



Orange County Government

Orange County
Administration Center
201 S Rosalind Ave.
Orlando, FL 32802-1393

Legislation Text

File #: 25-532, **Version:** 1

Interoffice Memorandum

DATE: March 13, 2025

TO: Mayor Jerry L. Demings and County Commissioners

THROUGH: Jeffrey J. Newton, County Attorney

FROM: Lee Bernbaum, Assistant County Attorney

CONTACT: Lee Bernbaum, Assistant County Attorney

PHONE: 407-836-7320

DIVISION: County Attorney's Office

ACTION REQUESTED:

Approval of the Settlement Agreement in the case of *Orange County v. Luong Van Nguyen, et al.*, Case No. 2024-CA-006908-O, Parcels 1043 and 9043, Ficquette Road Project, and authorization for the County Attorney's Office to execute the Joint Motion for Entry of Stipulated Final Judgment agreeing to the entry of the proposed Stipulated Final Judgment on behalf of Orange County.

PROJECT: N/A

PURPOSE: This Consent Agenda item requests settlement authorization by the Board of County Commissioners for the *Orange County v. Luong Van Nguyen, et al.* eminent domain case brought by Orange County on behalf of Public Works for the improvement of Ficquette Road.

A confidential memorandum, Mediated Settlement Agreement, Settlement Analysis, and proposed Stipulated Final Judgment have been provided to the Board under a separate cover memorandum. These documents will become public records at the conclusion of the litigation pursuant to Section 119.071(1)(d), Florida Statutes.

BUDGET: N/A

IN THE CIRCUIT COURT OF THE
NINTH JUDICIAL CIRCUIT, IN AND FOR ORANGE COUNTY, FLORIDA

CASE NO.: 2024-CA-006908-O

ORANGE COUNTY, FLORIDA,
a political subdivision of the
State of Florida,

Parcels:1043/9043

Petitioner,

v.

NGUYEN, et al.

Respondents.

MEDIATED SETTLEMENT AGREEMENT

At a Mediation Conference conducted in person at the Office of the Orange County Attorney on March 3, 2025, the parties reached the following Mediated Settlement Agreement:

1. Petitioner, ORANGE COUNTY shall pay to Respondents LUONG VAN NGUYEN, NGOC MY NGUYEN and CHEN VAN NGUYEN, (NGUYEN) the total sum of \$ 1,715,000.00 in full settlement of all claims for compensation for Parcels 1043/9043 inclusive of any and all damages relating thereto.

2. In addition to the above-referenced settlement amount, ORANGE COUNTY shall pay \$ 161,125.00 in full satisfaction of all attorney's fees to counsel for NGUYEN pursuant to Florida Statute 73.092 and \$ 33,346.33 in full satisfaction of all expert costs and attorney's costs pursuant to Florida Statute 73.091.

3. The above settlement is subject to review and approval by the Orange County Board of County Commissioners.

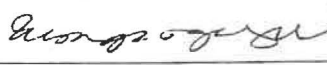
4. Counsel for ORANGE COUNTY and NGUYEN will jointly submit to the Court a mutually approved Stipulated Final Judgment in this matter as soon as practical after board approval.


5. This agreement dated March 3, 2025 contains all of the agreements of the parties.

ORANGE COUNTY, FLORIDA

LUONG VAN NGUYEN, NGOC MY
NGUYEN and CHEN VAN NGUYEN



Name Printed: Damian Czopka
Title: Chief Engineer


Name Printed: LUONG V. NGUYEN


Name Printed: Mindy Hummings
Title: Manager

Name Printed: _____

Name Printed: _____


Lee Bernbaum
Assistant County Attorney
Orange County, Florida
201 S. Rosalind Ave, 3rd Floor
Orlando, FL 32802


Raymer Maguire
Maguire Eminent Domain, P.A.
545 Delaney Avenue, Suite 5
Orlando, FL 32801-3866

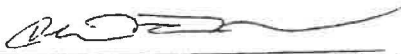
4. Counsel for ORANGE COUNTY and NGUYEN will jointly submit to the Court a mutually approved Stipulated Final Judgment in this matter as soon as practical after board approval.

5. This agreement dated March 3, 2025 contains all of the agreements of the parties.

ORANGE COUNTY, FLORIDA

**LUONG VAN NGUYEN, NGOC MY
NGUYEN and CHEN VAN NGUYEN**

Name Printed: _____
Title: _____


Name Printed: CHIEH V. NGUYEN

Name Printed: _____

Name Printed: _____

Lee Bernbaum
Assistant County Attorney
Orange County, Florida
201 S. Rosalind Ave, 3rd Floor
Orlando, FL 32802

Raymer Maguire
Maguire Eminent Domain, P.A.
545 Delaney Avenue, Suite 5
Orlando, FL 32801-3866

4. Counsel for ORANGE COUNTY and NGUYEN will jointly submit to the Court a mutually approved Stipulated Final Judgment in this matter as soon as practical after board approval.

5. This agreement dated March 3, 2025 contains all of the agreements of the parties.

ORANGE COUNTY, FLORIDA

**LUONG VAN NGUYEN, NGOC MY
NGUYEN and CHEN VAN NGUYEN**

Name Printed:
Title:


Name Printed: NGOC MY NGUYEN

Name Printed: _____

Name Printed: _____

Lee Bernbaum
Assistant County Attorney
Orange County, Florida
201 S. Rosalind Ave, 3rd Floor
Orlando, FL 32802

Raymer Maguire
Maguire Eminent Domain, P.A.
545 Delaney Avenue, Suite 5
Orlando, FL 32801-3866

Exhibit "B"

Project: Ficquette Road Project
Limits: South of Summerlake Park Boulevard to North of
Inglenook Drive
Parcels: 1043 and 9043
Case Name: *Orange County v. Luong Van Nguyen, et al.*
Case No. 2024-CA-006908-O

SETTLEMENT ANALYSIS

Land Size

Parent Tract: 5.113 acres
Parcel 1043: .152 acres
Parcel 9043: 4.961 acres

COMPENSATION VALUES				
	County's Initial Offer (02/14/2023)	County's Date of Deposit Appraisal	Respondents' Appraisal	Final Settlement After Negotiations
Land	\$1,150,500*	\$1,406,075	\$1,998,000	\$1,715,000
Improvements Taken				
Cost to Cure				
Severance Damages				
Total	\$1,150,500	\$1,406,075	\$1,998,000	\$1,715,000

* Because the land is vacant, there are no improvements impacted by the taking. Because this is a whole take, there is no cost to cure and no severance damages. The compensation is therefore based solely on the value of the land.

