





IN THE CIRCUIT COURT OF THE 15<sup>TH</sup>  
JUDICIAL CIRCUIT IN AND FOR PALM  
BEACH COUNTY, FLORIDA

PALM BEACH COUNTY, a political  
subdivision of the State of Florida,

CASE NO: 502006CA010149XXXMB  
DIVISION: AG

Petitioner,

PARCELS: 104/238/304

v.

MARIA MINK, as Trustee of the Maria  
Mink Living Trust Agreement Dated  
July 27, 1998, et al.

Respondents.

**STIPULATED FINAL JUDGMENT AS TO PARCELS 104/238/304 OWNED BY RONALD L. SCHWARTZ, CHERYL K. SCHWARTZ AND THE BUSINESS TENTANT, COUNTRY WEST LANDSCAPING, WITH DIRECTIONS FOR DISBURSEMENT**

THIS CAUSE having come before the Court on the mediated settlement, by Petitioner, Palm Beach County, by and through its undersigned Assistant County Attorney, and H. Adams Weaver, Esquire, Attorney for the Respondents, Ronald L. Schwartz, Cheryl K. Schwartz and the business tenant, Country West Landscaping, and the Court being fully advised in the premises, hereby finds and decides as follows:

1. The Court has jurisdiction over the subject matter of, and the parties to this cause.
2. Respondents, Ronald L. Schwartz, Cheryl K. Schwartz and the business tenant, Country West Landscaping, shall have and recover the sum of **ONE HUNDRED FORTY-FIVE THOUSAND DOLLARS AND 00/100 CENTS (\$145,000.00)**, as full, just and final compensation, including business damages, for the taking of Parcels 104/238/304, excluding costs and attorneys fees, which shall be calculated based on benefits achieved basis pursuant to Florida law. There are no taxes due on Parcels 104/238/304.
3. The sum of **EIGHTY-SIX THOUSAND ONE HUNDRED DOLLARS AND 00/100 (\$86,100.00)** having been previously deposited by Petitioner into the Registry of the Court pursuant to the Order of Taking entered on January 12, 2007, and having been previously

withdrawn by the Respondent, Petitioner shall receive a credit in the sum of \$86,100.00 toward the full compensation set forth in paragraph 2 above.

4. Petitioner, Palm Beach County, shall within thirty days (30) days from the date of the entry of this Stipulated Final Judgment, issue a check in the amount of **FIFTY-EIGHT THOUSAND NINE HUNDRED DOLLARS AND 00/100 (\$58,900.00)**, made payable to **JONES, FOSTER, JOHNSTON & STUBBS, P.A., TRUST ACCOUNT**, and mail same c/o H. Adams Weaver, Esquire, P.O. Box 3475, West Palm Beach, Florida, 33402-3475, representing the difference between the agreed upon compensation referenced in paragraph two and the amount previously deposited into the Registry of the Court for Parcels 104/238/304. Respondent's counsel shall be responsible to make the appropriate disbursements.

5. Respondents, Ronald L. Schwartz, Cheryl K. Schwartz and the business tenant, Country West Landscaping, shall also have and recover from Petitioner statutory attorneys fees in the amount of \$16,962.00. Accordingly, Petitioner, Palm Beach County, shall within thirty days (30) days from the date of the entry of this Stipulated Final Judgment, issue a check in the amount of **SIXTEEN THOUSAND NINE HUNDRED SIXTY-TWO DOLLARS AND 00/100 (\$16,962.00)** payable to **JONES, FOSTER, JOHNSTON & STUBBS, P.A., TRUST ACCOUNT**, and mail same c/o H. Adams Weaver, Esquire, P.O. Box 3475, West Palm Beach, Florida, 33402-3475, without further Order of this court.

6. Title to Parcels 104/238/304, as further described in **Exhibit "A"** attached hereto, which vested in the Petitioner pursuant to the Order of Taking and deposits previously made is hereby approved, ratified and confirmed.

