

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS**

AGENDA ITEM SUMMARY

Meeting Date: March 17, 2009	<input checked="" type="checkbox"/>	Consent	<input type="checkbox"/>	Regular
	<input type="checkbox"/>	Ordinance	<input type="checkbox"/>	Public
Department:			<input type="checkbox"/>	Workshop

By: COUNTY ATTORNEY'S OFFICE

For: ENVIRONMENTAL RESOURCES MANAGEMENT

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve settlement in the total amount of \$794,025.00 inclusive of all attorneys fees, but excluding costs, as to Parcels 3180, 3450, 5660, 6140, 6150, 7200, 7210, 7390, 7570, 7770, and 7790, in the case of Palm Beach County v. Claude E. Jordan, et al., Case No. 50 2004CA005207AA (consolidated with Case Nos.: 50 2004CA005573AA, 50 2003CA008659AA and 50 2004CA007464AA).

Summary: Between November 2003 and August 2004, the County condemned these eleven (11) parcels of land through eminent domain for conservation purposes, in an area known as "Unit 11," located in the northern section of the Acreage. Since the County has already taken the property, the issue in the case is the amount of full compensation due to the owner of each parcel. The County's cost is provided by the Unit 11 Acquisition/Enhancement Fund supported by mitigation dollars. There is no ad valorem impact. Countywide (DRO)

Background and Justification:

In this case the County filed an action in eminent domain on eleven (11) parcels of land for conservation purposes, in an area known as "Unit 11," located in the northern section of the Acreage.

Between November 2003 and August 2004, the County condemned these eleven (11) parcels, thus taking legal ownership of the parcels and the remaining issue in the case is the valuation of the eleven (11) parcels, consisting of 13.94 acres. The County appraised value of the property is between \$9,300 and \$10,000 per acre, on the basis that the property is unsuitable for residential development. The property owners, however, appraised the property at approximately \$115,000 per acre claiming the property is suitable for residential development like all other areas of the Acreage.

Taking into account the County's potential exposure, including all the costs associated with trial, which are paid by the County in eminent domain cases, and considering the verdict in the County's most recent jury trial on parcels from the same location with essentially the same facts, of \$35,000 per acre plus interest from the date of condemnation, the Department Director for Environmental Resources Management concurs that this proposed settlement is in the County's best interest and approval for settlement is hereby requested.

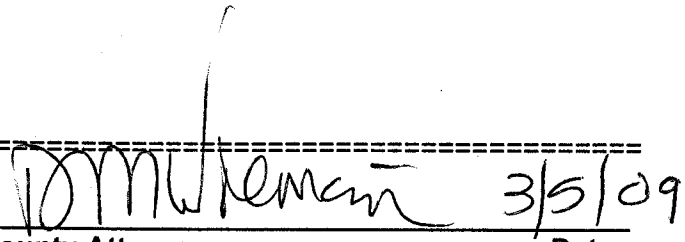
ATTACHMENTS:

1. Stipulated Final Judgments (7)

Recommended by: _____

County Attorney

Date



II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2009	2010	2011	2012	2013
Capital Expenditures	<u>\$794,025</u>	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	<u>\$794,025</u>	<u>- 0 -</u>	<u>- 0 -</u>	<u>- 0 -</u>	<u>- 0 -</u>
Program Income (County)	<u>- 0 -</u>	<u>- 0 -</u>	<u>- 0 -</u>	<u>- 0 -</u>	<u>- 0 -</u>
In-Kind Match (County)	<u>- 0 -</u>	<u>- 0 -</u>	<u>- 0 -</u>	<u>- 0 -</u>	<u>- 0 -</u>
NET FISCAL	\$ <u>0</u>	_____	_____	_____	_____

Is Item Included In Current Budget? Yes X No _____

Budget Account No.: Fund 3650 Agency 381 Org. M209 Object 6101
Reporting Category _____

Unit 11 Acquisition/Enhancement Fund

B. Recommended Sources of Funds/Summary of Fiscal Impact:

Mitigation funds directed to the Unit 11 Regional Offsite Mitigation Area by state and federal agencies issuing permits for development in wetlands.

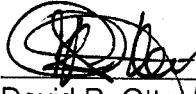
JP

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Administration Comments:

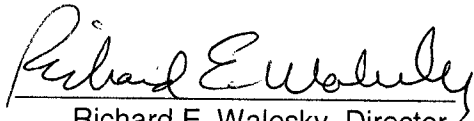
 3-9-09 OFMB 3/4/09 3/16/09	 3/10/09 Contract Administration Jones 3/10/09
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B. Legal Sufficiency:



 David R. Ottey
 Assistant County Attorney

C. Other Department Review:



 Richard E. Walesky, Director
 Environmental Resources Management

This summary is not to be used as a basis for payment.

IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT OF FLORIDA,
IN AND FOR PALM BEACH COUNTY, FLORIDA

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

CASE NO. 50 2004 CA005207AA

Petitioner,

vs.

CLAUDE E. JORDAN, et al.,

Respondents.

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

CASE NO. 50 2004 CA005573AA

Petitioner,

vs.

HUMBERTO CABANAS, et al.,

Respondents.

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

CASE NO. 50 2003 CA008659AA

Petitioner,

vs.

MARLIN S. BARON, et al.,

Respondents.

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

CASE NO. 50 2004 CA007464AA

Petitioner,

vs.

MICHAEL C. BEACH, et al.,

Respondents.

**STIPULATED FINAL JUDGMENT AS TO PARCEL 6140 AND PARCEL 6150
OWNED BY GUIDO PASSARELLI WITH DIRECTIONS FOR DISBURSEMENT**

THIS CAUSE having come before the Court on the Joint Motion by Petitioner, Palm Beach County, by and through its undersigned Assistant County Attorney and Michael D. Jones, Esquire, Attorney for the Respondent, Guido Passarelli, 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. Respondent, Guido Passarelli, shall have and recover the sum of **FIFTY FIVE THOUSAND DOLLARS AND 00/100 CENTS (\$55,000.00)**, per parcel, as full, just, and final compensation to the Respondent for the taking of Parcel 6140 and Parcel 6150, for a combined total of **ONE HUNDRED TEN THOUSAND DOLLARS AND 00/100 CENTS (\$110,000.00)** excluding costs and attorney's fees.
3. The total of **NINETEEN THOUSAND SIX HUNDRED NINETY SIX DOLLARS AND 00/100 CENTS (\$19,696.00)** was previously deposited by Petitioner into the Registry of the Court pursuant to the Stipulated Order of Taking entered on June 28, 2004, for Parcel 6140 and Parcel 6150. The sum of **NINETEEN THOUSAND FOUR HUNDRED FORTY DOLLARS and 78/100 CENTS (\$19,440.78)**, excluding the 2004 real estate taxes of \$255.22 paid to the Palm Beach County Tax Collector for both parcels, was previously disbursed by Order of this Court to Respondent, Guido Passarelli, c/o Michael D. Jones, Esq., on February 5, 2005.

4. Petitioner, Palm Beach County, shall within thirty days (30) days from the date of the entry of this Stipulated Final Judgment, pay to the Respondent, Guido Passarelli, a total of **NINETY THOUSAND THREE HUNDRED FOUR DOLLARS AND 00/100 CENTS (\$90,304.00)**, for Parcel 6140 and Parcel 6150 respectively, by check made payable to Michael D. Jones & Associates, PA., Trust Account, and mail same to Michael D. Jones, Esquire, Post Office Box 196130, Winter Springs, FL 32719-6130, representing the difference between the agreed upon compensation referenced in paragraph two (2) and the amount previously deposited into the Registry of the Court for Parcel 6140 and Parcel 6150. Respondent's counsel shall be responsible for making the appropriate disbursements.

5. Title to Parcel 6140 and Parcel 6150 as further described in **Exhibit "A"** attached hereto, which vested in the Petitioner pursuant to the Order of Taking and deposit previously made, is hereby approved, ratified, and confirmed.

6. 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 **TWENTY NINE THOUSAND EIGHT HUNDRED DOLLARS and 62/100 CENTS (\$29,800.62)**, made payable to **MICHAEL D. JONES & ASSOCIATES, P.A., TRUST ACCOUNT**, and mail same c/o Michael D. Jones, Esquire, P.O. Box 196130, Winter Springs, Florida, 32719-6130, for the Respondent's attorney's fees pursuant to Florida law.

7. The sum paid to the Respondent, Guido Passarelli, represents full and final compensation for the taking of Parcel 6140 and Parcel 6150, and the Respondent will not seek any further compensation from the Petitioner in this cause, except as specifically set forth herein.

8. The Court reserves jurisdiction to enforce the terms of this judgment, over supplemental proceedings, if any, and to award costs, if any, pursuant to Section 73.091, Florida Statutes (2008).

DONE AND ORDERED this _____ day of March, 2009, in West Palm Beach, Palm Beach County, Florida.

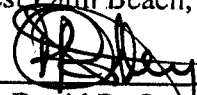
The Honorable Glenn Kelly
Circuit Judge

JOINT MOTION

Petitioner, Palm Beach County, and Michael D. Jones, Esquire, Attorney for the Respondent, Guido Passarelli, hereby stipulate that they have resolved this case as described above, and move this Court for entry of the foregoing Stipulated Final Judgment.

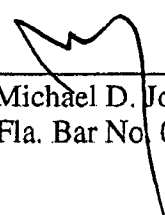
Dated this 5th day of March, 2009.

David R. Ottey, Esquire
Assistant County Attorney
300 North Dixie Highway
Litigation Division – Suite 359
West Palm Beach, FL 33401



By: David R. Ottey
Fla. Bar No. 15590

Michael D. Jones, Esquire
Michael D. Jones, P.A
Post Office Box 196130
Winter Springs, FL 32719-6130

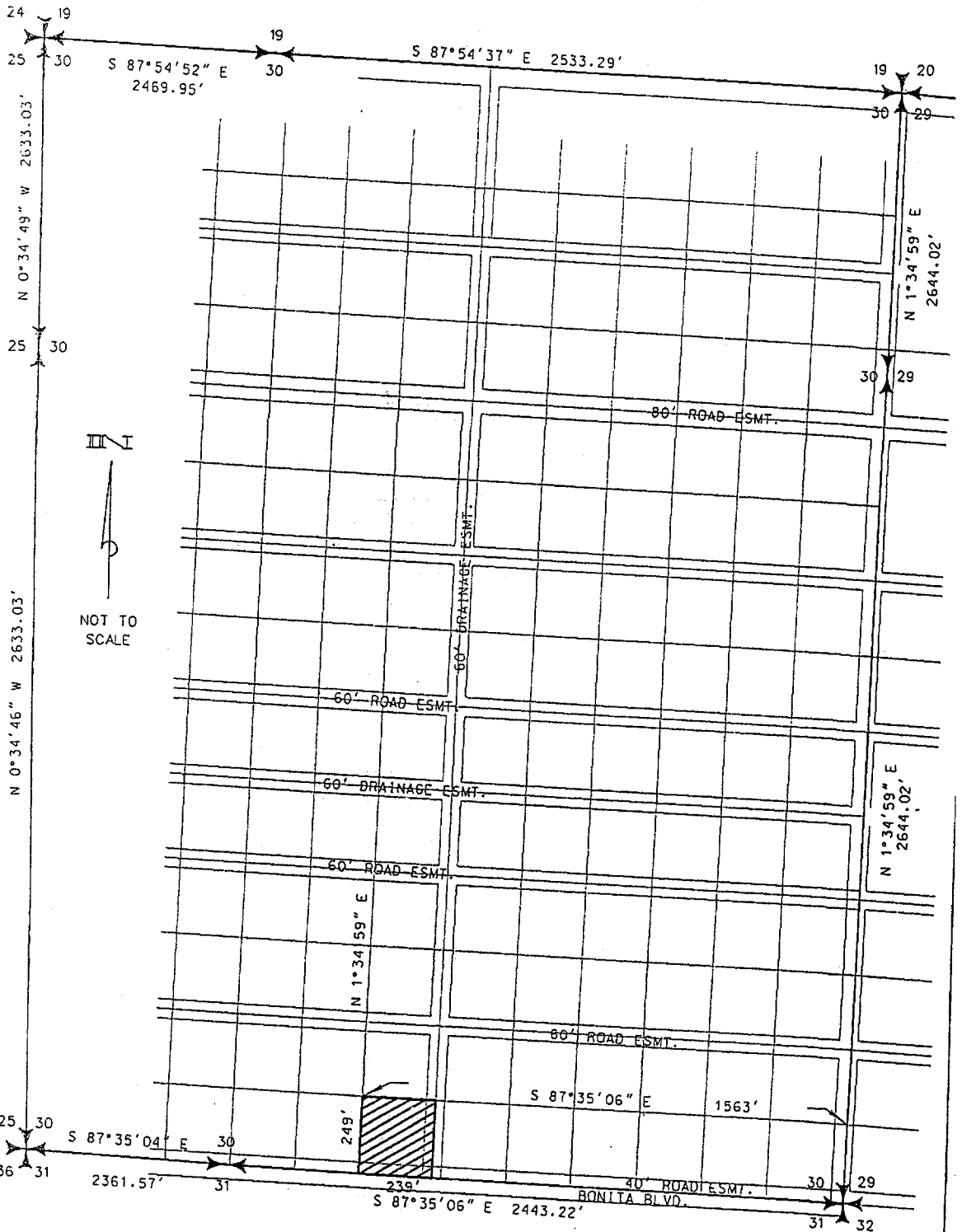


By: Michael D. Jones
Fla. Bar No. 0137608

Copies furnished to:

David R. Ottey, Esq.
Michael D. Jones, Esq.

