

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

CASE NO.: 04-14451 CACE (04)

THE SCHOOL BOARD OF BROWARD  
COUNTY, FLORIDA,

PARCEL: 1

Petitioner,

v.

PAUL ANDERSON, DENNIS POGGIS  
and DONNA POGGIS, his wife, and  
BROWARD COUNTY, FLORIDA, et al.,

Respondents.

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**STIPULATED FINAL JUDGMENT  
AS TO RESPONDENT PAUL ANDERSON**

This matter came before the Court upon stipulation and joint motion of Petitioner, SCHOOL BOARD OF BROWARD COUNTY, FLORIDA ("Petitioner"), and Respondent PAUL ANDERSON ("Anderson"), for entry of final judgment vesting fee simple title to Parcel 1 in the name of Petitioner and awarding full compensation to Anderson. The Court being fully advised in the premises, it is

ORDERED and ADJUDGED that:

1. The Court has jurisdiction over the subject matter and the parties to this cause, including all persons and entities claiming any equity, lien, title, or other interest in or to Parcel 1, described as:

Lot 19, Block 11, of "Hollywood Little Ranches", according to the Plat thereof, as recorded in Plat Book 1, Page 26 of the Public Records of Broward County, Florida.

2. Petitioner has complied with Sections 73.031 and 74.041, Florida Statutes, and has properly served Anderson with a Summons, Petition in Eminent Domain, Notice of Lis Pendens, and a Declaration of Taking and Estimate of Value, the originals of which have been filed by Petitioner with the Clerk of Court. The pleadings in this cause are sufficient and Petitioner is properly exercising its delegated authority for a public purpose. The Declaration of Taking and Estimate of Value filed in this cause was made in good faith and based upon a valid appraisal.

3. Upon deposit of the amount specified in Paragraph 5 herein, fee simple title to Parcel 1, as described in the Petition in Eminent Domain and Paragraph 1 herein, shall vest in the name of Petitioner. Anderson shall not retain any leasehold, license, easement, right, privilege or any other property interest in Parcel 1 subsequent to Petitioner depositing into the Court Registry the amount specified in Paragraph 5 herein.

4. Anderson, who currently holds fee simple title to Parcel 1, shall recover the following from Petitioner for the taking of Parcel 1:

(a) as full compensation for property taken as well as any and all other claims for compensation and/or damages with respect to the particular parcel specified herein, the amount of FOUR HUNDRED EIGHT THOUSAND DOLLARS AND NO/CENTS (\$408,000.00); and

(b) as moving costs payable to tenant Janet Davidson, 1300 S.W. 18<sup>th</sup> Court, Ft. Lauderdale, FL 33315 incurred as a result of the taking of Parcel 1, the amount of ONE THOUSAND DOLLARS AND NO/CENTS (\$1,000.00).

(c) as reasonable attorney's fee pursuant to §73.092 Florida Statutes for the representation by the law firm of Brigham Moore LLP of Paul Anderson in this cause, the sum of

TWENTY SEVEN THOUSAND THREE HUNDRED NINETY AND NO CENTS (\$27,390.00).

5. Accordingly, Petitioner shall deposit the sum of FOUR HUNDRED THIRTY SIX THOUSAND THREE HUNDRED NINETY DOLLARS AND NO/CENTS (\$436,390.00) into the Registry of the Clerk of Court within 30 days of this Stipulated Final Judgment being entered. Deposit of the sum set forth in this Paragraph shall be evidenced by the Clerk of Court issuing a receipt which shall be recorded in the public records of Broward County along with a Notice of Deposit executed by Petitioner.

6. Upon entry of this Stipulated Final Judgment, any and all claims by Anderson for compensation, moving expenses, and any other damages of any nature whatsoever shall be resolved with respect to the parcel specified herein.

7. Upon entry of this Stipulated Final Judgment, Anderson shall inform those in possession of Parcel 1 through recorded or unrecorded leases, as well as any and all other occupants of Parcel 1, of the terms of this Stipulated Final Judgment. Anderson, along with all tenants and occupants, shall vacate Parcel 1 no later than the date of deposit described in Paragraph 5 herein and shall remove all personal property contained therein. Anderson shall deliver, via personal delivery or U.S. Mail, all keys in his possession to any improvements upon Parcel 1 to: Mitchell J. Burnstein or Steven E. Taylor, 3107 Stirling Road, Suite 300, Ft. Lauderdale, FL 33312 no later than two days after receipt of a Notice of Deposit.

