

IN THE CIRCUIT COURT FOR SUMTER COUNTY, FLORIDA

SUMTER COUNTY, FLORIDA,)
)
 Petitioner,)
 vs.)
)
 TURKEY RUN 2, LLC, a Florida limited)
 liability company, et al.,)
)
 Respondents.)
 _____)

CASE NO. 2009 CA 000467
PARCEL: 132

**STIPULATED FINAL JUDGMENT
CONCERNING PARCEL 132**

THIS CAUSE came to be considered pursuant to the attached Joint Motion to Enter Stipulated Final Judgment Concerning Parcel 132, filed by Petitioner Sumter County (the "County") and Respondent Maryon N. Hammons ("Respondent"). Upon reviewing the motion and the file, and being otherwise fully advised in the premises, the Court

ORDERED AND ADJUDGED:

1. The parties have reached a settlement of disputed claims, and their attached Joint Motion to Enter Stipulated Final Judgment Concerning Parcel 132 is hereby **GRANTED**.
2. On or about May 27, 2009, the County filed its petition against Respondents Jack M. Hammons and Maryon N. Hammons for the purpose of acquiring Parcel 132 through eminent domain action. In accordance with the Court's August 10, 2009 Stipulated Order of Taking Concerning Parcel 132, the County timely deposited \$24,150.00 in the court registry concerning Parcel 132 on or about August 21, 2009.
3. On or about January 4, 2010, Respondent Jack M. Hammons passed away. A suggestion of death was filed in the case on or about July 15, 2010.

4. On or about March 17, 2010, a warranty deed was executed by Maryon Hammons deeding the property to Maryon Hammons and Denise E. Warnock. Denise E. Warnock, through her undersigned counsel, waives any claims related to Parcel 132.

5. Within 30 days from the date of this judgment, the County shall deposit the amount of \$9,488.00 into the court registry (which amount is in addition to the \$24,150.00 previously deposited), in full and complete settlement and satisfaction of any and all claims concerning Parcel 132, including but not limited to land and improvements taken, severance damages, business or special damages, and subject to any claims for apportionment.

6. Within 30 days from the date of this judgment, the County shall also pay the total amount of \$3,131.04 in full and complete satisfaction of any and all reasonable monetary and non-monetary attorney's fees and costs concerning Parcel 132, exclusive of any claims for (a) attorney's fees and costs resulting from any disputed apportionment proceedings. This amount shall be payable to Harris, Harris, Bauerle & Sharma, P.A., c/o Bruce M. Harris, Esquire, 1201 E. Robinson Street, Orlando, Florida 32801.

7. Within 30 days from entry of this Stipulated Final Judgment, the County shall pay the total amount of \$6,758.00 in full and complete satisfaction of any and all reasonable expert fees and costs concerning Parcel 132. This amount shall be payable to the Trust Account of Harris, Harris, Bauerle & Sharma, P.A., c/o Bruce M. Harris, Esquire, 1201 E. Robinson Street, Orlando, Florida 32801.

8. Upon depositing and paying the foregoing amounts, the County shall be deemed to own a fee simple right of way in Parcel 132, and shall have fully and completely satisfied any and all pending claims in this case concerning Parcel 132, including but not limited to the order of taking, full compensation, land and improvements taken, severance damages, business and special damages, any other type of damages recoverable in eminent domain, interest, the value of

any liens, leases, encumbrances, options, or contracts, all pending motions, apportionment claims and all compensable legal expenses, including reasonable monetary and non-monetary attorney's fees and costs and expert fees and costs.

9. Any withdrawal and/or apportionment of funds deposited in the court registry concerning Parcel 132 shall be done in accordance with Sections 73.101 and 73.141, Florida Statutes.

10. The Court reserves jurisdiction to determine (a) any requests to withdraw and/or apportion funds, and/or (b) any claims for attorney's fees and costs resulting from any disputed apportionment proceedings.

DONE AND ORDERED, this _____ day of _____, 20____, in chambers in Bushnell, Sumter County, Florida.

Circuit Judge

I hereby certify that a true and correct copy of the above and foregoing has been furnished to each of the following named addresses by regular U.S. Mail and/or facsimile or hand delivery on this _____ day of _____, 20__.

Bruce M Harris, Esquire
Harris, Harris, Bauerle & Sharma
1201 E. Robinson Street
Orlando, Florida 32801
Attorney for Respondent

Vivian Arenas-Battles, Esquire
P.O. Box 2350
Tampa, FL 33601-2350
Attorney for Sumter County

Felix M. Adams, Esquire
138 Bushnell Plaza, Suite 201

Bushnell, FL 33513
Attorney for Tax Collector

Judicial Assistant

**JOINT MOTION TO ENTER STIPULATED
FINAL JUDGMENT CONCERNING PARCEL 132**

Petitioner Sumter County, Florida and Respondent Maryon N. Hammons, by and through their undersigned attorneys, hereby stipulate to, and move the Court to enter, the foregoing Stipulated Final Judgment Concerning Parcel 132.

Vivian Arenas-Battles, FBN 606261
David M. Caldevilla, FBN 654248
de la Parte & Gilbert, P.A.
Post Office Box 2350
Tampa, Florida 33601-2350
Telephone: (813)229-2775
COUNSEL FOR SUMTER COUNTY



Bruce M. Harris, Esquire
Harris, Harris, Bauerle & Sharma
1201 E. Robinson Street
Orlando, Florida 32801
Telephone (407) 843-0404
COUNSEL FOR RESPONDENT

Date: _____

Date: August 10, 2010

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing has been furnished to each of the following named addresses by [] regular U.S. Mail and/or [] facsimile or [] hand delivery on this _____ day of _____, 20__.

Bruce M. Harris, Esquire
Harris Harris, Bauerle & Sharma, P.A.
1201 E. Robinson Street

Orlando, FL 32802;
(Attorney for Respondent)

(Attorney for Tom Swain, Sumter County
Tax Collector)

Felix M. Adams, Esquire
138 Bushnell Plaza, Suite 201
Bushnell, FL 33513

Vivian Arenas-Battles

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