departing said North Right-of-Way line North 00°16'10" East, along said East line a distance of 33.42 feet to the point on the arc of a non-tangent curve concave Southerly having a radius of 11,540.00 feet, a central angle of 00°29'48" and a chord of 100.03 feet that bears South 88°02'51" East; thence Easterly along the arc of said curve, a distance of 100.03 feet; thence

Seminole County v. Garcia, et al.
Case No. 05-CA-1123-13-K
Stipulated Final Judgment Relating To
Parcel No. 115, Bunnell Road
Page 4 of 6

South 00°16'10" West along the East line of the West 168.41 feet of said Lot 59, a distance of 30.75 feet to said North Right-of-Way line; thence North 89°34'30" West, a distance of 100.00 feet along said North Right-of-Way line to the POINT OF BEGINNING.

Containing 3,216 square feet, more or less.


Property I.D. No.: 17-21-29-5BG-0000-059E

having previously vested in Seminole County, is hereby ratified and confirmed.

9. Petitioner shall construct the Bunnell Road improvements in substantial accordance with its most recent construction plans, copies of which are attached hereto as Exhibit A.

10. The Court retains jurisdiction to enforce the provisions of this Stipulated Final Judgment.

DONE AND ORDERED this 25 day of May, 2006, in Chambers at Sanford, Seminole County, Florida


DEBRA S. NELSON, CIRCUIT JUDGE

CERTIFICATE OF SERVICE

I **HEREBY CERTIFY** that a true and correct copy of the foregoing was sent to the addressees named below by U. S. Mail this 25 day of May, 2006.

DAVID G. SHIELDS
Assistant County Attorney
Seminole County Services Bldg.
1101 East First Street
Sanford, FL 32771
Attorney for Petitioner

TIMOTHY A. DIX, ESQ.
921 Bradshaw Terrace
Orlando, FL 32806
Attorney for Defendants,
MARK SANVILLE (Parcel No. 114)
JOHNNIE F. MURRAY (Parcel No. 115)

DENNIS WELLS, ESQ.
280 Wekiwa Springs Road
Suite 230
Longwood, FL 32779
Attorney for Defendants,
JOSE A. GARCIA and
MILAGROS GARCIA
(Parcel Nos. 113/713)



JUDICIAL ASSISTANT/CLERK

P:\USERS\DEDEGE\MY DOCUMENTS\ED\GARCIA\GARCIA MURRAY 115 SPJ.DOC

