

A part of Government Lot 5, Section 35, Township 1 North, Range 28 East, Duval County, Florida and a portion of the unsurveyed marsh in Sections 35 and 34, Township 1 North, Range 28 East, said County, and being more particularly described as follows:

Begin at the intersection of the North line of said Section 35 and the Westerly right of way line of Sawpit Road ( a 60 foot R/W); thence South 89 degrees 31 minutes West along the Northerly line of said Section 35, said line being coincident with the Northerly line of said Government Lot 5, 1984.0 feet, more or less, to the edge of marsh; thence continue South 89 degrees 31 minutes West along the Northerly line of said Sections 35 and 34, 1351.0 feet, more or less, to the Bank of Pumpkin Hill Creek; thence Southerly along the meanderings of said Bank, 61.0 feet, more or less; thence North 89 degrees 31 minutes East along a line parallel to and 60.0 feet Southerly of the North line of said Sections 34 and 35, 1349.0 feet, more or less, to the edge of high land in said Section 35; thence continue North 89 degrees 31 minutes East, 1981.0 feet, more or less, to a point in the Westerly right of way line of said Sawpit Road; thence North 02 degrees 19 minutes 10 seconds East along said right of way line, 60.07 feet to the Point of Beginning.

The high land contains 2.73 acres, more or less, or 118,919 square feet, more or less.

The marsh land contains 1.86 acres, more or less, or 81,022 square feet, more or less.



# FLORIDA INLAND NAVIGATION DISTRICT

December 3, 1993

## COMMISSIONERS

**LENNART E. LINDAHL**  
CHAIRMAN  
PALM BEACH COUNTY

**LAURENCE D. LOCKER**  
VICE CHAIRMAN  
BROWARD COUNTY

**JAMES O. TAYLOR**  
SECRETARY  
VOLUSIA COUNTY

**STEPHEN NAVARETTA**  
TREASURER  
ST. LUCIE COUNTY

**ANN R. SHORSTEIN**  
DUVAL COUNTY

**PIERRE D. THOMPSON**  
ST. JOHNS COUNTY

**WILLIAM T. PARKS**  
FLAGLER COUNTY

**E.E. HADDEN, JR.**  
BREVARD COUNTY

**GEORGE P. BUNNELL**  
INDIAN RIVER COUNTY

**M. BRENT WADDELL**  
MARTIN COUNTY

**STANLEY E. GOODMAN**  
DADE COUNTY

Mr. David Lidberg  
Lidberg Land Surveying Inc.  
675 W. Indiantown Road  
Jupiter, Fl. 33458

Dear Mr. Lidberg:

RE: MSA DU-20

This letter follows up on our telephone conversation of this date. The District would like you to prepare a sketch of the referenced property. Your sketch will be used to perform a fence installation at this site. This sketch should be to scale, indicate bearings on all property lines, indicate distances on all property lines, indicate survey markers and pins located along the property lines and indicate the survey marker numbers where present.

I have enclosed deeds to the property, an aerial photograph with the property indicated and several partial surveys. I would like to receive a draft of your sketch for review prior to your finalizing the sketch. When the sketch is finalized I would like to receive a reproducible mylar. I will also need my maps back.

Please contact me should you need additional information.

Sincerely,

David K. Roach  
Assistant Executive Director

**ART WILDE**  
EXECUTIVE DIRECTOR  
**DAVID K. ROACH**  
ASSISTANT EXECUTIVE DIRECTOR



VOL. 5209 PG. 739

OFFICIAL RECORDS

WARRANTY DEEDTHIS INDENTURE, Made this 20th day of October, A.D., 1980

BETWEEN Fred J. Rahaim and Dena Rahaim, his wife, of the County of Duval, State of Florida, parties of the first part, and the Florida Inland Navigation District, a special taxing district organized under the laws of the State of Florida, whose post office address is 2725 Avenue "E", Riviera Beach, Florida 33404, of the County of Palm Beach, State of Florida, party of the second part,

WITNESSETH: That the said parties of the first part, for and in consideration of the sum of TEN and no/100 Dollars (\$10.00) to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, have granted, bargained and sold to the said party of the second part, its successors and assigns forever, the following described land, situate, lying and being in the County of Duval, State of Florida, to-wit:

Government Lot 4, Section 26, Township 1 North, Range 28 East, Duval County, Florida, excepting therefrom Part of Government Lot 4, Section 26, Township 1 North, Range 28 East, Duval County, Florida, more particularly described as follows: Begin at the intersection of the South line of said Government Lot 4, and the East line of Sawpit Road; thence North  $2^{\circ} 19' 10''$  East, 404.58 feet to an iron; thence continue along the East line of Sawpit Road North  $8^{\circ} 32' 50''$  West, 71.7 feet to an iron; thence North  $89^{\circ} 30' 50''$  East 943.75 feet to the line of Sawpit Marsh; thence Southerly along the line of said marsh 478 feet more or less to the South line of said Government Lot 4; thence South  $89^{\circ} 30' 50''$  West, 868.75 feet along the South line of Government Lot 4 to the Point of Beginning, Also excepting therefrom any part lying in Sawpit Road.

And the said parties of the first part do hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hands and seals the day and year first above written.

SIGNED, SEALED IN OUR  
PRESENCE:

Set/iron

71.7'

0.47

NY-89-30-50"E

943.75'

10.17 Acres

475.0

478

SAWPIT

ROAD

N 2° 19' 10" E

404.58

Round Iron

Fd-Iron

58.79

Point of beginning

9.  $89^{\circ}30'50''$  N.

868.75

South line of Gov't lot 4, Section 26, Twp. 1 N. R. 28 East 1/2 Iron

no.

SCHEDULE A

All that portion of the north 60 feet of Section 35, Township 1 North Range 28 East, Duval County, Florida, lying west of the west right-of-way of Sawpit Road, a 60 foot right-of-way, containing 2.72 acres, more or less.

AND

A strip or parcel of marsh land 60 feet in width, lying in the unsurveyed portions of Sections 34 and 35 of Township 1 North, Range 28 East, Duval County, Florida, being the Westerly projection of the North 60 feet of Section 35, as referenced above, from the Easterly mean high water line of Pumpkin Hill Creek marsh, Westerly approximately 1,334 feet, more or less, to the Easterly line of Pumpkin Hill Creek, containing 1.78 acres, more or less.

## MSA DU-20

Location: Sec. 26 Twp 1N Rge. 28E  
Duval County  
Black Hammock Islands  
W. of Intracoastal

### Acquisition:

55.23 Acres were Acquired from  
Fico Rahaim on 10/29/80  
Purchase price was \$119,650 or  
\$2,175 per Acre  
11/14/80 Perpetual Spoil Easement  
Issued to the USA

### Disposal History:

Contractor inadvertently cleared 5 Acre  
of timber from the marsh tract  
to the west

8/23/83 Corps notifies FND of need  
for drainage easement to Pumpkin  
Hill Creek

10/31/83 Corps requests FND purchase  
16 Acre Area between DU-20 and  
Pumpkin Hill Creek Marsh

10/84 60' easement on north side of

D. FRED J. RAHAIN

12 Mar.  
11 Feb

Memo for Record - Initial Contact

6 MAR

" " "

Right of Entry  
signed

12 MAR

FIND LTR

5 JUN

FIND LTR

8 JUN

RESPONSE

11 JUN

Memo for Record - Names of Appraisers

12 JUN

King ltr to Osborn

20 JUN

Osborn appraisal

20 June

King ltr to Petit

5 July

Petit appraisal

15 July

King ltr to Rahain

16 July

" " " "

17 July

Rahain acceptance

17 July

Osborn + Petit appraisals sent to

Dir of State Lands for review

EXPENSES IN CONNECTION WITH CONDEMNATION SUIT  
IN DUVAL COUNTY 1984/85

To Property Owner

At Taking	\$6,300.00	
Additional Awarded by Jury	8,000.00	
Interest on Additional Award	573.34	
Defendent Attorney Fees	8,700.00	
Defendent Property Appraiser	1,875.00	
Defendent Expenses	431.65	
Clerk of the Court	<u>268.00</u>	
Total Paid to S. Morgan Slaughter, Clerk of the Court		\$26,147.99

FIND Direct Costs

D. Byron King, Esq.	\$3,494.52	
Property Appraiser	2,689.17	
Court Reporters	346.95	
Land Surveyer	400.00	
Bus Line	<u>140.00</u>	
Total		<u>\$7,070.64</u>
Grand Total		\$33,218.63

25 June 1985

Total expenses to date	\$32,541.38
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Expenses for D. Byron King, Esq. to date	\$2,817.27
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July 9, 1985

Total expenses to date	\$33,218.63
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Expenses for D. Byron King, Esq. to date	3,494.52
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EXPENSES IN CONNECTION WITH CONDEMNATION - DUVAL COUNTY

DATE	PAYEE	AMOUNT
Oct. 15, 1984	S. Morgan Slaughter, Clerk	\$ 6,368.00
Nov. 6, 1984	Broom, Cantrell, Moody & Johnson, Appraisers	300.00
Feb. 21, 1985	D. Byron King, Esq.	356.60
Mar. 14, 1985	D. Byron King, Esq.	475.48
Mar. 14, 1985	Cindy Jennings, Court Reporter	146.95
Mar. 25, 1985	Charles DeGrove, Land Surveyor	225.00
Apr. 8, 1985	D. Byron King, Esq.	333.33
May 16, 1985	D. Byron King, Esq.	167.58
May 21, 1985	S. Morgan Slaughter, Clerk	8,085.00
May 21, 1985	Broom, Cantrell, Moody & Johnson, Appraisers	2,389.17
May 21, 1985	Dowling & Pallison, Inc., Court Reporters	200.00
May 31, 1985	Charles DeGrove, Land Surveyor	175.00
May 31, 1985	Gray Line of Jacksonville	140.00
June 6, 1985	D. Byron King	1,484.28
June 24, 1985	S. Morgan Slaughter, Clerk	11,694.99
July 9, 1985	D. Byron King	677.25



EXPENSES IN CONNECTION WITH CONDEMNATION - DUVAL COUNTY

DATE	PAYEE	AMOUNT	
<del>Oct. 15, 1984</del>	S. Morgan Slaughter, Clerk	<del>\$ 6,368.00</del>	<del>DEFENDENT</del>
		<del># 26,147.99</del>	
<del>Nov. 6, 1984</del>	<del>Broom, Cantrell, Moody &amp; Johnson, Appraisers</del>	<del>300.00</del>	<del>FIND</del>
<del>Feb. 21, 1985</del>	<del>D. Byron King, Esq.</del>	<del>356.60</del>	<del>FIND</del>
		<del># 2,817.27</del>	
<del>Mar. 14, 1985</del>	<del>D. Byron King, Esq.</del>	<del>475.48</del>	<del>FIND</del>
<del>Mar. 14, 1985</del>	<del>Gindy Jennings, Court Reporter</del>	<del>146.95</del>	<del>FIND</del>
<del>Mar. 25, 1985</del>	<del>Charles DeGrove, Land Surveyor</del>	<del>225.00</del>	<del>FIND</del>
<del>Apr. 8, 1985</del>	<del>D. Byron King, Esq.</del>	<del>333.33</del>	<del>FIND</del>
<del>May 16, 1985</del>	<del>D. Byron King, Esq.</del>	<del>167.58</del>	<del>FIND</del>
<del>May 21, 1985</del>	<del>S. Morgan Slaughter, Clerk</del>	<del>8,085.00</del>	<del>DEF.</del>
		<del>2,689.17</del>	
<del>May 21, 1985</del>	<del>Broom, Cantrell, Moody &amp; Johnson, Appraisers</del>	<del>2,389.17</del>	<del>FIND</del>
<del>May 21, 1985</del>	<del>Dowling &amp; Pallison, Inc., Court Reporters</del>	<del># 346.95</del>	<del>FIND</del>
		<del>200.00</del>	
<del>May 31, 1985</del>	<del>Charles DeGrove, Land Surveyor</del>	<del># 400.00</del>	<del>FIND</del>
		<del>175.00</del>	
<del>May 31, 1985</del>	<del>Gray Line of Jacksonville</del>	<del>140.00</del>	<del>FIND</del>
<del>June 6, 1985</del>	<del>D. Byron King</del>	<del>1,484.28</del>	<del>FIND</del>
<del>June 24, 1985</del>	<del>S. Morgan Slaughter, Clerk</del>	<del>11,694.99</del>	<del>DEF</del>

EXPENSES IN CONNECTION WITH CONDEMNATION SUIT  
IN DUVAL COUNTY 1984/85

gl

To Property Owner

At Taking	\$6,300.00	
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Court Reporters	346.95	
Land Surveyer	400.00	
Bus Line	<u>140.00</u>	
Total		<u>\$7,070.64</u>
Grand Total		<del>\$33,218.63</del>

Plus \$5,000 for

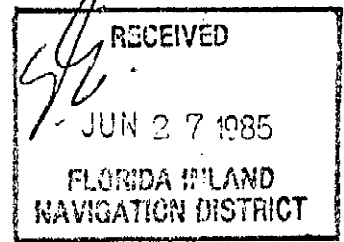
\* 38,000

For Award / Rump



# FLORIDA INLAND NAVIGATION DISTRICT

June 25, 1985



## COMMISSIONERS

ASTOR SUMMERLIN  
CHAIRMAN  
ST. LUCIE COUNTY

W. VINCENT BARBER  
VICE CHAIRMAN  
BREVARD COUNTY

EDWARD A. GEARY  
TREASURER  
MARTIN COUNTY

CHARLES L. TRAD  
SECRETARY  
FLAGLER COUNTY

DOUGLAS C. CRANE  
DUVAL COUNTY

SAM T. WILLIS  
ST. JOHNS COUNTY

TONY WALSH  
VOLUSIA COUNTY

JOE H. EARMAN  
INDIAN RIVER COUNTY

ROBERT L. RYBOVICH  
PALM BEACH COUNTY

MYRON H. BURNSTEIN  
BROWARD COUNTY

JOHN J. COLLIER, JR.  
DADE COUNTY

## STAFF

STERLING K. EISIMINGER  
GENERAL MANAGER

Special D. BYRON KING  
ATTORNEY

Colonel Sterling K. Eisiminger  
General Manager, FIND  
818 U.S. Highway One  
Suite 7  
North Palm Beach, Florida 33408

RE: FIND vs. Turner, Condemnation

Dear Colonel Eisiminger:

Enclosed please find copies of the following items: Order signed by Judge Adams assessing interest, court costs and attorney's fees; Motion to Tax Costs together with bills and a Motion to Assess Attorney's Fees signed by Attorney Foerster; an Affidavit from Attorney Foerster supporting his Motion for Attorney's Fees.