Legal Description:
 The South 249 feet of the West 239 feet of the East 1563 feet of Section 30,
 Township 41 South, Range 41 East, Palm Beach County, Florida.



NOT TO SCALE

FD. PALM BEACH COUNTY DISK

LEGEND:
 THIS IS NOT A SURVEY
 THIS INSTRUMENT PREPARED BY WILLIAM ETHERIDGE, P.L.S., FLORIDA CERTIFICATE NO. 3173.
 NO SEARCH OF THE PUBLIC RECORDS WAS MADE BY THE SIGNING SURVEYOR.
 NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
 REFERENCE BOUNDARY SURVEY UNIT 11. PB CD DRAWING S-3-99-1344. PREPARED 3/29/99

EXHIBIT
 1 A

PROJECT NO. 200412-06

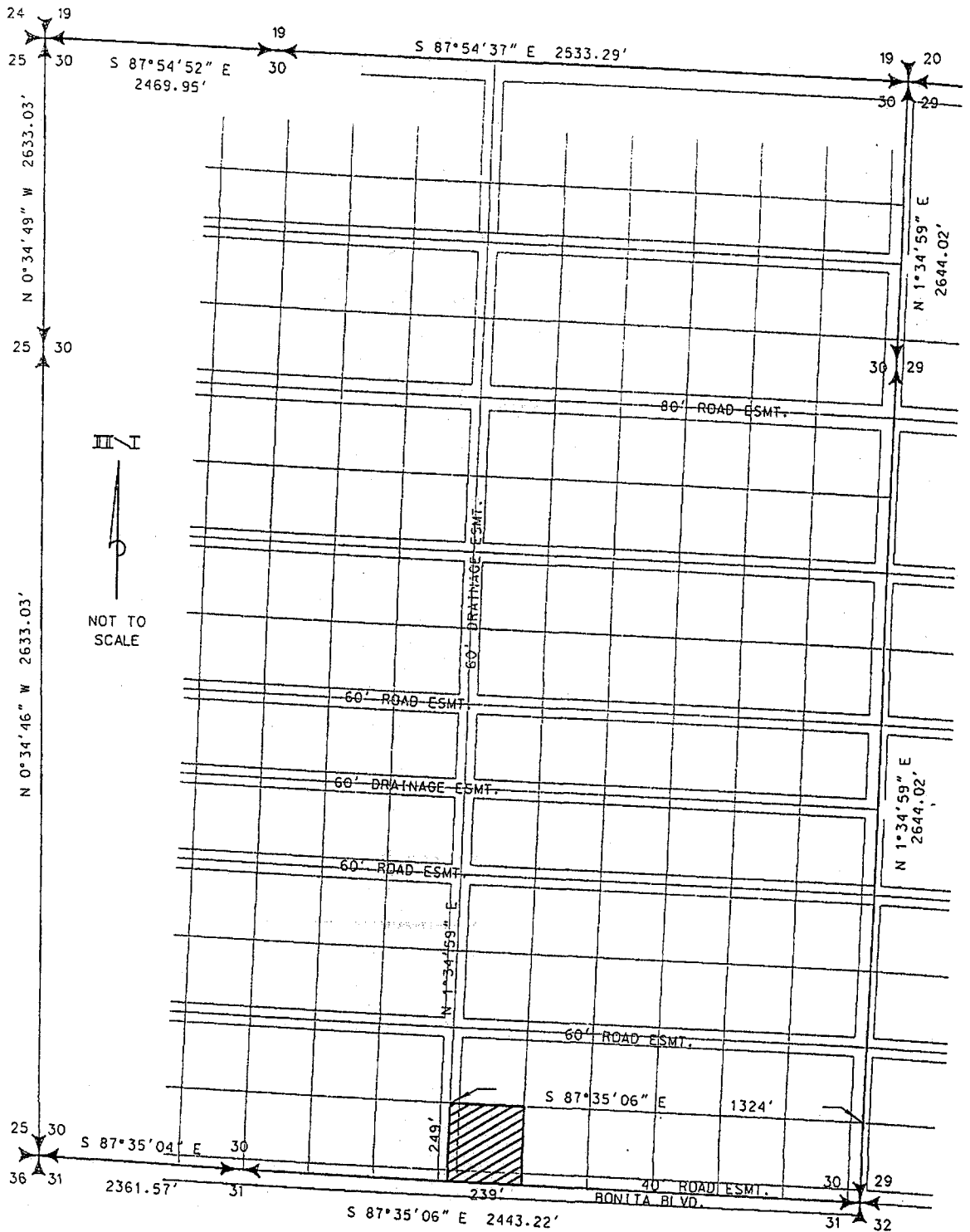
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 PCN 00 41 41 30 00 000 6140
 SECTION 30, TOWNSHIP 41 S
 RANGE 41 E
 DESIGN FILE NAME: 96023A.DGN
 DRAWING NO.: S-1-03-1980

NO.	REVISION	BY	DATE



PALM BEACH COUNTY
 ENGINEERING AND PUBLIC WORKS
 ENGINEERING SERVICES
 160 AUSTRALIAN AVENUE
 WEST PALM BEACH, FL 33406

Legal Description:
 The South 249 feet of the West 239 feet of the East 1324 feet of Section 30,
 Township 41 South, Range 41 East, Palm Beach County, Florida.



LEGEND:



THIS IS NOT A SURVEY
 THIS INSTRUMENT PREPARED BY WILLIAM ETHERIDGE, P.L.S., FLORIDA CERTIFICATE NO. 3173.
 NO SEARCH OF THE PUBLIC RECORDS WAS MADE BY THE SIGNING SURVEYOR.
 NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A
 FLORIDA LICENSED SURVEYOR AND MAPPER. *W.E. Etheridge*
 REFERENCE BOUNDARY SURVEY UNIT 11, PB CD DRAWING S-3-99-1344, PREPARED 3/29/99

EXHIBIT
 11 A

PROJECT:	DESCRIPTION SKETCH
PCN 00 41 41 30 00 000 6150	
SECTION 30, TOWNSHIP 41 S	
RANGE 41 E	
DESIGN FILE NAME	DRAWING NO.
96023A.DGN	S-1-03-1981
FIELD BOOK NO.	1267 AAA
NO.	REVISION
BY	DATE



PALM BEACH COUNTY
 ENGINEERING AND PUBLIC WORKS
ENGINEERING SERVICES
 160 AUSTRALIAN AVENUE
 WEST PALM BEACH, FL 33406

IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT OF FLORIDA,
IN AND FOR PALM BEACH COUNTY, FLORIDA

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

CASE NO. 50 2004 CA005207AA

Petitioner,

vs.

CLAUDE E. JORDAN, et al.,

Respondents.

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

CASE NO. 50 2004 CA005573AA

Petitioner,

vs.

HUMBERTO CABANAS, et al.,

Respondents.

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

CASE NO. 50 2003 CA008659AA

Petitioner,

vs.

MARLIN S. BARON, et al.,

Respondents.

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

CASE NO. 50 2004 CA007464AA

Petitioner,

vs.

MICHAEL C. BEACH, et al.,

Respondents.

**STIPULATED FINAL JUDGMENT AS TO PARCEL 3180 AND PARCEL 7570
OWNED BY BARBARA ENGLE WITH DIRECTIONS FOR DISBURSEMENT**

THIS CAUSE having come before the Court on the Joint Motion by Petitioner, Palm Beach County, by and through its undersigned Assistant County Attorney and Michael D. Jones, Esquire, Attorney for the Respondent, Barbara Engle, 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. Respondent, Barbara Engle, shall have and recover the sum of **FIFTY SEVEN THOUSAND FIVE HUNDRED DOLLARS AND 00/100 CENTS (\$57,500.00)**, per parcel, as full, just, and final compensation to the Respondent for the taking of Parcel 3180 and Parcel 7570, for a combined total of **ONE HUNDRED FIFTEEN THOUSAND DOLLARS AND 00/100 CENTS (\$115,000.00)** excluding costs and attorney's fees.
3. The total of **EIGHTEEN THOUSAND ONE HUNDRED ELEVEN DOLLARS AND 00/100 CENTS (\$18,114.00)** was previously deposited by Petitioner into the Registry of the Court pursuant to the Stipulated Order of Taking entered on June 28, 2004, for Parcel 3180 and Parcel 7570. The sum of **SEVENTEEN THOUSAND NINE HUNDRED SEVENTEEN DOLLARS and 50/100 CENTS (\$17,917.50)**, excluding the 2004 real estate taxes of \$196.50 paid to the Palm Beach County Tax Collector for both parcels, was previously disbursed by Order of this Court to Respondent, Barbara Engle, c/o Michael D. Jones, Esq., on February 8, 2005.

4. Petitioner, Palm Beach County, shall within thirty days (30) days from the date of the entry of this Stipulated Final Judgment, pay to the Respondent, Barbara Engle, a total of **NINETY SIX THOUSAND EIGHT HUNDRED EIGHTY SIX DOLLARS AND 00/100 CENTS (\$96,886.00)**, for Parcel 3180 and Parcel 7570 respectively, by check made payable to Michael D. Jones & Associates, PA., Trust Account, and mail same to Michael D. Jones, Esquire, Post Office Box 196130, Winter Springs, FL 32719-6130, representing the difference between the agreed upon compensation referenced in paragraph two (2) and the amount previously deposited into the Registry of the Court for Parcel 3180 and Parcel 7570. Respondent's counsel shall be responsible for making the appropriate disbursements.

5. Title to Parcel 3180 and Parcel 7570 as further described in **Exhibit "A"** attached hereto, which vested in the Petitioner pursuant to the Order of Taking and deposit previously made, is hereby approved, ratified, and confirmed.

6. 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 **THIRTY ONE THOUSAND NINE HUNDRED SEVENTY TWO DOLLARS and 47/100 CENTS (\$31,972.47)**, made payable to **MICHAEL D. JONES & ASSOCIATES, P.A., TRUST ACCOUNT**, and mail same c/o Michael D. Jones, Esquire, P.O. Box 196130, Winter Springs, Florida, 32719-6130, for the Respondent's attorney's fees pursuant to Florida law.

7. The sum paid to the Respondent, Barbara Engle, represents full and final compensation for the taking of Parcel 3180 and Parcel 7570, and the Respondent will not seek any further compensation from the Petitioner in this cause, except as specifically set forth herein.

8. The Court reserves jurisdiction to enforce the terms of this judgment, over supplemental proceedings, if any, and to award costs, if any, pursuant to Section 73.091, Florida Statutes (2008).

DONE AND ORDERED this _____ day of March, 2009, in West Palm Beach, Palm Beach County, Florida.

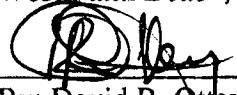
The Honorable Glenn Kelly
Circuit Judge

JOINT MOTION

Petitioner, Palm Beach County, and Michael D. Jones, Esquire, Attorney for the Respondent, Barbara Engle, hereby stipulate that they have resolved this case as described above, and move this Court for entry of the foregoing Stipulated Final Judgment.

