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IN THE CIRCUIT COURT OF THE SEVENTEENTH JUDICIAL CIRCUIT, IN AND FOR BROWARD COUNTY, FLORIDA.

CASE NO.: 83-22577 CZ

CITY OF FORT LAUDERDALE,
a municipal corporation
of Florida,

Petitioner,

vs.

POWELL BROTHERS, INC.,
a Florida corporation,
et al.,

Defendants.

ORDER OF TAKING

The application by the Petitioner for an Order of Taking came before the Court on February 3, 1984. The Court finds that proper notice was first given to all Defendants and all persons having or claiming any equity, lien, title or other interest in the real property described in the petition that the Petitioner would apply to this Court on the 3rd day of February, 1984, for an Order of Taking, and the Court has been fully advised in the premises.

Upon consideration, it is therefore, ORDERED and ADJUDGED:

1. That the Court has jurisdiction 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. That the estimate of value filed in this cause by the Petitioner was made in good faith and based upon a valid appraisal.
4. That the Petitioner is entitled to possession of the following described property prior to the entry of a Final Judgment to-wit:

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OFF REC 11462 PAGE 719

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RETURN TO CLERK
CIRCUIT COURT

LAND DESCRIPTION:

A PARCEL OF LAND LYING WITHIN TRACTS 15 AND 16 OF THE JOHN W. NEWMAN'S SURVEY AS RECORDED IN PLAT BOOK 2, PAGE 26 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, AND BLOCKS 2 AND 3, WEST DIXIE FARMS AS RECORDED IN PLAT BOOK 24, PAGE 36 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, IN THE NORTHEAST ONE QUARTER (NE 1/4) OF SECTION 25, TOWNSHIP 50 SOUTH, RANGE 41 EAST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 25; THENCE SOUTH 88° 34' 16" WEST, ALONG THE SOUTH LINE OF THE NORTHEAST ONE QUARTER (NE 1/4) OF SAID SECTION 25, A DISTANCE OF 491.85 FEET TO THE EASTERLY BOUNDARY OF AFORESAID TRACT 16; THENCE NORTH 20° 05' 06" EAST, ALONG SAID EASTERLY LINE, 279.47 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 88° 34' 16" WEST, ALONG A LINE 260.00 FEET NORTH OF AND PARALLEL WITH THE AFORESAID SOUTH LINE OF THE NORTHEAST ONE QUARTER (NE 1/4) OF SECTION 25, A DISTANCE OF 648.41 FEET; THENCE SOUTH 01° 42' 40" EAST, 210.00 FEET TO A LINE BEING 50.00 FEET NORTH OF AND PARALLEL WITH THE SAID SOUTH LINE OF THE NORTHEAST ONE QUARTER (NE 1/4) OF SECTION 25; THENCE SOUTH 88° 34' 16" WEST, ALONG SAID PARALLEL LINE, 843.36 FEET TO THE WEST LINE OF AFORESAID BLOCK 3; THENCE NORTH 01° 42' 40" WEST, ALONG SAID WEST LINE, 524.08 FEET TO THE SOUTHEAST CORNER OF LOT 3 OF THE AFORESAID BLOCK 2; THENCE SOUTH 88° 34' 16" WEST, ALONG THE SOUTH LINE OF SAID LOT 3, A DISTANCE OF 239.67 FEET; THENCE NORTH 14° 51' 56" EAST, ALONG THE EASTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 7 109.20 FEET; THENCE SOUTH 88° 34' 16" WEST, ALONG THE NORTH LINE OF SAID LOT 3 FOR 52.09 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 7 (100' RIGHT-OF-WAY); THENCE NORTH 14° 51' 56" EAST, ALONG AID RIGHT-OF-WAY LINE 9.20 FEET; THENCE NORTH 88° 34' 16" EAST, ALONG A LINE 8.83 FEET NORTH OF AND PARALLEL WITH THE NORTH LINE OF AFORESAID LOT 3, A DISTANCE OF 385.00 FEET TO A LINE 433.00 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF AFORESAID BLOCK 3; THENCE NORTH 01° 42' 50" WEST, ALONG SAID PARALLEL LINE, 229.63 FEET; THENCE NORTH 88° 38' 08" EAST, ALONG A LINE 409.00 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF AFORESAID BLOCK 3 AND THE NORTH LINE OF AFORESAID TRACTS 15 AND 16, A DISTANCE OF 1626.40 FEET TO THE AFORESAID EASTERLY BOUNDARY OF TRACT 16; THENCE SOUTH 20° 05' 06" WEST, ALONG SAID EASTERLY BOUNDARY, 704.62 FEET TO THE POINT OF BEGINNING.

SAID PARCEL LYING WITHIN BROWARD COUNTY, FLORIDA, CONTAINING 28.445 ACRES MORE OR LESS.

SUBJECT TO A 230 FOOT FLORIDA POWER AND LIGHT COMPANY EASEMENT AS RECORDED IN OFFICIAL RECORD BOOK 2202, PAGE 982 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

PREPARED BY:
KEITH AND SCHNARS, P.A.
ENGINEERS-PLANNERS-SURVEYORS

William A. Hall

BY: WILLIAM A. HALL, P.L.S.
FLORIDA REGISTRATION NO. 3671
JANUARY 12, 1984

CJ/L-6/LANDFILL.1

REF 11462 PAGE 720

5. Upon payment into the Registry of this Court of the deposit hereafter specified, title to the above-described property shall vest in the Petitioner. Said deposit of money will fully secure and fully compensate the persons lawfully entitled to compensation, as will be determined ultimately by Final Judgment of the Court. Said amount is not less than the value of the land as fixed by the estimate of value set by the Petitioner.


6. Petitioner is hereby ordered and directed to deposit in the Registry of this Court within twenty (20) days after the date of this order the sum of One Million Eight Hundred Fifty-Seven Thousand Dollars (\$1,857,000.00). Upon making said deposit, Petitioner shall notify in writing all attorneys of record and those defendants not represented by counsel that the deposit has been made.

7. The Defendant, Broward County, is a party to this action solely for the purpose of determining what real estate taxes are due on the property and for the purpose of obtaining payment of said real estate taxes, and the entry of this Order of Taking shall not take from Broward County any interest in real property whatsoever.

8. Petitioner shall be entitled to possession of the property described above, without further notice or order of this Court on Date of Payment

9. If the Petitioner shall default and fail to deposit said sum of money within the time provided, this Order shall be void and of no further force or effect.

DONE and ORDERED in Chambers at the Broward County Court-house, Fort Lauderdale, Florida, this 24th day of February,, 1984.


CIRCUIT JUDGE

Copies furnished to: Donald R. Hall, Esq.
James J. Richardson, Esq.
Eugene L. Heinrich, Esq.
Glen Leonard, Esq.
Thomas E. Byrd, Esq.

RECORDED IN THE OFFICIAL RECORDS BOOK
OF BROWARD COUNTY, FLORIDA
F. T. JOHNSON
COUNTY ADMINISTRATOR

OFF 11462 PAGE 721