In paragraph 7 of his affidavit, Attorney Foerster estimates that he spent 62 hours.

Yesterday I spoke with you in regard to the payment of \$11,579.99 which FIND is to deposit with the Clerk of the Circuit Court, S. Morgan Slaughter. In addition to that, the clerk needs \$115.00 for court costs in handling and disbursing the money. This makes a total payment of \$11,694.99.

A question came up at the hearing as to how soon FIND could pay this, and I told them that it would be within a reasonable time. I explained why I did not want the Court to set a definite time as to when payment should be made.

I am also enclosing a copy of a letter addressed to me from J. Quinton Rumph, who was the attorney that I had associated with me in this trial. He is asking \$5,000.00, estimating he spent approximately 50 hours of service at \$100.00 per hour.

When I started this condemnation suit, the defendants secured the services of David W. Foerster as their attorney. I was told by several people in the Corps of Engineers that Attorney Foerster specializes in condemnation suits and is recognized in the State of Florida as one of the finest attorneys in that field.

As the law had been changed considerably since I had worked on condemnation suits 15 years ago, I felt that it was necessary that FIND be also represented by an expert in this field. In checking around and conferring with the Corps of Engineers,

Attorney Rumph was suggested as also being an expert in condemnation suits.

As the next scheduled meeting for FIND was some time away, I employed Attorney Rumph to assist me on behalf of FIND. I told him at that time that even though I was General Counsel for FIND, I had no authority to seek his services without the consent of the Board. He was advised by me that if FIND did not pay for his services, I personally would, as I did not want FIND to get behind the eight ball in this situation. Normally, the General Counsel has the authority to employ whatever assistance is needed in this type of situation. I repeat, if FIND does not honor this obligation, I will pay it.

I am very happy that we have practically closed out the condemnation suit. The jury's verdict was a little more than I expected, but not much.

In so far as the present situation for the securing of an additional 60 feet along the west side of the spoil area which FIND owns is concerned, I still do not have an appraisal from Mr. Broome or Mr. Miller. I do have an appraisal from Mr. Osborne. All three of these men are M.A.I. appraisers. Mr. Osborne's appraisal states the value of \$7,500.00 as a fair market value.

After I get the other appraisals, I want to sit down and talk with Attorney Foerster and Commissioner Derr to see if we can settle this matter without condemnation, as we all know condemnation suits are expensive.

Please contact me if you have any questions in regard to the subject matter enclosed.

Cordially yours,

*Byron*  
D. Byron King

DBK/1a1

Enclosures

cc: Commissioner William O. Derr, Duval County  
Commissioner Astor Summerlin, St. Lucie County, Chairman of the Board

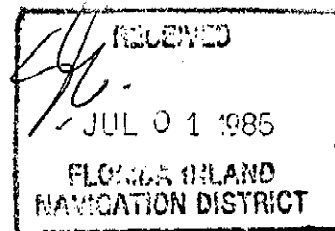
RUMPH AND STODDARD

ATTORNEYS AT LAW

SUITE 101-3100 BUILDING

3100 UNIVERSITY BOULEVARD SOUTH

JACKSONVILLE, FLORIDA 32216



J. QUINTON RUMPH  
RICHARD C. STODDARD  
DEMERE MASON

May 29, 1985

TELEPHONE 724-5060  
AREA CODE 904

Florida Inland Navigation District  
c/o D. Bryon King, Esquire  
137 E. Forsyth Street  
Suite 308  
Jacksonville, Florida 32202

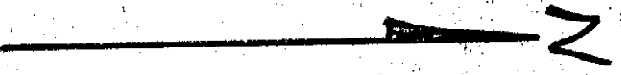
Re: Florida Inland Navigation District -vs-  
Edwin Turner and Frances Turner

STATEMENT OF SERVICES

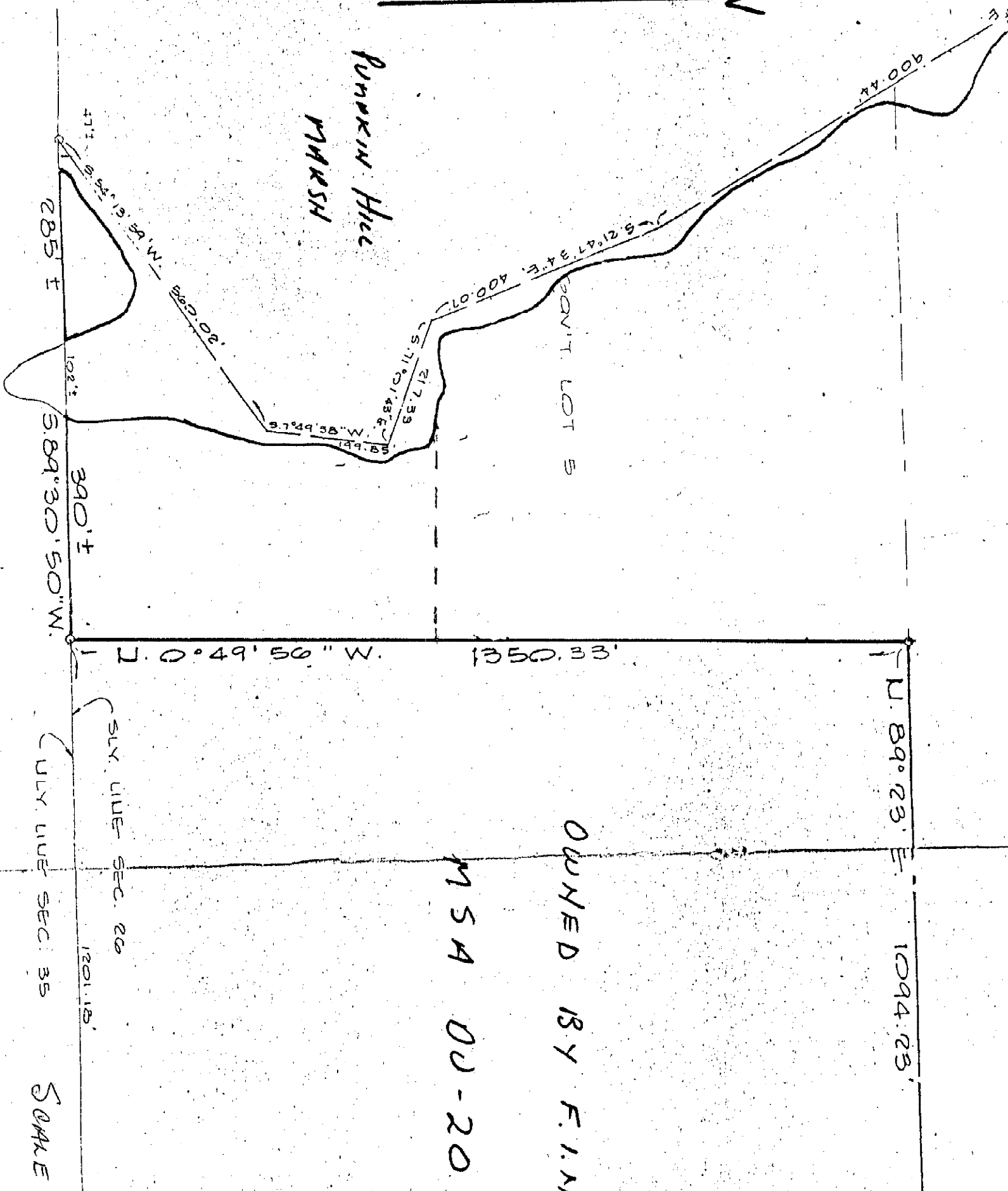
50 Hours of Service at \$100.00 Per Hour = \$5,000.00

Service Included:

1. Preparation of Petition in Eminent Domain and Filing of Lis Pendens
2. Responded to Interrogatories Filed by Defendant's
3. Preparation of Summons
4. Employed Surveyor to Survey Property Being Taken
5. Attended and Presented Evidence for the Order of Taking and Preparation of the Order of Taking to be Signed by the Court
6. Inspected Property with Mr. King
7. Conference with the Appraiser - Harry V. Broom
8. Filed Motion to Set Case for Trial
9. Attended Hearing on Setting Case for Hearing
10. Reviewed the Order Setting Case for Trial and Pre-Trial Conference
11. Attended Pre-Trial Conference
12. Prepared Subpoenas for Harry Broom and Gordon Holmes
13. Office Conference with Harry Broom and Gordon Holmes
14. Attended Deposition of Gordon Holmes
15. Prepared new Subpoenas after Case Reset for Trial
16. Conference with Gordon Holmes, Harry Broom and Bryon King in Preparation for Trial
17. Prepared Jury Instructions and Pre-Trial Statement
18. Reinspection of Property prior to Trial after employing Surveyor to Red Flag the 60 Feet of Right-of-Way
19. Reviewed the Law and Argued Same During Trial
20. Conducted 2 full days of Trial before 12 Person Jury which included inspecting property with Jury
21. Prepared Jury Verdict
22. Prepared Final Judgment and Presented Same to Court

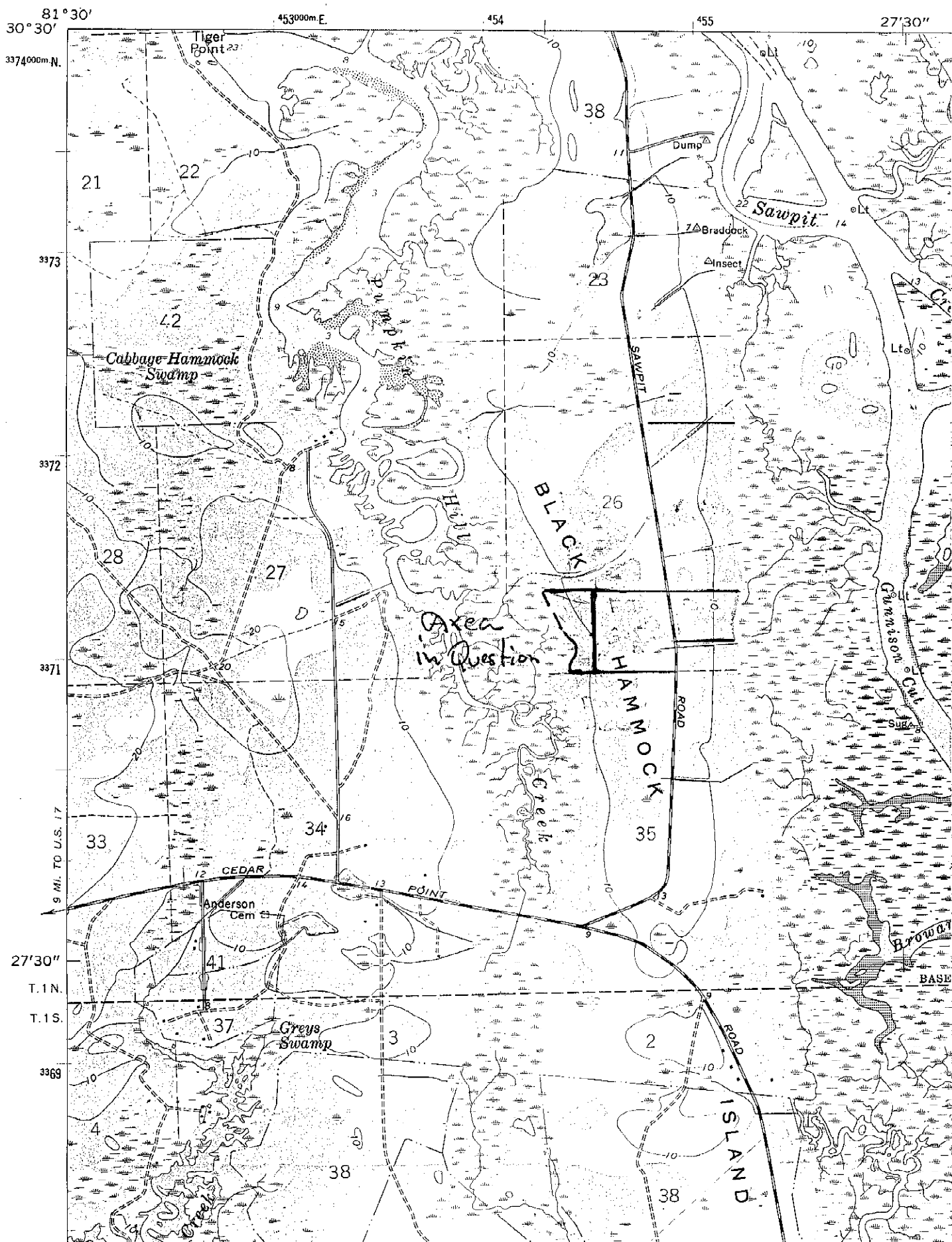


Pumpkin Hill  
MARSH



4645 11 SE  
(HEDGES)

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
GEOLOGICAL SURVEY



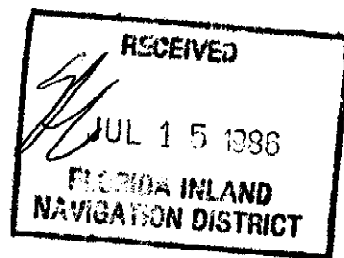


REPLY TO  
ATTENTION OF

Real Estate Division

DEPARTMENT OF THE ARMY  
JACKSONVILLE DISTRICT, CORPS OF ENGINEERS  
P. O. BOX 4970  
JACKSONVILLE, FLORIDA 32232-0019

July 11, 1986



Colonel Sterling K. Eisiminger  
USA Retired  
General Manager  
Florida Inland Navigation District  
818 U.S. Highway One, Suite 7  
North Palm Beach, Florida 33408-3817


Dear Colonel Eisiminger:

Reference your letter of June 26, 1986, transmitting to this office for review, a copy of a Perpetual Drainage, dated June 24, 1986, from FIND to the U.S.A. over 1.88 acres of land in Duval County, Florida.

This is to advise you that this office has reviewed the referenced easement and has determined that it is sufficient. Request that you provide this office with commercial preliminary title evidence prior to recordation of the easement. The preliminary Certificate of Title or Title Insurance Policy should be issued in favor of the United States of America and should be in the amount of \$5,000. This office will request that a Final Certificate of Title or an Endorsement be issued after the title evidence has been reviewed and approved.

Please telephone Hal Graff at (904) 791-2519 if you have any questions.

