

**IN THE CIRCUIT COURT OF THE FIFTH JUDICIAL CIRCUIT  
IN AND FOR SUMTER COUNTY, FLORIDA**

**SUMTER COUNTY**, a political  
subdivision of the State of Florida,

**Petitioner,**

v.

**Case No.: 2022-CA-000648  
Parcel No. F35-049 (ROW Parcel 10)**

**CONNIE NELSON SOLOMON, BETTY  
JO FIGGS, AND NATIONAL  
ADVERTISING CO. D/B/A OUTDOOR  
SYSTEMS ADVERTISING (3M MEDIA),**

**Respondents.**

**STIPULATED ORDER OF TAKING AS TO PARCEL F35-049 (ROW PARCEL 10)**

**THIS CAUSE** came before the Court upon Petitioner's Declaration of Taking and Notice to Show Cause as to Parcel F35-049 (ROW Parcel 10) as described herein and the Stipulation for Entry of Order of Taking between Petitioner and Respondents, **CONNIE NELSON SOLOMON AND BETTY JO FIGGS**, and all interest holders in and for Parcel F35-049 (ROW Parcel 10). It appearing that proper notice was first given to all Respondents and to all persons having or claiming any equity, lien, title, or other interest in or to the real property described in the Petition that the Petitioner would apply to this Court for an Order of Taking, the Court, having reviewed the record and the evidence admitted in the record, and the Court being fully advised in the premises, it is:

**ORDERED AND ADJUDGED** that:

1. This Court has jurisdiction over the subject matter and parties to this cause.

2. That portion of parcel F35-09 (ROW Parcel 10), as more particularly described in **Exhibit “A”** attached hereto and incorporated herein, is reasonably necessary to serve the public purpose for which the property is being acquired.

3. Proper notice was first given to Respondents, Connie Nelson Solomon and Betty Jo Figgs, and all persons having or claiming any equity, lien, title or other interest in or to the subject real property.

4. The Declaration of Taking and estimate of value filed in this case by the Petitioner was made in good faith and based upon a valid appraisal by a certified appraiser.

5. That the pleadings in this cause are sufficient, and the Petitioner is properly exercising its delegated authority. All other conditions precedent to the Petitioner’s requested relief have been performed, have occurred, or have been waived.

6. Petitioner shall deposit \$294,401.00 into the Registry of this Court within 20 days after entry of this Order. Said deposit is not less than Petitioner’s estimate of value for Parcel F35-09 (ROW Parcel 10). Upon making said deposit, Petitioner shall notify, in writing, all parties associated with Parcel F35-09 (ROW Parcel 10) that said deposit has been made. Whereupon possession of and title to a fee simple interest in said Parcel F35-09 (ROW Parcel 10) shall vest in Petitioner without further notice or order of this Court, in accordance with the terms and conditions of this Order.

7. Having complied with the applicable provisions of the Florida Statutes, Chapters 73, 74 and 166, Petitioner is entitled to possession of Parcel F35-09 (ROW Parcel 10) as described herein, prior to final judgment, and upon deposit of this amounts as set forth in paragraph 6 above.

8. Based on the foregoing, it is proper that this Order of Taking as to Parcel F35-09 (ROW Parcel 10) should be entered in favor of Petitioner against Respondents, Connie Nelson Solomon and Betty Jo Figgs, as their interest may appear and all others claiming an interest in Parcel F35-09 (ROW Parcel 10).

9. Petitioner and Respondents, Connie Nelson Solomon and Betty Jo Figgs, agree that Petitioner shall deposit the sum of \$294,401.00 in total as the good faith deposit in connection with Parcel F35-09 (ROW Parcel 10) and that said amount shall constitute the minimum amount of Full Compensation to which Respondents shall be entitled in this matter. In the event of a jury trial, the jury shall not be advised of the good faith deposit or the agreed minimum amount of compensation. This Order shall be without prejudice to Respondent's right to claim additional compensation in this matter.

10. Upon Petitioner's deposit of the amount set forth in paragraph 6, as evidenced by the Clerk's certificate of deposit, Petitioner shall be vested with all rights, title and interest in the property described herein, in the Petition and legally described in the attached **Exhibit "A"** without further notice or order of this Court. Said property and the interest described herein shall be deemed to have been condemned and taken for the uses as set forth in the Petition in Eminent Domain and described further in the attached **Exhibit "A"**.

11. Any withdrawal and/or apportionment of funds deposited in the court registry shall be made in accordance with Sections 73.101, 73.141, and 74.071, Florida Statutes.

12. Jurisdiction is reserved to govern the withdrawal and/or apportionment of funds deposited in the court registry, any and all claims by Respondents for full compensation and any damages compensable in eminent domain, attorneys' fees and costs, and any expenses, to the extent allowed by Florida law. Further, the minimum amount of full compensation ultimately

determined by Final Judgment shall not be less than the amount being deposited into the Court Registry by Petitioner in support of the Stipulated Order of Taking.

13. This Court reserves jurisdiction to enforce the terms of this Order for any supplemental proceedings arising therefrom, including any attorney's fees and expert fees and costs pursuant to Section 73.092(2), Florida Statutes.

**DONE AND ORDERED**, this 9<sup>th</sup> day of March 2023, in Chambers in Bushnell, Sumter County, Florida.

  
CIRCUIT COURT JUDGE

Conformed Copies to:

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 3/10/23

**STIPULATED ORDER OF TAKING  
EXHIBIT A**

The legal description for the Subject Property of Parcel F35-09 (ROW Parcel 10) sought to be acquired is as follows:

A portion of land lying in Section 35, Township 19 South, Range 22 East, Sumter County, Florida, being more particularly described as follows:

Commence at the Northwest corner of the Southwest  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  of said Section 35, said point also being the Southwest corner of Ultra City, according to the Plat thereof as recorded in Plat Book 1, Page 52 Public Records of Sumter County, Florida; Thence departing said Plat, run South  $00^{\circ}12'11''$  West, along the West line of the Southwest  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  of said Section 35, a distance of 212.35 feet to the Southeast corner of the North 1543.15 feet of the West  $\frac{1}{2}$  of said Section 35; Thence departing said West line, run North  $89^{\circ}58'08''$  West, along the South line of the North 1543.15 feet of the West  $\frac{1}{2}$  of said Section 35, a distance of 495.40 feet to a point on the Northeasterly right-of-way line of County Road 525E, a 100 foot public right-of-way per Official Records Book 3102, Page 23 of the Public Records of Sumter County, Florida; Thence departing said South line, run North  $37^{\circ}30'14''$  West, along said Northeasterly Right-of-Way line, a distance of 698.54 feet to the point of beginning; Thence continue along said Northeasterly right-of-way line the following two (2) courses and distances; 1) Run North  $37^{\circ}30'14''$  West, a distance of 168.49 feet to a point of curvature of a 950.00 foot radius curve, concave to the Northeast, being subtended by a chord bearing of North  $23^{\circ}59'01''$  West and a chord length of 444.20 feet; 2) Thence run along said curve through a central angle of  $27^{\circ}02'26''$ , an arc distance of 448.35 feet; Thence departing said Northeasterly right-of-way line, run North  $80^{\circ}34'08''$  East, a distance of 192.97 feet; Thence Run South  $52^{\circ}56'20''$  East, a distance of 127.66 feet; Thence run South  $35^{\circ}36'26''$  East, a distance of 383.46 feet; Thence run South  $51^{\circ}51'47''$  West, a distance of 295.42 feet to the point of beginning.

Said lands containing 3.547 acres, more or less.