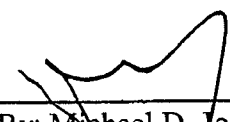
Dated this 5th day of March, 2009.

David R. Ottey, Esquire
Assistant County Attorney
300 North Dixie Highway
Litigation Division – Suite 359
West Palm Beach, FL 33401



By: David R. Ottey
Fla. Bar No. 15590

Michael D. Jones, Esquire
Michael D. Jones, P.A
Post Office Box 196130
Winter Springs, FL 32719-6130



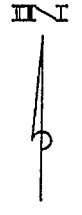
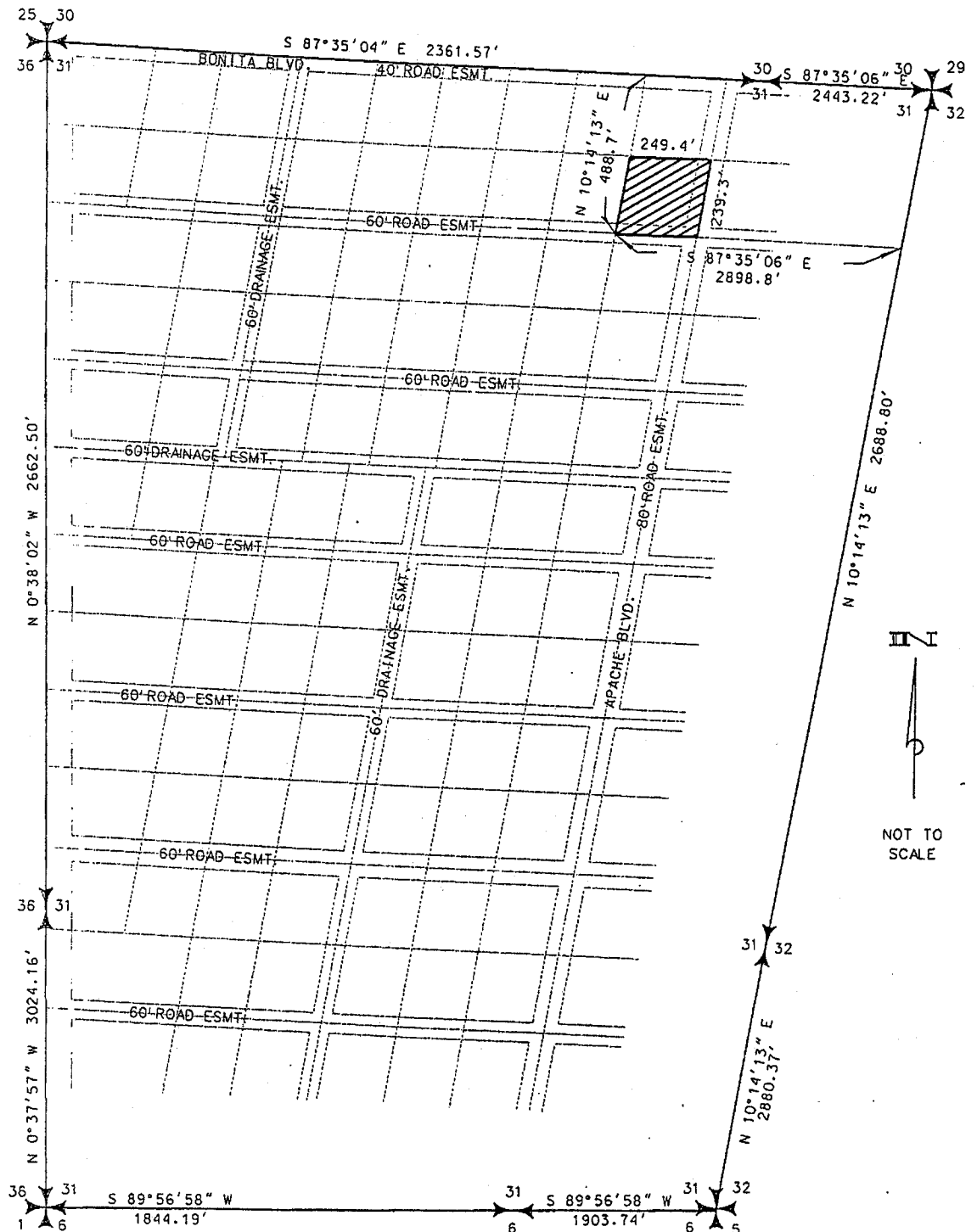
By: Michael D. Jones
Fla. Bar No. 0137608

Copies furnished to:

David R. Ottey, Esq.
Michael D. Jones, Esq.

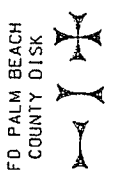
Legal Description:

The West 249.4 feet of the East 2898.8 feet of the South 239.3 feet of the North 488.7 feet of Section 31, Township 41 South, Range 41 East, Palm Beach County, Florida.



NOT TO SCALE

LEGEND:



THIS IS NOT A SURVEY
 THIS INSTRUMENT PREPARED BY WILLIAM ETHERIDGE, P.L.S., FLORIDA CERTIFICATE NO. 3173.
 NO SEARCH OF THE PUBLIC RECORDS WAS MADE BY THE SIGNING SURVEYOR.
 NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER. *W.C. Etheridge*
 REFERENCE BOUNDARY SURVEY UNIT 11, PB CO DRAWING S-3-99-1344, PREPARED 3/29/99

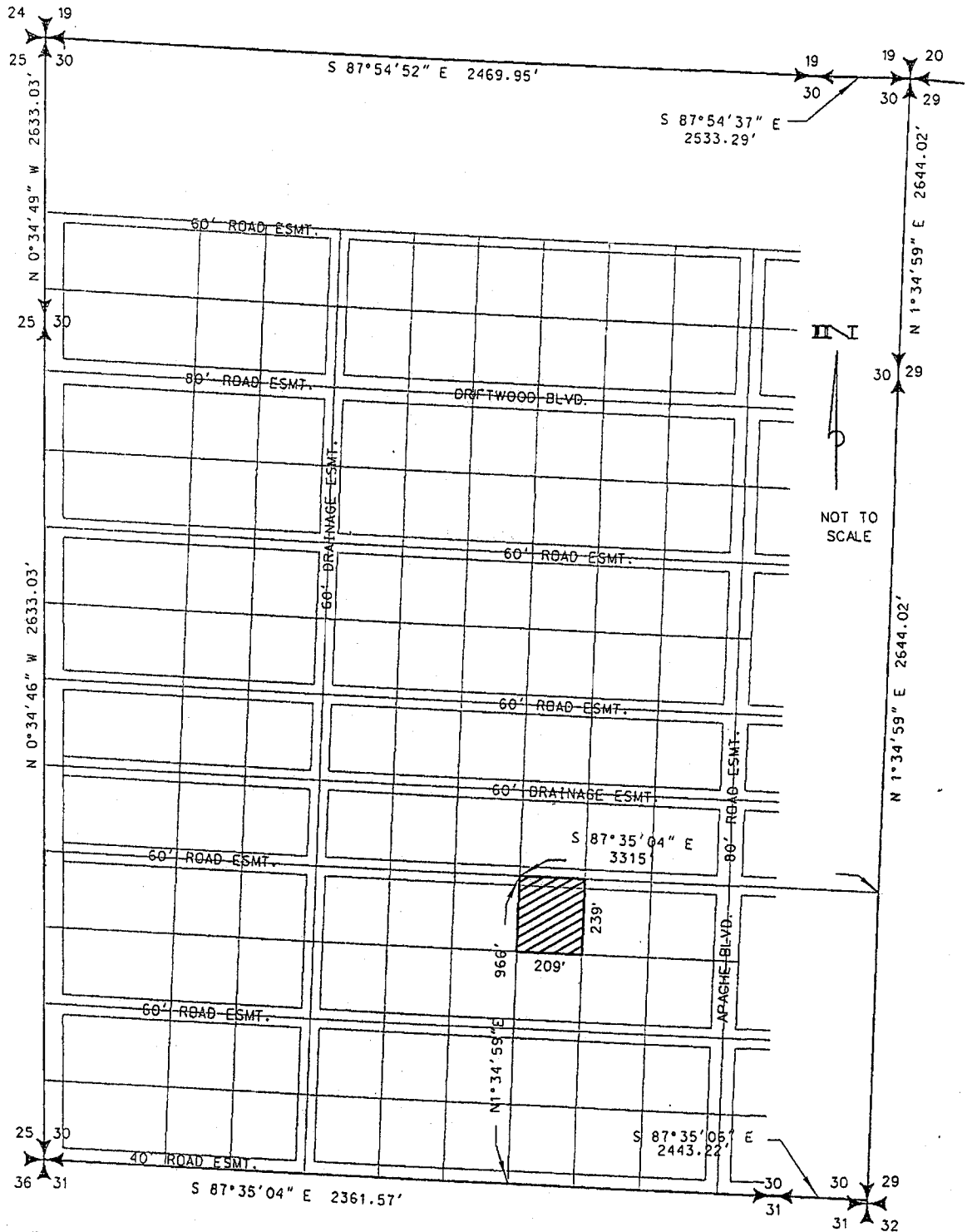
EXHIBIT
 "A"

PROJECT NO. 2004-12-0	DATE 12/20/03	PROJECT DESCRIPTION SKETCH PCN 00 41 41 31 00 000 3180 SECTION 31, TOWNSHIP 41 S RANGE 41 E	NO. 1	REVISION	BY DATE
DESIGN FILE NAME	DRAWING NO.	SCALE NONE	APPROVED WCE	CAD WCE	CHECKED NAH
		DATE 12/20/03	FIELD BOOK NO.		

PALM BEACH COUNTY
ENGINEERING AND PUBLIC WORKS
ENGINEERING SERVICES
 160 AUSTRALIAN AVENUE
 WEST PALM BEACH, FL 33411

Legal Description:

The West 209 feet of the East 3315 feet of the North 239 feet of the South 966 feet of Section 30, Township 41 South, Range 41 East, Palm Beach County, Florida.



LEGEND:



THIS IS NOT A SURVEY
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 NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER. *WCE*
 REFERENCE BOUNDARY SURVEY UNIT 11, PB CD DRAWING S-3-99-1344, PREPARED 3/29/99

EXHIBIT
 "A"

PROJECT NO. 200412-06

SHEETS	NO.
1	1

PROJECT:	DESCRIPTION SKETCH
PCN 00 41 41 30 00 000 7570	
SECTION 30, TOWNSHIP 41 S	
RANGE 41 E	
DESIGN FILE NAME	DRAWING NO.
96023A.DGN	S-1-03-1987

DATE	SCALE	NO.	REVISION	BY	DATE
12/08/03	NONE				
	APPREWER WCE				
	DRAWN CJO				
	CHECKED: NJH				
	FIELD BOOK NO. 1267 AAA				



PALM BEACH COUNTY
ENGINEERING AND PUBLIC WORKS
ENGINEERING SERVICES
 160 AUSTRALIAN AVENUE
 WEST PALM BEACH, FL 33406

IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT OF FLORIDA,
IN AND FOR PALM BEACH COUNTY, FLORIDA

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

CASE NO. 50 2004 CA005207AA

Petitioner,

vs.

CLAUDE E. JORDAN, et al.,

Respondents.

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

CASE NO. 50 2004 CA005573AA

Petitioner,

vs.

HUMBERTO CABANAS, et al.,

Respondents.

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

CASE NO. 50 2003 CA008659AA

Petitioner,

vs.

MARLIN S. BARON, et al.,

Respondents.

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

CASE NO. 50 2004 CA007464AA

Petitioner,

vs.

MICHAEL C. BEACH, et al.,

Respondents.

STIPULATED FINAL JUDGMENT AS TO PARCEL 3450
OWNED BY AVERY FILLMORE GREER WITH
DIRECTIONS FOR DISBURSEMENT

THIS CAUSE having come before the Court on the Joint Motion by Petitioner, Palm Beach County, by and through its undersigned Assistant County Attorney and Michael D. Jones, Esquire, Attorney for the Respondent, Avery Fillmore Greer, 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. Respondent, Avery Fillmore Greer, shall have and recover the sum of **FIFTY FIVE THOUSAND DOLLARS AND 00/100 CENTS (\$55,000.00)**, as full, just, and final compensation to the Respondent for the taking of Parcel 3450, excluding costs and attorney's fees.
3. The total of **SIX THOUSAND NINE HUNDRED DOLLARS AND 00/100 CENTS (\$6,900.00)** was previously deposited by Petitioner into the Registry of the Court pursuant to the Order of Taking entered on November 13, 200, for Parcel 3450. The sum of **SIX THOUSAND SEVEN HUNDRED FIFTY EIGHT DOLLARS and 88/100 CENTS (\$6,758.88)**, excluding the 2003 real estate taxes of \$141.12 paid to the Palm Beach County Tax Collector, was previously disbursed by Order of this Court to Respondent, Avery Fillmore Greer, c/o Michael D. Jones, Esq., on January 4, 2004.