Sincerely,

  
Walter P. Jones III  
Chief, Real Estate Division



23 February 1987

William L. Coalson, Esq.  
2600 Gulf Life Tower  
Jacksonville, FL. 32207

Dear Mr. Coalson:

Enclosed in accordance with your request is the DNR Division of State Lands list of approved property appraisers that work in the Department of Transportation District 2.

Sincerely,

Sterling K. Eisiminger  
General Manager

SKE:rm  
Enc.

DOT District 2

Du-17-18

RECEIVED

FEB 20 1987

FLORIDA INLAND  
NAVIGATION DISTRICTPage No. 1  
02/17/87

NAME AND ADDRESS	LIVES WORKS IN IN DIST. DIST.	DESIGNATIONS AND PHONE #'S	RATING
Albright, Stephen J., Albright & Assoc. of Ocala, Inc. 2355 SE 17th St. Ocala, Florida 32671	5 1,2,5	MAI, SRPA 904/622-9191	40.90
Benson, William H., W. H. Benson & Company 307 E. New Haven Ave., Ste. 2 Melbourne, Florida 32901	5 1, 2, 3, 4, 5, 6	MAI, SRPA 305/984-0999	50.20
Bolton, James L., P.O. Box 1311 595 W. Duval St. Lake City, Florida 32056	2 1, 2, 3, 4, 5, 6	MAI, SRPA, SRA 904/752-5780	38.80
Bullard, Gary E., Bullard & Assoc., Inc. 1834 Mason Ave. Daytona Beach, Florida 32017	5 1, 2, 3, 4, 5, 6	MAI, SREA 904/258-5422	39.60
Caldwell, Douglas R., 625 - 49th St., N. St. Petersburg, Florida 33710	1 1, 2, 5	SRPA 813/321-3487	40.20
Callaway, Robert J., Callaway & Price, Inc. 1639 Forum Place, Ste. 5 West Palm Beach, Florida 33401	4 1, 2, 3, 4, 5, 6	MAI, SREA 305/686-0333	57.20
Carlton, William E., III Carlton Appraisal Company 850 E. Park Avenue Tallahassee, Florida 32301	3 1, 2, 3, 4, 5, 6	MAI, SRA 904/222-9965	41.20

NAME AND ADDRESS	LIVES IN	WORKS IN DIST. DIST.	DESIGNATIONS AND PHONE #'S	RATING
Clayton, Craig H., Clayton & Roper Appraisal Services 419 N. Magnolia Ave. Orlando, Florida 32801-1591	5	2, 5	MAI 305/423-0111	32.10
Cline, Kenneth B., The Berkley South, Ste. 118A 3015 N. Ocean Blvd. Ft. Lauderdale, Florida 33308	4	1, 2, 3, 4, 5, 6	CA-S 305/563-8604	30.00
Connor, Victor J., Jr. Gulf Coast Realty Group, Inc. 517 N. Baylen St. Pensacola, Florida 32501	3	2, 3	MAI, SREA 904/434-3699	33.40
Emerson, Don, Don Emerson Appraisal Company, Inc. 110 N.W. Second Ave. Gainesville, Florida 32602	2	2, 5	ASA 904/372-5645	30.00
Emerson, Don, Jr. Don Emerson Appraisal Company, Inc. 110 N.W. Second Ave. Gainesville, Florida 32602	2	2	MAI, SRPA 904/372-5645	32.00
Enslan, Robert G., 2269 Lee Rd. Winter Park, Florida 32789	5	1, 2, 3, 5	RM, MAI 305/644-6300	14.80
Garcia-Menocal, Gabriel, The Republic Appraisal Co., Inc. 2075 S.W. 27 Ave. Miami, Florida 33145	6	1, 2, 3, 4, 5, 6	MAI, SRPA 305/854-0708	32.00

Page No. 3  
02/17/87

NAME AND ADDRESS	LIVES IN	WORKS IN DIST. DIST.	DESIGNATIONS AND PHONE #'S	RATING
Gardner, Charles S., Gardner-Corn Appraisers, Inc. P. O. Box 15041 Daytona Beach, Florida 32015	5	1, 2, 3, 4, 5, 6	MAI 904/672-5262	36.40
Giberson, William V., Real Property Analysts, Inc. P. O. Box 9924 Ft. Lauderdale, Florida 33310-9924	4	1, 2, 3, 4, 5, 6	RM, SRA 305/735-1500	34.00
Hale, Richard S., P. O. Box 1554 925 E. Baya Ave., Ste. A Lake City, Florida 32055	2	1, 2, 3, 5	RM 904/755-0390	28.80
Hamilton, Alfred A., Hamilton Appraisal Services, Inc. 130 N. Frederick St. Daytona Beach, Florida 32015	5	1, 2, 3, 4, 5, 6	MAI, RM 904/253-5684	33.90
Hanson, Nils L., Hanson Appraisal Service, Inc. 2815 W. New Haven Ave., Ste. 302 Melbourne, Florida 32904	5	1, 2, 3, 4, 5, 6	MAI, SRPA 305/725-1467	39.50
Harper, James M., J. M. Harper & Assoc., Inc. 2503 Rogers Rd. Jacksonville, Florida 32211	2	1, 2, 5	MAI, SRPA, SRA 904/743-5300	42.60
Hastings, Ted, III HASTINGS & ASSOCIATES LTD., INC. 129 EAST COLONIAL DRIVE ORLANDO, FLORIDA 32801	5	1, 2, 3, 4, 5, 6	SRPA 305/423-1430	30.10

NAME AND ADDRESS	LIVES IN DIST.	WORKS IN DIST.	DESIGNATIONS AND PHONE #'S	RATING
Hayes, Dale L., DALE HAYES AND ASSOCIATES POST OFFICE BOX 5525 LAKELAND, FLORIDA 33807	1	1, 2, 3, 4, 5, 6	MAI, SRPA 813/644-2946	39.40
Hope, John D., APPRAISAL & REALTY SERVICES, INC. POST OFFICE BOX 11838 FT. LAUDERDALE, FLORIDA 33339	4	1, 2, 3, 4, 5, 6	SREA 305/491-0934	57.50
Houha, Robert W., POST OFFICE BOX 2149  COCOA, FLORIDA 32923-2149	5	1, 2, 3, 4, 5, 6	MAI 305/532-8671	35.60
Hunt, John W., 650 W. MAIN STREET  BARTOW, FLORIDA 33830	1	1, 2, 4, 5	CA-S, ARA 813/533-0869	34.40
Kampe, Otto H., 1109 NORTHWEST 23RD AVENUE, SUITE A  GAINESVILLE, FLORIDA 32609	2	2, 3, 5	MAI, ASA, SRPA 904/373-8312	47.20
Keller, Fred M., Jr. 514 MAGNOLIA AVENUE  PANAMA CITY, FLORIDA 32401	3	1, 2, 3, 4, 5	MAI, SRPA 904/785-0125	34.80
Ketcham, Clay B., POST OFFICE BOX 12154  TALLAHASSEE, FLORIDA 32317	3	1, 2, 3, 4, 5, 6	CA-S, RM 904/386-3707	49.20

NAME AND ADDRESS	LIVES IN DIST.	WORKS IN DIST.	DESIGNATIONS AND PHONE #'S	RATING
Koenig, Clifford A., REAL ESTATE RESEARCH CORPORATION 799 BRICKELL PLAZA, SUITE 705 MIAMI, FLORIDA 33131	4	1, 2, 3, 4, 5, 6	MAI 305/377-4671	30.00
Lampe, Walton M., 4440 MERRIMAC AVENUE  JACKSONVILLE, FLORIDA 32210	2	2, 5	MAI, SRPA 904/388-7020	42.65
Lentz, Charles J., POST OFFICE BOX 7117-A  ORLANDO, FLORIDA 32854	5	1, 2, 3, 4, 5, 6	MAI 305/628-0505	30.00
Matthews, Robert J., 1300 LANGLEY AVENUE  PENSACOLA, FLORIDA 32504	3	1, 2, 3, 4, 5	AM 904/474-0522	46.20
McKeon, Leslie A., POST OFFICE BOX 1600  ST. PETERSBURG, FLORIDA 33731	1	1, 2, 3, 4, 5, 6	MAI, SRPA, SRA 813/821-6338	48.60
Miller, Earl B., MILLER, ROGERS, HOLLIS, INC. 2980 HARTLEY ROAD, WEST, SUITE 4 JACKSONVILLE, FLORIDA 32217	2	2	MAI, SRPA 904/262-9500	44.60
Muncy, Charles D., POST OFFICE BOX 39328  FORT LAUDERDALE, FLORIDA 33339	4	1, 2, 3, 4, 5, 6	ASA 305/563-8601	35.10

Page No. 6  
02/17/87

NAME AND ADDRESS	LIVES IN DIST.	WORKS IN DIST.	DESIGNATIONS AND PHONE #'S	RATING
Osborn, Frank K., 131 EAST BAY STREET  JACKSONVILLE, FLORIDA 32202	2	2	MAI 904/355-7531	36.00
-----				
Pacetti, J. F., K & K REALTY, INC. 874 EAU GALLIE BOULEVARD MELBOURNE, FLORIDA 32935	5	1, 2, 3, 4, 5, 6	SRA 305/254-9749	31.10
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Parrado, Peter J., 807 HIGHWAY 574 WEST, SUITE 4  SEFFNER, FLORIDA 33584	1	1, 2, 3, 4, 5, 6	SRPA 813/681-9226	38.40
-----				
Petit, Theodore F., 3100 UNIVERSITY BOULEVARD, S., SUITE 117  JACKSONVILLE, FLORIDA 32216	2	2, 5	MAI, SRPA 904/725-4623	39.70
-----				
Pickens, Phillip, POST OFFICE BOX 1528 585 W. DUVAL STREET (U.S. 90) LAKE CITY, FLORIDA 32056-1528	2	1, 2, 3, 4, 5, 6	MAI, ASA, SREA 904/752-5780	43.60
-----				
Pillion, John C., 1018 THOMASVILLE ROAD, SUITE 200-T  TALLAHASSEE, FLORIDA 32303	3	1, 2, 3, 4, 5, 6	MAI, ASA 904/681-3696	42.52
-----				
Presley, M. E., POST OFFICE BOX 329  PENSACOLA, FLORIDA 32592	3	1, 2, 3, 4, 5, 6	MAI 904/432-7066	34.20
-----				

NAME AND ADDRESS	LIVES IN DIST.	WORKS IN DIST.	DESIGNATIONS AND PHONE #'S	RATING
Price, Joe R., 1639 FORUM PLACE  WEST PALM BEACH, FLORIDA 33401	4	1, 2, 3, 4, 5, 6	MAI, SRPA 305/686-0333	43.70
Rex, Charles W., III 1501 WEST COLONIAL DRIVE  ORLANDO, FLORIDA 32804	5	1, 2, 3, 4, 5, 6	MAI 305/425-5581	54.10
Rogers, Charles B., 2980 HARTLEY ROAD, WEST, SUITE 4  JACKSONVILLE, FLORIDA 32217	2	2, 5	MAI, SRPA 904/262-9500	39.50
Roy, Michael C., 4440 MERRIMAC AVENUE  JACKSONVILLE, FLORIDA 32210	2	2, 5	MAI 904/388-7020	32.80
Santangini, Andrew V., Jr. 1109 NORTHWEST 23 AVENUE, SUITE D  GAINESVILLE, FLORIDA 32609	2	1, 2, 3, 5	MAI 904/376-3351	34.40
Santangini, John A., 1109 NORTHWEST 23 AVENUE, SUITE D  GAINESVILLE, FLORIDA 32609	2	1, 2, 3, 5	MAI, SRA 904/376-3351	39.80
Schoenrock, Kurt, 2907 BAY TO BAY BOULEVARD, SUITE 305  TAMPA, FLORIDA 33629	1	1, 2, 3, 4, 5, 6	MAI 813/831-4060	36.00



Page No. 8  
02/17/87

NAME AND ADDRESS	LIVES IN DIST.	WORKS IN DIST.	DESIGNATIONS AND PHONE #'S	RATING
Shadden, Vaden C., Jr. POST OFFICE BOX 12154  TALLAHASSEE, FLORIDA 32317	3	1, 2, 3, 4, 5, 6	MAI 904/386-3707	37.75
Black, Theodore C., 655 B.W. MIAMI PLACE  MIAMI, FLORIDA 33130-3008	6	1, 2, 3, 4, 5, 6	MAI, SRPA 305/372-9333	113.80
Smith, Roy F., Jr. 2136 HERSCHEL STREET  JACKSONVILLE, FLORIDA 32204	2	1, 2, 5	SRA 904/388-7736	25.00
Spano, Charles D., Jr. SOUTHERN APPRAISAL CORPORATION 570 MEMORIAL CIRCLE, SUITE D ORMOND BEACH, FLORIDA 32074	5	1, 2, 3, 4, 5, 6	MAI, SRPA 904/672-4533	43.60
Steeg, Stewart B., 4157 BALTIC STREET POST OFFICE BOX 3, ORTEGA STATION JACKSONVILLE, FLORIDA 32210	2	2	SRPA 904/389-5537	30.70
Sutte, Donald T., REAL PROPERTY ANALYSTS, INC. POST OFFICE BOX 9924 FORT LAUDERDALE, FLORIDA 33310-992	4	1, 2, 3, 4, 5, 6	MAI, SREA 305/735-1500	38.93
Sutte, Robert S., POST OFFICE BOX 7117-A  ORLANDO, FLORIDA 32854-117	5	1, 2, 3, 4, 5, 6	MAI, SREA 305/268-0505	146.90

NAME AND ADDRESS	LIVES IN DIST.	WORKS IN DIST.	DESIGNATIONS AND PHONE #'S	RATING
Taylor, David L., TAYLOR APPRAISAL COMPANY 1113 EAST ROBINSON STREET ORLANDO, FLORIDA 32801	5	1, 2, 3, 4, 5, 6	MAI 305/423-5581	30.00
Tuttle, Albert J., 115 EAST NEW HAVEN AVENUE  MELBOURNE, FLORIDA 32901	5	1, 2, 3, 4, 5	MAI 305/723-7010	32.20
Veasey, John W., 2809 BLANDING BOULEVARD  MIDDLEBURG, FLORIDA 32068	2	1, 2, 3, 4, 5, 6	MAI 904/282-9361	36.10
Weigel, William R., III 2809 BLANDING BOULEVARD  MIDDLEBURG, FLORIDA 32068	2	1, 2, 3, 4, 5, 6	MAI 904/282-9361	36.50
Wheeler, William H., Sr. POST OFFICE BOX 2416  LAKELAND, FLORIDA 33804-2416	1	1, 2, 5	MAI, SRPA 813/688-7994	37.80
Willett, Frank W., HERITAGE APPRAISAL GROUP, INC 1533 CROSS STREET SARASOTA, FLORIDA 33577	1	1, 2, 3, 4, 5, 6	ASA, IFAS, SRP 813/957-1430	42.30
Wingo, Raymond F., III 2701 E. SUNRISE BOULEVARD, SUITE 320  FORT LAUDERDALE, FLORIDA 33304	4	4, 6	MAI, SRPA 305/565-7771	38.68

