

**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,
Petitioner,

CASE NO: 2025-CA-2793
PARCEL NOS: 22

vs.

ROBERT L. DUNCAN AND BARBARA A. DUNCAN, MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., LLG EVENTING, LLC, an Illinois limited liability company, CML HORSES, LLC, an Illinois limited liability company, BEVERLY COVINGTON, BANK OF AMERICA, N.A., RODNEY CONWAY CHIN, IVAN PORTAL, ANNIA GUTIERREZ, HSBC BANK USA, 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.

/

STIPULATED ORDER OF TAKING and FINAL JUDGMENT
AS TO PROJECT PARCEL 22
(with Disbursement Instructions to the Clerk)

THIS CAUSE came on for consideration by the Court upon a stipulated agreement for Final Judgment between the Petitioner, MARION COUNTY, FLORIDA, and Defendants, IVAN PORTAL, ANNIA GUTIERREZ, and GEORGE ALBRIGHT as MARION COUNTY TAX COLLECTOR; (the “Parties”); it appearing to the Court that the Parties were authorized to enter into such agreement; the court finding that the taking is necessary for a public purpose, and It appearing that proper notice was first given to Defendants, and to all persons having or claiming any equity, lien, title or other interest in or to the property subject to this suit, “Subject Property,” as more fully described in the attached **Exhibit “A”**; and the Court finding that the compensation to be paid by the Petitioner is full, just, and reasonable for all Parties concerned; the Court being

fully advised in the premises; and the Court finding that all parties have consented to the terms of this **Stipulated Order of Taking and Final Judgment**, it is therefore,

ORDERED AND ADJUDGED:

1. That the Court has jurisdiction of this action, of the Subject Property and of the parties in this cause pursuant to Chapters 73 and 74 of the Florida Statutes.

2. That IVAN PORTAL AND ANNIA GUTIERREZ are the fee simple owners of the Subject Property and that the pleadings in this cause are sufficient as to the Subject Property and that Petitioner is properly exercising its delegated authority, and that the condemnation of the Subject Property is for a valid public purpose and necessary for that purpose. A legal description of Subject Property is attached hereto as **Exhibit "A."**

3. Pursuant to a Joint Motion for Entry of Stipulated Order of Taking and Final Judgment entered into by the Parties, Defendants, shall have and recover from Petitioner the sum of THIRTY EIGHT THOUSAND TWO HUNDRED SEVENTY FOUR Dollars and 75/100 Cents (\$38,274.75) in full payment of any and all claims of any nature arising as a result of Petitioner's taking of the subject property, including, without limitation, compensation for land value, improvements, severance damages if any, attorney fees and costs, fees for non-monetary compensation (if any), and expert fees and costs broken out as follows:

(a) EIGHTEEN THOUSAND Dollars and 00/100 Cents (\$18,000.00) less pro-rated real property taxes to Defendants IVAN PORTAL AND ANNIA GUTIERREZ, for land value, improvements, damages, moving/ relocation expenses, and all other claims, excluding attorneys' fees and costs;

(b) FIFTEEN THOUSAND NINE HUNDRED SIX Dollars and 00/100 Cents (\$15,906.00) as reimbursement for reasonable attorney's fees for the benefit achieved, as stipulated by the Parties, for the services of Joseph Hanratty, Esq.

(c) FOUR THOUSAND THREE HUNDRED SIXTY-EIGHT Dollars and 75/100 Cents (\$4,368.75) paid to Joseph Hanratty, Esq., as reimbursement for reasonable expert fees and costs for the benefit achieved, as stipulated by the Parties.

4. Upon entry and within twenty (30) days of this Stipulated Order of Taking and Final Judgment, the Petitioner shall deposit the total sum of THIRTY-EIGHT THOUSAND TWO HUNDRED SEVENTY-FOUR Dollars and 75/100 Cents (\$38,274.75) into the Registry of the Court.

5. 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 THIRTY-EIGHT THOUSAND TWO HUNDRED SEVENTY-FOUR Dollars and 75/100 Cents (\$38,274.75) dollars made payable to the Law Office of Joseph M. Hanratty, PLLC Trust Account, c/o Joseph M. Hanratty, Esquire, to the address of 500 NE 8th Avenue, Ocala, FL 34470.

6. Pursuant to the Notice of Filing Memorandum of Pro-Rated Taxes Due filed in this matter on March 18, 2026, there are no pro-rated real property taxes or past due real property taxes that are due and owing from the parties to GEORGE ALBRIGHT, as MARION COUNTY TAX COLLECTOR.

7. That upon Petitioner's deposit of the sum herein above specified into the Registry of the Court, all title and interest to the real property described in Exhibit "A" shall vest in Petitioner, and the Petitioner shall have all rights of possession to the subject property.