4. Petitioner, Palm Beach County, shall within thirty days (30) days from the date of the entry of this Stipulated Final Judgment, pay to the Respondent, Avery Fillmore Greer, a total of **FORTY EIGHT THOUSAND ONE HUNDRED DOLLARS AND 00/100 CENTS (\$48,100.00)** for Parcel 3450, by check made payable to Michael D. Jones & Associates, PA., Trust Account, and mail same to Michael D. Jones, Esquire, Post Office Box 196130, Winter Springs, FL 32719-6130, representing the difference between the agreed upon compensation referenced in paragraph two (2) and the amount previously deposited into the Registry of the Court for Parcel 3450. Respondent's counsel shall be responsible for making the appropriate disbursements.

5. Title to Parcel 3450 as further described in **Exhibit "A"** attached hereto, which vested in the Petitioner pursuant to the Order of Taking and deposit previously made, is hereby approved, ratified, and confirmed.

6. 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 **FIFTEEN THOUSAND EIGHT HUNDRED SEVENTY THREE DOLLARS and 00/100 CENTS (\$15,873.00)**, made payable to **MICHAEL D. JONES & ASSOCIATES, P.A., TRUST ACCOUNT**, and mail same c/o Michael D. Jones, Esquire, P.O. Box 196130, Winter Springs, Florida, 32719-6130, for the Respondent's attorney's fees pursuant to Florida law.

7. The sum paid to the Respondent, Avery Fillmore Greer, represents full and final compensation for the taking of Parcel 3450, and the Respondent will not seek any further compensation from the Petitioner in this cause, except as specifically set forth herein.

8. The Court reserves jurisdiction to enforce the terms of this judgment, over supplemental proceedings, if any, and to award costs, if any, pursuant to Section 73.091, Florida Statutes (2008).

DONE AND ORDERED this _____ day of March, 2009, in West Palm Beach, Palm Beach County, Florida.


The Honorable Glenn Kelly
Circuit Judge

JOINT MOTION

Petitioner, Palm Beach County, and Michael D. Jones, Esquire, Attorney for the Respondent, Avery Fillmore Greer, hereby stipulate that they have resolved this case as described above, and move this Court for entry of the foregoing Stipulated Final Judgment.

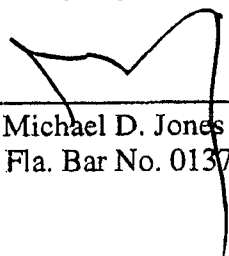
Dated this 5th day of March, 2009.

David R. Ottey, Esquire
Assistant County Attorney
300 North Dixie Highway
Litigation Division – Suite 359
West Palm Beach, FL 33401



By: David R. Ottey
Fla. Bar No. 5590

Michael D. Jones, Esquire
Michael D. Jones, P.A
Post Office Box 196130
Winter Springs, FL 32719-6130



By: Michael D. Jones
Fla. Bar No. 0137608

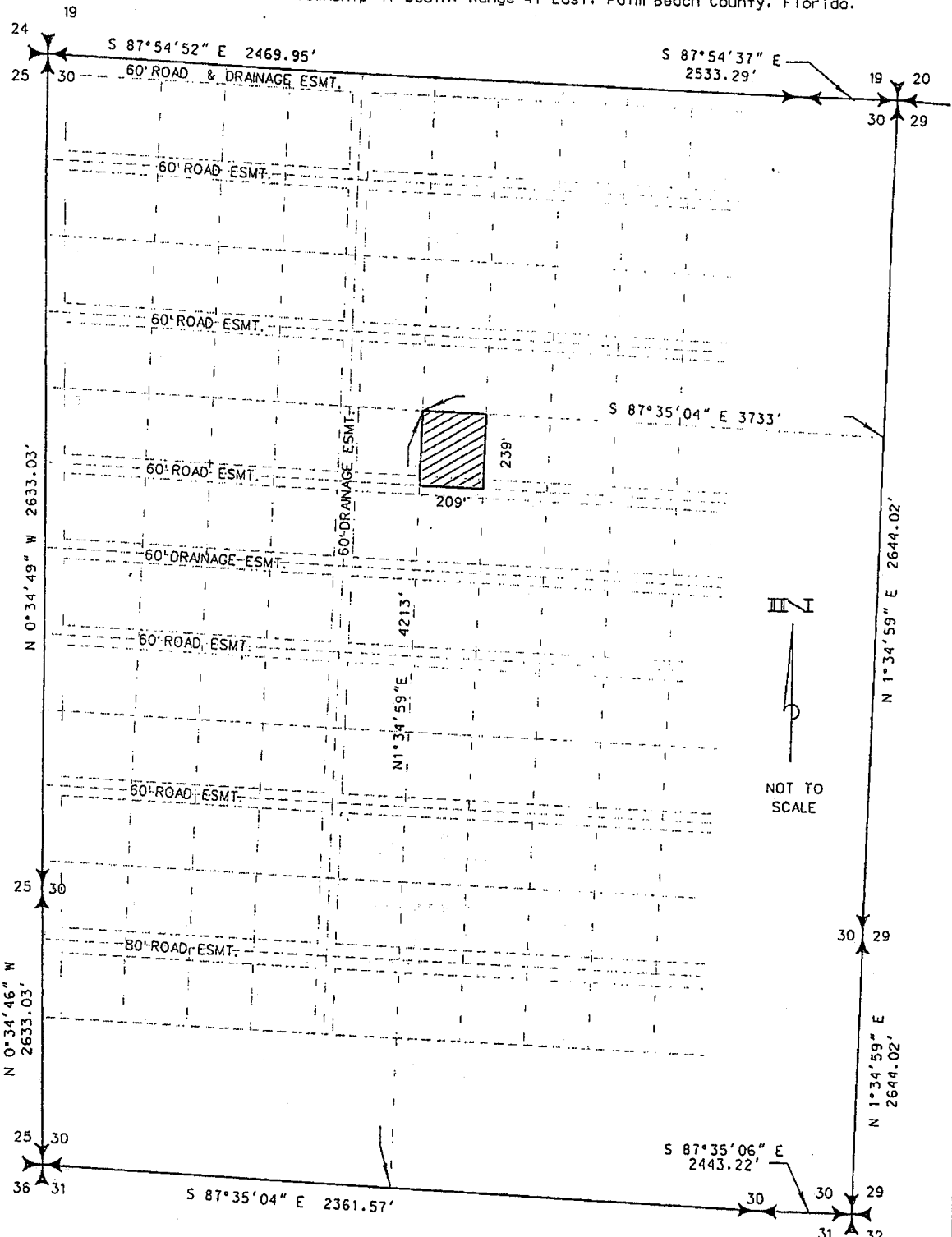
Copies furnished to:

David R. Ottey, Esq.
Michael D. Jones, Esq.

7 50/54 50

Legal Description:

The West 209 feet of the East 3733 feet of the North 239 feet of the South 4213 feet of Section 30, Township 41 South, Range 41 East, Palm Beach County, Florida.



LEGEND:



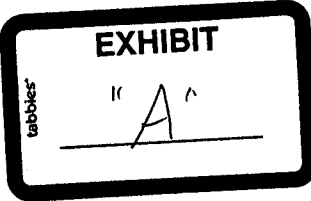
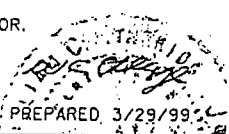
THIS IS NOT A SURVEY

THIS INSTRUMENT PREPARED BY WILLIAM ETHERIDGE, P.L.S., FLORIDA CERTIFICATE NO. 3173.

NO SEARCH OF THE PUBLIC RECORDS WAS MADE BY THE SIGNING SURVEYOR.

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.


REFERENCE BOUNDARY SURVEY UNIT 11. PB CO DRAWING S-3-99-1344. PREPARED 3/29/99



PROJECT	DESCRIPTION SKETCH
PCN	00 41 41 30 00 000 3450
SECTION	30, TOWNSHIP 41 S
RANGE	41 E
DESIGN FILE NAME	96023A.DGN
DRAWING NO.	S-1-02-1783

PROJECT	DESCRIPTION SKETCH
PCN	00 41 41 30 00 000 3450
SECTION	30, TOWNSHIP 41 S
RANGE	41 E
DESIGN FILE NAME	96023A.DGN
DRAWING NO.	S-1-02-1783

NO.	REVISION	BY	DATE


PALM BEACH COUNTY
ENGINEERING AND PUBLIC WORKS
ENGINEERING SERVICES
 160 AUSTRALIAN AVENUE
 WEST PALM BEACH, FL 33406

IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT OF FLORIDA,
IN AND FOR PALM BEACH COUNTY, FLORIDA

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

CASE NO. 50 2004 CA005207AA

Petitioner,

vs.

CLAUDE E. JORDAN, et al.,

Respondents.

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

CASE NO. 50 2004 CA005573AA

Petitioner,

vs.

HUMBERTO CABANAS, et al.,

Respondents.

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

CASE NO. 50 2003 CA008659AA

Petitioner,

vs.

MARLIN S. BARON, et al.,

Respondents.

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

CASE NO. 50 2004 CA007464AA

Petitioner,

vs.

MICHAEL C. BEACH, et al.,

Respondents.

STIPULATED FINAL JUDGMENT AS TO PARCEL 5660 OWNED BY
CLAUDE E. JORDAN AND D. JEAN S. JORDAN
WITH DIRECTIONS FOR DISBURSEMENT

THIS CAUSE having come before the Court on the Joint Motion by Petitioner, Palm Beach County, by and through its undersigned Assistant County Attorney and Michael D. Jones, Esquire, Attorney for the Respondents, Claude E. Jordan and D. Jean S. Jordan, 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. Respondent, Claude E. Jordan and D. Jean S. Jordan, shall have and recover the sum of **FIFTY SEVEN THOUSAND FIVE HUNDRED DOLLARS AND 00/100 CENTS (\$57,500.00)**, as full, just, and final compensation to the Respondent for the taking of Parcel 5660, excluding costs and attorney's fees.
3. The total of **TEN THOUSAND SIX HUNDRED THIRTY EIGHT DOLLARS AND 00/100 CENTS (\$10,638.00)** was previously deposited by Petitioner into the Registry of the Court pursuant to the Stipulated Order of Taking entered on July 28, 2004, for Parcel 5660. The sum of **TEN THOUSAND FIVE HUNDRED TEN DOLLARS and 38/100 CENTS (\$10,510.38)**, excluding the 2004 real estate taxes of \$127.62 paid to the Palm Beach County Tax Collector, was previously disbursed by Order of this Court to Respondents, Claude E. Jordan and D. Jean S. Jordan, c/o Michael D. Jones, Esq., on November 23, 2004.

4. Petitioner, Palm Beach County, shall within thirty days (30) days from the date of the entry of this Stipulated Final Judgment, pay to the Respondents, Claude E. Jordan and D. Jean S. Jordan, a total of **FORTY SIX THOUSAND EIGHT HUNDRED SIXTY TWO DOLLARS AND 00/100 CENTS (\$46,862.00)** for Parcel 5660, by check made payable to Michael D. Jones & Associates, PA., Trust Account, and mail same to Michael D. Jones, Esquire, Post Office Box 196130, Winter Springs, FL 32719-6130, representing the difference between the agreed upon compensation referenced in paragraph two (2) and the amount previously deposited into the Registry of the Court for Parcel 5660. Respondents' counsel shall be responsible for making the appropriate disbursements.

5. Title to Parcel 5660 as further described in **Exhibit "A"** attached hereto, which vested in the Petitioner pursuant to the Order of Taking and deposit previously made, is hereby approved, ratified, and confirmed.