7. The sums paid to the Respondents, Ronald L. Schwartz, Cheryl K. Schwartz and the business tenant, Country West Landscaping, represents full and final compensation, including business damages, for the taking of Parcels 104/238/304, and the Respondents will

not seek any further monies from the Petitioner in this cause, except as specifically set forth herein.

8. A copy of the Report of Court Ordered Mediation dated August 9, 2007, will be filed with the Court.

9. The Court reserves jurisdiction to enforce the terms of this judgment, over supplemental proceedings, if any, and to award the Respondent's expert witness fees and costs pursuant to Florida law.

**DONE AND ORDERED** in chambers this \_\_\_\_\_ day of August, 2007 in West Palm Beach, Palm Beach County, Florida.

\_\_\_\_\_  
Honorable John J. Hoy  
Circuit Judge

Copies furnished to the parties listed below

**JOINT MOTION**

Petitioner, Palm Beach County, and H. Adams Weaver, Esquire, Attorney for the Respondents, Ronald L. Schwartz, Cheryl K. Schwartz and the business tenant, Country West Landscaping, hereby stipulate that they have resolved this case as described above, and move this Court for entry of the foregoing Stipulated Final Judgment.

**PHILIP MUGAVERO, ESQ.**  
Assistant County Attorney  
301 N. Olive Avenue, Suite 601  
West Palm Beach, FL 33401-4791

**H. ADAMS WEAVER, ESQ.**  
Jones, Foster, Johnston & Stubbs, P.A.  
505 S. Flagler Drive, Suite 1100  
West Palm Beach, Florida 33401

\_\_\_\_\_  
By: Philip Mugavero  
Fla. Bar No. 931179

\_\_\_\_\_  
By: H. Adams Weaver  
Fla. Bar No. 125210

**EXHIBIT "A"**  
**SHEET 1 OF 2**

A PORTION OF TRACT 25, ACCORDING TO THE MAP OF ENTRADA ACRES, AN UNRECORDED SUBDIVISION IN SECTION 36, TOWNSHIP 43 SOUTH, RANGE 40 EAST, PALM BEACH COUNTY, FLORIDA, AS SAID TRACT IS SHOWN ON SAID SUBDIVISION RECORDED IN OFFICIAL RECORDS BOOK 2831, PAGES 239 AND 240, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER (N 1/4) CORNER OF SAID SECTION 36; THENCE NORTH 88°50'02" WEST ALONG THE NORTH LINE OF SAID SECTION 36 A DISTANCE OF 1026.60 FEET TO THE EXISTING EAST RIGHT OF WAY LINE OF SEMINOLE-PRATT WHITNEY ROAD AS SHOWN ON ROAD PLAT BOOK 4 AT PAGES 34 THROUGH 40 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE SOUTH 01°32'25" WEST ALONG SAID EXISTING EAST RIGHT OF WAY LINE OF SEMINOLE-PRATT WHITNEY ROAD A DISTANCE OF 1624.33 FEET TO ITS INTERSECTION WITH THE CENTERLINE OF VELAZQUEZ BLVD. AS SHOWN ON SAID MAP OF ENTRADA ACRES AND THE POINT OF BEGINNING;

THENCE SOUTH 88°27'35" EAST ALONG SAID CENTERLINE OF VELAZQUEZ BLVD. A DISTANCE OF 35.00 FEET; THENCE NORTH 01°32'25" EAST A DISTANCE OF 30.00 FEET; THENCE NORTH 43°27'35" WEST A DISTANCE OF 35.36 FEET; NORTH 01°32'25" EAST ALONG A LINE 10 FEET EAST OF AND PARALLEL WITH (AS MEASURED AT RIGHT ANGLES TO) SAID EXISTING EAST RIGHT OF WAY OF SEMINOLE-PRATT WHITNEY ROAD A DISTANCE OF 489.51 FEET TO THE NORTH BOUNDARY OF SAID TRACT 25; THENCE NORTH 88°27'35" WEST ALONG SAID NORTH BOUNDARY A DISTANCE OF 10.00 FEET; THENCE SOUTH 01°32'25" WEST ALONG SAID EXISTING EAST RIGHT OF WAY OF SEMINOLE-PRATT WHITNEY ROAD A DISTANCE OF 544.51 FEET TO THE POINT OF BEGINNING.