POTENTIAL FEES & COSTS SAVED BY SETTLEMENT	
Owners – Expert Witness Fees (Appraiser/Planner/Ecologist)	\$125,000
– Statutory Attorney Fees (Assuming Verdict in favor of Owner)	\$240,625
County – Expert Witness Fees & Trial Preparation (Appraiser)	\$45,000
– Expert Witness Fees & Trial Preparation (Engineer, Ecologist)	\$60,000
– Other – exhibit preparation/cost to produce	\$10,000
– Jury View	\$8,000
Total	\$488,625**

Settlement Analysis

Orange County v. Luong Van Nguyen, et al.

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****Adding this \$488,625 in potential fees/costs for trial to the above-referenced \$1,998,000 potential jury award to the Nguyens results in a \$2,486,625 total potential exposure for a jury trial.**

RECOMMENDED SETTLEMENT	
Compensation	\$1,715,000***
Attorney Fees & Costs	\$161,125
Expert Fees	\$ 33,346.33
Total	\$1,909,471.33

*** Out of this amount, the County has already paid and receives a credit for the \$1,406,075 deposited in the Court registry on October 28, 2024, after the Order of Taking.

The acquisition of the subject property is for the Ficquette Road Project, which involves road widening from south of Summerlake Park Boulevard to north of Inglenook Drive, as well as adding sidewalks and signalization, improving traffic flow, and repairing drainage problems. The subject property is located on the east side of Reams Road, south of Ficquette Road in Orange County. The parent tract is a vacant rectangular-shaped property, containing 5.113± gross acres. This is a whole take of the entire property, which consists of Parcel No.1043 (.152± of an acre) for right-of-way and of Parcel No. 9043 (4.961 acres) for a retention pond.

On February 14, 2023, Orange County made an initial offer of \$1, 150,500 to the property owner(s). On August 1, 2024, Orange County filed an eminent domain lawsuit.

The County retained Mark Carpenter of Pinel & Carpenter, Inc. as its appraiser. Mr. Carpenter's most recent appraisal was dated August 12, 2024, at which time he valued the taking at \$1,406,075. If the case had not resolved, Mr. Carpenter would need to have conducted an updated appraisal for the County, to value the property as of the date of deposit of October 28, 2024. This likely would have led to an increase of \$45,000-\$60,000 in the County's appraisal.

The Nguyens retained Richard Dreggors, of Calhoun, Dreggors & Associates, Inc. as their appraiser. Mr. Dreggors valued the taking at \$1,998,000.

The difference in compensation was primarily due to the differing opinions of the respective appraisers as to the value of the land taken. The County's appraiser, Mr. Carpenter, determined the value based on \$275,000 per gross acre. The Nguyens' appraiser, Mr. Dreggors, determined the value based on \$450,000 per net acre. At the mediation of March 3, 2025, the

Settlement Analysis

Orange County v. Luong Van Nguyen, et al.

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parties ultimately reached a compromise on the differences between the appraisers and resolved all issues, subject to Board approval, as follows:

1. All compensation due: \$1,715,000
2. Attorney's fees are governed by Chapter 73, Florida Statutes. They are generally determined based upon a percentage of the "betterment" (final compensation minus initial offer) achieved by the property owner's attorney. In this case, the statutory attorney's fees due to the Nguyens' attorneys for betterment is \$161,125. This is within the statutory amount and is reasonable. There are no attorney's fees being paid for non-monetary benefits.
3. Orange County, as condemnor, is required to pay all reasonable expert fees and costs of the eminent domain proceeding. The Nguyens sought expert costs of \$37,051.48. The County agreed to pay \$33,346.33 in expert costs. Invoices of all of Respondents' experts' costs were provided to the County. The settlement represents payment of approximately 85% of the owners' appraiser's invoices, and 100% of the owners' other experts. The total expert fees and costs paid to the Nguyens are reasonable.

IN THE CIRCUIT COURT OF THE
NINTH JUDICIAL CIRCUIT, IN AND
FOR ORANGE COUNTY, FLORIDA

CASE NO.: 2024-CA-006908-O
DIVISION: 34

ORANGE COUNTY, FLORIDA,
a political subdivision of the
State of Florida,
Petitioner,

Parcels: 1043, 9043

v.

**LUONG VAN NGUYEN; NGOC MY
NGUYEN; CHIEN VAN NGUYEN;
DUKE ENERGY FLORIDA, LLC,** a
Florida limited liability company, doing
business as Duke Energy, successor by
conversion to Duke Energy Florida, Inc.,
formerly known as Florida Power
Corporation; **UNKNOWN TENANTS
AND OTHER PARTIES IN
POSSESSION; UNKNOWN PARTIES
WITH INTEREST IN THE PROPERTY;**
and **SCOTT RANDOLPH,** Orange County
Tax Collector,
Respondents.