6. 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 **FIFTEEN THOUSAND FOUR HUNDRED SIXTY FOUR DOLLARS and 39/100 CENTS (\$15,464.39)**, made payable to **MICHAEL D. JONES & ASSOCIATES, P.A., TRUST ACCOUNT**, and mail same c/o Michael D. Jones, Esquire, P.O. Box 196130, Winter Springs, Florida, 32719-6130, for the Respondents' attorney's fees pursuant to Florida law.

7. The sum paid to the Respondents, Claude E. Jordan and D. Jean S. Jordan, represents full and final compensation for the taking of Parcel 5660, and the Respondents will not seek any further compensation from the Petitioner in this cause, except as specifically set forth herein.

8. The Court reserves jurisdiction to enforce the terms of this judgment, over supplemental proceedings, if any, and to award costs, if any, pursuant to Section 73.091, Florida Statutes (2008).

DONE AND ORDERED this _____ day of March, 2009, in West Palm Beach, Palm Beach County, Florida.

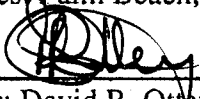
The Honorable Glenn Kelly
Circuit Judge

JOINT MOTION

Petitioner, Palm Beach County, and Michael D. Jones, Esquire, Attorney for the Respondents, Claude E. Jordan and D. Jean S. Jordan, hereby stipulate that they have resolved this case as described above, and move this Court for entry of the foregoing Stipulated Final Judgment.

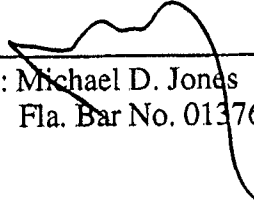
Dated this 5th day of March, 2009.

David R. Ottey, Esquire
Assistant County Attorney
300 North Dixie Highway
Litigation Division – Suite 359
West Palm Beach, FL 33401



By: David R. Ottey
Fla. Bar No. 15590

Michael D. Jones, Esquire
Michael D. Jones, P.A
Post Office Box 196130
Winter Springs, FL 32719-6130



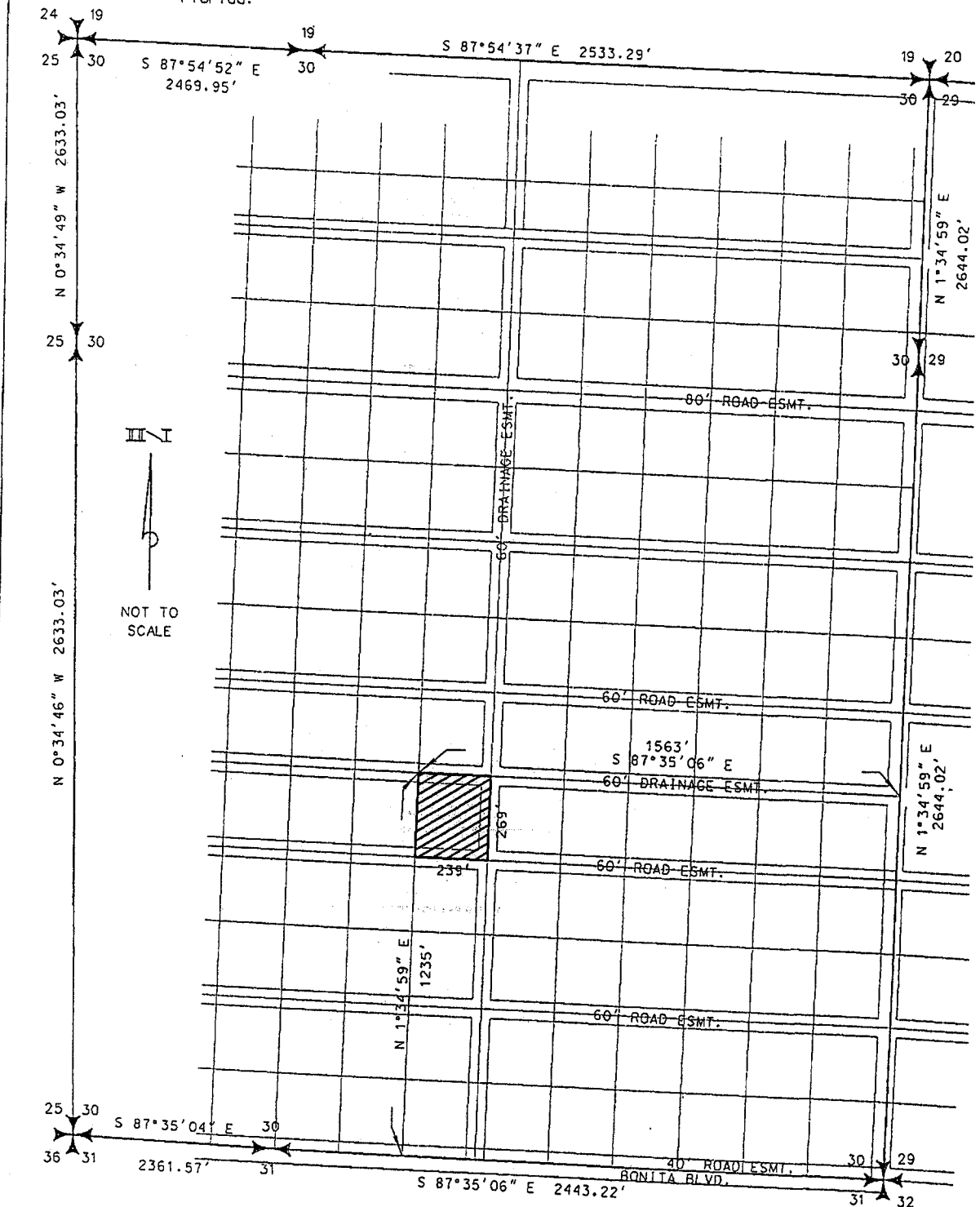
By: Michael D. Jones
Fla. Bar No. 0137608

Copies furnished to:

David R. Ottey, Esq.
Michael D. Jones, Esq.

Legal Description:

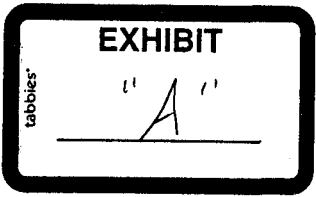
The West 239 feet of the East 1563 feet of the North 269 feet of the South 1235 feet of Section 30, Township 41 South, Range 41 East, Palm Beach County, Florida.



LEGEND:




THIS IS NOT A SURVEY
 THIS INSTRUMENT PREPARED BY WILLIAM ETHERIDGE, P.L.S., FLORIDA CERTIFICATE NO. 3173.
 NO SEARCH OF THE PUBLIC RECORDS WAS MADE BY THE SIGNING SURVEYOR.
 NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER. *W. Etheridge*
 REFERENCE BOUNDARY SURVEY UNIT 11. PB CO DRAWING S-3-99-1344. PREPARED 3/29/99



PROJECT NO. Z00412-06	SHEET 1	PROJECT DESCRIPTION SKETCH	SCALE NONE	NO. OF REVISIONS 0	DATE
	PCN 00 41 41 30 00 000 5660 SECTION 30, TOWNSHIP 41 S RANGE 41 E	DESIGN FILE NAME 96023A.DGN			

PALM BEACH COUNTY
 ENGINEERING AND PUBLIC WORKS
ENGINEERING SERVICES
 160 AUSTRALIAN AVENUE
 WEST PALM BEACH, FL 33406



IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT OF FLORIDA,
IN AND FOR PALM BEACH COUNTY, FLORIDA

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

CASE NO. 50 2004 CA005207AA

Petitioner,

vs.

CLAUDE E. JORDAN, et al.,

Respondents.

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

CASE NO. 50 2004 CA005573AA

Petitioner,

vs.

HUMBERTO CABANAS, et al.,

Respondents.

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

CASE NO. 50 2003 CA008659AA

Petitioner,

vs.

MARLIN S. BARON, et al.,

Respondents.

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

CASE NO. 50 2004 CA007464AA

Petitioner,

vs.

MICHAEL C. BEACH, et al.,

Respondents.

**STIPULATED FINAL JUDGMENT AS TO PARCEL 7200 AND
PARCEL 7210 OWNED BY ARNOLD V. HOEFLER AND MARY HOEFLER
WITH DIRECTIONS FOR DISBURSEMENT**

THIS CAUSE having come before the Court on the Joint Motion by Petitioner, Palm Beach County, by and through its undersigned Assistant County Attorney and Michael D. Jones, Esquire, Attorney for the Respondents, Arnold V. Hoefler and Mary Hoefler, 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, Arnold V. Hoefler and Mary Hoefler, shall have and recover the sum of **FIFTY FIVE THOUSAND DOLLARS AND 00/100 CENTS (\$55,000.00)**, per parcel, as full, just, and final compensation to the Respondents for the taking of Parcel 7200 and Parcel 7210, for a combined total of **ONE HUNDRED TEN THOUSAND DOLLARS AND 00/100 CENTS (\$110,000.00)** excluding costs and attorney's fees.
3. The total of **THIRTEEN THOUSAND EIGHT HUNDRED DOLLARS AND 00/100 CENTS (\$13,800.00)** was previously deposited by Petitioner into the Registry of the Court pursuant to the Order of Taking entered on November 13, 2003, for Parcel 7200 and Parcel 7210. The sum of **THIRTEEN THOUSAND FIVE HUNDRED SEVENTEEN DOLLARS and 76/100 CENTS (\$13,517.76)**, excluding the 2003 real estate taxes of \$282.24 paid to the Palm Beach County Tax Collector for both parcels, was previously disbursed by Order of this Court to Respondents, Arnold V. Hoefler and Mary Hoefler, c/o Michael D. Jones, Esq., on January 4, 2004.

4. Petitioner, Palm Beach County, shall within thirty days (30) days from the date of the entry of this Stipulated Final Judgment, pay to the Respondents, Arnold V. Hoefler and Mary Hoefler, a total of **NINETY SIX THOUSAND TWO HUNDRED DOLLARS AND 00/100 CENTS (\$96,200.00)**, for Parcel 7200 and Parcel 7210 respectively, by check made payable to Michael D. Jones & Associates, P.A., Trust Account, and mail same to Michael D. Jones, Esquire, Post Office Box 196130, Winter Springs, FL 32719-6130, representing the difference between the agreed upon compensation referenced in paragraph two (2) and the amount previously deposited into the Registry of the Court for Parcel 7200 and Parcel 7210. Respondents' counsel shall be responsible for making the appropriate disbursements.

5. Title to Parcel 7200 and Parcel 7210 as further described in **Exhibit "A"** attached hereto, which vested in the Petitioner pursuant to the Order of Taking and deposit previously made, is hereby approved, ratified, and confirmed.

6. 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 **THIRTY TWO THOUSAND EIGHT HUNDRED EIGHTY FOUR DOLLARS and 50/100 CENTS (\$32,884.50)**, made payable to **MICHAEL D. JONES & ASSOCIATES, P.A., TRUST ACCOUNT**, and mail same c/o Michael D. Jones, Esquire, P.O. Box 196130, Winter Springs, Florida, 32719-6130, for the Respondents' attorney's fees pursuant to Florida law.

7. The sum paid to the Respondents, Arnold V. Hoefler and Mary Hoefler, represents full and final compensation for the taking of Parcel 7200 and Parcel 7210, and the Respondents will not seek any further compensation from the Petitioner in this cause, except as specifically set forth herein.

8. The Court reserves jurisdiction to enforce the terms of this judgment, over supplemental proceedings, if any, and to award costs, if any, pursuant to Section 73.091, Florida Statutes (2008).

DONE AND ORDERED this _____ day of March, 2009, in West Palm Beach, Palm Beach County, Florida.

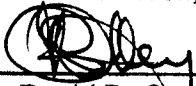
The Honorable Glenn Kelly
Circuit Judge

JOINT MOTION

Petitioner, Palm Beach County, and Michael D. Jones, Esquire, Attorney for the Respondents, Arnold V. Hoefler and Mary Hoefler, hereby stipulate that they have resolved this case as described above, and move this Court for entry of the foregoing Stipulated Final Judgment.

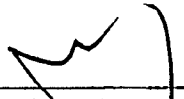
Dated this 5th day of March, 2009.

