

RECORDING SEE BODY
FOR SPECIFIC PARTS

IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT
IN AND FOR PASCO COUNTY, FLORIDA

07/21/95
N/C

P PASCO COUNTY, a political
subdivision of the State
of Florida,

Petitioner,

vs.

AURELE PROVOST, et al.,

Defendants.

Case No.: 92-6071CA
Division: H
Parcels: 210A, 810A, 210B
and 810B (Metro Communities)



JED PITTMAN, PASCO COUNTY CLERK
05/31/95 11:03am 1 of 5
OR BK 3432 PG 563

FINAL STIPULATED JUDGMENT

THIS CAUSE having come on for consideration upon the joint motion for entry of a Final Judgment made by the Petitioner, PASCO COUNTY, and the Defendant, METRO COMMUNITIES OF PASCO, INC., as to Parcel Nos.: 210A, 810A, 210B and 810B, set forth hereinbelow, and it appearing to the Court that the 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 otherwise fully advised in the premises, it is now therefore;

ORDERED AND ADJUDGED as follows:

1. Defendant, ^P METRO COMMUNITIES OF PASCO, INC., recovers from Petitioner, PASCO COUNTY, the total sum of Sixty-Five Thousand and 00/100 Dollars (\$65,000.00) for the property designated as Parcel Nos.: 210A, 810A, 210B and 810B, herein taken, improvements taken, and for severance damages and all other damages of any other nature, exclusive of fees and costs.

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OR BK 34-32 PS 564
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2. Petitioner, PASCO COUNTY, will receive a credit for the good faith estimate of value placed into the registry and withdrawn by the Defendant in the amount of Fifty-One Thousand Seven Hundred and 00/100 Dollars (\$51,700.00).

3. Within thirty (30) days of the date of entry of this judgment, the Pasco County Board of County Commissioners shall direct the Clerk of the Circuit Court to issue checks for the balance of the total sum due the Defendant, as follows:

A. Payment from funds of the Pasco County Board of County Commissioners to: Martin, Figurski and Harrill, P.A., Trust Account, for Defendant, METRO COMMUNITIES OF PASCO, INC., in the amount of Thirteen Thousand Three Hundred and 00/100 Dollars (\$13,300.00) and forwarded by U.S. Mail to Daniel N. Martin, Esquire, at Martin, Figurski and Harrill, P.A., Post Office Box 786, New Port Richey, Florida 34653.

Mike Olson, Tax Collector, for pro-rated taxes in the amount of N/A Dollars (\$N/A) and forwarded to Post Office Box 276, Dade City, Florida, 33526.

B. Payment, in the total amount of N/A Dollars (\$N/A), from funds previously deposited pursuant to an Order of Taking in the Registry maintained by the Clerk of the Circuit Court, to:

Mike Olson, Tax Collector, for pro-rated taxes, in the amount of N/A Dollars for each of the following parcels and amounts listed herein: Parcel No. N/A, \$N/A. Said payment shall be forwarded to Mike Olson, Tax Collector, Post Office Box 276, Dade City, Florida, 33526.

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4. Fee simple title to Parcel Nos. 210A and 210B together with permanent slope easements on Parcels 810A and 810B as described in the description attached to the Petition as an exhibit and further referenced in the Order of Taking is hereby approved, confirmed, and ratified.

5. A. As a material condition of the agreement upon which this Final Stipulated Judgment is based, PASCO COUNTY agrees:

(i) to permit one commercial urban driveway connection to Little Road, and one commercial urban driveway connection to Fox Hollow Drive to service the Southwest corner parcel (Parcel 210A).

*N/W
CORNER*

(ii) to permit one commercial urban driveway connection to Little Road, and one commercial urban driveway connection to Fox Hollow Drive to service the Northwest corner parcel (Parcel 210B).

(iii) driveway connection widths may vary from a minimum width of 24 feet to a maximum width of 48 feet. Driveway connections on Little Road will be limited to right in/right out traffic movements. Driveway connections on Fox Hollow Drive may have full turn traffic movements.

(iv) the corner clearance distance for driveways on Little Road on the Southwest corner parcel shall be a minimum of 110 feet. The Northwest corner parcel driveway connection to Little Road must maintain a minimum 75 foot corner clearance (due to frontage limitations). Corner clearance shall be measured from the closest edge of the driveway connection to the closest edge of

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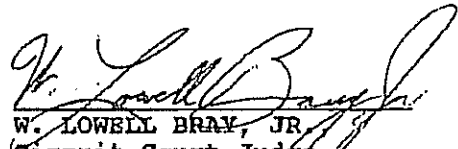
the parallel roadway. The owner shall obtain the requisite right-of-way use permits(s) from Pasco County prior to initiating construction of any driveway connections.

(v) that there will be no objection from Pasco County staff as to the construction of a commercial sign five (5) feet from the right-of-way line instead of fifteen (15) feet as per the code. However, it will still be in the discretion of the DRC as to whether or not to grant the variance.

(vi) not to object to reduction of the side setbacks from thirty (30) feet to twelve (12) feet on the property adjacent to the Pasco County library when a property owner goes in for the variance. As in the above condition, it will be left to the discretion of the DRC whether or not to grant the variance.

6. That the Court retains jurisdiction in this cause pending a determination as to fees and costs to be paid to the Defendant.

DONE AND ORDERED in Chambers, New Port Richey, Pasco County, Florida, this 21st day of May, 1995.

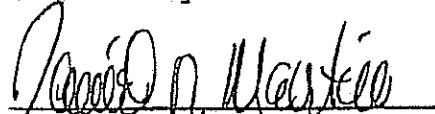

W. LOWELL BRAY, JR.
Circuit Court Judge

Copies furnished to:
Anthony V. Policastro, Esq.
Daniel N. Martin, Esq.
Clerk, Circuit Civil
Clerk, Accounts Payable


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MOTION

The parties, by and through their undersigned attorneys,
respectfully move for the entry of the foregoing Final Judgment.



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