SAID LANDS SITUATE IN PALM BEACH COUNTY, FLORIDA AND CONTAIN 6508 SQUARE FEET, MORE OR LESS.


BEARINGS SHOWN HEREON ARE RELATIVE TO THE NATIONAL OCEAN SERVICE, TRANSVERSE MERCATOR COORDINATES, FLORIDA EAST ZONE, NORTH AMERICAN DATUM (NAD) OF 1983 (1990 ADJUSTMENT) THE GRID BEARING BEING NORTH 01°32'25" EAST ALONG THE CENTERLINE OF SEMINOLE-PRATT WHITNEY ROAD.

**SURVEYOR'S CERTIFICATION**

I HEREBY CERTIFY THAT THE ATTACHED SKETCH AND THE ABOVE LEGAL DESCRIPTION ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. I FURTHER CERTIFY THAT THE ATTACHED SKETCH AND ABOVE LEGAL DESCRIPTION MEET THE INTENT OF THE MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYING IN THE STATE OF FLORIDA AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS PURSUANT TO SECTION 472.027, FLORIDA STATUTES AND ADOPTED IN CHAPTER 61G17-6, FLORIDA ADMINISTRATIVE CODE, EFFECTIVE SEPTEMBER 1, 1981.

NOT VALID UNLESS EMBOSSED WITH SURVEYORS SEAL.