8. That all rights, title and interest in the Parcels described in Exhibit “A” shall 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 SW NW 80th 70th Avenue Road Construction Project which, in part, show both median openings and primary driveway connections for the remainder property of Defendants IVAN PORTAL AND ANNIA GUTIERREZ.

9. 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).

10. No additional sums are due and payable to Defendants IVAN PORTAL AND ANNIA GUTIERREZ, or Defendants’ attorneys, as a result of the taking of the subject property.

11. This Court reserves jurisdiction to enforce the terms of this Stipulated Order of Taking and Final Judgment.

DONE AND ORDERED in chambers at Ocala, Marion County, Florida, this DDDD.

JJJJ

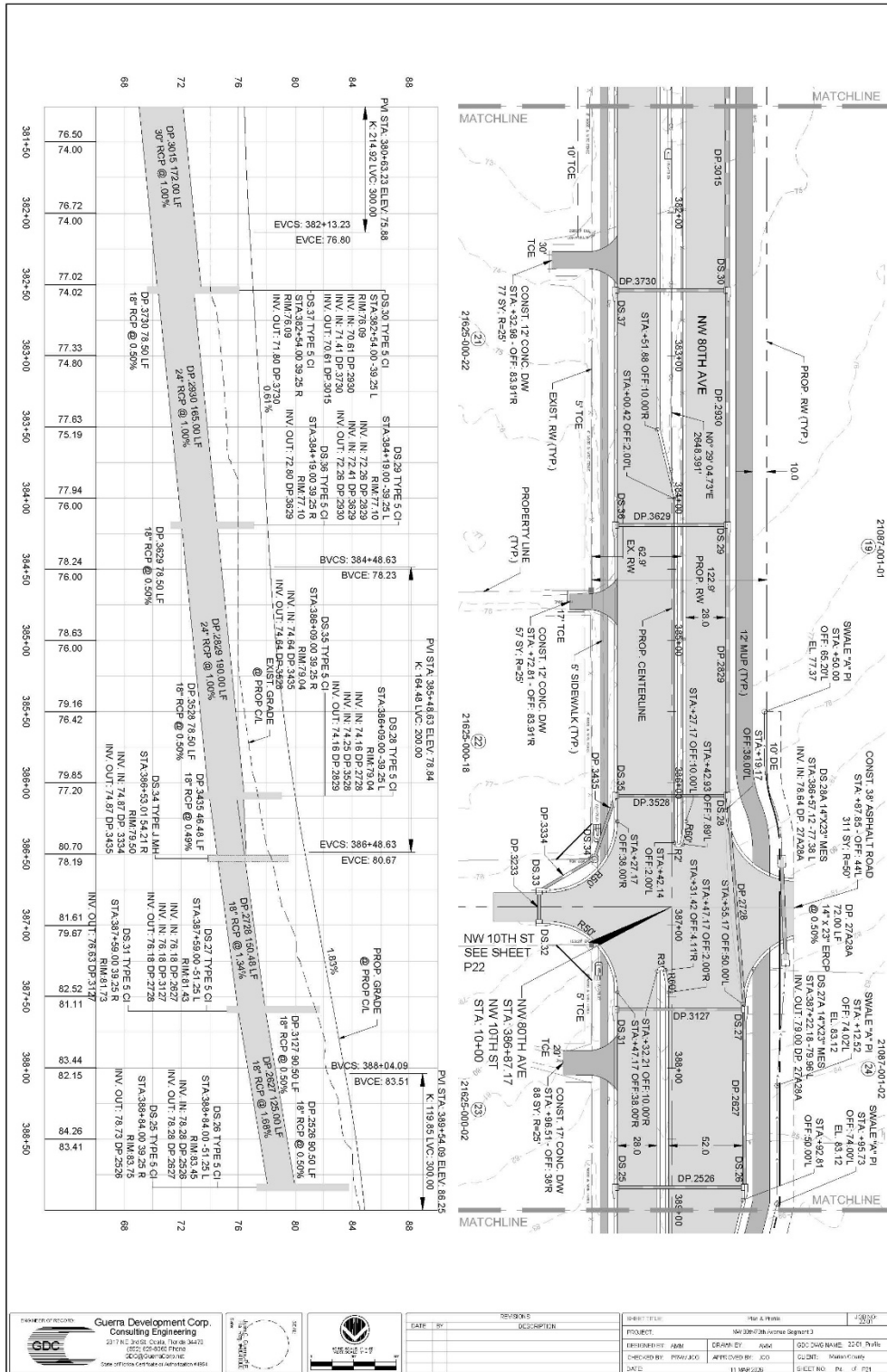
CERTIFICATE OF SERVICE

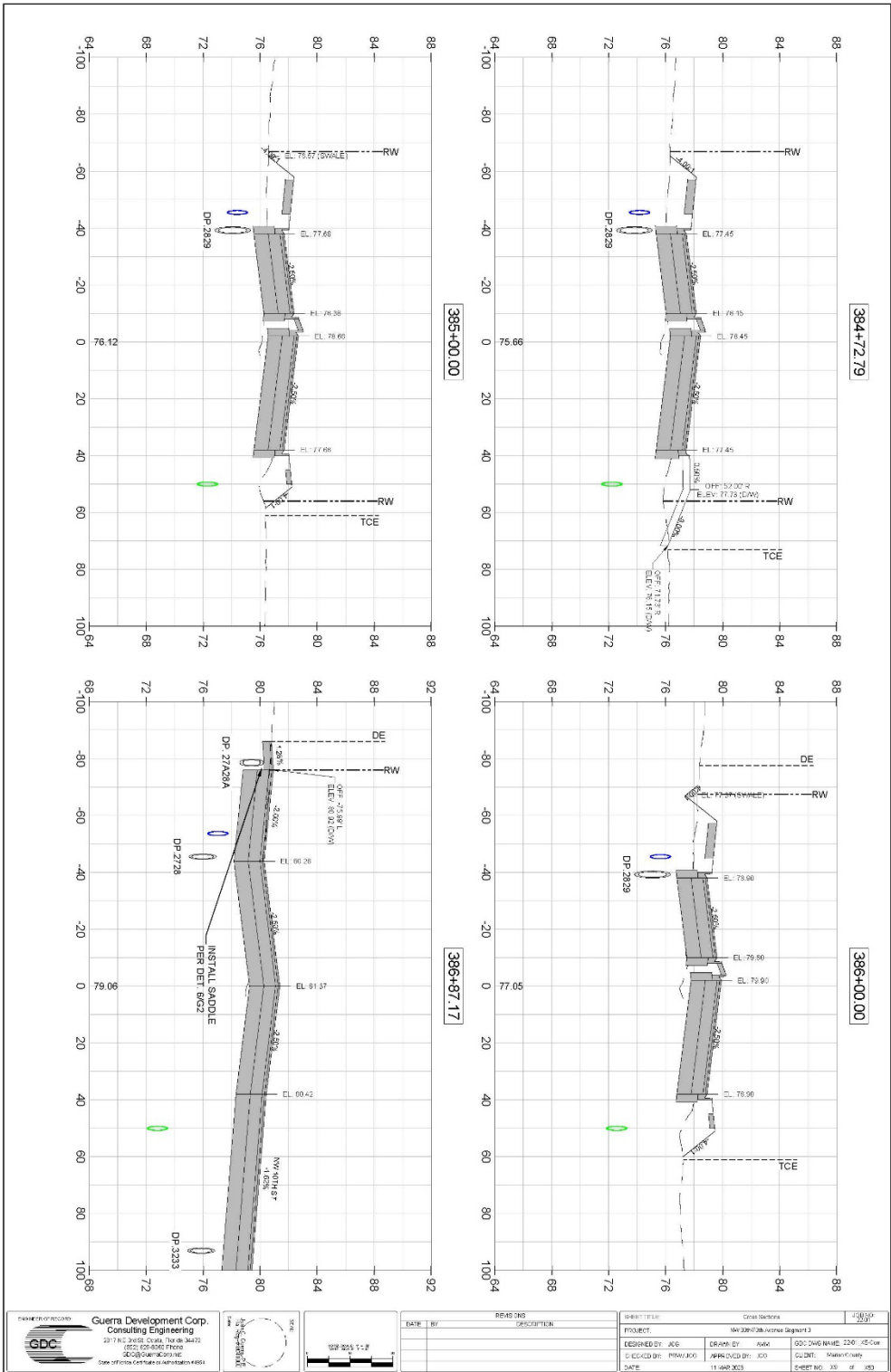
I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished using the Florida Court's E-Filing Portal, via U.S. Mail, and/or Electronic Mail in accordance with the corresponding addresses listed therein on MMMM.

CCCC

AAAA

EXHIBIT B Construction Plans





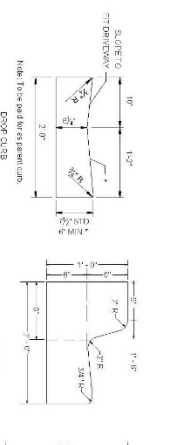

Guerra Development Corp.
 Consulting Engineering
 2317 N.E. 26th Ave., Fort Lauderdale, FL 33304
 (954) 561-7700
 GDC@GDCORP.COM
 One of Florida's Certified Consultants



