

**IN THE CIRCUIT COURT OF THE SIXTEENTH JUDICIAL CIRCUIT
IN AND FOR MONROE COUNTY, FLORIDA**

**FLORIDA DEPARTMENT OF
ENVIRONMENTAL PROTECTION
on behalf of THE BOARD OF
TRUSTEES OF THE INTERNAL
IMPROVEMENT TRUST FUND,**

CASE NO.: 95-20165-CA

Petitioner,

v.

PARCEL: 7.0

EVERETT G. WEST, et al.

JUDGE: Garcia

Defendants.

STIPULATED ORDER OF TAKING

THIS CAUSE having come before the Court upon the Joint Motion of the Petitioner, Florida Department of Environmental Protection on behalf of the Board of Trustees of the Internal Improvement Trust Fund, by and through undersigned counsel, and Defendants, R. Furman Richardson, by and through undersigned counsel, and Uncia Trading Corporation, a dissolved foreign corporation, and it appearing that proper notice was first given to the Defendants, who are the fee simple owners of the property which is the subject of this litigation and identified as "Parcel 7.0", a copy of which is attached hereto as Exhibit A, and to all other persons having or claiming to have any equity, lien, title or other interest in or to the real property described in the Petition, and the Court being otherwise fully advised in the premises, it is hereby:

ORDERED AND ADJUDGED as follows:

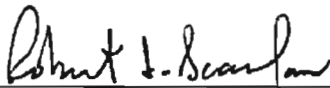
1. This Court has jurisdiction over this action, of the subject matter, and of the parties to this cause, pursuant to Chapters 73, 74, 259 and 375, Florida Statutes.

Copies To:
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Andrew M. Tobin, Esq.
Robert I. Scanlan, Esq.
Elaine M. Asad, Esq.
Danise D. Henriquez, Tax Collector
Moises Granados Martinez
Roberto J. Comptis
Department of Environmental Protection


FILE #1437004
BK#1992 PG#2204

JOINT MOTION FOR ENTRY OF STIPULATED ORDER OF TAKING

COMES NOW, Petitioner, Florida Department of Environmental Protection on behalf of the Board of Trustees of the Internal Improvement Fund, by and through undersigned counsel, and said Defendants, R. Furman Richardson and Uncia Trading Corporation, a dissolved foreign corporation, by and through their undersigned counsel, and together move the Court for entry of the above Stipulated Order of Taking and advise the Court they are authorized to enter into this Motion.



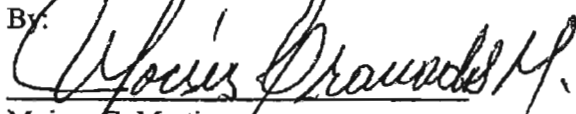
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UNCIA TRADING CORPORATION

By:



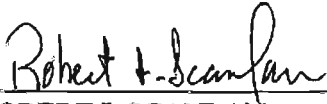
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JOINT MOTION FOR ENTRY OF STIPULATED ORDER OF TAKING

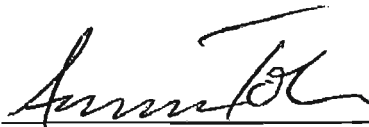
COMES NOW, Petitioner, Florida Department of Environmental Protection on behalf of the Board of Trustees of the Internal Improvement Fund, by and through undersigned counsel, and said Defendants, R. Furman Richardson and Uncia Trading Corporation, a dissolved foreign corporation, by and through their undersigned counsel, and together move the Court for entry of the above Stipulated Order of Taking and advise the Court they are authorized to enter into this Motion.



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2. The pleadings in this cause are sufficient and Petitioner is properly exercising its delegated authority for a valid public purpose and the property is necessary for such purpose.

3. Upon the payment of the good faith deposit amount specified below, fee simple title in and to the property described in Exhibit "A" attached hereto shall vest in the Board of Trustees of the Internal Improvement Trust Fund.

4. Upon payment of the good faith deposit amount specified below and without further notice or order of this Court, the Petitioner shall be entitled to immediate possession of Parcel 7.0, described herein.

5. The Court finds that the amount of a good faith deposit is Eighty Thousand and No/100 Dollars (\$80,000.00).

6. Within twenty (20) days of entry of this Stipulated Order of Taking, Petitioner shall deposit into the Registry of the Court the sum of Eighty Thousand and No/100 Dollars (\$80,000.00), which sum represents the good faith estimate of value for the property taken, plus a \$100 Clerk of Court fee, for a total deposit of Eighty Thousand One Hundred and No/100 Dollars (\$80,100.00).

7. Disbursement of these proceeds will be made upon appropriate motion and further order of this court. The Clerk shall retain said \$100.00 as the Clerk of Court fee.

8. Entry of this Stipulated Order of Taking is without prejudice for Defendants to assert a claim of condemnation blight in the valuation phase of this cause.

DONE AND ORDERED this 7 day of ~~March~~^{April} 2004 at Tavernier, Monroe County, Florida.


LUIS M. GARCIA
Circuit Judge

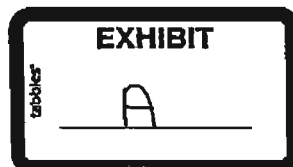
PARCEL 7.0

Tract "C" of LARGO EDMAR SUBDIVISION, according to the Plat thereof, recorded in Plat Book 2, Page 94, of the Public Records of Monroe County, Florida; together with all riparian rights.

AND

A parcel of submerged land in the Straits of Florida in Section 28, Township 60 South, Range 40 East, Key Largo, Monroe County, Florida, more particularly described as follows: from the Southeast corner of Block 4, as shown on Plat of Largo Edmar Subdivision, recorded in Plat Book 2, Page 94, of the Public Records of Monroe County, Florida, run East along the South line of Tract C, as shown on said Plat Book 2, Page 94, a distance of 1548 feet, more or less, to the mean high water line on the shore of the Straits of Florida and the point of beginning of the parcel hereinafter described; thence South 75 deg., 10 minutes East, a distance of 300 feet; thence North 23 deg., 32 minutes East, a distance of 137 feet; thence North 76 deg., 33 minutes West, a distance of 306.1 feet to the said mean high water line at the North line of said Tract C; thence Southwesterly meandering said mean high water line, a distance of 129 feet, more or less, to the point of beginning.

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MONROE COUNTY
OFFICIAL RECORDS