  
KATHERINE E. BANKO  
PROFESSIONAL SURVEYOR AND MAPPER  
NO. 5503, STATE OF FLORIDA  
LB NO. 7334

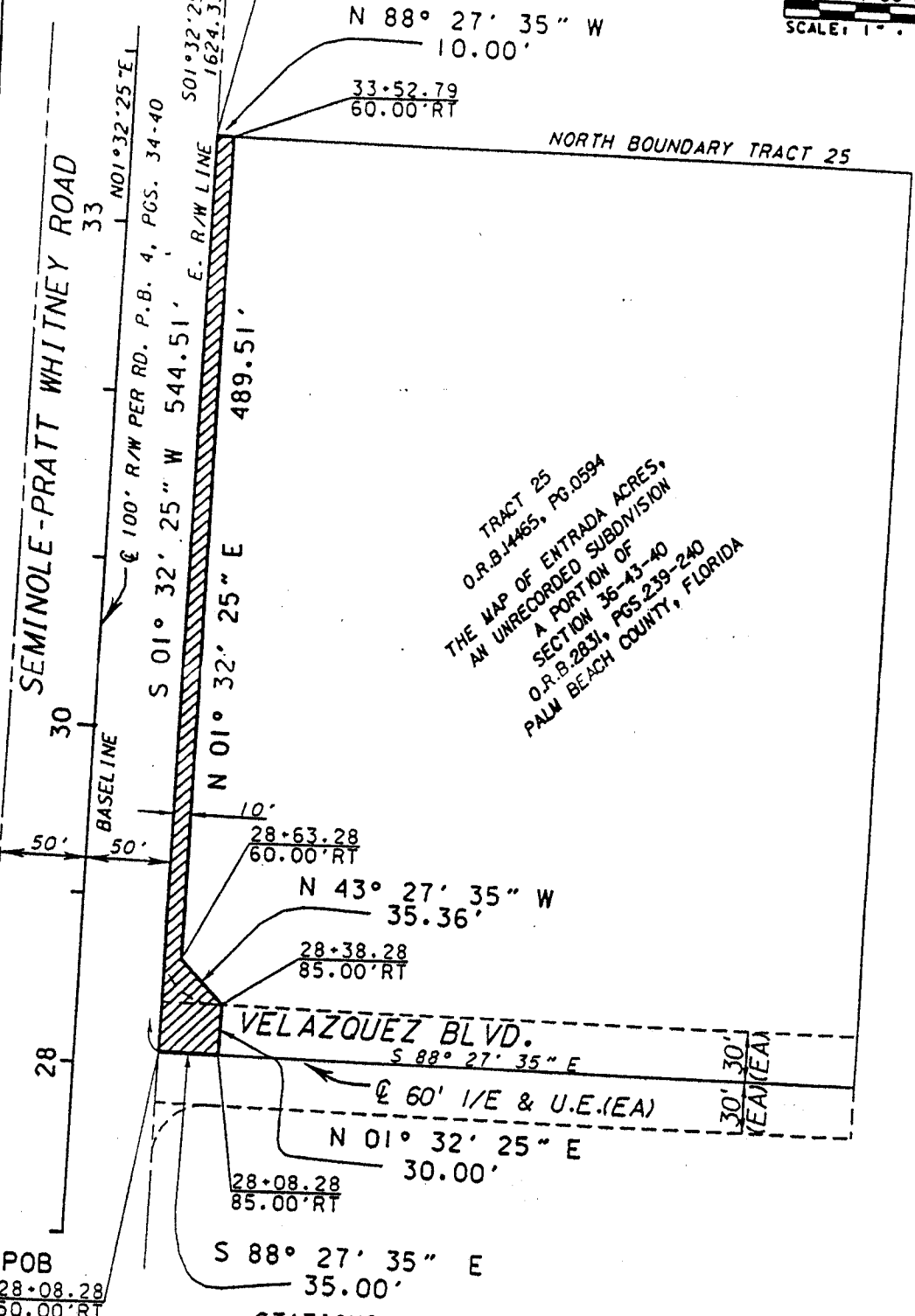
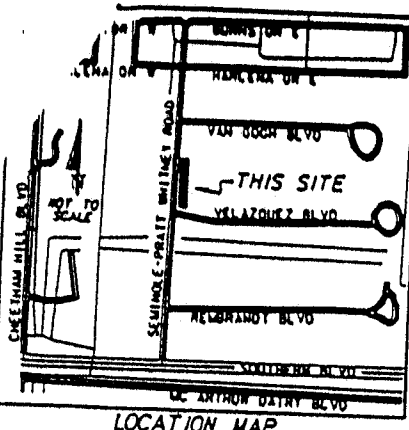
PROJECT NO. 1997511A SEMINOLE-PRATT WHITNEY ROAD RIGHT OF WAY ACQUISITION	 An Erd 1402 ROYAL P ROYAL PALM B PH 561-753-972	EXHIBIT <b>A</b>	LEGAL DESCRIPTION PARCEL NO. 104 CRES No. 00107    REV. 09/26/05    07/08/05    1 OF 2
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FILE: E:\PROJECTS\00107-SEM PRATT\USTNSKETCHES\par104.dgn

EXHIBIT "A"  
SHEET 2 OF 2

POC  
N/CORNER  
SEC. 36-43-40

0 20 40 60 80  
SCALE: 1" = 100'



TRACT 25  
O.R.B. 14465, PG. 0594  
THE MAP OF ENTRADA ACRES,  
AN UNRECORDED SUBDIVISION  
SECTION 36-43-40  
O.R.B. 2831, PGS. 239-240  
PALM BEACH COUNTY, FLORIDA

- LEGEND:
- (C) : CENTERLINE
  - (EA) : DATA FROM ENTRADA ACRES, AN UNRECORDED SUBDIVISION
  - I/E : INGRESS AND EGRESS
  - U.E. : UTILITY EASEMENT
  - O.R.B. : OFFICIAL RECORD BOOK
  - P.B. : PLAT BOOK
  - PGS. : PAGES
  - POB : POINT OF BEGINNING
  - POC : POINT OF COMMENCEMENT
  - R/W : RIGHT OF WAY
  - STA. : STATION