David R. Ottey, Esquire
Assistant County Attorney
300 North Dixie Highway
Litigation Division – Suite 359
West Palm Beach, FL 33401



By: David R. Ottey
Fla. Bar No. 15590

Michael D. Jones, Esquire
Michael D. Jones, P.A
Post Office Box 196130
Winter Springs, FL 32719-6130



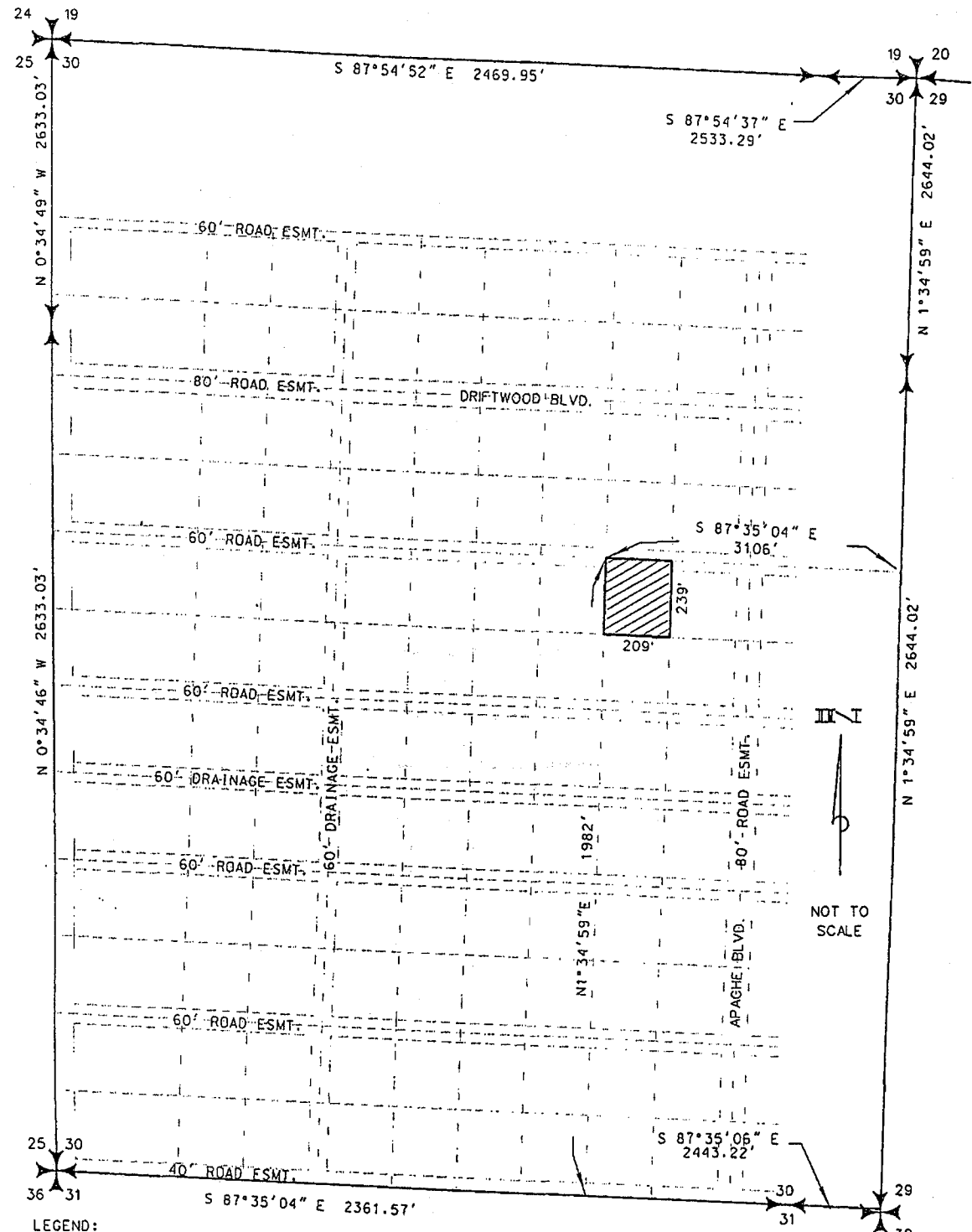
By: Michael D. Jones
Fla. Bar No. 0137608

Copies furnished to:

David R. Ottey, Esq.
Michael D. Jones, Esq.

" 30/7200

Legal Description:
 THE WEST 209 FEET OF THE EAST 3106 FEET OF THE NORTH 239 FEET
 OF THE SOUTH 1982 FEET OF SECTION 30, TOWNSHIP 41 SOUTH, RANGE
 41 EAST, PALM BEACH COUNTY, FLORIDA.



LEGEND:

FD PALM BEACH COUNTY DISK THIS IS NOT A SURVEY

THIS INSTRUMENT PREPARED BY WILLIAM ETHERIDGE, P.L.S., FLORIDA CERTIFICATE NO. 3173.

NO SEARCH OF THE PUBLIC RECORDS WAS MADE BY THE SIGNING SURVEYOR.

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

REFERENCE BOUNDARY SURVEY UNIT 11, PB CO DRAWING S-3-99-1344. PREPARED: 3/29/99.

tabbies

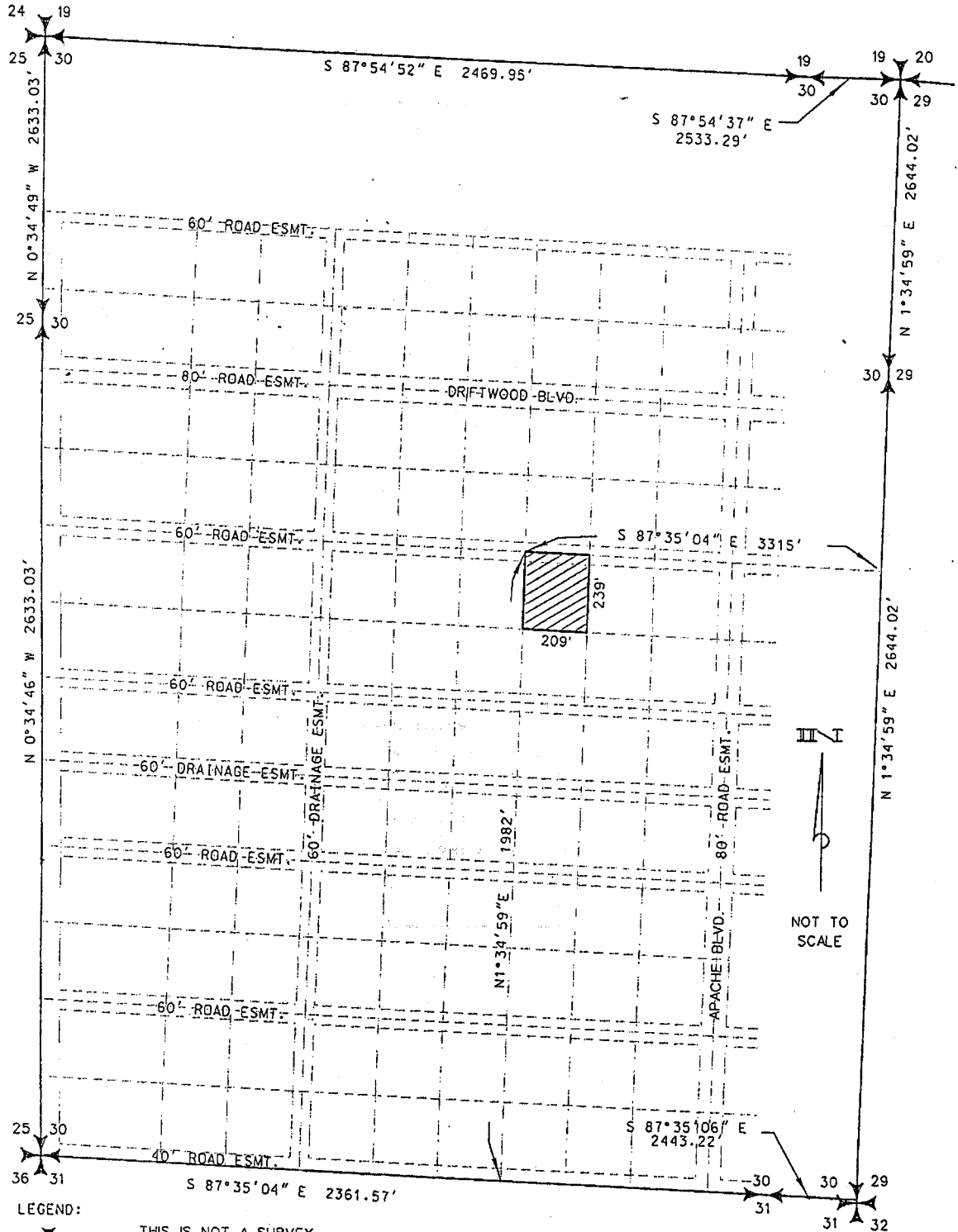
EXHIBIT

"A"

PROJECT NO. 2002012-12	SHEET 1	PROJECT: DESCRIPTION SKETCH	DATE 10/8/02	SCALE NONE	NO.	REVISION	BY	DATE
	PCN 00 41 41 30 00 000 7200 SECTION 30, TOWNSHIP 41 S RANGE 41 E	DESIGNER WAE						
DESIGN FILE NAME 96023A.DGN	DRAWING NO. S-1-02-1796	FIELD BOOK NO. 1267 AAA	<p>PALM BEACH COUNTY ENGINEERING AND PUBLIC WORKS ENGINEERING SERVICES 160 AUSTRALIAN AVENUE WEST PALM BEACH, FL 33406</p>					

7 00/1210

Legal Description:
 THE WEST 209 FEET OF THE EAST 3315 FEET OF THE NORTH 239 FEET
 OF THE SOUTH 1982 FEET OF SECTION 30, TOWNSHIP 41 SOUTH, RANGE
 41 EAST, PALM BEACH COUNTY, FLORIDA.



LEGEND:



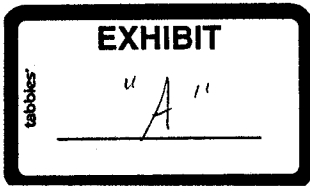
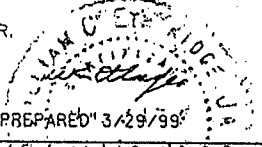
THIS IS NOT A SURVEY

THIS INSTRUMENT PREPARED BY WILLIAM ETHERIDGE, P.L.S., FLORIDA CERTIFICATE NO. 3173

NO SEARCH OF THE PUBLIC RECORDS WAS MADE BY THE SIGNING SURVEYOR.

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

REFERENCE BOUNDARY SURVEY UNIT 11, PB CO DRAWING S-3-99-1344. PREPARED 3/29/99



PROJECT NO.	2002012-12
SHEET	1

PROJECT DESCRIPTION	DESCRIPTION SKETCH
PCN	00 414130 00 000 7210
SECTION	SECTION 30, TOWNSHIP 41 S
RANGE	RANGE 41 E
DESIGN FILE NAME	96023A.DGN
DRAWING NO.	S-1-02-1797

NO.	REVISION	BY	DATE

PALM BEACH COUNTY
 ENGINEERING AND PUBLIC WORKS
 ENGINEERING SERVICES
 160 AUSTRALIAN AVENUE
 WEST PALM BEACH, FL 33406

IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT OF FLORIDA,
IN AND FOR PALM BEACH COUNTY, FLORIDA

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

CASE NO. 50 2004 CA005207AA

Petitioner,

vs.

CLAUDE E. JORDAN, et al.,

Respondents.

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

CASE NO. 50 2004 CA005573AA

Petitioner,

vs.

HUMBERTO CABANAS, et al.,

Respondents.

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

CASE NO. 50 2003 CA008659AA

Petitioner,

vs.

MARLIN S. BARON, et al.,

Respondents.

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

CASE NO. 50 2004 CA007464AA

Petitioner,

vs.

MICHAEL C. BEACH, et al.,

Respondents.