DATE	BY	DESCRIPTION

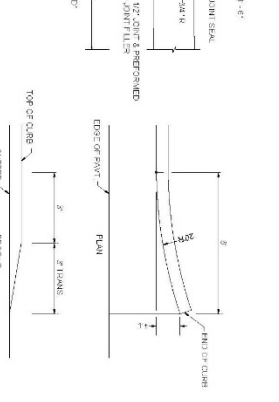
REVISIONS	DATE	BY	DESCRIPTION

PROJECT TITLE		Cross Section	
PROJECT		SR 200/20A, Access Segment 3	
DESIGNED BY	JAG	DRAWN BY	AVM
CHECKED BY	PRW/JCO	APPROVED BY	JCO
DATE	11-04-2023	CUSTOMER	Mulvan Company
SHEET NO.		33	of 33

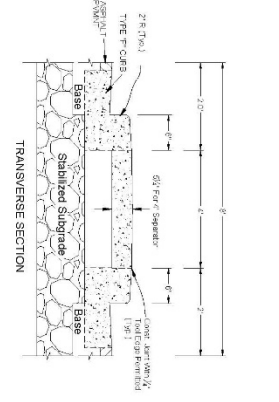


1. REINFORCEMENT SHALL BE USED ON THE INSIDE OF BOWDOWNS TO THE CROSS-SLOPE OF THE CURB AND GUTTER. MINIMUM REINFORCEMENT SHALL BE 1.0% OF THE CROSS-SECTIONAL AREA OF CONCRETE.
2. REINFORCEMENT SHALL BE USED TO PROVIDE A MINIMUM OF 1.0% OF THE CROSS-SECTIONAL AREA OF CONCRETE TO THE CURB AND GUTTER. REINFORCEMENT SHALL BE USED TO PROVIDE A MINIMUM OF 1.0% OF THE CROSS-SECTIONAL AREA OF CONCRETE TO THE CURB AND GUTTER.
3. REINFORCEMENT SHALL BE USED TO PROVIDE A MINIMUM OF 1.0% OF THE CROSS-SECTIONAL AREA OF CONCRETE TO THE CURB AND GUTTER.

CONCRETE CURB AND GUTTER TYPES D, F & DROP CURB - FOOT INDEX #520-011



CURB AND GUTTER TYPES E & F - FOOT INDEX #520-001

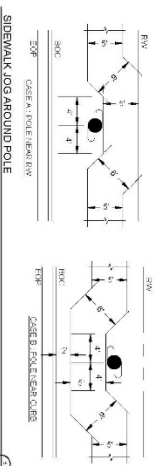


TYPE I TRAFFIC SEPARATOR MOD W/ TYPE F CURB - FOOT INDEX #520-020

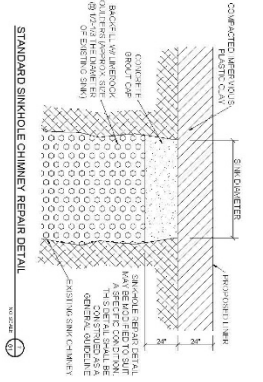


CONCRETE SIDEWALK IN ACCORDANCE WITH FOOT INDEX #522-001

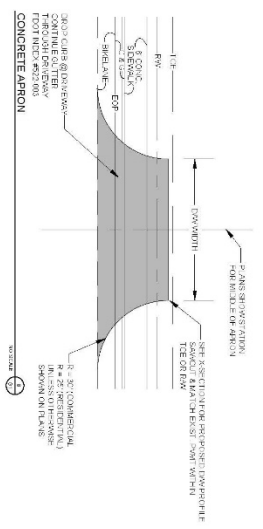
SIDEWALK DETAIL



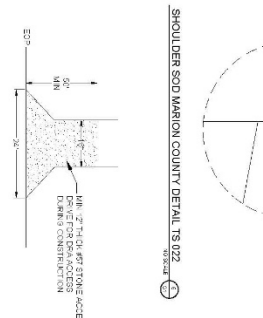
SIDEWALK JOE AROUND POLE



STANDARD SINKHOLE CHIMNEY REPAIR DETAIL



SHOULDER SOD MARION COUNT DETAIL US 022



CONSTRUCTION ACCESS

	ENGINEER OF RECORD Guerra Development Corp. Consulting Engineering, Inc. 2817 NE 3rd St. Ocala, Florida 34729 (352) 236-0000 Phone GDC@guerra.com Website: www.guerra.com State of Florida Certificate of Authorization #00044			REVISIONS <table border="1"> <thead> <tr> <th>NO.</th> <th>DATE</th> <th>BY</th> <th>DESCRIPTION</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	NO.	DATE	BY	DESCRIPTION					SHEET TITLE: General Notes PROJECT: PROJECT 708 - Roadway Design DESIGNED BY: JCS CHECKED BY: JCS DATE: 11/01/2023	DRAWN BY: JCS APPROVED BY: JCS CLIENT: Shook Group SHEET NO.: 31 of 38	GRID NAME: 2501 DASH SCALE: AS SHOWN
	NO.	DATE	BY	DESCRIPTION											