

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

MARION COUNTY, a political  
Subdivision of the State of Florida,

CASE NO: 2025-CA-002794  
PARCEL NOS: 35

Petitioner,

vs.

DAVID H. HOLLNAGEL, CHRISTINE M. HOLLNAGEL, HOLLNAGEL TRAINING, LLC, MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., CENTERSTATE BANK, N.A., PATRICIA HALL, AS TRUSTEE OF THE HALL FAMILY TRUST, and GEORGE ALBRIGHT, as MARION COUNTY TAX COLLECTOR; and JIMMY COWAN, as MARION COUNTY PROPERTY APPRAISER, and all unknown spouses of the above, if any; their heirs, devisees, assigns, grantees, creditors, lessees, executors, administrators, mortgagees, judgment creditors, trustees, lien holders, persons in possession, successors in interest, or any and all other persons having or claiming to have any right, title, or interest by, through, under, or against the above-named Defendants, or otherwise claiming any right, title, or interest in the real property interests described in this action,

Defendants.

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**STIPULATED ORDER OF TAKING as to PARCEL NO. 35**  
**(with Disbursement Instructions to the Clerk)**

THIS CAUSE came on for consideration by the Court on June 3, 2026, upon a Joint Motion for Entry of Stipulated Order of Taking between the Petitioner, MARION COUNTY, FLORIDA, and Defendants, DAVID H. HOLLNAGEL, CHRISTINE M. HOLLNAGEL, and HOLLNAGEL TRAINING, LLC, and SOUTHSTATE BANK, NATIONAL ASSOCIATION (the “Parties”); and upon the Petitioner’s application to this Court for an Order of Taking of Parcel 35 for Petitioner’s SW NW 80<sup>th</sup> 70<sup>th</sup> Avenue Road Construction Project (“Project”), and the Court having reviewed the Petition and this Stipulated Order of Taking, and otherwise being fully advised in the premises, upon consideration, it is, hereby,

**ORDERED and ADJUDGED** as follows:

1. The Joint Motion for Entry of Stipulated Order of Taking is **GRANTED**.
2. That the Court has jurisdiction of this cause, the subject property, and the parties to this cause pursuant to Chapters 73 and 74 of the Florida Statutes.

3. That the pleadings in this cause are sufficient and were made in good faith.
4. That the Petitioner is properly exercising its delegated authority.
5. That the property is being acquired for a public purpose.
6. That the taking of this property is reasonably necessary to serve the public purpose for which the property is being acquired.
7. That the property taken is further identified in the attached **“Exhibit A”, and is a fee simple taking for the purpose of a Drainage Retention Area.**
8. That the estimate of value filed in this cause by the Petitioner was made in good faith and based upon a valid appraisal and does not represent the final full compensation in this case and is without prejudice to the Defendants or any subsequent lawful successor or assign having right to challenge the same at any valuation trial.
9. That the deposit of money will secure the persons lawfully entitled to the compensation, which will be ultimately determined by the final judgment of this Court.
10. The amount deposited will be the minimum amount paid (the "Floor") by Marion County (exclusive of attorney's fees and costs) in conjunction with the condemnation of Parcel 35 and that Marion County waives any rights, including but not limited to those rights enumerated in Florida Statutes §74.071, to seek judgment in the event the amount withdrawn by Defendants exceeds the compensation ultimately awarded by final judgment of the Court, or otherwise settled. The parties further agree and it is ordered that the amount or existence of the Floor shall be inadmissible for any purpose in this litigation, and the jury shall not hear anything suggesting the existence or amount of the Floor or the fact that Defendants have stipulated to the taking of Parcel 35. Marion County, however, shall retain the right to present evidence and argument for a value less than the Floor.
11. That the sum of money to be deposited in the registry of this Court within twenty (20) days of the entry of this Order shall be in the amount of ONE MILLION FIFTY THOUSAND

NINE HUNDRED Dollars and 00/100 Cents (\$1,050,900.00) for the taking of the property described in **Exhibit "A"**, subject to the provisions of Paragraph 10. Nothing contained herein shall limit the Petitioner's right to present other evidence of compensation at the jury trial, and neither the Second Amended Declaration of Taking nor the amount of the deposit of the good faith estimate of value shall be admissible in evidence herein pursuant to § 74.081, Florida Statutes (2024).