Page No. 10  
02/17/87

NAME AND ADDRESS	LIVES IN DIST.	WORKS IN DIST.	DESIGNATIONS AND PHONE #'S	RATING
Yeargin, Harry A., 9428 BAYMEADOWS ROAD, SUITE 260  JACKSONVILLE, FLORIDA 32216	2	2, 3, 5	SRPA 904/733-2474	33.50

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**GREENE, GREENE & COALSON, P.A.**

ATTORNEYS AND COUNSELORS AT LAW

2600 GULF LIFE TOWER

JACKSONVILLE, FLORIDA 32207

TELEPHONE (904) 396-5527

POST OFFICE BOX 188

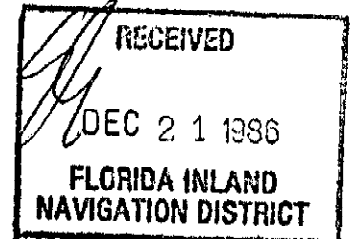
FORT MC GY, FLORIDA 32637

TELEPHONE (904) 236-4579

C. RAY GREENE, JR.  
THOMAS H. GREENE  
WILLIAM L. COALSON  
OF COUNSEL  
WILLIAM E. FALCK

December 18, 1986

Florida Inland Navigation District  
818 U.S. Highway One, Suite 7  
North Palm Beach, Florida 33408



I N V O I C E

RE: FLORIDA INLAND NAVIGATION DISTRICT V. PUMPKIN HILL

DATE	SERVICES RENDERED	HOURS
5/13/86	Review of Lampe's updated appraisal and transmittal of Lampe's bill	0.3
5/14/86	Preparation of motion to set and hearing thereon and interrogatories	1.0
5/14/86	Telecon w/Col. Eisiminger	0.1
5/15/86	Preparation of motion to set and hearing thereon	0.3
6/2/86	Telecon w/Eisiminger re: order of taking	0.1
6/3/86	Letter to Eisiminger	0.1
6/11/86	Telecon w/Eisiminger	0.1
6/12/86	Telecon w/Eisiminger	0.1
6/24/86	Attendance at hearing to set for trial	1.0
6/26/86	Receipt and review of pre-trial order	0.1
11/17/86	Review of file and telecon w/Theresa Rooney	0.7
11/17/86	Preparation of requests for admissions, motion to shorten time and notice of hearing	0.5
11/17/86	Motion to compel answers to interrogatories and notice of hearing thereon	0.3

*paid 12/21/86*

GREENE, GREENE & COALSON, P.A.

Florida Inland Navigation District  
December 18, 1986  
Page 2

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11/17/86	Telecons w/Lampe	0.4
11/18/86	Telecons w/Rooney and Eisiminger; receipt and review of answers to interrogatories	0.8
11/18/86	Telecon w/Rooney	0.2
11/9/86	Telecon w/Cleve Powell	0.2
11/19/86	Telecon w/Eisiminger	0.1
11/24/86	Conference call re: settlement	0.3
11/24/86	Telecon w/Rooney	0.3
11/24/86	Telecon w/Eisiminger	0.2
11/24/86	Telecon w/Rooney	0.1
11/24/86	Telecon w/Rooney	0.3
11/25/86	Telecon w/Rooney	0.1
11/26/86	Telecon w/Rooney and work on stipulation	0.6
11/26/86	Telecon w/Rooney	0.1
12/1/86	Work on stipulation	0.3
12/1/86	Receipt and review of correspondence; conference w/appraiser and owner's attorney; attendance at pre-trial conference and letter to FIND	2.5
12/2/86	Telecon w/Cleve Powell	0.2
12/3/86	Telecon w/Col. Eisiminger	0.1
12/8/86	Receipt and review of appraiser's invoice and preparation of final invoice; letter to Colonel Eisiminger	0.5

GREENE, GREENE & GOALSON, P.A.

Florida Inland Navigation District  
December 18, 1986  
Page 3  
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12/10/86	Telecon w/ColonelEisiminger	0.2
12/17/86	Making deposit and preparing Notice of Deposit	0.8
		-----
	TOTAL HOURS	13.0
	13 hours @ \$150.00 per hour =	\$1,950.00
	Walter M. Lampe, Inc. (invoice attached)	\$1,200.00
	Anderson Reprographics (preparation of trial exhibits)	\$ 151.20
	DUE AND PAYABLE UPON RECEIPT	<u>\$3,301.20</u>
		=====

WLC/d



**WALTER M. LAMPE, INC.**  
APPRAISER-CONSULTANT

4440 MERRIMAC AVENUE, JACKSONVILLE, FLORIDA 32210 (904) 388-7020

WALTER M. LAMPE, MAI-SRPA  
MICHAEL C. ROY, MAI  
W. SCOTT LUCAS  
SAMUEL J. ROGERS  
JACK CAVE, SRA

Mr. William L. Coalson  
Greene, Greene, Falck and Coalson  
Attorneys and Counselors at Law  
2600 Gulf Life Tower  
Jacksonville, Florida

December 2, 19 86

FIND vs Pumpkin Hill Corporation,  
et. al.  
Trial Preparation

1.5 Days @ \$800 Per Day =

\$1,200

15 December 1986

William L. Coalson, Esq.  
Greene, Greene, Falck & Coalson  
2600 Gulf Life Tower  
Jacksonville, FL 32207

Dear Mr. Coalson:

Enclosed is a Florida Inland Navigation District check in the amount of \$5,600 payable to the Clerk of the Circuit Court which you requested in connection with the Condemnation Action in Duval County.

Sincerely,

Sterling K. Eisiminger  
General Manager

SKE:ngb  
enc.



**GREENE, GREENE, FALCK & COALSON, P.A.**

ATTORNEYS AND COUNSELORS AT LAW

2600 GULF LIFE TOWER

JACKSONVILLE, FLORIDA 32207

TELEPHONE (904) 396-5527

C. RAY GREENE, JR.  
THOMAS H. GREENE  
WILLIAM E. FALCK  
WILLIAM L. COALSON

RECEIVED

DEC - 5 1986

FLORIDA INLAND  
NAVIGATION DISTRICT

POST OFFICE BOX 188

FORT MCCOY, FLORIDA 32037

TELEPHONE (904) 236-4579

December 1, 1986

Colonel Sterling K. Eisiminger  
Florida Inland Navigation District  
818 U.S. Highway One, Suite 7  
North Palm Beach, Florida 33408

**Re: FIND v. Pumpkin Hill Corp.**

Dear Colonel Eisiminger:

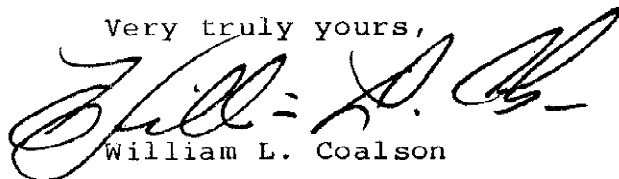
Transmitted herewith please find a copy of the Stipulated Final Judgment entered by the parties and the court at the pre-trial conference this afternoon. I am happy to advise that I was able to settle the entire matter, i.e., full compensation for the owner, attorneys fees and costs, for the \$15,000.00 authority given me by your Board.

I shall need for you to send me a check payable to the Clerk of Circuit Court in the amount of \$5,600.00 so that we can comply with the requirements of paragraph 3 of the enclosure.

When I am in receipt of the appraiser's final invoice, I shall transmit it to you along with mine for final payment.

The confidence reposed in us by FIND is, indeed, an honor and serving you was our privilege. Should you have any questions, please let me know and I remain

Very truly yours,



William L. Coalson

WLC/d  
Enclosure

IN THE CIRCUIT COURT, FOURTH  
JUDICIAL CIRCUIT, IN AND FOR  
DUVAL COUNTY, FLORIDA.

CASE NO. 86-3184-CA

DIVISION: ~~F~~ C

FLORIDA INLAND NAVIGATION  
DISTRICT, a Special Taxing  
District Under the Laws of  
the State of Florida,

Plaintiff,

vs.

PUMPKIN HILL CORP., a Florida  
corporation, et al.,

Defendants.

---

#### STIPULATED FINAL JUDGMENT

THIS CAUSE having come on upon the joint motion for the entry of a final judgment made by the plaintiff and the defendant 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 plaintiff is full, just and reasonable for all parties concerned, and the Court being fully advised in the premises, it is, therefore,

ORDERED AND ADJUDGED that:

1. The defendant, PUMPKIN HILL CORP., do have and recover of and from the plaintiff the sum of \$12,200.00 in full payment for the property taken and for damages to the remainder if less than the entire property was taken and for all other damages of any nature connected with this cause.

2. The reasonable costs and fees for defendant's attorney is \$2,800.00.

3. The plaintiff, FLORIDA INLAND NAVIGATION DISTRICT, shall forthwith deposit into the registry of this Court the additional sum of \$5,000.00, which sum represents the difference

foregoing sum, shall pay to D. W. Foerster, Esquire, the sum of \$2,800.00 as and for reasonable fees and costs. The balance of \$2,800.00 will remain in the Court Registry pending further order of the Court.

5. Title to the property sought by the complaint in the following described property, to-wit:

(See Exhibit A attached hereto)

which vested in the plaintiff, FLORIDA INLAND NAVIGATION DISTRICT, pursuant to the order of taking and deposit of money heretofore made, is approved, ratified and confirmed.

DONE AND ORDERED in chambers, Duval County Courthouse, Jacksonville, Florida this December 1, 1986.


(SIGNED) DOROTHY H. PATE

CIRCUIT JUDGE

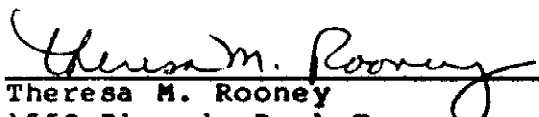
M O T I O N

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

GREENE, GREENE, FALCK &  
COALSON, P.A.

  
William L. Coalson  
2600 Gulf Life Tower  
Jacksonville, Florida 32207  
904/396-5527

Attorney for Plaintiff

  
Theresa M. Rooney  
1550 Florida Bank Tower  
Jacksonville, Florida 32202  
904/355-2543

Attorney for Defendant

Copies furnished to:

William L. Coalson, Esquire  
Theresa M. Rooney, Esquire  
Michael B. Wedner, Esquire  
J. P. Carolan, III, Esquire

EXHIBIT "A"

A portion of Government Lot 5, Section 26, Township 1 North, Range 28 East, Duval County, Florida being more particularly described as follows: BEGIN at the Northeast corner of said Government Lot 5, thence South  $00^{\circ}50'01''$  East along the Easterly line of said Government Lot 5, 1350.30 feet; thence South  $89^{\circ}31'22''$  West along the Southerly line of said Section 26, 120.00 feet; thence North  $44^{\circ}31'22''$  East, 84.33 feet; thence North  $00^{\circ}50'01''$  West, along the line parallel with and lying 60 feet Westerly as measured at right angles to said Easterly line of Government Lot 5, 1290.52 feet; thence North  $89^{\circ}22'58''$  East along the Northerly line of said Government Lot 5, 60.00 feet to the POINT OF BEGINNING.

Containing 1.88 acres, more or less.

IN THE CIRCUIT COURT, FOURTH  
JUDICIAL CIRCUIT, IN AND FOR  
DUVAL COUNTY, FLORIDA.

CASE NO.: 84-8689-CA

DIVISION: K

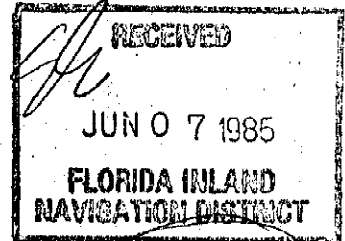
FLORIDA INLAND NAVIGATION DISTRICT  
a Special Taxing District Under the  
Laws of the State of Florida,

Plaintiff.

vs.

EDWIN TURNER and FRANCES TURNER,  
his wife,

Defendants.



FINAL JUDGMENT

This action was tried as to that certain perpetual drainage easement as described in the land set forth in the Verdict, and the Jury, having been impaneled and sworn to try what compensation shall be made to the Defendants for the said perpetual drainage easements and to the damages to the remainder, and the Court, having heard the evidence and the charges of the Court, and have retired to consider their verdict on May 10, 1985, returned the following verdict:

V E R D I C T

Jacksonville, Florida

May 10th, 1985

WE, THE JURY, find for the Plaintiff, FLORIDA INLAND NAVIGATION DISTRICT, and find that the Plaintiff is entitled to acquire a perpetual easement for drainage as set forth in the Complaint for Condemnation in and to the following, described land, situate, lying and being in the County of Duval, State of Florida, more particularly described as follows:

24 November 1986

William L. Coalson, Esq.  
Greene, Greene, Falck & Coalson  
2600 Gulf Life Tower  
Jacksonville, FL 32207

Dear Mr. Coalson:

This letter confirms the Florida Inland Navigation District Board of Commissioners action taken in a meeting held this date, by telephone, at which you were present.

The Board adopted the following motion unanimously:

Commissioner Derr: I move the Board grant Attorney Coalson the authority to negotiate the purchase of that 1.88 acre parcel of property in Duval County now in condemnation proceedings, in the name of F. I. N. D., for not more than \$15,000, exclusive of court costs and attorney fees for which F.I. N. D. would be responsible. Motion seconded by Comm. Cosme.

Sincerely,

Sterling K. Eisiminger  
General Manager

SKE:ngb

26 June 1986

District Engineer  
U.S. Army Corps of Engineers  
P.O. Box 4970  
Jacksonville, Florida 32232

Attention: Chief, Real Estate Division

Dear Mr. Jones:

Enclosed is a copy of the executed PERPETUAL DRAINAGE EASEMENT for the 1.88 acre parcel of land in Duval County which FIND is acquiring by condemnation action. Request you give your approval of this document before FIND has the document recorded in the Official Records of Duval County.