STIPULATED FINAL JUDGMENT AS TO PARCEL 7390 OWNED BY
HUMBERTO CABANAS AND EMMA CABANAS
WITH DIRECTIONS FOR DISBURSEMENT

THIS CAUSE having come before the Court on the Joint Motion by Petitioner, Palm Beach County, by and through its undersigned Assistant County Attorney and Michael D. Jones, Esquire, Attorney for the Respondents, Humberto Cabanas and Emma Cabanas, 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, Humberto Cabanas and Emma Cabanas, shall have and recover the sum of **FIFTY SEVEN THOUSAND FIVE HUNDRED DOLLARS AND 00/100 CENTS (\$57,500.00)**, as full, just, and final compensation to the Respondents for the taking of Parcel 7390, excluding costs and attorney's fees.
3. The total of **NINE THOUSAND TWO HUNDRED SEVENTY THREE DOLLARS AND 00/100 CENTS (\$9,273.00)** was previously deposited by Petitioner into the Registry of the Court pursuant to the Stipulated Order of Taking entered on July 28, 2004, for Parcel 7390. The sum of **NINE THOUSAND ONE HUNDRED FIFTY TWO DOLLARS and 85/100 CENTS (\$9,152.85)**, excluding the 2004 real estate taxes of \$120.15 paid to the Palm Beach County Tax Collector, was previously disbursed by Order of this Court to Respondents, Humberto and Emma Cabanas, c/o Michael D. Jones, Esq., on February 5, 2005.

4. Petitioner, Palm Beach County, shall within thirty days (30) days from the date of the entry of this Stipulated Final Judgment, pay to the Respondents, Humberto and Emma Cabanas, a total of **FORTY EIGHT THOUSAND TWO HUNDRED TWENTY SEVEN DOLLARS AND 00/100 CENTS (\$48,227.00)** for Parcel 7390, by check made payable to Michael D. Jones & Associates, PA., Trust Account, and mail same to Michael D. Jones, Esquire, Post Office Box 196130, Winter Springs, FL 32719-6130, representing the difference between the agreed upon compensation referenced in paragraph two (2) and the amount previously deposited into the Registry of the Court for Parcel 7390. Respondents' counsel shall be responsible for making the appropriate disbursements.

5. Title to Parcel 7390 as further described in **Exhibit "A"** attached hereto, which vested in the Petitioner pursuant to the Order of Taking and deposit previously made, is hereby approved, ratified, and confirmed.

6. 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 **FIFTEEN THOUSAND NINE HUNDRED FIFTEEN DOLLARS and 07/100 CENTS (\$15,915.07)**, made payable to **MICHAEL D. JONES & ASSOCIATES, P.A., TRUST ACCOUNT**, and mail same c/o Michael D. Jones, Esquire, P.O. Box 196130, Winter Springs, Florida, 32719-6130, for the Respondents' attorney's fees pursuant to Florida law.

7. The sum paid to the Respondents, Humberto Cabanas and Emma Cabanas, represents full and final compensation for the taking of Parcel 7390, and the Respondents will not seek any further compensation from the Petitioner in this cause, except as specifically set forth herein.

8. The Court reserves jurisdiction to enforce the terms of this judgment, over supplemental proceedings, if any, and to award costs, if any, pursuant to Section 73.091, Florida Statutes (2008).

DONE AND ORDERED this _____ day of March, 2009, in West Palm Beach, Palm Beach County, Florida.

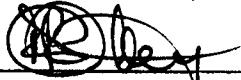
The Honorable Glenn Kelly
Circuit Judge

JOINT MOTION

Petitioner, Palm Beach County, and Michael D. Jones, Esquire, Attorney for the Respondents, Humberto Cabanas and Emma Cabanas, hereby stipulate that they have resolved this case as described above, and move this Court for entry of the foregoing Stipulated Final Judgment.


Dated this 5th day of March, 2009.

David R. Ottey, Esquire
Assistant County Attorney
300 North Dixie Highway
Litigation Division – Suite 359
West Palm Beach, FL 33401



By: David R. Ottey
Fla. Bar No. 15590

Michael D. Jones, Esquire
Michael D. Jones, P.A
Post Office Box 196130
Winter Springs, FL 32719-6130



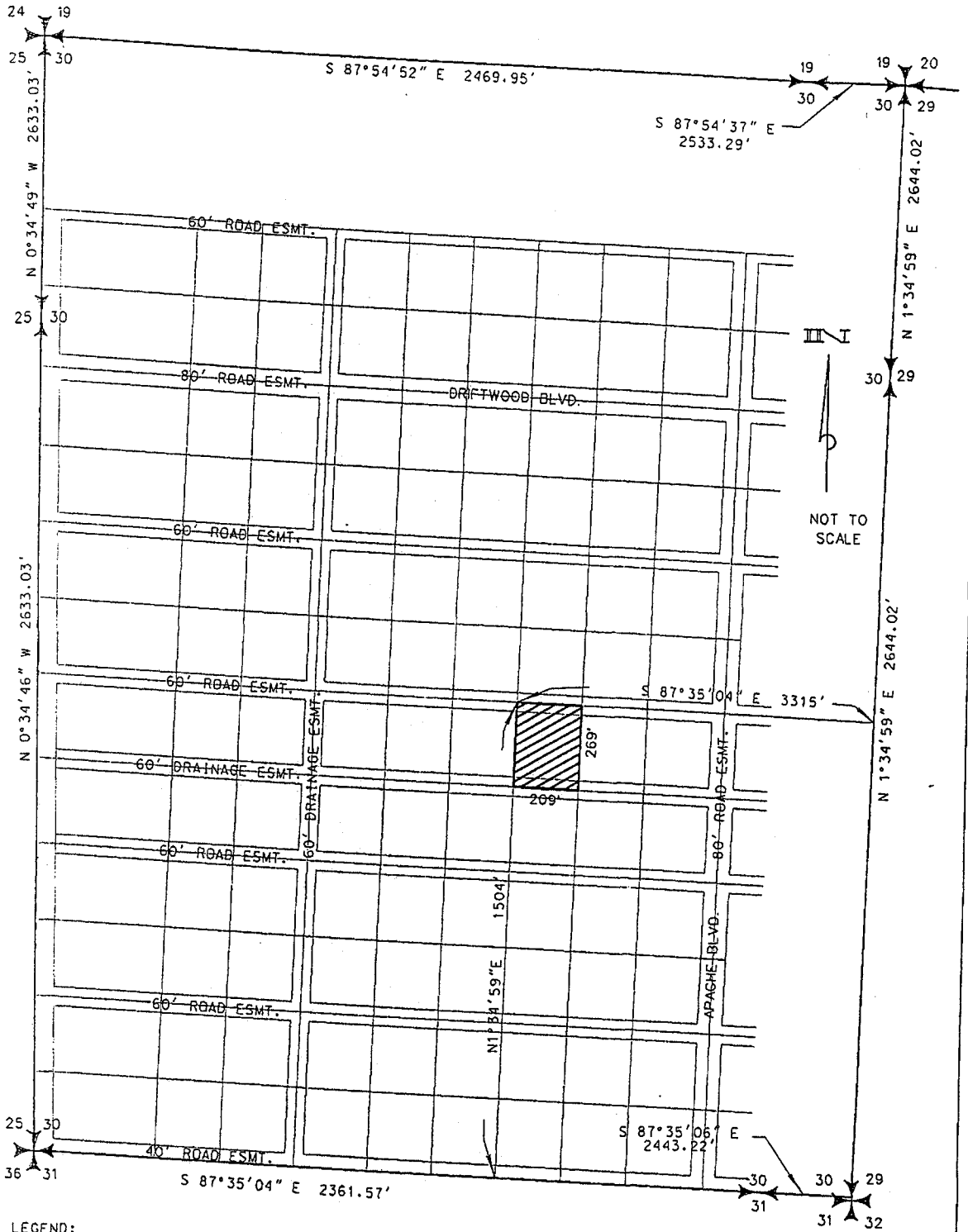
By: Michael D. Jones
Fla. Bar No. 0137608

Copies furnished to:

David R. Ottey, Esq.
Michael D. Jones, Esq.

Legal Description:

The West 209 feet of the East 3315 feet of the North 269 feet of the South 1504 feet of Section 30, Township 41 South, Range 41 East, Palm Beach County, Florida.



NOT TO SCALE

LEGEND:



THIS IS NOT A SURVEY
 THIS INSTRUMENT PREPARED BY WILLIAM ETHERIDGE, P.L.S., FLORIDA CERTIFICATE NO. 3173.
 NO SEARCH OF THE PUBLIC RECORDS WAS MADE BY THE SIGNING SURVEYOR.
 NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
 REFERENCE BOUNDARY SURVEY UNIT 11, PB CO DRAWING S-3-99-1344, PREPARED 3/29/99

W. Etheridge

EXHIBIT
 "A"

PROJECT: DESCRIPTION SKETCH PCN 00 41 41 30 00 000 7390 SECTION 30, TOWNSHIP 41 S RANGE 41 E	DESIGN FILE NAME 96023A.DCN	DRAWING NO. S-1-03-1982	SCALE: NONE DRAWING NO. 1267 AAA CHECKED BY: [blank] DATE: 12/12/92 DRAWN BY: [blank]	NO. [blank] REVISION [blank] BY [blank] DATE [blank]
	PALM BEACH COUNTY ENGINEERING AND PUBLIC WORKS ENGINEERING SERVICES 160 AUSTRALIAN AVENUE WEST PALM BEACH, FL 33406			



IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT OF FLORIDA,
IN AND FOR PALM BEACH COUNTY, FLORIDA

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

CASE NO. 50 2004 CA005207AA

Petitioner,

vs.

CLAUDE E. JORDAN, et al.,

Respondents.

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

CASE NO. 50 2004 CA005573AA

Petitioner,

vs.

HUMBERTO CABANAS, et al.,

Respondents.

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

CASE NO. 50 2003 CA008659AA

Petitioner,

vs.

MARLIN S. BARON, et al.,

Respondents.

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

CASE NO. 50 2004 CA007464AA

Petitioner,

vs.

MICHAEL C. BEACH, et al.,

Respondents.

**STIPULATED FINAL JUDGMENT AS TO PARCEL 7770 AND
PARCEL 7790 OWNED BY MATTHEW ENGLE AND DANA ENGLE
WITH DIRECTIONS FOR DISBURSEMENT**

THIS CAUSE having come before the Court on the Joint Motion by Petitioner, Palm Beach County, by and through its undersigned Assistant County Attorney and Michael D. Jones, Esquire, Attorney for the Respondents, Matthew Engle and Dana Engle, 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, Matthew Engle and Dana Engle, shall have and recover the sum of **FIFTY SEVEN THOUSAND FIVE HUNDRED DOLLARS AND 00/100 CENTS (\$57,500.00)**, per parcel, as full, just, and final compensation to the Respondents for the taking of Parcel 7770 and Parcel 7790, for a combined total of **ONE HUNDRED FIFTEEN THOUSAND DOLLARS AND 00/100 CENTS (\$115,000.00)** excluding costs and attorney's fees.
3. The total of **SEVENTEEN THOUSAND SIX HUNDRED EIGHTY TWO DOLLARS AND 00/100 CENTS (\$17,682.00)** was previously deposited by Petitioner into the Registry of the Court pursuant to the Stipulated Order of Taking entered on June 28, 2004, for Parcel 7770 and Parcel 7790. The sum of **SEVENTEEN THOUSAND FOUR HUNDRED FIFTY TWO DOLLARS and 86/100 CENTS (\$17,452.86)**, excluding the 2004 real estate taxes of \$229.14 paid to the Palm Beach County Tax Collector for both parcels, was previously disbursed by Order of this Court to Respondents, Matthew Engle and Dana Engle, c/o Michael D. Jones, Esq., on February 8, 2005.

4. Petitioner, Palm Beach County, shall within thirty days (30) days from the date of the entry of this Stipulated Final Judgment, pay to the Respondents, Matthew Engle and Dana Engle, a total of **NINETY SEVEN THOUSAND THREE HUNDRED EIGHTEEN DOLLARS AND 00/100 CENTS (\$97,318.00)**, for Parcel 7770 and Parcel 7790 respectively, by check made payable to Michael D. Jones & Associates, PA., Trust Account, and mail same to Michael D. Jones, Esquire, Post Office Box 196130, Winter Springs, FL 32719-6130, representing the difference between the agreed upon compensation referenced in paragraph two (2) and the amount previously deposited into the Registry of the Court for Parcel 7770 and Parcel 7790. Respondents' counsel shall be responsible for making the appropriate disbursements.

5. Title to Parcel 7770 and Parcel 7790 as further described in **Exhibit "A"** attached hereto, which vested in the Petitioner pursuant to the Order of Taking and deposit previously made, is hereby approved, ratified, and confirmed.

6. 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 **THIRTY TWO THOUSAND ONE HUNDRED FORTEEN DOLLARS and 79/100 CENTS (\$32,114.79)**, made payable to **MICHAEL D. JONES & ASSOCIATES, P.A., TRUST ACCOUNT**, and mail same c/o Michael D. Jones, Esquire, P.O. Box 196130, Winter Springs, Florida, 32719-6130, for the Respondents' attorney's fees pursuant to Florida law.