THIS IS NOT A SURVEY

STATIONING PER RD. P.B. 4, PGS. 34-40.  
PUBLIC RECORDS OF PALM BEACH COUNTY RECORDS

PROJECT NO. 1997511A  
SEMINOLE-PRATT  
WHITNEY ROAD  
RIGHT OF WAY ACQUISITION

**CROSSROADS**  
ENGINEERING & SURVEYING  
An Erdman Anthony Company  
1402 ROYAL PALM BEACH BLVD., BLDG 500  
ROYAL PALM BEACH, FLORIDA 33411  
PH 561-753-9723 FAX 561-753-9724 EB-25912 LB-7334

SKETCH OF PARCEL NO. 104			
CRES No. 00107	REV. 09/26/05	07/08/05	2 OF 2

FILE: E:\PROJECTS\00107-SEM PRATT\USTN\SKETCHES\par104.dgn

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COMMENCING AT THE NORTH QUARTER (N 1/4) CORNER OF SAID SECTION 36; THENCE NORTH 88°50'02" WEST ALONG THE NORTH LINE OF SAID SECTION 36 A DISTANCE OF 1026.60 FEET TO THE EAST RIGHT OF WAY LINE OF SEMINOLE-PRATT WHITNEY ROAD AS SHOWN ON ROAD PLAT BOOK 4 AT PAGES 34 THROUGH 40 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE SOUTH 01°32'25" WEST ALONG SAID EAST RIGHT OF WAY LINE OF SEMINOLE-PRATT WHITNEY ROAD A DISTANCE OF 1624.33 FEET TO ITS INTERSECTION WITH THE CENTERLINE OF VELAZQUEZ BLVD. AS SHOWN ON SAID MAP OF ENTRADA ACRES; THENCE SOUTH 88°27'35" EAST ALONG SAID CENTERLINE OF VELAZQUEZ BLVD. A DISTANCE OF 35.00 FEET TO THE POINT OF BEGINNING;

THENCE NORTH 01°32'25" EAST A DISTANCE OF 30.00 FEET; THENCE SOUTH 88°27'35" EAST ALONG A LINE 30 FEET NORTH OF AND PARALLEL WITH (AS MEASURED AT RIGHT ANGLES TO) SAID CENTERLINE OF VELAZQUEZ BLVD. A DISTANCE OF 365.64 FEET TO THE EAST BOUNDARY OF SAID TRACT 25; THENCE SOUTH 01°32'25" WEST ALONG SAID EAST BOUNDARY A DISTANCE OF 30.00 FEET; THENCE NORTH 88°27'35" WEST ALONG SAID CENTERLINE OF VELAZQUEZ BLVD. A DISTANCE OF 365.64 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE IN PALM BEACH COUNTY, FLORIDA AND CONTAIN 10969 SQUARE FEET, MORE OR LESS.

BEARINGS SHOWN HEREON ARE RELATIVE TO THE NATIONAL OCEAN SERVICE, TRANSVERSE MERCATOR COORDINATES, FLORIDA EAST ZONE, NORTH AMERICAN DATUM (NAD) OF 1983 (1990 ADJUSTMENT) THE GRID BEARING BEING NORTH 01°32'25" EAST ALONG THE CENTERLINE OF SEMINOLE-PRATT WHITNEY ROAD.


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NOT VALID UNLESS EMBOSSED WITH SURVEYORS SEAL.

