

IN THE CIRCUIT COURT OF THE TWELFTH JUDICIAL CIRCUIT
MANATEE COUNTY, FLORIDA
CIVIL DIVISION

STATE OF FLORIDA DEPARTMENT OF
TRANSPORTATION,

Petitioner,

v.

GOLF CAR OUTLET, LLC, a
Florida limited liability
company, et al.,

Defendants.

CASE NO.: 2018 CA 47

DIVISION: D

EMINENT DOMAIN PROCEEDING

PARCEL: 106

MOTION FOR ENTRY OF ORDER AUTHORIZING
WITHDRAWAL AND DISBURSEMENT OF CONDEMNATION FUNDS

Defendants GOLF CAR OUTLET, LLC, a Florida limited liability company, GROW FINANCIAL FEDERAL CREDIT UNION, and MANATEE COUNTY, a political subdivision of the State of Florida, by and through their respective undersigned attorneys, hereby move for entry of the proposed order, attached hereto and incorporated herein as Exhibit A.

/s/ Ryan C. Reese

RYAN C. REESE, ESQUIRE

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Attorney for Defendant Golf Car Outlet, LLC

Dated: November 4, 2019

/s/ W. Campbell McLean

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Dated: November 4, 2019

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Florida Bar No.: 0040755

Attorney for Defendant Manatee County, a political subdivision
of the State of Florida

Dated: _____

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been electronically filed with the Clerk of Court and served by e-mail or mail pursuant to Fla. R. Jud. Admin. 2.516(b) to all parties on the attached Service List on this _____ day of November 2019.

/s/ Ryan C. Reese

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**STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION v. GOLF CAR
OUTLET, LLC, a Florida limited liability company, et al.**

Case No.: 2018 CA 47

Parcel 106

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IN THE CIRCUIT COURT OF THE TWELFTH JUDICIAL CIRCUIT
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ORDER AUTHORIZING WITHDRAWAL AND
DISBURSEMENT OF CONDEMNATION FUNDS

THIS CAUSE having come before the Court by motion and agreement of Defendants GOLF CAR OUTLET, LLC, a Florida limited liability company, GROW FINANCIAL FEDERAL CREDIT UNION, and MANATEE COUNTY, a political subdivision of the State of Florida, and it appearing to the Court that the parties were authorized to enter into the motion and agreement, and the Court finding that the withdrawal and disbursement of condemnation funds is just and reasonable for all parties concerned, and the Court being fully advised in the premises, it is hereby **ORDERED AND ADJUDGED** as follows:

1. Pursuant to this Court's March 26, 2018, Agreed Order Allowing Withdrawal of Funds, the Clerk of Court issued the sum of \$61,522.38 to Moore Bowman & Rix, P.A., Trust Account, and in

compliance with that order, the funds were placed into an interest-bearing escrow account of Defendant GOLF CAR OUTLET, LLC's law firm, and remain there today.

2. On August 22, 2019, a mediated settlement agreement was reached between Petitioner and GOLF CAR OUTLET, LLC, as to the total compensation due and owing for the taking of Parcel 106.

3. On September 18, 2019, a Stipulated Final Judgment was entered by the Court, requiring Petitioner to deposit into the Court Registry additional compensation funds.

4. Upon Petitioner's deposit pursuant to the Stipulated Final Judgment, the Clerk of the Court shall issue a check payable to MOORE BOWMAN & REESE, P.A., TRUST ACCOUNT, for the entire amount deposited by Petitioner and mail same to:

**MOORE BOWMAN & REESE, P.A.
ATTENTION: RYAN C. REESE, ESQUIRE
4100 WEST KENNEDY BOULEVARD, SUITE 221
TAMPA, FLORIDA 33609**

5. The condemnation funds shall be apportioned in the following manner:

A. Defendant GOLF CAR OUTLET, LLC, shall receive the sum of \$369,526.88 plus interest accrued, inclusive of its attorneys' fees and experts' costs.

B. Defendant GROW FINANCIAL FEDERAL CREDIT UNION shall receive the sum of \$120,783.00, mailed to:

**GROW FINANCIAL FEDERAL CREDIT UNION
C/O GRAY ROBINSON, P.A.**

**ATTN: W. CAMPBELL MCLEAN, ESQUIRE
401 EAST JACKSON STREET, SUITE 2700
TAMPA, FLORIDA 33602**

Upon receipt, said funds shall be immediately applied to Defendant GOLF CAR OUTLET, LLC's indebtedness.

C. Defendant MANATEE COUNTY, a political subdivision of the State of Florida, shall receive the sum of \$6,000, mailed to:

**MANATEE COUNTY ATTORNEY'S OFFICE
ATTENTION: PAMELA D'AGOSTINO, ESQUIRE
POST OFFICE BOX 1000
BRADENTON, FLORIDA 34206**

6. Within five business days of receipt of the Clerk's payment, attorney for Defendant GOLF CAR OUTLET, LLC, shall distribute said funds in accordance with paragraph five, above.

7. The Court reserves jurisdiction for the purposes of enforcing, as necessary, the terms and conditions of this is order.

DONE AND ORDERED in chambers at Bradenton, Manatee County, Florida, on this _____ day of November, 2019.

EDWARD NICHOLAS
CIRCUIT JUDGE

Conformed copies to:
Kenneth L. Hadley, Esquire
Ryan C. Reese, Esquire
Irving J. Benzing

Dierdre K. White, Esquire
W. Campbell McLean, Esquire
Pamela J. D'Agostino, Esquire