7. The sum paid to the Respondents, Matthew Engle and Dana Engle, represents full and final compensation for the taking of Parcel 7770 and Parcel 7790, and the Respondents will not seek any further compensation from the Petitioner in this cause, except as specifically set forth herein.

8. The Court reserves jurisdiction to enforce the terms of this judgment, over supplemental proceedings, if any, and to award costs, if any, pursuant to Section 73.091, Florida Statutes (2008).

DONE AND ORDERED this _____ day of March, 2009, in West Palm Beach, Palm Beach County, Florida.


The Honorable Glenn Kelly
Circuit Judge

JOINT MOTION

Petitioner, Palm Beach County, and Michael D. Jones, Esquire, Attorney for the Respondents, Matthew Engle and Dana Engle, hereby stipulate that they have resolved this case as described above, and move this Court for entry of the foregoing Stipulated Final Judgment.


Dated this 5th day of March, 2009.

David R. Ottey, Esquire
Assistant County Attorney
300 North Dixie Highway
Litigation Division – Suite 359
West Palm Beach, FL 33401



By: David R. Ottey
Fla. Bar No. 15590

Michael D. Jones, Esquire
Michael D. Jones, P.A
Post Office Box 196130
Winter Springs, FL 32719-6130



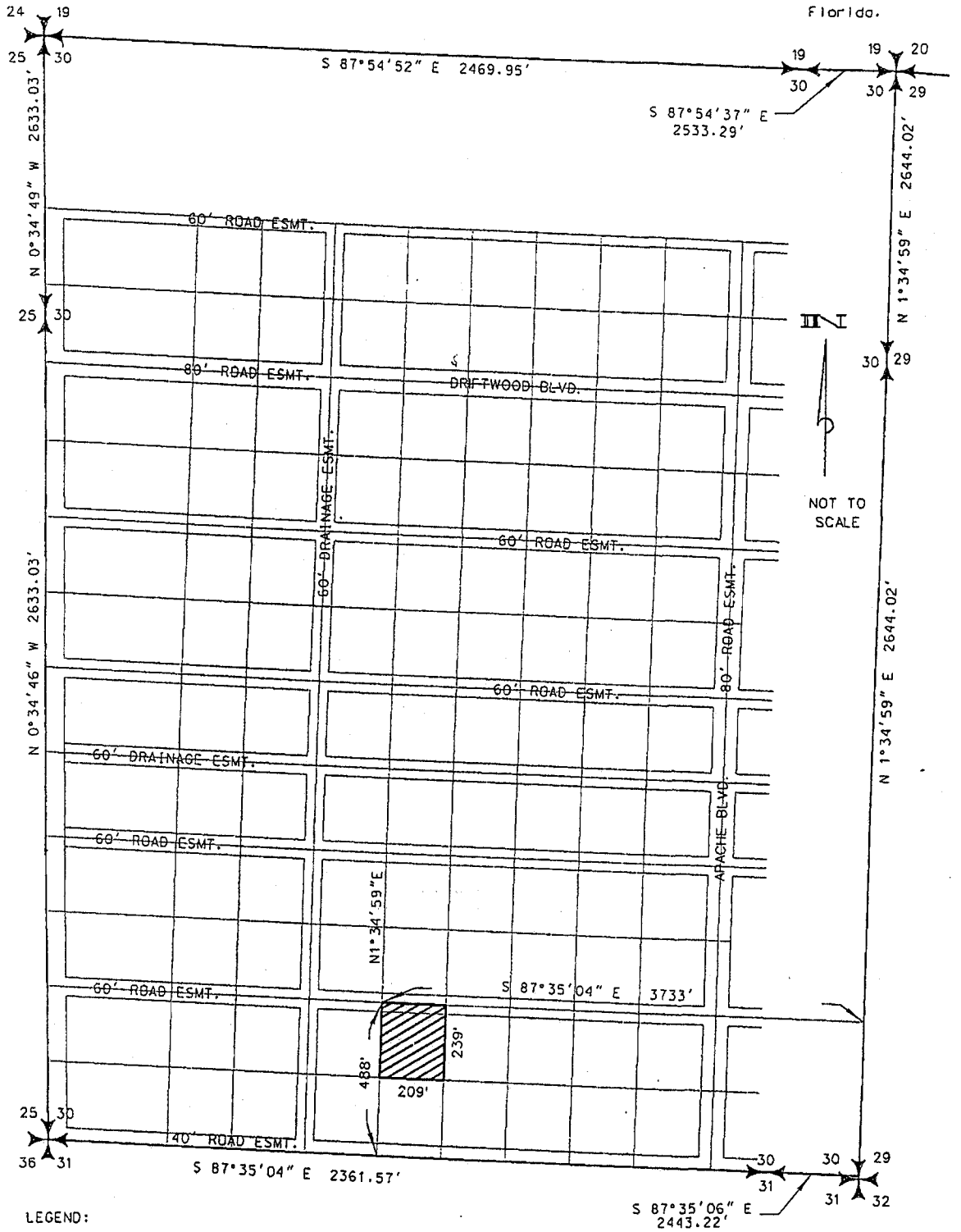
By: Michael D. Jones
Fla. Bar No. 0137608

Copies furnished to:

David R. Ottey, Esq.
Michael D. Jones, Esq.

Legal Description:

The West 209 feet of the East 3733 feet of the North 239 feet of the South 488 feet of Section 30, Township 41 South, Range 41 East, PALM BEACH County, Florida.



LEGEND:



THIS IS NOT A SURVEY

THIS INSTRUMENT PREPARED BY WILLIAM ETHERIDGE, P.L.S., FLORIDA CERTIFICATE NO. 3173.

NO SEARCH OF THE PUBLIC RECORDS WAS MADE BY THE SIGNING SURVEYOR.

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

REFERENCE BOUNDARY SURVEY UNIT 11, PB CD DRAWING S-3-99-1344, PREPARED 3/29/99

EXHIBIT
"A"

PROJECT NO. 200412-06

SHEET 1

PROJECT: DESCRIPTION SKETCH	
PCN 00 414130 00 000 7770	
SECTION 30, TOWNSHIP 41S	
RANGE 41E	
DESIGN FILE NAME	DRAWING NO.
96023A.DGN	S-1-03-1990

NO.	REVISION	BY	DATE

PALM BEACH COUNTY
ENGINEERING AND PUBLIC WORKS

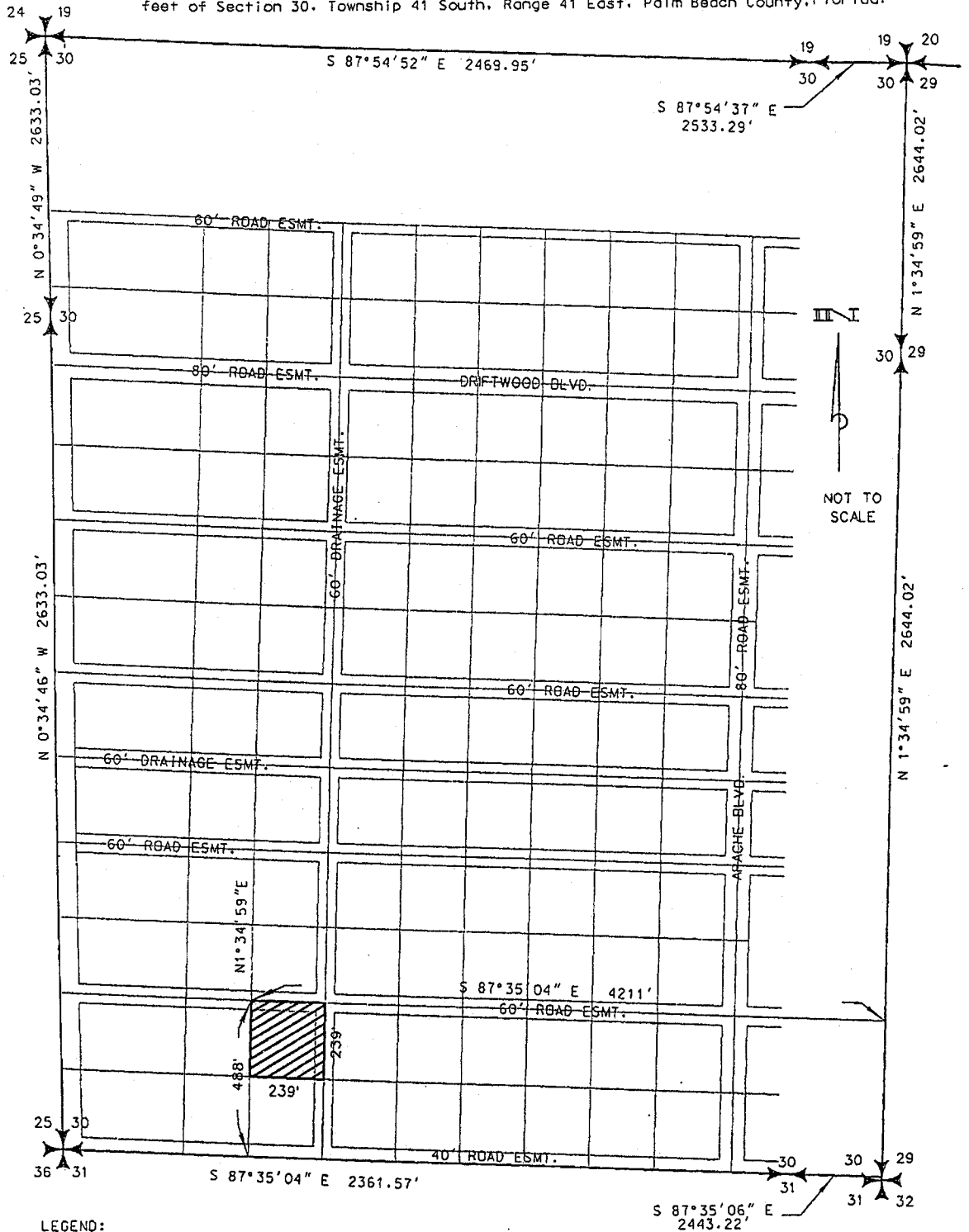
ENGINEERING SERVICES
160 AUSTRALIAN AVENUE
WEST PALM BEACH, FL 33406

Legal Description:

The West 239 feet of the East 4211 feet of the North 239 feet of the South 488 feet of Section 30, Township 41 South, Range 41 East, PALM BEACH County, Florida.

More particularly described as:

The West 239 feet of the East 4211 feet of the North 239 feet of the South 488 feet of Section 30, Township 41 South, Range 41 East, Palm Beach County, Florida.

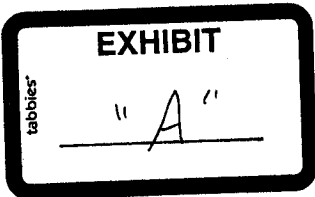


NOT TO SCALE

LEGEND:



THIS IS NOT A SURVEY
 THIS INSTRUMENT PREPARED BY WILLIAM ETHERIDGE, P.L.S., FLORIDA CERTIFICATE NO. 3173.
 NO SEARCH OF THE PUBLIC RECORDS WAS MADE BY THE SIGNING SURVEYOR.
 NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A *William Etheridge*
 FLORIDA LICENSED SURVEYOR AND MAPPER.
 REFERENCE BOUNDARY SURVEY UNIT 11, PB CO DRAWING S-3-99-1344, PREPARED 3/29/99




PROJECT NO. 200412-05

DATE: 1
 SHEETS: 1

PROJECT: DESCRIPTION SKETCH
 PCN 00 41 41 30 00 000 7790
 SECTION 30, TOWNSHIP 41 S
 RANGE 41 E
 DESIGN FILE NAME: 96023A.DGN
 DRAWING NO.: S-1-03-1991

NO.	REVISION	BY	DATE

SCALE: NONE
 APPROVED: NONE
 DRAWN: NONE
 CHECKED: NONE
 DATE: 12/08/03
 FIELD BOOK NO.: 1287 AAA

PALM BEACH COUNTY
 ENGINEERING AND PUBLIC WORKS

 ENGINEERING SERVICES
 160 AUSTRALIAN AVENUE
 WEST PALM BEACH, FL 33406