Sincerely,

Sterling K. Eisiminger  
General Manager

SKE:ngb  
enc.

PERPETUAL DRAINAGE EASEMENT

THIS EASEMENT, made this 24th day of June A.D. 19 86  
between THE FLORIDA INLAND NAVIGATION DISTRICT, a special taxing district organized under the laws of the State of Florida, whose address is 818 U.S. Highway One, Suite 7, North Palm Beach, Florida 33408, party of the first part, and THE UNITED STATES OF AMERICA and its assigns, as party of the second part, whose address is c/o District Engineer, U.S. Army Engineer District, P.O. Box 4970, Jacksonville, Florida 32232-0019,

WITNESSETH:

WHEREAS, the Congress of the United States, by River and Harbor Act of June 20, 1938, Public Law 685, 75th Congress, provided for the improvement of that portion of said Intracoastal Waterway between the St. Johns River and the St. Marys River in Florida (said portion of said Intracoastal Waterway being in Nassau and Duval Counties, Florida) upon condition that local interests shall furnish free of cost to the United States the necessary rights-of-way and suitable spoil disposal areas for initial work and subsequent maintenance as may be required, and

WHEREAS, the party of the first part is authorized and required by the laws of Florida to provide free of cost to the United States the rights-of-way and disposal areas for said Waterway, and

WHEREAS, the party of the first part is the owner of sufficient title in and to the hereinafter described land, and so represents, to entitle it to convey to the United States of America the rights, privileges, and easements herein described which are needed in connection with the aforementioned project, said land being described in Schedule A, which is made a part hereof,

NOW THEREFORE, in consideration of the premises, the part of the first part does hereby convey to the United States of America a perpetual and assignable easement and right-of-way in, over and across the land described in Schedule A to construct, maintain, repair, operate, patrol and replace a drainage ditch, reserving, however, to the owners, their heirs and assigns, all such rights and privileges in the lands as may be used without interfering with or abridging the rights and easement hereby acquired; subject, however, to existing easements for public roads and highways, public utilities, rail-



TO HAVE AND TO HOLD the said rights and easements unto the party of the second part, the United States of America and its assigns for the purposes aforesaid, in perpetuity commencing on the day and year first above written. And the said party of the first part, for itself and for its successors and assigns, does hereby covenant that its is lawfully seized of sufficient title to the property described in Schedule A to grant the rights aforementioned.

The party of the first part does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the FLORIDA INLAND NAVIGATION DISTRICT, a Special Taxing District of the State of Florida, being vested with all the powers of a body corporate, has caused these presents to be executed in its name by its chief executive officer, and the official seal of the said District hereunto affixed, the date and year first above written.

FLORIDA INLAND NAVIGATION DISTRICT

BY:

Astor Summerlin  
ASTOR SUMMERLIN, CHAIRMAN

Witness:

Stanton Summerlin

Nancy G. Beers

STATE OF FLORIDA

COUNTY OF Palm Beach

The foregoing instrument was executed before me this 24th day of

SCHEDULE A

A portion of Government Lot 5, Section 26, Township 1 North, Range 28 East, Duval County, Florida being more particularly described as follows: BEGIN at the Northeast corner of said Government Lot 5, thence South  $00^{\circ}50'01''$  East along the Easterly line of said Government Lot 5, 1350.30 feet; thence South  $89^{\circ}31'22''$  West along the Southerly line of said Section 26, 120.00 feet; thence North  $44^{\circ}31'22''$  East, 84.33 feet; thence North  $00^{\circ}50'01''$  West, along the line parallel with and lying 60 feet Westerly as measured at right angles to said Easterly line of Government Lot 5, 1290.52 feet; thence North  $89^{\circ}22'58''$  East along the Northerly line of said Government Lot 5, 60.00 feet to the POINT OF BEGINNING.

Containing 1.88 acres, more or less.

IN THE CIRCUIT COURT, FOURTH  
JUDICIAL CIRCUIT, IN AND FOR  
DUVAL COUNTY, FLORIDA.

CASE NO. 86-3184-CA

DIVISION: C

FLORIDA INLAND NAVIGATION  
DISTRICT, a Special Taxing  
District Under the Laws of  
the State of Florida,

Plaintiff,

vs.

PUMPKIN HILL CORP., a Florida  
corporation, et al.,

Defendants.

---

ORDER OF TAKING

THIS CAUSE coming on to be heard by the Court, and it appearing that proper notice was first given to all defendants and all persons having or claiming any equity, lien, title or other interest in or to the real property described in the complaint that the plaintiff would apply to this Court on May 1, 1986 for an order of taking, and the Court being fully advised in the premises, upon consideration, it is

ORDERED AND ADJUDGED that:

1. The Court has jurisdiction of the subject matter of and the parties to this cause.
2. The pleadings in this cause are sufficient and the plaintiff is properly exercising its delegated authority.
3. The estimate of value filed in this cause by the plaintiff was made in good faith and based upon a valid appraisal.
4. The plaintiff is entitled to possession of the following described property prior to the entry of a final

EXHIBIT "A"

A portion of Government Lot 5, Section 26, Township 1 North, Range 28 East, Duval County, Florida being more particularly described as follows: BEGIN at the Northeast corner of said Government Lot 5, thence South  $00^{\circ}50'01''$  East along the Easterly line of said Government Lot 5, 1350.30 feet; thence South  $89^{\circ}31'22''$  West along the Southerly line of said Section 26, 120.00 feet; thence North  $44^{\circ}31'22''$  East, 84.33 feet; thence North  $00^{\circ}50'01''$  West, along the line parallel with and lying 60 feet Westerly as measured at right angles to said Easterly line of Government Lot 5, 1290.52 feet; thence North  $89^{\circ}22'58''$  East along the Northerly line of said Government Lot 5, 60.00 feet to the POINT OF BEGINNING.

Containing 1.88 acres, more or less.

upon payment into the Registry of this Court of the deposit hereafter specified; and that said deposit of money will fully secure and fully compensate the persons lawfully entitled to compensation, as will be determined ultimately by final judgment of the Court, and which said sum of money to be deposited is in no instance less than the value of each parcel of said land as fixed by the estimate of value as set by the plaintiff.

PROVIDED, FURTHER, that the said sum of money in the total amount of \$ 9400.<sup>00</sup> shall be deposited in the Registry of this Court within twenty (20) days after the date of this order; and upon making such deposit, the plaintiff shall notify, in writing, all attorneys of record and those defendants not represented by counsel that the deposit has been made, and this on May 1, 1986, the plaintiff shall be entitled to possession of the property described in the complaint without further notice or order of this Court.

If the plaintiff shall default in the depositing of said sum of money within the time provided, this order shall be void and of no further force or effect.

DONE AND ORDERED in chambers, Duval County Courthouse, Jacksonville, Florida this May 1, 1986.

[(SIGNED) DOROTHY H. PATE

\_\_\_\_\_  
CIRCUIT JUDGE

Copies furnished:

William L. Coalson, Esquire  
D. W. Foerster, Esquire  
J. P. Carolan, III, Esquire  
Linda Logan Bryan, Esquire

GREENE, GREENE, FALCK & COALSON, P.A.

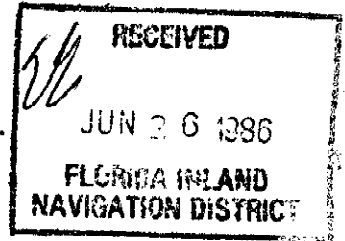
ATTORNEYS AND COUNSELORS AT LAW

2600 GULF LIFE TOWER

JACKSONVILLE, FLORIDA 32207

C. RAY GREENE, JR.  
THOMAS H. GREENE  
WILLIAM E. FALCK  
WILLIAM L. COALSON

TELEPHONE (904) 396-5527



POST OFFICE BOX 188  
FORT MCCOY, FLORIDA 32637  
TELEPHONE (904) 236-4579

June 24, 1986

Colonel Sterling K. Eisiminger  
Florida Inland Navigation District  
818 U.S. Highway One, Suite 7  
North Palm Beach, Florida 33408

Re: FIND v. Pumpkin Hill Corp., et al.

Dear Colonel Eisiminger:

This is to advise that I attended a hearing this morning to set the case for trial and the court has set the matter for pre-trial conference on December 1, 1986 and trial is set for December 8, 1986.

At the hearing, the attorney for the owner advised the court that he would be filing some amended pleadings, which I anticipate will be to allege the trespass which we have previously discussed. I shall attack those pleadings in hopes that we may preclude that issue at the trial.

By copy of this letter to the individuals shown below, I am advising them of the pre-trial and trial dates and request each of them to have for me any and all exhibits to be used at trial no later than mid-November, 1986.

Yours very truly,

A handwritten signature in dark ink, appearing to read "W.L. Coalson".

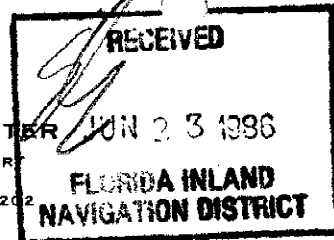
William L. Coalson

WLCd

xc: Mr. Gordon Holmes  
Mr. Cleve Powell  
Mr. Walter Lampe

*Memo! from*

S. MORGAN SLAUGHTER  
CLERK OF THE CIRCUIT COURT  
DUVAL COUNTY  
JACKSONVILLE, FLORIDA 32202



☐ ----- 633-7390

June 20, 1986

Florida Inland Navigation District  
818 U.S. Highway 1  
Suite 7  
North Palm Beach, Florida 33408

Effective June 18, 1985, Chapter 28.24 (13)

F.S. has required a clerk's fee of \$100.00  
for each deposit to the Registry of the Court  
on Eminent Domain suits.

Attached is our bill for the following  
deposit:

Case #86-3184-CA

Deposit of \$9,400.00 made on 5/1/86

Thank you for your attention to this matter.

*Sue Patrick*  
Sue Patrick  
Deputy Clerk

**STATEMENT OF FEES FOR THE FOLLOWING SERVICES**

Clerk's fee on Registry of the Court case number 86-3184-CA \$100.00

Florida Inland Navigation District, a Special Taxing District Under the  
Laws of the State of Florida

vs

Pumpkin Hill Corp., a Florida Corporation, et al

**RETURN CHECKS TO**

**S. MORGAN SLAUGHTER**

CLERK CIRCUIT COURT

ROOM 103, DUVAL COUNTY COURTHOUSE  
JACKSONVILLE, FLORIDA

Florida Inland Navigation District

818 U.S. Highway 1

Suite 7

North Palm Beach, Fla. 33408

6/20/86 N<sup>o</sup> 3972 sp



IN THE CIRCUIT COURT, FOURTH  
JUDICIAL CIRCUIT, IN AND FOR  
DUVAL COUNTY, FLORIDA

CASE NO.: 86-3184-CA

DIVISION: C

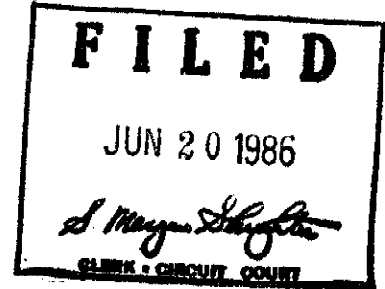
FLORIDA INLAND NAVIGATION  
DISTRICT, a Special Taxing  
District Under the Laws of  
the State of Florida

Plaintiff,

v.

PUMPKIN HILL CORP., a Florida  
corporation, et al.,

Defendants.



ORDER OF DISTRIBUTION

Upon deposit of funds in the registry of the Court pursuant to Order of Taking entered herein on May 1, 1986, it appearing that the following-named is entitled to distribution of funds therein set forth and the Court being otherwise advised, it is

ORDERED and ADJUDGED as follows:

1. The Clerk of the Court is hereby directed to distribute the following sum to:

John R. Nelson, M.D. and Thomas  
Scarbrough, as Co-Trustees of  
the Intercoastal Trust

\$9,400.00

2. Upon distribution of funds, as required by paragraph 1 hereof, the check representing said distribution shall be forthwith delivered to DAVID W. FOERSTER, Attorney.

DONE and ORDERED in Chambers, at Jacksonville, Duval  
County, Florida this 19 day of June, 1986.

The undersigned attorneys hereby consent to the entry of  
the foregoing order.

DAVID W. FOERSTER, P. A.

GREENE, GREENE, FALCK &  
COALSON, P. A.

*Theresa M. Rooney*  
for: David W. Foerster  
Attorney for Pumpkin Hill Corp.  
653 Florida National Bank  
Jacksonville, Florida 32202  
(904) 355-2543

*William L. Coalson*  
William L. Coalson  
Attorney for Florida Inland  
Navigation District  
2600 Gulf Life Tower  
Jacksonville, Florida 32207  
(904) 396-5527

Copies to:

William L. Coalson, Esquire  
David W. Foerster, Esquire

24 June 1986

District Engineer  
U.S. Army Corps of Engineers  
P.O. Box 4970  
Jacksonville, Florida 32232

Attention: Chief, Real Estate Division

Dear Mr. Jones:

Enclosed is the Original Perpetual Drainage Easement for a 60' strip of land in Duval County which has been executed and recorded in the Official Records of Duval County.

Sincerely,

Sterling K. Eisiminger  
General Manager

SKE:ngb  
enc.

PERPETUAL DRAINAGE EASEMENT

THIS EASEMENT, made this 20th day of September A.D. 1985  
between THE FLORIDA INLAND NAVIGATION DISTRICT, a special taxing district  
organized under the laws of the State of Florida, whose address is 818 U.S.  
Highway One, Suite 7, North Palm Beach, Florida 33408, party of the first part,  
and THE UNITED STATES OF AMERICA and its assigns, as party of the second part,  
whose address is c/o District Engineer, U.S. Army Engineer District, P.O. Box 4970,  
Jacksonville, Florida 32232-0019,

## WITNESSETH:

WHEREAS, the Congress of the United States, by River and Harbor Act of  
June 20, 1938, Public Law 685, 75th Congress, provided for the improvement  
of that portion of said Intracoastal Waterway between the St. Johns River  
and the St. Marys River in Florida (said portion of said Intracoastal Waterway  
being in Nassau And Duval Counties, Florida) upon condition that local interests  
shall furnish free of cost to the United States the necessary rights-of-way  
and suitable spoil disposal areas for initial work and subsequent maintenance  
as may be required, and

WHEREAS, the party of the first part is authorized and required by the  
laws of Florida to provide free of cost to the United States the rights-of-way  
and disposal areas for said Waterway, and

WHEREAS, the party of the first part is the owner of sufficient title in and  
to the hereinafter described land, and so represents, to entitle it to convey  
to the United States of America the rights, privileges, and easements herein  
described which are needed in connection with the aforementioned project, said  
land being described in Schedule A, which is made a part hereof,

NOW THEREFORE, in consideration of the premises, the party of the first  
part does hereby convey to the United States of America a perpetual and  
assignable easement and right-of-way in, over and across the land described in  
Schedule A to construct, maintain, repair, operate, patrol and replace a drainage  
ditch, reserving, however, to the owners, their heirs and assigns, all such  
rights and privileges in the lands as may be used without interfering with or  
abridging the rights and easement hereby acquired; subject, however, to existing  
easements for public roads and highways, public utilities, railroads and pipelines

13

under no obligation to do so.