_____ /

STIPULATED FINAL JUDGMENT

THIS CAUSE having come before the Court on the Joint Motion for Entry of Stipulated Final Judgment by the Petitioner, ORANGE COUNTY, FLORIDA, a political subdivision of the State of Florida (“Petitioner” or sometimes “Orange County”), and Respondents, LUONG VAN NGUYEN, NGOC MY NGUYEN, and CHIEN VAN NGUYEN (hereinafter the “Nguyens”), and it appearing to the Court that such parties were authorized to enter into such Motion, and the Court finding that the compensation to be paid by the Petitioner is full, just and reasonable for all parties concerned, and the Court being fully advised in the premises, it is hereby,

ORDERED AND ADJUDGED as follows:

1. The Nguyens do have and recover of and from the Petitioner the total sum of **ONE MILLION SEVEN HUNDRED FIFTEEN THOUSAND AND 00/100 DOLLARS (\$1,715,000.00)**, subject to any apportionment claims, and subject to credit to Petitioner for its Order of Taking deposit of \$1,406,075 previously paid; and in full payment for the property taken (designated as Parcels 1043 and 9043 herein); for damages resulting to the remainder if less than the entire property was taken; for all other damages of any nature or kind including, but not limited to, for any improvements, severance damages, cost of cures, business damages, if any; and attorney's fees based upon any claim for non-monetary benefits.

2. Within thirty (30) days from the rendition of this Stipulated Final Judgment the Petitioner shall pay the sum of **THREE HUNDRED EIGHT THOUSAND NINE HUNDRED TWENTY-FIVE AND 00/100 DOLLARS (\$308,925.00)** into the Registry of the Court, that amount being the difference between the full payment required by this Stipulated Final Judgment pursuant to Paragraph 1 and the amount of \$1,406,075 deposited pursuant to the Order of Taking.

3. The Court awards the Nguyens the sum of **ONE HUNDRED SIXTY-ONE THOUSAND ONE HUNDRED TWENTY-FIVE AND 00/100 DOLLARS (\$161,125.00)** in full and complete satisfaction of all attorneys' fees (including any attorney's fees based upon non-monetary benefits), pursuant to Section 73.092, Florida Statutes.

4. The Court awards the Nguyens the sum of **THIRTY-THREE THOUSAND THREE HUNDRED FORTY-SIX AND 33/100 DOLLARS (\$33,346.33)** in full and complete satisfaction of all of the Nguyens' expert fees and costs, pursuant to Section 73.091, Florida Statutes, including, but not limited to, for Calhoun, Dreggors & Associates, Inc., Williams Development Services, Inc., and CPH.

5. Within thirty (30) days from rendition of this Stipulated Final Judgment, the Petitioner shall pay to the Trust Account of Maguire Eminent Domain, P.A., 545 Delaney Avenue, Building #5, Orlando, Florida 32801, as attorneys for the Nguyens, the sum of **ONE HUNDRED NINETY-FOUR THOUSAND FOUR HUNDRED SEVENTY-ONE AND 33/100 DOLLARS (\$194,471.33)** that amount representing the total of attorneys' fees, costs and expenses, pursuant to Paragraph 3 above, and experts' fees and costs, pursuant to Paragraph 4 above.

6. The title to Parcels 1043 and 9043, as fully described in the Order of Taking, dated October 15, 2024, attached here to as **Exhibit 1**, which vested in the Petitioner pursuant to the Order of Taking and the deposit of money previously made, is approved, ratified and confirmed.

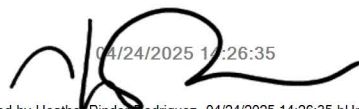
7. The Nguyens represent and warrant that Respondents, Luong Van Nguyen, Ngoc My Nguyen, and Chien Van Nguyen have the sole and exclusive right to all of the compensation for the parcels taken as set forth in Paragraph 1 and 2 above.

8. Immediately after payment by Petitioner of the amount set forth in Paragraph 2 into the Registry of the Court, the Respondents may file a proper motion to withdraw said monies.

9. Counsel for Petitioner shall serve a copy of this Stipulated Final Judgment via U.S. Mail to all parties not receiving service of court filings through the Florida Courts e-Filing Portal and must file a Certificate of Service within three (3) days of this Stipulated Final Judgment.


10. This Court shall retain jurisdiction for purpose of enforcing the terms and provisions of this Stipulated Final Judgment.

DONE and ORDERED in Orange County, Florida on the date set forth in the electronic signature below.


eSigned by Heather Pinder Rodriguez 04/24/2025 14:26:35 hUpShgk1
Heather Pinder Rodriguez
Circuit Judge

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the foregoing Stipulated Final Judgment was filed with the Clerk of the Court by using the Florida Courts E-Filing Portal System. Accordingly, a copy of the foregoing is being served on this day to all attorney(s)/ interested parties identified on the ePortal Electronic Service List, via transmission of Notices of Electronic Filing generated by the ePortal System.



eSigned by Diana Rido 04/24/2025 15:01:42 l6yfCtMh

Judicial Assistant

SERVICE/MAILING LIST

Lee Bernbaum, Assistant County Attorney, 201 S. Rosalind Avenue, Third Floor, Orlando, Florida 32801, lee.bernbaum@ocfl.net; angelina.torres@ocfl.net; melessia.lofgren@ocfl.net

Raymer F. Maguire, III, Esq. and David Plasencia, Esq., Maguire Eminent Domain, P.A., 545 Delaney Avenue, Suite 5, Orlando, Florida 32801-3866, raymer@maguire-eminentdomain.com; david@maguire-eminentdomain.com

Manny R. Vilaret, Esq., Crawford & Owen, P.A., 10901 Danka Circle, Suite C, St. Petersburg, Florida 33716, manny.vilaret@cohlaw.com; michele.schibler@cohlaw.com

Scott Randolph, Orange County Tax Collector, 200 South Orange Avenue, Suite 1600, Orlando, Florida 32801

Exhibit 1

IN THE CIRCUIT COURT OF THE
NINTH JUDICIAL CIRCUIT, IN AND
FOR ORANGE COUNTY, FLORIDA

CASE NO.: 2024-CA-006908-O
DIVISION: 34

ORANGE COUNTY, FLORIDA,
a political subdivision of the
State of Florida,

Parcels: 1043, 9043

Petitioner,

v.