*Terry B. Laird 3-31-06*  
TERRY B. LAIRD  
PROFESSIONAL SURVEYOR AND MAPPER  
NO. 5617 STATE OF FLORIDA  
LB NO. 7334

PROJECT NO. 1997511A  
SEMINOLE-PRATT  
WHITNEY ROAD  
DRAINAGE EASEMENT

 **CROSSROADS**  
ENGINEERING & SURVEYING  
An Erdman Anthony Company  
1402 ROYAL PALM BEACH BLVD., BLDG 500  
ROYAL PALM BEACH, FLORIDA 33411  
PH 561-753-9723 FAX 561-753-9724 EB-25912 LB-7334

LEGAL DESCRIPTION  
PARCEL NO. 238

No. 00107	03/31/06	1 OF 2
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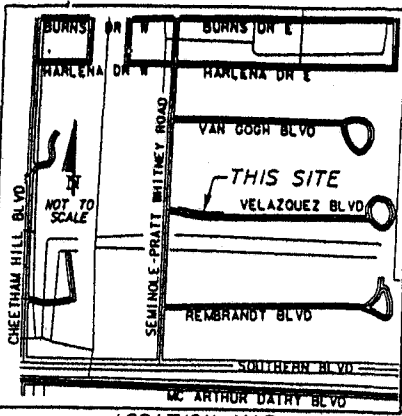