TO HAVE AND TO HOLD the said rights and easements unto the party of the second part, the United States of America and its assigns for the purposes aforesaid, in perpetuity commencing on the day and year first above written. And the said party of the first part, for itself and for its successors and assigns, does hereby covenant that it is lawfully seized of sufficient title to the property described in Schedule A to grant the rights aforementioned.

The party of the first part does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the FLORIDA INLAND NAVIGATION DISTRICT, a Special Taxing District of the State of Florida, being vested with all the powers of a body corporate, has caused these presents to be executed in its name by its chief executive officer, and the official seal of the said District hereunto affixed, the date and year first above written.

FLORIDA INLAND NAVIGATION DISTRICT

BY:

Astor Summerlin  
ASTOR SUMMERLIN, CHAIRMAN

Witness:

Nancy G. Beers

STATE OF FLORIDA  
COUNTY OF Palm Beach

The foregoing instrument was executed before me this 20th day of September 1985, by Astor Summerlin, chief executive officer of the Florida Inland Navigation District, on behalf of said District.

Nancy G. Beers

Notary Public STATE OF FLORIDA  
BONDED THIRD GENERAL INSURANCE UND

My commission expires: MY COMMISSION EXPIRES APR 16 1986

## SCHEDULE A

All that portion of the north 60 feet of Section 35, Township 1 North Range 28 East, Duval County, Florida, lying west of the west right-of-way of Sawpit Road, a 60 foot right-of-way, containing 2.72 acres, more or less.

AND

A strip or parcel of marsh land 60 feet in width, lying in the unsurveyed portions of Sections 34 and 35 of Township 1 North, Range 28 East, Duval County, Florida, being the Westerly projection of the North 60 feet of Section 35, as referenced above, from the Easterly mean high water line of Pumpkin Hill Creek marsh, Westerly approximately 1,334 feet, more or less, to the Easterly line of Pumpkin Hill Creek, containing 1.78 acres, more or less.

RECORDED  
INDEXED  
FILED  
JAN 10 1964  
DUVAL COUNTY  
FLORIDA

12 June 1986

MEMORANDUM TO: Astor Summerlin

FROM: General Manager

SUBJECT: Perpetual Drainage Easement

Enclosed are two copies of a Perpetual Drainage Easement for the 60' parcel of land which FIND is acquiring by condemnation in Duval County. Request you sign both copies and return them to this office in the envelope provided.

Sincerely,

Sterling K. Eisinger  
General Manager

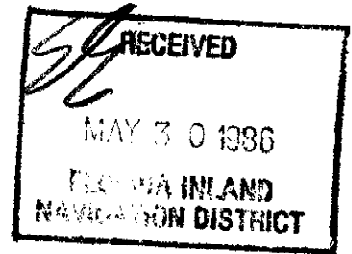
SKE:ngb  
encs.



REPLY TO  
ATTENTION OF

Real Estate Division

DEPARTMENT OF THE ARMY  
JACKSONVILLE DISTRICT, CORPS OF ENGINEERS  
P. O. BOX 4970  
JACKSONVILLE, FLORIDA 32232-0019  
May 28, 1986



Colonel Sterling K. Eisiminger  
USA Retired  
General Manager  
Florida Inland Navigation District  
818 U.S. Highway One, Suite 7  
North Palm Beach, Florida 33408-3817

Dear Colonel Eisiminger:

Reference is made to the error in the legal description for Tract 300E, Intracoastal Waterway, Cumberland Sound to St. Johns River, which was noted in our letter of January 26, 1986. It is our opinion that the distance, which in comparison to the survey is 20.0' (feet) short, is given "to" the easterly line of the creek. Based on the wording of the description it is evident that the westerly boundary of the tract is intended to be the creek. As the creek lies in the center of a wide marsh which is submerged at high tide, the boundary of the creek would be the vegetation line of the marsh and it would be subject to fluxuation with the tides. No correction of this instrument is recommended.

A right-of-entry for construction format similar to the one provided for the area south of Tract 300E is enclosed for your execution for the easement immediately west of the Sawpit Road disposal area for which an order of possession was recently granted. Please return this instrument as soon as possible to allow us to begin construction of the drainage improvements for this area.

Your continued cooperation is appreciated.

Sincerely,

  
Walter P. Jones III  
Chief, Real Estate Division

Enclosure



6 June 1985

District Engineer  
U.S. Army Corps of Engineers  
P.O. Box 4970  
Jacksonville, Florida 32232-0019

Attention: Chief, Real Estate Division

Dear Mr. Jones:

Reference is made to your letter of 28 May 1986 requesting a Right of Entry for Construction on the 60 foot parcel of land west of Tract 300E in Duval County.

Possession of the 60 foot parcel referred to above was granted to this District by the Court in an Order of Taking dated 1 May 1986 (copy enclosed). Also enclosed is an executed Right of Entry for Construction as requested.

A perpetual easement running to the federal government on this parcel of property is being prepared and will be forwarded when executed.

Sincerely,

Sterling K. Eisiminger  
General Manager

SKE:ngb  
encs.

DEPARTMENT OF THE ARMY

RIGHT OF ENTRY FOR CONSTRUCTION

ICWW Jacksonville to Miami, FL  
(Project, Installation or Activity)

A portion of Gov't Lot 5, Section 26,  
Township 1N, Range 28E, Duval County, Florida  
(Tract No. or Other Property Identification)

The undersigned, hereinafter called the "Sponsor" who is responsible as local sponsor for the ICWW, Jacksonville to Miami Project to the UNITED STATES OF AMERICA, hereinafter called the "Government", for all lands or easement rights hereinafter described, hereby grants to the Government, a permit or right-of-entry upon the following terms and conditions:

1. The Sponsor hereby grants to the Government an irrevocable right to enter upon the lands hereinafter described at any time within a period of Twenty-four (24) months from the date of this instrument, in order to perform construction of any nature.
2. This permit includes the right of ingress and egress on other lands of the Sponsor not described below, provided that such ingress and egress is necessary and not otherwise conveniently available to the Government.
3. All tools, equipment, buildings, improvements, and other property taken upon or placed upon the land by the Government shall remain the property of the Government and may be removed by the Government at any time within a reasonable period after the expiration of this permit or right-of-entry.
4. The Government shall have the right to patrol and police the lands hereinafter described during the period of this permit or right-of-entry.

The land affected by this permit or right-of-entry is located in the County of Duval, State of Florida, and is described as follows:

A portion of Government Lot 5, Section 26, Township 1 North Range 28 East, Duval County, Florida being more particularly described as follows: BEGIN at the Northeast corner of said Government Lot 5; thence South 00°50'01" East along the Easterly line of said Government Lot 5, 1350.30 feet; thence South 89°31'22" West along the Southerly line of said Section 26, 120.00 feet; thence North 44°31'22" East 84.33 feet; thence North 00°50'01" West, along the line parallel with and lying 60 feet Westerly as measured at right angles to said Easterly line of Government Lot 5, 1290.52 feet; thence North 89°22'58" East along the Northerly line of said Government Lot 5, 60.00 feet to the POINT OF BEGINNING.

Containing 1.88 acres, more or less.

WITNESS MY HAND AND SEAL this 6th day of June, 1986.

NOTARY

Ramey G. Blew  
NOTARY PUBLIC STATE OF FLORIDA  
MY COMMISSION EXP APR 16, 1990  
BONDED THRU GENERAL INS. UND.

Sterling K. Eisiminger  
Sterling K. Eisiminger  
General Manager  
FLORIDA INLAND NAVIGATION DISTRICT

Copy of ORDER OF TAKING, 1 May 1986 attached.

**GREENE, GREENE, FALCK & COALSON, P.A.**

ATTORNEYS AND COUNSELORS AT LAW

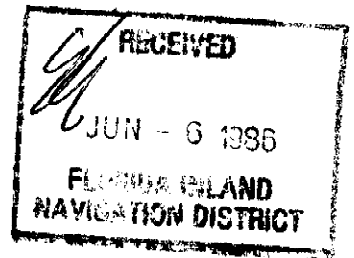
2600 GULF LIFE TOWER

JACKSONVILLE, FLORIDA 32207

TELEPHONE (904) 396-5527

C. RAY GREENE, JR.  
THOMAS H. GREENE  
WILLIAM E. FALCK  
WILLIAM L. COALSON

June 3, 1986



POST OFFICE BOX 188

FORT MCCOY, FLORIDA 32637

TELEPHONE (904) 236-4579

Colonel Sterling K. Eisiminger  
Florida Inland Navigation District  
818 U. S. Highway One, Suite 7  
North Palm Beach, Florida 33408

Re: FIND v. Pumpkin Hill Corp., et al.

Dear Colonel Eisiminger:

Following the request in yesterday's telephone conversation, enclosed herewith please find a copy of the Order of Taking which granted possession on May 1, 1986. I shall be in touch with you to advise as to the time set for trial after the hearing on Monday, June 9, 1986.

Very truly yours,

WILLIAM L. COALSON

WLC/d  
Enclosure

Duval County Court House  
330 East Bay St.

Recording Dept. Room 103  
Jacksonville, Fl. 32202

\$5 first page, \$4 each  
additional page,

Must be a certified check.

FIND return address must  
be typed on document

Make check payable to  
Clerk of the Circuit Court Duval  
County

3 June 1986

Clerk of the Circuit Court  
Duval County Court House  
330 East Bay street  
Recording Dept., Room 103  
Jacksonville, FL 32202

Dear Sirs:

Reference is made to the enclosed Perpetual Drainage Easement  
and Certified Check in the amount of \$13.00.

Please record this Easement in the Official Records of Duval  
County and return it to this District at the address listed  
at the bottom of this page.

Sincerely,

Sterling K. Eisiminger  
General Manager

SKE:ngb  
encs.

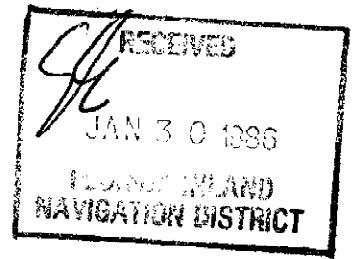


DEPARTMENT OF THE ARMY  
JACKSONVILLE DISTRICT, CORPS OF ENGINEERS  
P. O. BOX 4970  
JACKSONVILLE, FLORIDA 32232-0019

January 27, 1986

REPLY TO  
ATTENTION OF

Real Estate Division



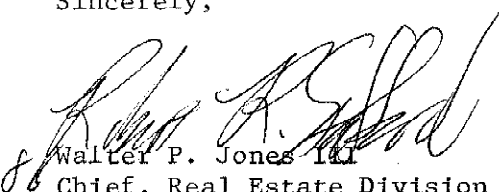
Colonel Sterling K. Eisiminger  
USA Retired  
General Manager  
Florida Inland Navigation District  
818 U.S. Highway One, Suite 7  
North Palm Beach, Florida 33408-3817

Dear Colonel Eisiminger:

Reference is made to your letter of September 24, 1985 which forwarded a perpetual drainage easement deed for a tract adjacent to Tract 300E, for the Intracoastal Waterway, Cumberland Sound to the St. Johns River.

The subject easement has been reviewed and is in the proper format. The legal description has a call of 1334 feet to Pumpkin Hill Creek. Based on the survey by Degrove, this distance appears to be 1354 feet. This should be corrected if it is in error, your seal should be affixed and the deed recorded. A title certificate should be furnished with the transmittal of the recorded deed on the format provided which covers the area through date of recordation.

Sincerely,

  
Walter P. Jones III  
Chief, Real Estate Division

GREENE, GREENE, FALCK & COALSON, P.A.

ATTORNEYS AND COUNSELORS AT LAW

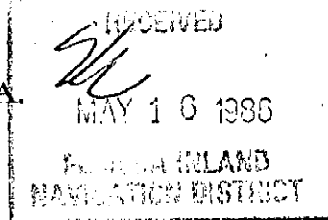
2600 GULF LIFE TOWER

JACKSONVILLE, FLORIDA 32207

TELEPHONE (904) 396-5527

May 13, 1986

C. RAY GREENE, JR.  
THOMAS H. GREENE  
WILLIAM E. FALCK  
WILLIAM L. COALSON



POST OFFICE BOX 188  
FORT MCCOY, FLORIDA 32637  
TELEPHONE (904) 236-4579

Florida Inland Navigation District  
818 U.S. Highway One, Suite 7  
North Palm Beach, Florida 33408

Re: FIND v. Pumpkin Hill Corp., et al.  
Case No. 86-3184-CA, Duval County, Florida.

<u>DATE</u>	<u>SERVICES RENDERED</u>	<u>HOURS</u>
4/17/86	Telecon w/Walter Lampe	0.1
4/21/86	Conference w/Gordon Holmes	0.5
4/29/86	Telecon w/Cleve Powell	0.2
5/1/86	Telecon w/Gordon Holmes and attendance at order of taking hearing	1.0
5/8/86	Answering interrogatories; telecons w/ Gordon Holmes and Theresa Rooney	0.7
5/7/86	Work on order of distribution	<u>0.1</u>
		2.6
	2.6 hours x \$150.00 per hour =	\$ 390.00
	Long distance phone calls	4.14
	Walter M. Lampe, Inc. (see invoice)	<u>1,400.00</u>
	DUE AND PAYABLE UPON RECEIPT	<u>\$1,794.14</u> =====

WLC/d





WALTER M. LAMPE, INC.