**LUONG VAN NGUYEN; NGOC MY
NGUYEN; CHIEN VAN NGUYEN;
DUKE ENERGY FLORIDA, LLC,** a
Florida limited liability company, doing
business as Duke Energy, successor by
conversion to Duke Energy Florida, Inc.,
formerly known as Florida Power
Corporation; **UNKNOWN TENANTS
AND OTHER PARTIES IN
POSSESSION; UNKNOWN PARTIES
WITH INTEREST IN THE PROPERTY;**
and **SCOTT RANDOLPH,** Orange County
Tax Collector,

Respondents.

STIPULATED ORDER OF TAKING
(With Disbursement Instructions to Clerk)

THIS CAUSE having come before the Court on the Joint Motion for Entry of Stipulated Order of Taking by Petitioner, ORANGE COUNTY, FLORIDA, ("Petitioner"), and Respondents, LUONG VAN NGUYEN; NGOC MY NGUYEN; CHIEN VAN NGUYEN, ("Respondent"), and it appearing that proper notice was first given to all persons having or claiming any equity, lien, title, or other interest in or to the real property described in the Petition, and it appearing to the

Court that the parties were authorized to enter into such Motion, and that the Petitioner would apply to this Court for an Order of Taking, and the Court being fully advised in the premises, upon consideration, it is, therefore,

ADJUDGED:

1. That the Court has jurisdiction of this action, of the subject matter and of the parties to this cause.

2. That the pleadings in this cause are sufficient and the Petitioner is properly exercising its delegated authority.

3. The taking of the property herein is necessary for the project which is necessary for a public purpose.

4. That the estimate of value filed in this cause by the Petitioner was made in good faith and based upon a valid appraisal.

5. That upon payment of the deposit of the money hereinafter specified into the Registry of this Court, the right, title or interest specified in the Petition as described herein shall vest in the Petitioner.

6. That the deposit of monies will secure the persons lawfully entitled to the compensation which will be ultimately determined by final judgment of this Court. The determination of full compensation is reserved and shall be determined later by negotiation, mediation, or jury trial.

7. That the total sum of money to be deposited into the Registry of the Court within twenty (20) days of the entry of this Order shall be in the amount of **ONE MILLION FOUR HUNDRED SIX THOUSAND SEVENTY-FIVE AND NO/100 DOLLARS (\$1,406,075.00)**, and shall be allocated to each parcel as follows:

<u>PARCEL</u>	<u>AMOUNT</u>
1043	\$41,800
9043	\$1,364,275
TOTAL	\$1,406,075

8. That the disbursement of the funds in the total amount of \$1,406,075 deposited into the Registry of the Court is subject to apportionment claims, if any, by parties to this action, including, but not limited to, (a) Duke Energy Florida, LLC, or (b) any other persons or entities claiming an apportionment. Petitioner shall not be responsible for the separate payment of any such apportionment claims. Without agreeing to the division of any monies over and above the said \$1,406,075 payable for the takings of Parcels 1043 and 9043, Respondent Duke Energy Florida, LLC and Petitioner agree to the disbursement of the funds deposited.

9. Upon said deposit, and without further Court order, the Clerk of this Court shall pay the said \$1,406,075, less the amount due to the Orange County Tax Collector for real property taxes, to Maguire Eminent Domain, P.A. Trust Account, as attorneys for Respondent, and upon issue the aforesaid sum shall be forwarded by regular U.S. Mail to 545 Delaney Street, Building #5, Orlando, Florida 32801.

10. That upon deposit of the monies set forth above, and without further notice or Order of this Court, the Petitioner shall be entitled to possession of the property described in the Petition.

11. That legal title to the following described property, to-wit:

SEE EXHIBIT "A"


shall vest in Petitioner, ORANGE COUNTY, FLORIDA, a political subdivision of the State of Florida, upon deposit of the aforesaid sums into the Registry of the Court. Petitioner stipulates that it has no objection to the entry of a subsequent order to disburse the aforesaid sums based on an

appropriate motion and hearing or stipulation that is acceptable to the Court.

12. That this Order of Taking is based on Petitioner's commitments that it intends to construct the project as shown in the right of way maps and construction plans which have been filed by Petitioner in this action. In the event Petitioner fails to construct the project substantially in conformance with these right of way maps and construction plans, Respondents retain all rights and remedies pursuant to *Central and Southern Florida Control District v. Wye River Farms, Inc.*, 297 So.2d 323 (Fla. 4th DCA 1974) cert. denied 310 So. 2d 745 (Fla. 1975). By agreement of the parties there is no basis for the award of attorney's fees to Respondent based upon non-monetary benefits arising out of Petitioner's commitments in this paragraph.

13. Counsel for Petitioner shall serve a copy of this Order of Taking via U.S. Mail to all parties not receiving service of court filings through the Florida Courts e-Filing Portal and must file a Certificate of Service within three (3) days from the date of this Order.

DONE AND ORDERED in Chambers at Orlando, Orange County, Florida this 15th day of October, 2024.


Heather Pinder Rodriguez
Circuit Judge

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the foregoing Stipulated Order of Taking was filed with the Clerk of the Court this 15th day of October, 2024, by using the Florida Courts E-Filing Portal System. Accordingly, a copy of the foregoing is being served on this day to all attorney(s)/interested parties identified on the ePortal Electronic Service List, via transmission of Notices of Electronic Filing generated by the ePortal System.