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SHEET 2 OF 2

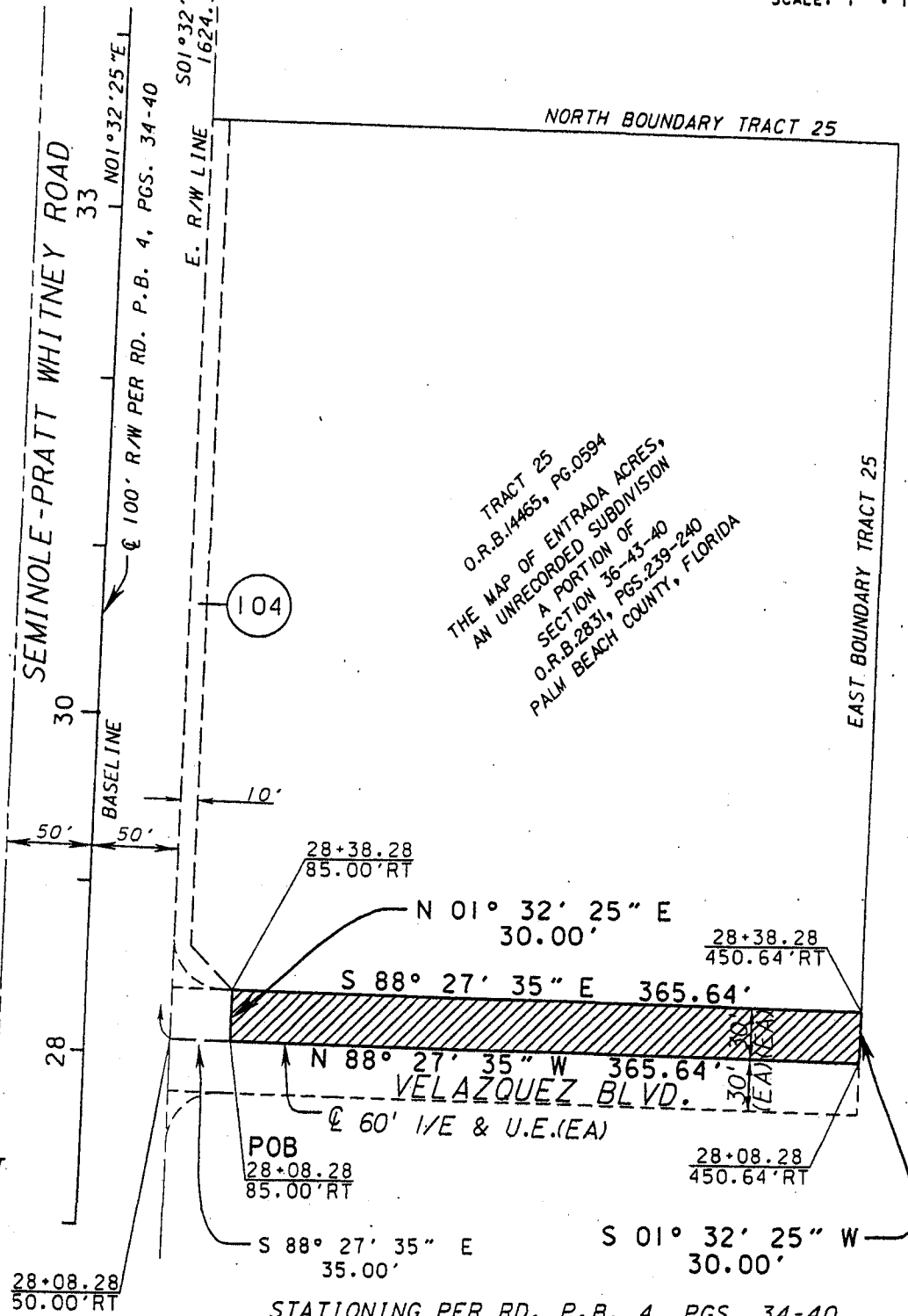
POC  
N/CORNER  
SEC. 36-43-40

N. LINE SEC. 36-43-40  
N88°50'02"W 1026.60'

0 20 40 60 80 100  
SCALE: 1" = 100'



LOCATION MAP



TRACT 25  
O.R.B. 14465, PG. 0594  
THE MAP OF ENTRADA ACRES,  
AN UNRECORDED SUBDIVISION  
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O.R.B. 2831, PGS. 239-240  
PALM BEACH COUNTY, FLORIDA

- LEGEND:
- (C) CENTERLINE
  - (EA) DATA FROM ENTRADA ACRES, AN UNRECORDED SUBDIVISION
  - 1/2 U.E. INGRESS/EGRESS AND UTILITY EASEMENT
  - O.R.B. OFFICIAL RECORD BOOK
  - P.B. PLAT BOOK
  - PGS. PAGES
  - POB POINT OF BEGINNING
  - POC POINT OF COMMENCEMENT
  - R/W RIGHT OF WAY
  - STA. STATION

THIS IS NOT A SURVEY

STATIONING PER RD. P.B. 4, PGS. 34-40,  
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PROJECT NO. 1997511A  
SEMINOLE-PRATT  
WHITNEY ROAD  
DRAINAGE EASEMENT

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PH 561-753-9723 FAX 561-753-9724 EB-25912 LB-7334

SKETCH OF  
PARCEL NO. 238

No. 00107

03/31/06

2 OF 2

FILE: E:\PROJECTS\00107-SEM PRATT\USTMSKETCHES\par238.dgn

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THENCE NORTH 43°27'35" WEST A DISTANCE OF 5.66 FEET; THENCE NORTH 01°32'25" EAST ALONG A LINE 10 FEET EAST OF AND PARALLEL WITH (AS MEASURED AT RIGHT ANGLES TO) SAID EAST RIGHT OF WAY LINE A DISTANCE OF 489.51 FEET TO THE NORTH BOUNDARY OF SAID TRACT 25; THENCE SOUTH 88°27'35" EAST ALONG SAID NORTH BOUNDARY OF SAID TRACT 25 A DISTANCE OF 4.00 FEET; THENCE SOUTH 01°32'25" WEST ALONG THE LINE 14 FEET EAST OF AND PARALLEL WITH (AS MEASURED AT RIGHT ANGLES TO) SAID EAST RIGHT OF WAY LINE A DISTANCE OF 493.51 FEET TO THE POINT OF BEGINNING.

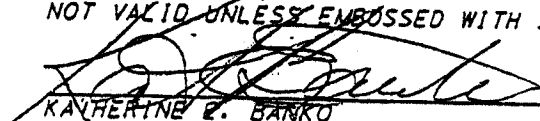
SAID LANDS SITUATE IN PALM BEACH COUNTY, FLORIDA AND CONTAIN 1966 SQUARE FEET, MORE OR LESS.