12. That upon Petitioner's deposit of the sum herein above specified into the Registry of the Court, all rights, title and interest in the Parcel described in **Exhibit "A"** shall vest in Petitioner, and the Petitioner (subject to Respondent's right to extended possession as provided below) shall have all rights of possession to the subject property, and the property will be deemed to have been condemned and taken for the uses as set forth in the Petition and described further in the attached **Exhibit "B,"** construction plans for the Petitioner's NW 49<sup>th</sup> Street Phase 3 Road Construction Project.

13. That the Petitioner shall construct its Project in substantial conformance with what is shown in **Exhibit "B"**; if, however, the Petitioner fails to construct its Project in substantial conformance with what is shown in **Exhibits "B"**, the Defendants or any subsequent lawful successor or assign shall have the same remedies as would have been afforded them had the case been resolved by verdict with such plans and specifications having been made a part of the record at trial. *Central & Southern Florida Flood Control District v. Wye River Farms, Inc.*, 297 So.2d 323 (Fla. 4th DCA 1974); cert. denied 310 So.2d 745 (Fla. 1975); *Belvedere Development Corp. v. Dep't of Transportation, Div. of Admin.*, 476 So. 2d 649 (Fla. 1985).

14. Upon deposit of the above sum, within three (3) working days thereafter, without further Order of this Court, the Clerk of the Court shall issue and mail the sum of ONE HUNDRED FIFTY-THREE Dollars and 75/100 Cents (\$153.75) to GEORGE ALBRIGHT, as MARION

COUNTY TAX COLLECTOR, c/o Vanessa Thomas, Esq., Forman & Thomas, 1301 NE 14<sup>th</sup> Street, Ocala, FL 34470 for pro-rated property taxes.

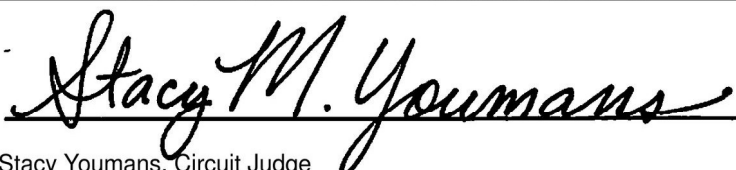
15. By the Parties' agreement, that upon deposit of the above sum, within three (3) working days thereafter, without further Order of this Court, the Clerk of the Court shall mail the sum of ONE MILLION FIFTY THOUSAND NINE HUNDRED Dollars and 00/100 Cents (\$1,050,900.00), LESS the payment of taxes as described in Paragraph 14, made payable to the Harris Harris Bauerle Lopez Trust Account, c/o Edgar Lopez, Esquire, to the address of 1801 Lee Road, Suite 210, Winter Park, Florida 32789. This amount will be held in the Harris Harris Bauerle Lopez Trust Account until Defendants HOLLNAGELS and SOUTHSTATE BANK, NATIONAL ASSOCIATION resolve the apportionment of the proceeds of the deposited funds or, if no such agreement is reached, upon further court order regarding apportionment.

16. Petitioner agrees to allow up to six (6) months of extended possession to Defendants from the entry of this Stipulated Order of Taking.

17. That the Court reserves jurisdiction to enforce the terms of this Stipulated Order of Taking, or for any supplemental proceedings arising therefrom, and also for the determination of the measure of full compensation that remains subject to this eminent domain cause of action.

**DONE and ORDERED** in Chambers at Marion County, Florida on Thursday, June 4, 2026.

42-2025-CA-002794-CAAM 06/04/2026 01:50:49 PM



Stacy Youmans, Circuit Judge  
42-2025-CA-002794-CAAM 06/04/2026 01:50:49 PM

**Copies Furnished to:**

**Matthew G. Minter, Esq.**

Attorney for Marion County, Florida

**Edgar Lopez, Esq.**

Attorney for David H. Hollnagel, Christine M. Hollnagel, and Hollnagel Training, LLC

**Zachary T. McKinley, Esq.**

Attorney for South State Bank, National Association

**Vanessa Thomas, Esq.**

Attorney for Marion County Tax Collector  
and Marion County Property Appraiser

**EXHIBIT “A”**  
**Sketch/Legal Description**

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