Judicial Assistant

SERVICE/MAILING LIST

Lee Bernbaum, Assistant County Attorney, 201 S. Rosalind Avenue, Third Floor, Orlando, Florida 32801, lee.bernbaum@ocfl.net; judith.catt@ocfl.net; gail.stanford@ocfl.net

Raymer F. Maguire, III, Esq. and David Plasencia, Esq., Maguire Eminent Domain, P.A., 545 Delaney Avenue, Suite 5, Orlando, Florida 32801-3866, raymer@maguire-eminentdomain.com; david@maguire-eminentdomain.com

Manny R. Vilaret, Esq., Crawford & Owen, P.A., 10901 Danko Circle, Suite C, St. Petersburg, Florida 33716, manny.vilaret@cohlaw.com; michele.schibler@cohlaw.com

Scott Randolph, Orange County Tax Collector, 200 South Orange Avenue, Suite 1600, Orlando, Florida 32801

LEGAL DESCRIPTION

SCHEDULE "A"

PARCEL NUMBER: 1043

A PORTION OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 4036, PAGE 3176 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, LOCATED IN THE NORTHEAST QUARTER OF SECTION 34, TOWNSHIP 23 SOUTH, RANGE 27 EAST, ORANGE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT A 6 INCH BY 6 INCH CONCRETE MONUMENT WITH NAIL AND NO IDENTIFICATION MARKING THE SOUTHEAST CORNER OF SECTION 27, TOWNSHIP 23 SOUTH, RANGE 27 EAST, ORANGE COUNTY, FLORIDA; THENCE RUN SOUTH 89°55'38" WEST ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 27, A DISTANCE OF 1382.35 FEET TO ITS INTERSECTION WITH THE EXISTING EASTERLY RIGHT OF WAY LINE OF REAMS ROAD ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 85 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; SAID POINT ALSO BEING A POINT ON A NON-TANGENT CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 204.08 FEET, A CHORD DISTANCE OF 199.54 FEET AND A CHORD BEARING OF SOUTH 29°23'47" EAST; THENCE DEPARTING THE SOUTH LINE OF SAID SOUTHEAST QUARTER, RUN ALONG SAID EXISTING EASTERLY RIGHT OF WAY LINE THE FOLLOWING TWO (2) COURSES AND DISTANCES: THENCE FROM A TANGENT BEARING OF SOUTH 58°39'46" EAST, RUN SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 58°31'57", A DISTANCE OF 208.48 FEET; THENCE DEPARTING SAID CURVE ON A NON-TANGENT LINE, RUN SOUTH 00°08'35" EAST, A DISTANCE OF 439.56 FEET TO A POINT ON THE EXISTING EAST RIGHT OF WAY LINE OF REAMS ROAD AS DESCRIBED IN INSTRUMENT NUMBER 20190202884 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; THENCE DEPARTING SAID EXISTING EASTERLY RIGHT OF WAY LINE AS SHOWN ON PLAT BOOK 3, PAGE 85, RUN ALONG SAID EXISTING EAST RIGHT OF WAY LINE AS DESCRIBED IN INSTRUMENT NUMBER 20190202884 THE FOLLOWING THREE (3) COURSES AND DISTANCES: THENCE NORTH 89°51'25" EAST, A DISTANCE OF 30.00 FEET; THENCE SOUTH 00°08'35" EAST, A DISTANCE OF 219.69 FEET; THENCE SOUTH 89°51'25" WEST, A DISTANCE OF 30.00 FEET TO A POINT ON AFORESAID EXISTING EASTERLY RIGHT OF WAY LINE OF REAMS ROAD AS SHOWN ON PLAT BOOK 3, PAGE 85; THENCE DEPARTING SAID EXISTING EAST RIGHT OF WAY LINE AS DESCRIBED IN INSTRUMENT NUMBER 20190202884, RUN SOUTH 00°08'35" EAST ALONG SAID EXISTING EASTERLY RIGHT OF WAY LINE AS SHOWN ON PLAT BOOK 3, PAGE 85, A DISTANCE OF 659.94 FEET TO A POINT ON THE NORTH LINE OF LANDS DESCRIBED IN AFORESAID OFFICIAL RECORDS BOOK 4036, PAGE 3176 FOR THE POINT OF BEGINNING; THENCE DEPARTING SAID EXISTING EASTERLY RIGHT OF WAY LINE, RUN NORTH 89°51'25" EAST ALONG SAID NORTH LINE, A DISTANCE OF 30.00 FEET; THENCE DEPARTING SAID NORTH LINE, RUN SOUTH 00°08'35" EAST, A DISTANCE OF 220.00 FEET TO A POINT ON THE SOUTH LINE OF LANDS DESCRIBED IN AFORESAID OFFICIAL RECORDS BOOK 4036, PAGE 3176; THENCE RUN SOUTH 89°51'25" WEST ALONG SAID SOUTH LINE, A DISTANCE OF 30.00 FEET TO A POINT ON AFORESAID EXISTING EASTERLY RIGHT OF WAY LINE AS SHOWN ON PLAT BOOK 3, PAGE 85; THENCE DEPARTING SAID SOUTH LINE, RUN NORTH 00°08'35" WEST ALONG SAID EXISTING EASTERLY RIGHT OF WAY LINE, A DISTANCE OF 220.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 6600 SQUARE FEET, MORE OR LESS

NOTES:


1. THIS SKETCH OF DESCRIPTION WAS PREPARED WITH THE BENEFIT OF CERTIFICATE OF TITLE PREPARED BY FIRST AMERICAN TITLE INSURANCE COMPANY AS TO FILE NO. 2037-4223861/18.00161, EFFECTIVE DATE OF JANUARY 30, 2019.
2. BEARINGS SHOWN HEREON WERE DERIVED FROM THE SOUTH LINE OF THE SE 1/4 OF SECTION 27, TOWNSHIP 23 SOUTH, RANGE 27 EAST, ORANGE COUNTY, FLORIDA, BEING SOUTH 89°55'38" WEST.

I HEREBY CERTIFY THIS SKETCH OF DESCRIPTION IS IN ACCORDANCE WITH THE STANDARDS OF PRACTICE AS REQUIRED BY CHAPTER 5J-17 FLORIDA ADMINISTRATIVE CODE PURSUANT TO SECTION 477.027, FLORIDA STATUTES.