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KATHERINE E. BARRO  
PROFESSIONAL SURVEYOR AND MAPPER  
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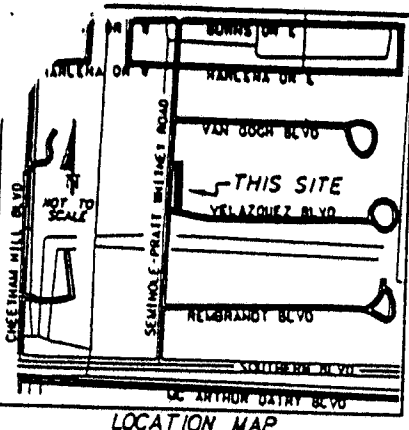
<p>PROJECT NO. 1997511A SEMINOLE-PRATT WHITNEY ROAD TEMPORARY CONSTRUCTION EASEMENT</p>	 <p><b>Crossroads</b> ENGINEERING &amp; SURVEYING An Erdman Anthony Company 1402 ROYAL PALM BEACH BLVD., BLDG 500 ROYAL PALM BEACH, FLORIDA 33411 PH 561-753-9723 FAX 561-753-9724 EB-25912 LB-7334</p>	<p>LEGAL DESCRIPTION PARCEL NO. 304</p> <table border="1"> <tr> <td data-bbox="1088 1962 1347 2005">CRES No. 00107</td> <td data-bbox="1347 1962 1485 2005">09/26/05</td> <td data-bbox="1485 1962 1604 2005">1 OF 2</td> </tr> </table>	CRES No. 00107	09/26/05	1 OF 2
CRES No. 00107	09/26/05	1 OF 2			

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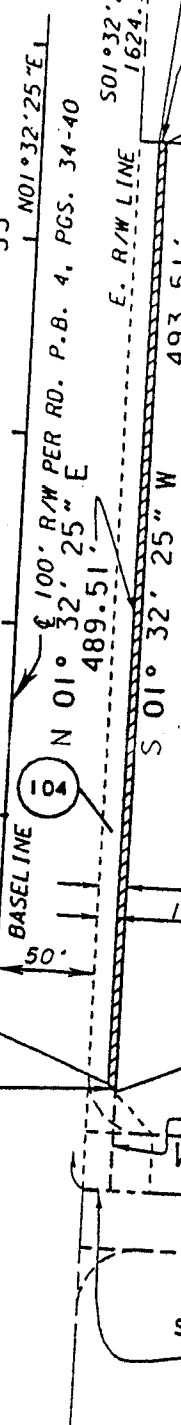
EXHIBIT "A"  
SHEET 2 OF 2

POC  
N/CORNER  
SEC. 36-43-40

0 20 40 60 80  
SCALE: 1" = 100'



SEMINOLE-PRATT WHITNEY ROAD



28-63.28  
60.00' RT  
N 43° 27' 35" W  
5.66'

- LEGEND:
- (C) : CENTERLINE
  - (EA) : DATA FROM ENTRADA ACRES, AN UNRECORDED SUBDIVISION
  - I/E & U.E. : INGRESS/EGRESS AND UTILITY EASEMENT
  - O.R.B. : OFFICIAL RECORD BOOK
  - P.B. : PLAT BOOK
  - PGS. : PAGES
  - POB : POINT OF BEGINNING
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  - R/W : RIGHT OF WAY
  - STA. : STATION

(104) • PARCEL NUMBER

THIS IS NOT A SURVEY

STATIONING PER RD. P.B. 4, PGS. 34-40.  
PUBLIC RECORDS OF PALM BEACH COUNTY RECORDS

PROJECT NO. 1997511A  
SEMINOLE-PRATT  
WHITNEY ROAD  
TEMPORARY CONSTRUCTION  
EASEMENT

**CROSSROADS**  
ENGINEERING & SURVEYING  
An Erdman Anthony Company  
1402 ROYAL PALM BEACH BLVD., BLDG 500  
ROYAL PALM BEACH, FLORIDA 33411  
PH 561-753-9723 FAX 561-753-9724 ED-25912 LB-7334

SKETCH OF  
PARCEL NO. 304

CRES No. 00107	09/25/05	2 OF 2
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