8. Without further order of this Court, the Clerk of the Circuit Court shall issue a writ of possession to remove Anderson and any and all tenants and/or occupants who remain in possession of Parcel 1 subsequent to Petitioner issuing a Notice of Deposit as described in Paragraph 5 herein.

9. The Court retains jurisdiction of this case and the parties to this cause in order to:  
(a) apportion the amount payable to all Respondents named as parties and all other individuals and/or entities that may hold an interest in the property at issue; (b) enforce the terms of this Stipulated Final Judgment with regard to possession of the property at issue; and (c) determine reasonable expert fees and costs payable by Petitioner as a result of the taking.

DONE AND ORDERED this \_\_\_\_\_ day of \_\_\_\_\_, 2005, at Ft.  
Lauderdale, Broward County, Florida.

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Circuit Judge

copies: all counsel and parties on attached  
service list

**SERVICE LIST**

Case No. 04-014451 (04)

*The School Board of Broward County. v. Paul Anderson, et al.*

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**PARCEL 1**

Mitchell J. Burnstein  
Weiss Serota Helfman Pastoriza  
Guedes Cole & Boniske, P.A.  
3107 Stirling Road, Suite 300  
Fort Lauderdale, FL 33312

*Counsel for Petitioner School Board of Broward County*

Robert C. Byrne, Esq.  
Brigham Moore LLP  
203 S.W. 13<sup>th</sup> Street  
Miami, FL 33130

*Counsel for Respondent Paul Anderson*

Dennis & Donna Poggis  
6800 Southwest 15<sup>th</sup> Street  
Pembroke Pines, FL 33023

Fernando E. Amuchastegui, Assistant County Attorney  
Broward County  
Governmental Center, Ste. 423  
115 South Andrews Avenue  
Fort Lauderdale, Florida 33301

*Counsel for Respondent Broward County*

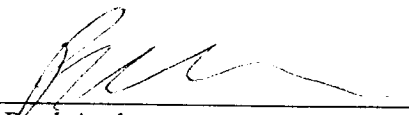
Jovito Garcia, Revenue Collection Agent  
Broward County Revenue Collection Division  
Governmental Center Annex  
115 South Andrews Avenue  
Fort Lauderdale, FL 33301

**JOINT MOTION FOR ENTRY  
OF THE ABOVE STIPULATED FINAL JUDGMENT**

Petitioner BROWARD COUNTY SCHOOL BOARD and Respondent PAUL ANDERSON jointly move for entry of the above Stipulated Final Judgment.

EDWARD J. MARKO, ESQ.  
School Board Attorney

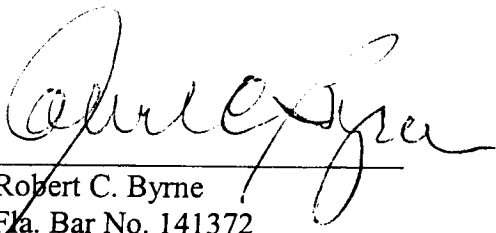
PAUL ANDERSON

By:   
Paul Anderson

Weiss Serota Helfman Pastoriza  
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Telephone: (305) 858-2400  
Telecopier: (305) 858-5828

By: \_\_\_\_\_  
Mitchell J. Burnstein  
Fla. Bar No. 813249  
Steven E. Taylor  
Fla. Bar No. 147990

By:   
Robert C. Byrne  
Fla. Bar No. 141372

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was furnished by U.S.

Mail this \_\_\_\_\_ day of \_\_\_\_\_, 2005 to all parties on the service list attached hereto.

WEISS SEROTA HELFMAN PASTORIZA  
GUEDES COLE & BONISKE, P.A.

Counsel for Petitioner

3107 Stirling Road, Suite 300

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Telephone: (954) 763-4242

Telecopier: (954) 764-7770

By: \_\_\_\_\_

Mitchell J. Burnstein

Fla. Bar No: 813249

Steven E. Taylor

Fla. Bar No: 147990

**SERVICE LIST**

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**PARCEL 1**

Robert C. Byrne, Esq.  
Brigham Moore LLP  
203 S.W. 13<sup>th</sup> Street  
Miami, FL 33130

*Counsel for Respondent Paul Anderson*

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