Sheila Ann Ware 01/11/2022
SHEILA ANN WARE, P.S.M. DATE
LICENSE NUMBER 5529

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

SEE SHEET 2 FOR LEGEND
SEE SHEETS 2-3 FOR SKETCH OF DESCRIPTION

DATE JANUARY 11, 2022	CERTIFICATION OF AUTHORIZATION NO. 18 9511	SKETCH OF DESCRIPTION (THIS IS NOT A BOUNDARY SURVEY)	SECTION: 34
DRAWN BY J. KOLLINS	 800 NORTH MAGNOLIA AVENUE SUITE 1000 ORLANDO, FLORIDA 32803 (407) 843-5120	FICQUETTE ROAD ORANGE COUNTY C.I.P. NO. 5140	TOWNSHIP: 23 S
CHECKED BY S. JARRE			RANGE: 27 E
DEWBERRY PROJECT NO. 54184415			SCALE: N/A
REVISION	BY	DATE	SHEET 1 OF 3

TP 4/5/2023

EXHIBIT A
1 of 8

Stipulated Order of Taking; Case No 2024-CA-006908-O; Page 6 of 13

Stipulated Final Judgment; Case No. 2024-CA-006908-O; Page 11 of 18

SKETCH OF DESCRIPTION

SCHEDULE "A"

PARCEL NUMBER: 1043

5 1/4 COR. OF SEC. 27
FND. 6"X6" C.M. NO. ID.
CCR# 21215

SUMMERLAKE PARK BOULEVARD

SUMMERLAKE PD PHASE 1A
P.B.74, PG.16

REAMS ROAD
180' WIDE PER P.B. 11, PG. 85

EXIST. EASTERLY R/W LINE
PER P.B.3, PG.85

EXIST. EAST R/W LINE
PER INSTRUMENT NO. 201902025B4

EXIST. EASTERLY R/W LINE
PER P.B.3, PG.85

LEGEND & ABBREVIATIONS

C.B. = CHORD BEARING	D.B. = DEED BOOK	I.R. = INCH ROD	P.B. = PLAT BOOK	R/W. = RIGHT OF WAY
C.C.B. = CERTIFIED CORNER RECORD	E.SMT. = EASEMENT	L. = ARC LENGTH	P.C. = POINT OF CURVATURE	S.F. = SQUARE FEET
C.D. = CHORD DISTANCE	E.S.T. = EXISTING	L.S. = LOCATED SURVEY	P.C.P.G.S. = PLAT BOOKS	SEC. = SECTION
C.I.P. = CAPITAL IMPROVEMENT PROGRAM	FND. = FOUND	M.M.D. = MAIL MAIL AND ORSK	P.I. = POINT OF INTERSECTION	STA. = STATION
C.M. = CONCRETE MONUMENT	F.C. = FLORIDA POWER & LIGHT CORPORATION	N. = NORTH	P.O.B. = POINT OF BEGINNING	TA. = TANGENT BEARING
C.D.L. = CALCULATED DISTANCE	F. = FIELD DISTANCE	NT. = NON-TANGENT	P.O.C. = POINT OF COMMENCEMENT	W. = WIDTH
(C) = CALCULATED DISTANCE	(P) = PLAT	O.A.B. = OFFICIAL RECORDS BOOK	P.O.N. = POINT OF NON-TANGENCY	X. = PROPERTY LINE
(D) = DEED DISTANCE	(R) = RADIAL		P.T. = POINT OF TANGENCY	Y. = SAME PROPERTY OWNER
			(P) = PLAT	Z. = DELTA (CENTRAL ANGLE)
			(R) = RADIAL	
			(RT) = RIGHT	

SEE SHEET 3 FOR CONTINUATION

SEE SHEET 1 FOR LEGAL DESCRIPTION AND CERTIFICATION

DATE: JANUARY 15, 2022

DRAWN BY: MAROLINS

CHECKED BY: S. NAME

DEWBERRY PROJECT NO: 80304432

CERTIFICATION OF AUTHORIZATION No. LB 8011

Dewberry

800 NORTH MAGNOLIA AVENUE
SUITE 1000
ORLANDO, FLORIDA 32803
(407) 643-5120

SKETCH OF DESCRIPTION
(THIS IS NOT A BOUNDARY SURVEY)

FICQUETTE ROAD
ORANGE COUNTY
C.I.P. NO. 5140

SECTION: 34

TOWNSHIP: 23 S

RANGE: 27 E

SCALE: 1"=200'

SHEET 2 OF 3

TP 4/5/2023

Stipulated Final Judgment; Case No. 2024-CA-006908-O; Page 12 of 18

SCHEDULE "B"

5140 FICQUETTE ROAD PARCEL 1043

FEE SIMPLE

Parcel 1043: the interest being acquired is fee simple.

11/30/2021

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Stipulated Order of Taking; Case No 2024-CA-006908-O; Page 9 of 13

LEGAL DESCRIPTION

SCHEDULE "A"