APPRAISER-CONSULTANT

4440 MERRIMAC AVENUE, JACKSONVILLE, FLORIDA 32210 (904) 388-7020

WALTER M. LAMPE, MAI-SRPA  
MICHAEL C. ROY, MAI  
W. SCOTT LUCAS  
SAMUEL J. ROGERS  
JACK CAVE, SRA

May 12, 1986

Mr. William L. Coalson  
Greene, Greene, Falck & Coalson  
Attorneys and Counselors at Law  
2600 Gulf Life Tower  
Jacksonville, Florida 32207

FIND vs Pumpkin Hill Corporation, et. al.

Updated Appraisal Fee \$ 900

Order of Taking Hearing 500

\$1,400

4 April 1986

William L. Coalson, Esq.  
Greene, Green, Falk & Coalson, P.A.  
2600 Gulf Life Tower  
Jacksonville, FL 32207

Dear Mr. Coalson:

Reference is made to our agreement on the condemnation of certain property in Duval County for the Florida Inland Navigation District (FIND).

Enclosed herewith is a FIND check payable to G. Morgan Slaughter, Clerk of the Circuit Court in the amount of \$9,400.00 for presentation to the Court on 1 May 1986, in accordance with your request.

Sincerely,

Sterling K. Eisiminger  
General Manager

SKE:ngb  
enc.

INVOICE

No 013150

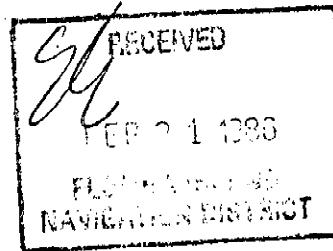
**NFS** NORTHEAST FLORIDA SURVEYORS, INC.

1900 CORPORATE SQUARE BLVD. / JACKSONVILLE, FLORIDA 32216

(904) 721-3066

February 7, 1986

Florida Inland Navigation District  
c/o Sterling Eiseminger  
818 U.S. Hwy. 1N.  
~~XXNXX~~ Palm Beach, FL 33908



Ordered by: Cleve Powell

Client No. 0593

Req. No. 00886.00

Gov't Lot 5, Section 26, Township 1 North, Range 28 East

60' easement with 60' flare at Southend along West  
line

Amount Due: \$515.00

RETURN GREEN COPY WITH PAYMENT

Thank You

GREEN GREENE, FALCK & COALSON P.A.

ATTORNEYS AND COUNSELORS AT LAW

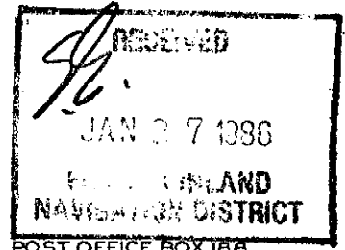
2600 GULF LIFE TOWER

JACKSONVILLE, FLORIDA 32207

TELEPHONE (904) 396-5527

C. RAY GREENE, JR.  
THOMAS H. GREENE  
WILLIAM E. FALCK  
WILLIAM L. COALSON

January 24, 1986



POST OFFICE BOX 188

FORT MCCOY, FLORIDA 32637

TELEPHONE (904) 236-4579

Mr. Cleve Powell  
Army Corps of Engineers  
P. O. Box 4970  
Jacksonville, Florida 32232-0019

Dear Mr. Powell:

You were kind enough to recently furnish me with a survey prepared by Northeast Florida Surveyors and dated January 6, 1986. Today I received from Colonel Eisiminger the resolution authorizing the eminent domain proceedings. The legal description contained in the resolution, a copy of which is enclosed herewith, does not comport with the legal description shown on the survey. Further, the survey shows the acreage in the taking to be 1.88 acres, whereas, the resolution shows the acreage to be taken to be 1.85 acres. From reading the description contained in the resolution, the taking encompasses more land than does the survey.

We need to resolve this matter and I don't dare file a law suit where the description contained in the resolution and the survey are not precisely the same. Please advise.

Very truly yours,

WILLIAM L. COALSON

WLC/d  
Enclosure

sc: Colonel Sterling K. Eisiminger

22 January 1986

William L. Coalson  
Greene, Greene, Falck & Coalson, P.A.  
2600 Gulf Life Tower  
Jacksonville, FL 32207

Dear Mr. Coalson:

Enclosed is an executed copy of a Resolution authorizing you to take condemnation action to acquire a drainage easement on certain property in Duval County. This Resolution was adopted by the Board of Commissioners at its regular meeting on 17 January 1986.

Request you now proceed with the condemnation action as previously agreed.

Sincerely,

Sterling K. Eisinger  
General Manager

SKE:ngb  
encl.

GREENE, GREENE, FALCK & COALSON, P.A.

ATTORNEYS AND COUNSELORS AT LAW

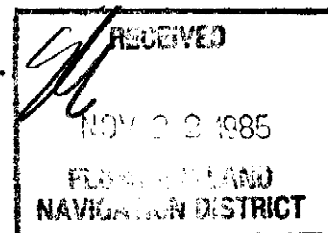
2600 GULF LIFE TOWER

JACKSONVILLE, FLORIDA 32207

TELEPHONE (904) 396-5527

November 20, 1985

C. RAY GREENE, JR.  
THOMAS H. GREENE  
WILLIAM E. FALCK  
WILLIAM L. COALSON



POST OFFICE BOX 188

FORT MCCOY, FLORIDA 32637

TELEPHONE (904) 236-4579

Colonel Sterling K. Eisiminger  
General Manager  
Florida Inland Navigation District  
818 U. S. High One, Suite 7  
North Palm Beach, Florida 33408

Dear Colonel:

As discussed in today's telephone conversation, I am returning herewith an original and two copies of a revised resolution. In view of the lack of a substantive change in the resolution, it would appear that you could certify that this is a true and correct copy of the resolution passed by the Board of Commissioners. If so, this will expedite the matter and avoid awaiting the January board meeting.

If the enclosure is satisfactory and capable of being executed by the Chairman and Secretary, please do so and return it to me at your early convenience.

Please advise.

Very truly yours,

WILLIAM L. COALSON

WLC/d  
Enclosures

## R E S O L U T I O N

On a motion made by Commissioner Trad and seconded by Commissioner Barber, the following Resolution was adopted by the Board of Commissioners of the Florida Inland Navigation District at a regularly scheduled meeting held on 17 January 1986 at Pompano Beach, Florida.

WHEREAS, the United States Army Corps of Engineers has determined it is a public necessity to drain certain property and to accomplish such drainage has requested the Florida Inland Navigation District to furnish the necessary perpetual drainage easement over a 60-foot strip of a tract or parcel of land being a portion of Government Lot 5, Section 26, Township 1 North, Range 28 East, Duval County, Florida, being more particularly described as follows:

Begin at an iron pipe at the Northeast corner of said Government Lot 5, also being the Northwest corner of Government Lot 4 of said section; thence run south 0°50'01" East along the east line of Government Lot 5, 1350.30 feet to the southeast corner of Government Lot 5; thence run south 89°31'22" west, 120.00 feet to a point; thence run North 44°31'22" East, 84.83 feet to a point; thence run north 0°50'01" west, parallel to and 60 feet west of the east line of said Government Lot 5, a distance of 1290.30 feet to the north line of said Government Lot 5; thence run north 89°22'58" east a distance of 60 feet, more or less, to the point of beginning, containing 1.85 acres, more or less,

which property has been surveyed and located by the Florida Inland Navigation District as shown by a map to be attached to the Complaint for Eminent Domain herein; and

WHEREAS, the Board of Commissioners of the Florida Inland Navigation District has independently determined that it is in the interest of the general public and a public necessity to acquire a perpetual drainage easement across the hereinabove described lands; and be it further

RESOLVED that William L. Coalson, special attorney for the Board of Commissioners of the Florida Inland Navigation Dis-

described in the map referred to, and to prepare, in the name of the Florida Inland Navigation District, all condemnation papers, affidavits and pleadings, and prosecute all condemnation proceedings to judgment, and to take possession and said interest in the property in advance of the entry of final judgment in eminent domain action provided by law.

STATE OF FLORIDA            )  
COUNTY OF PALM BEACH    )

WE HEREBY CERTIFY that the foregoing is a true and correct copy of resolution passed by the Board of Commissioners of the Florida Inland Navigation District at a meeting held on 17 January, 1986, and recorded in the official minutes of the Florida Inland Navigation District.

IN WITNESS WHEREOF, we hereunto set our hands and official seals this 17 January, 1986.

  
ASTOR SUMMERLIN, CHAIRMAN

ATTEST:   
CHARLES L. TRAD, SECRETARY

(SEAL)



18 November 1985

William L. Coalson, Esq.  
Greene, Greene, Falk & Coalson  
2600 Gulf Life Tower  
Jacksonville, Florida 33207

Dear Mr. Coalson:

You are hereby informed the Florida Inland Navigation District (FIND) Board of Commissioners at its meeting on 15 November 1985 in St. Augustine, Florida, passed a resolution authorizing you to acquire by condemnation an easement over a certain parcel of land in Duval County described in the file provided to you by D. Byron King, Esq. this date. The original of that resolution is enclosed for your use.

The U.S. Army, Corps of Engineers desires to use the land to be condemned at the earliest practicable date. Request you proceed with the condemnation action and taking without delay.

It would be appreciated if you would keep Mr. William Derr, FIND Commissioner from Duval County (Telephone 241-2018) informed of significant actions in this case.

The Board of Commissioners agreed to pay you \$150/hour plus out-of-pocket expenses to acquire the subject easement. Request you forward vouchers monthly to this office for payment.

Sincerely,

Sterling K. Eisiminger  
General Manager

SKE:ngb  
enc.

cc: Commissioner Derr

## RESOLUTION

On a motion made by Commissioner Derr and seconded by Commissioner Earman, the following Resolution was adopted by the Board of Commissioners of the Florida Inland Navigation District at a regularly scheduled meeting held on 15 November 1985 at St. Augustine, Florida.

WHEREAS, the United States Army Corps of Engineers has determined it is a public necessity to drain certain property and to accomplish such drainage has requested the Florida Inland Navigation District to furnish the necessary perpetual easement over a 60-foot strip of a tract or parcel of land being a portion of Government Lot 5, Section 26, Township 1 North, Range 28 East, Duval County, Florida, being more particularly described as follows:

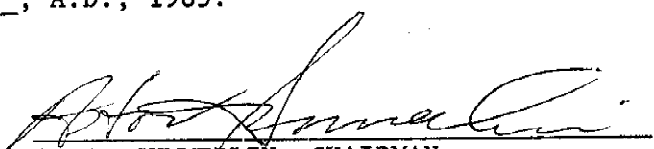
Begin at an iron pipe at the Northeast corner of said Government Lot 5, also being the Northwest corner of Government Lot 4 of said section; thence run south  $0^{\circ}50'01''$  East along the east line of Government Lot 5, 1350.30 feet to the southeast corner of Government Lot 5; thence run south  $89^{\circ}31'22''$  West, 120.00 feet to a point; thence run North  $44^{\circ}31'22''$  East, 84.83 feet to a point; thence run north  $0^{\circ}50'01''$  West, parallel to and 60 feet west of the east line of said Government Lot 5, a distance of 1290.30 feet to the north line of said Government Lot 5; thence run north  $89^{\circ}22'58''$  east a distance of 60 feet, more or less, to the point of beginning, containing 1.85 acres, more or less.

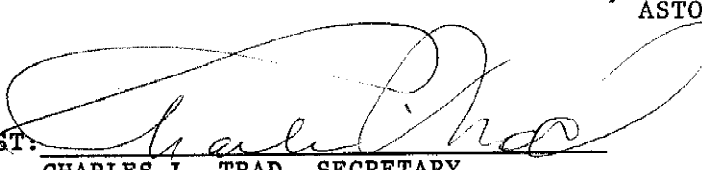
which property has been surveyed and located by the Florida Inland Navigation District as shown by a map to be attached to the Complaint for Eminent Domain herein, and be it further

RESOLVED that William L. Coalson, special attorney for the Board of Commissioners of the Florida Inland Navigation District, be and is hereby authorized and directed to proceed to take the necessary steps for the Florida Inland Navigation District to acquire, in the name of the Florida Inland Navigation District, by condemnation a said perpetual easement for the land described in the map referred to, and to prepare, in the name of the Florida Inland Navigation District, all condemnation papers, affidavits and pleadings, and prosecute all condemnation proceedings to judgement, and to take possession and said interest in the property in advance of the entry of final judgement in eminent domain action provided by law.

IN WITNESS WHEREOF, we hereunto set our hands and official seals this

15th day of November, A.D., 1985.

  
ASTOR SUMMERLIN, CHAIRMAN

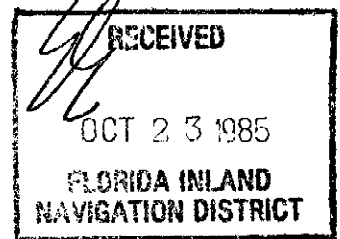
ATTEST:   
CHARLES L. TRAD, SECRETARY

(SEAL)

LAW OFFICES  
DAVID W. FOERSTER, P.A.  
653 FLORIDA NATIONAL BANK BUILDING  
JACKSONVILLE, FLORIDA 32202  
(904) 355-2543

DAVID W. FOERSTER  
THERESA M. ROONEY

October 15, 1985



D. Bryon King, Esquire  
137 East Forsyth Street  
Suite 308  
Jacksonville, Florida 32202

RE: Woodridge Land Company

Dear Byron:

We wish to respond to your request that we furnish you with a counter-offer in connection with the proposal of Florida Inland Navigation District to acquire portion of lands held by Woodridge Land Company.

Please be advised that the owner herewith makes a counter-offer for lands proposed to be taken and severance damage to remaining property in the aggregate amount of \$85,000.

Yours very truly,

DAVID W. FOERSTER, P. A.

A handwritten signature in cursive script, appearing to read "David W. Foerster".

David W. Foerster

DWF:jt

24 September 1985

District Engineer  
U.S. Army Corps of Engineers  
P.O. Box 4970  
Jacksonville, Florida 32232

Attention: Chief, Real Estate Division

Dear Mr. Jones:

Enclosed for your files is a Perpetual Drainage Easement running to the United States of America, dated 20 September 1985, encumbering property adjacent to Tract 300E and extending westerly to Pumpkin Hill Creek in Duval County, Florida.

For your information, negotiations continue in an attempt to purchase an easement just north of the easement referred to above. If negotiations to purchase are not successful by 15 November 1985, the Board of Commissioners will be requested on that date to authorize the initiation of condemnation proceedings with a request to the Court to take possession of the property in advance of the entry of final judgment.