PARCEL NUMBER: 9043

A PORTION OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 4036, PAGE 3176 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, LOCATED IN THE NORTHEAST QUARTER OF SECTION 34, TOWNSHIP 23 SOUTH, RANGE 27 EAST, ORANGE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT A 6 INCH BY 6 INCH CONCRETE MONUMENT WITH NAIL AND NO IDENTIFICATION MARKING THE SOUTHEAST CORNER OF SECTION 27, TOWNSHIP 23 SOUTH, RANGE 27 EAST, ORANGE COUNTY, FLORIDA; THENCE RUN SOUTH 89°55'38" WEST ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 27, A DISTANCE OF 1382.35 FEET TO ITS INTERSECTION WITH THE EXISTING EASTERLY RIGHT OF WAY LINE OF REAMS ROAD ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 85 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; SAID POINT ALSO BEING A POINT ON A NON-TANGENT CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 204.08 FEET, A CHORD DISTANCE OF 199.54 FEET AND A CHORD BEARING OF SOUTH 29°23'47" EAST; THENCE DEPARTING THE SOUTH LINE OF SAID SOUTHEAST QUARTER, RUN ALONG SAID EXISTING EASTERLY RIGHT OF WAY LINE THE FOLLOWING TWO (2) COURSES AND DISTANCES: THENCE FROM A TANGENT BEARING OF SOUTH 58°39'46" EAST, RUN SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 58°31'57", A DISTANCE OF 208.48 FEET; THENCE DEPARTING SAID CURVE ON A NON-TANGENT LINE, RUN SOUTH 00°08'35" EAST, A DISTANCE OF 439.56 FEET TO A POINT ON THE EXISTING EAST RIGHT OF WAY LINE OF REAMS ROAD AS DESCRIBED IN INSTRUMENT NUMBER 20190202884 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; THENCE DEPARTING SAID EXISTING EASTERLY RIGHT OF WAY LINE AS SHOWN ON PLAT BOOK 3, PAGE 85, RUN ALONG SAID EXISTING EAST RIGHT OF WAY LINE AS DESCRIBED IN INSTRUMENT NUMBER 20190202884 THE FOLLOWING THREE (3) COURSES AND DISTANCES: THENCE NORTH 89°51'25" EAST, A DISTANCE OF 30.00 FEET; THENCE SOUTH 00°08'35" EAST, A DISTANCE OF 219.69 FEET; THENCE SOUTH 89°51'25" WEST, A DISTANCE OF 30.00 FEET TO A POINT ON AFORESAID EXISTING EASTERLY RIGHT OF WAY LINE OF REAMS ROAD AS SHOWN IN PLAT BOOK 3, PAGE 85; THENCE DEPARTING SAID EXISTING EAST RIGHT OF WAY LINE AS DESCRIBED IN INSTRUMENT NUMBER 20190202884, RUN SOUTH 00°08'35" EAST ALONG SAID EXISTING EASTERLY RIGHT OF WAY LINE AS SHOWN ON PLAT BOOK 3, PAGE 85, A DISTANCE OF 659.94 FEET TO A POINT ON THE NORTH LINE OF LANDS DESCRIBED IN AFORESAID OFFICIAL RECORDS BOOK 4036, PAGE 3176; THENCE DEPARTING SAID EXISTING EASTERLY RIGHT OF WAY LINE, RUN NORTH 89°51'25" EAST ALONG SAID NORTH LINE, A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 89°51'25" EAST ALONG SAID NORTH LINE, A DISTANCE OF 969.79 FEET; THENCE DEPARTING SAID NORTH LINE, RUN SOUTH 06°37'42" EAST, A DISTANCE OF 221.42 FEET TO A POINT ON THE SOUTH LINE OF LANDS DESCRIBED IN AFORESAID OFFICIAL RECORDS BOOK 4036, PAGE 3176; THENCE RUN SOUTH 89°51'25" WEST ALONG SAID SOUTH LINE, A DISTANCE OF 994.80 FEET; THENCE DEPARTING SAID SOUTH LINE, RUN NORTH 00°08'35" WEST, A DISTANCE OF 220.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 4.961 ACRES, MORE OR LESS

NOTES:


1. THIS SKETCH OF DESCRIPTION WAS PREPARED WITH THE BENEFIT OF CERTIFICATE OF TITLE PREPARED BY FIRST AMERICAN TITLE INSURANCE COMPANY AS TO FILE NO. 2037-4223861/18.00161, EFFECTIVE DATE OF JANUARY 30, 2019.
2. BEARINGS SHOWN HEREON WERE DERIVED FROM THE SOUTH LINE OF THE SE 1/4 OF SECTION 27, TOWNSHIP 23 SOUTH, RANGE 27 EAST, ORANGE COUNTY, FLORIDA, BEING SOUTH 89°55'38" WEST.

I HEREBY CERTIFY THIS SKETCH OF DESCRIPTION IS IN ACCORDANCE WITH THE STANDARDS OF PRACTICE AS REQUIRED BY CHAPTER 5J-17 FLORIDA ADMINISTRATIVE CODE PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

Sheila Ann Ware 01/11/2022
SHEILA ANN WARE, P.S.M. DATE
LICENSE NUMBER 5529

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

SEE SHEET 2 FOR LEGEND
SEE SHEETS 2-3 FOR SKETCH OF DESCRIPTION

DATE	JANUARY 11, 2022	CERTIFICATION OF AUTHORIZATION No. 18 0011	SKETCH OF DESCRIPTION (THIS IS NOT A BOUNDARY SURVEY)	SECTION: 34
DRAWN BY	M. ROCKLIN	 800 NORTH MAGNOLIA AVENUE SUITE 1000 ORLANDO, FLORIDA 32803 (407) 843-5120	FICQUETTE ROAD ORANGE COUNTY C.I.P. NO. 5140	TOWNSHIP: 23 S
CHECKED BY	S. WARE			RANGE: 27 E
Dewberry PROJECT NO.	202004020			SCALE: N/A
REVISION	BY			DATE

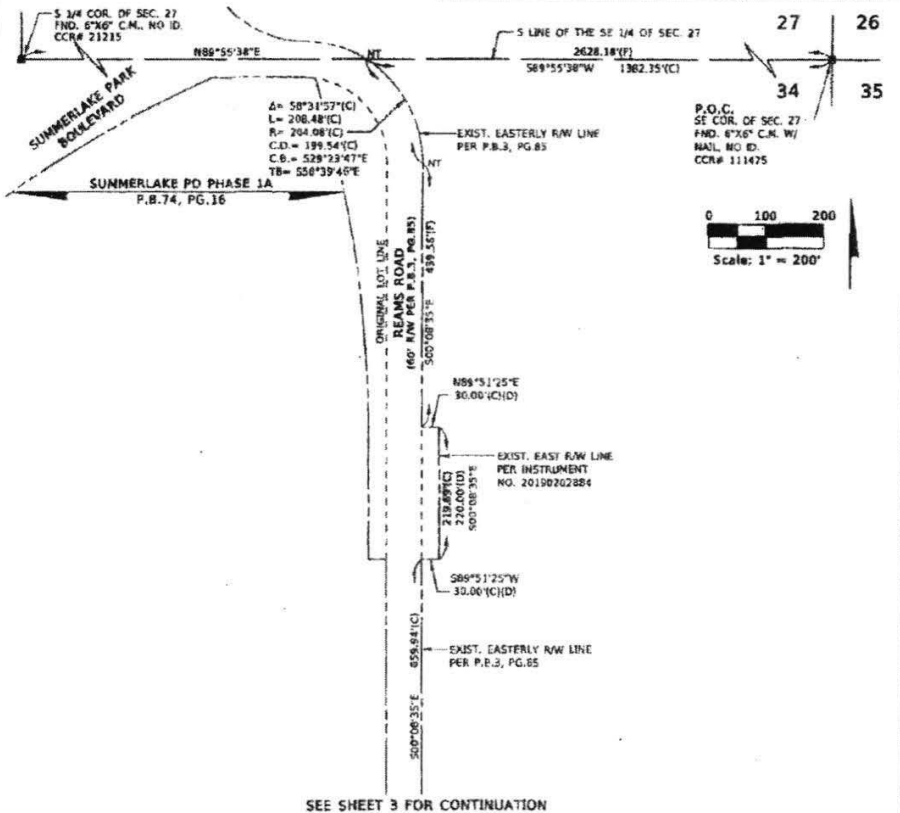
TP 4/5/2023

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SKETCH OF DESCRIPTION
SCHEDULE "A"
PARCEL NUMBER: 9043



SEE SHEET 3 FOR CONTINUATION

SEE SHEET 1 FOR LEGAL DESCRIPTION AND CERTIFICATION			LEGEND & ABBREVIATIONS		SKETCH OF DESCRIPTION (THIS IS NOT A BOUNDARY SURVEY)		SECTION: 34	
DATE	JANUARY 11, 2023	CERTIFICATION OF AUTHORIZATION No. 12 6011	AC	ANCHORS	LA	LOCAL ROAD	PC	POINT OF CURVATURE
DRAWN BY	M. GILLIS		C.B.	CHAINED BEARING	L	LOCAL LENGTH	PC/PS	POINT OF INTERSECTION
CHECKED BY	S. WARE		C.C.R.	CERTIFIED CORNER RECORD	LS	LICENSURE SURVEY	P.O.B.	POINT OF BEGINNING
DOWBERRY PROJECT NO.	52554413		C.D.	CHAINED DISTANCE	M.H.D.	MAG. N.B. AND OFS.	P.O.C.	POINT OF COMMENCEMENT
			C.I.P.	CAPITAL IMPROVEMENT PROGRAM	NO	NUMBER	P.O.R.	POINT OF REVERSE CURVATURE
			C.M.	CONCRETE MONUMENT	NT	NON-TANGENT	PT	POINT OF TANGENCY
			COR.	CORNER	OC	ORANGE COUNTY	PL	PLAT
			(C)	CHAINED DISTANCE	C.B.	CHAINED BEARING	R	RADIUS
			(D)	DEED DISTANCE			(R)	RADIAL
REVISION	BY	DATE						

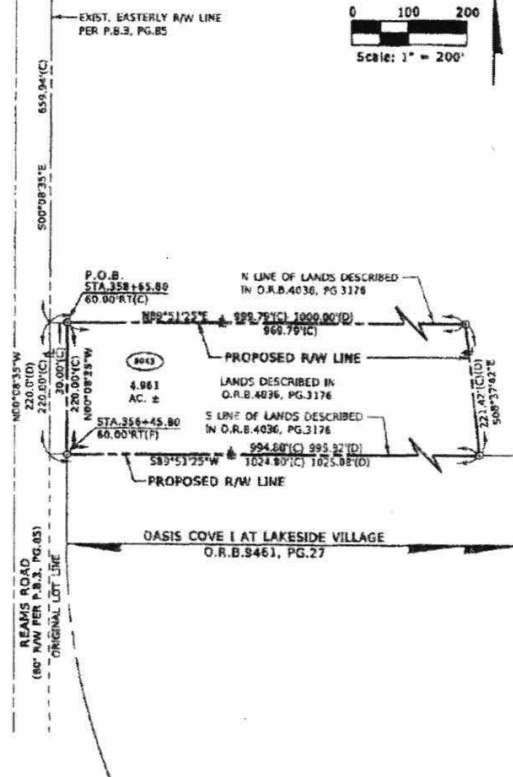
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SKETCH OF DESCRIPTION
SCHEDULE "A"
PARCEL NUMBER: 9043

CONTINUED FROM SHEET 2



SEE SHEET 2 FOR LEGEND
SEE SHEET 1 FOR LEGAL DESCRIPTION AND CERTIFICATION

DATE	JANUARY 11, 2022	CERTIFICATION OF AUTHORIZATION NO. 18 0611	SKETCH OF DESCRIPTION (THIS IS NOT A BOUNDARY SURVEY)	SECTION: 34
DRAWN BY	MARCOLO			TOWNSHIP: 23 S
CHECKED BY	S.MORRIS	 Dewberry	FICQUETTE ROAD ORANGE COUNTY C.I.P. NO. 5140	SCALE: 1"=200'
DEWBERRY PROJECT NO.	30204412			800 NORTH MAGNOLIA AVENUE SUITE 3000 ORLANDO, FLORIDA 32803 (407) 843-8120
REVISION	BY	DATE		

TP 4/5/2023

EXHIBIT A
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SCHEDULE "B"

5140 FICQUETTE ROAD PARCEL 9043

FEE SIMPLE

Parcel 9043: the interest being acquired is fee simple.

11/30/2021

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EXHIBIT A
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