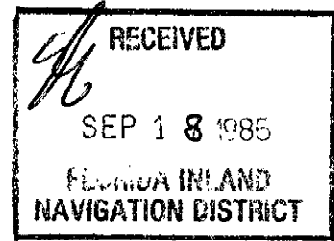
Sincerely,

Sterling K. Eisinger  
General Manager

SKE:ngb  
enc.



# FLORIDA INLAND NAVIGATION DISTRICT



## COMMISSIONERS

ASTOR SUMMERLIN  
CHAIRMAN  
ST. LUCIE COUNTY

W. VINCENT BARBER  
VICE CHAIRMAN  
BREVARD COUNTY

EDWARD A. GEARY  
TREASURER  
MARTIN COUNTY

CHARLES L. TRAD  
SECRETARY  
FLAGLER COUNTY

DOUGLAS C. CRANE  
DUVAL COUNTY

SAM T. WILLIS  
ST. JOHNS COUNTY

TONY WALSH  
VOLUSIA COUNTY

JOE H. EARMAN  
INDIAN RIVER COUNTY

ROBERT L. RYBOVICH  
PALM BEACH COUNTY

MYRON H. BURNSTEIN  
BROWARD COUNTY

JOHN J. COLLIER, JR.  
DADE COUNTY

September 17, 1985

Colonel Sterling K. Eisiminger  
General Manager, FIND  
818 U.S. Highway One, Suite 7  
North Palm Beach, Florida 33408

Dear Butch:

I would very much appreciate your giving me a call  
when you receive the Resolution.

Also, please return the original Resolution to me  
after it has been executed. Thank you.

Cordially yours,

*Byron*  
D. Byron King  
Special Attorney

## STAFF

STERLING K. EISIMINGER  
GENERAL MANAGER

D. BYRON KING  
Special ATTORNEY

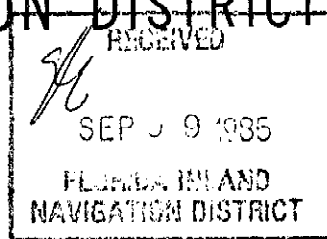
DBK/lal

Enclosure

cc: All Officers of the Board  
Commissioner William O. Derr



# FLORIDA INLAND NAVIGATION DISTRICT



## COMMISSIONERS

ASTOR SUMMERLIN  
CHAIRMAN  
ST. LUCIE COUNTY

W. VINCENT BARBER  
VICE CHAIRMAN  
BREVARD COUNTY

EDWARD A. GEARY  
TREASURER  
MARTIN COUNTY

CHARLES L. TRAD  
SECRETARY  
FLAGLER COUNTY

DOUGLAS C. CRANE  
DUVAL COUNTY

SAM T. WILLIS  
ST. JOHNS COUNTY

TONY WALSH  
VOLUSIA COUNTY

JOE H. EARMAN  
INDIAN RIVER COUNTY

ROBERT L. RYBOVICH  
PALM BEACH COUNTY

MYRON H. BURNSTEIN  
BROWARD COUNTY

JOHN J. COLLIER, JR.  
DADE COUNTY

September 5, 1985

Colonel Sterling K. Eisiminger  
General Manager, FIND  
818 U. S. Highway One, Suite 7  
North Palm Beach, Florida 33408

Dear Butch:

Enclosed is a copy of a letter from David Foerster re the Woodbridge Land Company on Sawpit Road, Duval County.

First of all, Commissioner Derr and I did not make an offer to Mr. Foerster for the 60-foot easement we need.

Secondly, we asked him to give us a statement as to what Mr. Martin would accept for the easement. His letter does not give us this information.

You have copies of the three appraisals. I do not know if we can work it out as I had hoped we could.

I will keep you informed.

Cordially yours,

*D. Byron King*  
D. Byron King  
Special Attorney

## STAFF

STERLING K. EISIMINGER  
GENERAL MANAGER

D. BYRON KING  
Special Attorney

DBK/lal

Enclosure

cc: Commissioner William O. Derr

LAW OFFICES  
DAVID W. FOERSTER, P.A.  
653 FLORIDA NATIONAL BANK BUILDING  
JACKSONVILLE, FLORIDA 32202  
(904) 355-2543

DAVID W. FOERSTER  
THERESA M. ROONEY

September 4, 1985

Florida Inland Navigation District  
c/o D. Bryon King, Esquire  
137 East Forsyth Street  
Suite 308  
Jacksonville, Florida 32202

RE: United States Government v.  
Woodridge Land Company

Gentlemen:

Mr. Harvey C. Martin of Woodridge Land Company advises that he is unwilling to accept the offer of the Florida Inland Navigation District. His primary concern involves the flooding of his lands subsequent to the original installation of the dikes. While the proposed ditch may alleviate such flooding in the future, he nevertheless feels his Company should be compensated for the extensive flooding which has taken place in the past.

Yours very truly,

DAVID W. FOERSTER, P. A.

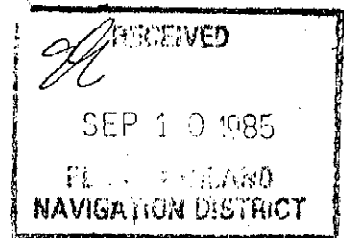


David W. Foerster

DWF:jt

cc: Mr. Harvey C. Martin





September 6, 1985

David W. Foerster, PA, Esquire  
653 Florida National Bank Building  
Jacksonville, Florida 32202

RE: Florida Inland Navigation District vs.  
The Woodridge Land Company

Dear David:

I appreciate your letter of September 4th. However, when Commissioner Derr and I were discussing this problem with you, we asked that you supply us with information as to what the Woodridge Land Company would accept as a payment for the 60-foot easement.

Your letter did not give this information, which is the important question before us. The Board of FIND wants to know what amount Mr. Martin would consider as acceptable for this 60-foot perpetual easement.

Would it be possible for you to contact Mr. Martin again to see if he will give you such a figure?

Sincerely yours,

*DBK*  
D. Byron King

Special

DBK/1a1

cc: Colonel Sterling K. Emsminger  
Commissioner William O. Derr

## R E S O L U T I O N

On a motion made by Commissioner \_\_\_\_\_ and seconded by Commissioner \_\_\_\_\_, the following Resolution was adopted by the Board of Commissioners of the Florida Inland Navigation District at a regularly scheduled meeting held on September 20, 1985, at Key Biscayne, Florida.

Whereas, the United States Corps of Engineers has requested the Florida Inland Navigation District to furnish the necessary perpetual easement over a 60-foot strip of a tract or parcel of land being a portion of Government Lot 5, Section 26, Township 1 North, Range 28 East, Duval County, Florida, being more particularly described as follows:

Begin at an iron pipe at the Northeast corner of said Government Lot 5, also being the Northwest corner of Government Lot 4 of said section; thence run south  $0^{\circ}50'01''$  East along the east line of Government Lot 5, 1350.30 feet to the southeast corner of Government Lot 5; thence run south  $89^{\circ}31'22''$  West, 120.00 feet to a point; thence run North  $44^{\circ}31'22''$  East, 84.83 feet to a point; thence run north  $0^{\circ}50'01''$  West, parallel to and 60 feet west of the east line of said Government Lot 5, a distance of 1290.30 feet to the north line of said Government Lot 5; thence run north  $89^{\circ}22'58''$  east a distance of 60 feet, more or less, to the point of beginning, containing 1.85 acres, more or less.

which property has been surveyed and located by the Florida Inland Navigation District as shown by a map to be attached to the Complaint for Eminent Domain herein, and be it further

RESOLVED that D. Byron King, special attorney for the Board of Commissioners of the Florida Inland Navigation District, be and is hereby authorized and directed to proceed to take the necessary steps for the Florida Inland Navigation District to acquire, in the name of the Florida Inland Navigation District, by condemnation, or by purchase if possible, a said perpetual easement for the land described in the map referred to, and to prepare, in the name of the Florida Inland Navigation District, all condemnation papers, affidavits and pleadings, and prosecute all condemnation proceedings to judgment, and to take possession and said interest in the property in advance of the entry of final judgement in eminent domain action provided by law.

in the official minutes of the Florida Inland Navigation District.

IN WITNESS WHEREOF, we hereunto set our hands and official seals this

\_\_\_\_\_ day of \_\_\_\_\_, A.D., 1985.

ATTEST:

\_\_\_\_\_  
CHARLES L. TRAD, SECRETARY

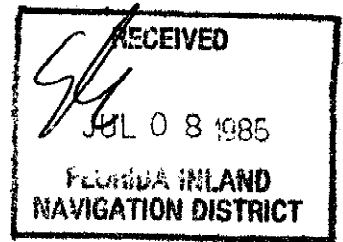
\_\_\_\_\_  
ASTOR SUMMERLIN, CHAIRMAN

(SEAL)



DEPARTMENT OF THE ARMY  
JACKSONVILLE DISTRICT, CORPS OF ENGINEERS  
P. O. BOX 4970  
JACKSONVILLE, FLORIDA 32232-0019

July 8, 1985



REPLY TO  
ATTENTION OF  
Real Estate Division

Colonel Sterling K. Eisinger  
USA Retired, General Manager  
Florida Inland Navigation District  
818 U.S. Highway One, Suite 7  
North Palm Beach, Florida 33408

Dear Colonel Eisinger:

Reference your letter of June 19, 1985 transmitting a draft Perpetual Drainage Easement and your subsequent telephone conversation with Hal Graff of this office on June 28, 1985.

Please be advised that the above-referenced easement has been reviewed by this office and has been revised to conform with the standards governing the issuance of deeds to the United States.

The referenced draft deed (as revised) is enclosed for your use. If you have any further questions in this matter telephone Mr. Graff at (904) 791-2519.

Sincerely,

*Walter P. Jones III*  
Walter P. Jones III  
Chief, Real Estate Division

Enclosure

PERPETUAL DRAINAGE EASEMENT

THIS EASEMENT, made this 20th day of September A.D. 1985  
between THE FLORIDA INLAND NAVIGATION DISTRICT, a special taxing district  
organized under the laws of the State of Florida, whose address is 818 U.S.  
Highway One, Suite 7, North Palm Beach, Florida 33408, party of the first part,  
and THE UNITED STATES OF AMERICA and its assigns, as party of the second part,  
whose address is c/o District Engineer, U.S. Army Engineer District, P.O. Box 4970,  
Jacksonville, Florida 32232-0019,

WITNESSETH:

WHEREAS, the Congress of the United States, by River and Harbor Act of  
June 20, 1938, Public Law 685, 75th Congress, provided for the improvement  
of that portion of said Intracoastal Waterway between the St. Johns River  
and the St. Marys River in Florida (said portion of said Intracoastal Waterway  
being in Nassau And Duval Counties, Florida) upon condition that local interests  
shall furnish free of cost to the United States the necessary rights-of-way  
and suitable spoil disposal areas for initial work and subsequent maintenance  
as may be required, and

WHEREAS, the party of the first part is authorized and required by the  
laws of Florida to provide free of cost to the United States the rights-of-way  
and disposal areas for said Waterway, and

WHEREAS, the party of the first part is the owner of sufficient title in and  
to the hereinafter described land, and so represents, to entitle it to convey  
to the United States of America the rights, privileges, and easements herein  
described which are needed in connection with the aforementioned project, said  
land being described in Schedule A, which is made a part hereof,

NOW THEREFORE, in consideration of the premises, the party of the first  
part does hereby convey to the United States of America a perpetual and  
assignable easement and right-of-way in, over and across the land described in  
Schedule A to construct, maintain, repair, operate, patrol and replace a drainage  
ditch, reserving, however, to the owners, their heirs and assigns, all such  
rights and privileges in the lands as may be used without interfering with or  
abridging the rights and easement hereby acquired; subject, however, to existing  
easements for public roads and highways, public utilities, railroads and pipelines

under no obligation to do so.

TO HAVE AND TO HOLD the said rights and easements unto the party of the second part, the United States of America and its assigns for the purposes aforesaid, in perpetuity commencing on the day and year first above written. And the said party of the first part, for itself and for its successors and assigns, does hereby covenant that it is lawfully seized of sufficient title to the property described in Schedule A to grant the rights aforementioned.

The party of the first part does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the FLORIDA INLAND NAVIGATION DISTRICT, a Special Taxing District of the State of Florida, being vested with all the powers of a body corporate, has caused these presents to be executed in its name by its chief executive officer, and the official seal of the said District hereunto affixed, the date and year first above written.

FLORIDA INLAND NAVIGATION DISTRICT

BY:

Astor Summerlin  
ASTOR SUMMERLIN, CHAIRMAN

Witness:

Nancy J. Beles

STATE OF FLORIDA  
COUNTY OF Palm Beach

The foregoing instrument was executed before me this 20th day of September 19 85, by Astor Summerlin, chief executive officer of the Florida Inland Navigation District, on behalf of said District.

Nancy J. Beles  
Notary Public

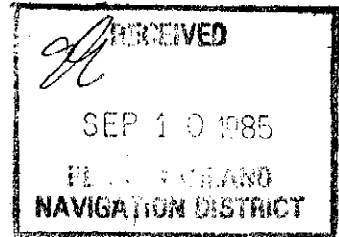
NOTARY PUBLIC STATE OF FLORIDA  
BONDED THRU GENERAL INSURANCE UND.  
My commission expires: APR 16 1986

SCHEDULE A

All that portion of the north 60 feet of Section 35, Township 1 North Range 28 East, Duval County, Florida, lying west of the west right-of-way of Sawpit Road, a 60 foot right-of-way, containing 2.72 acres, more or less.

AND

A strip or parcel of marsh land 60 feet in width, lying in the unsurveyed portions of Sections 34 and 35 of Township 1 North, Range 28 East, Duval County, Florida, being the Westerly projection of the North 60 feet of Section 35, as referenced above, from the Easterly mean high water line of Pumpkin Hill Creek marsh, Westerly approximately 1,334 feet, more or less, to the Easterly line of Pumpkin Hill Creek, containing 1.78 acres, more or less.



September 6, 1985

David W. Foerster, PA, Esquire  
653 Florida National Bank Building  
Jacksonville, Florida 32202

RE: Florida Inland Navigation District vs.  
The Woodridge Land Company

Dear David:

I appreciate your letter of September 4th. However, when Commissioner Derr and I were discussing this problem with you, we asked that you supply us with information as to what the Woodridge Land Company would accept as a payment for the 60-foot easement.

Your letter did not give this information, which is the important question before us. The Board of FIND wants to know what amount Mr. Martin would consider as acceptable for this 60-foot perpetual easement.

Would it be possible for you to contact Mr. Martin again to see if he will give you such a figure?

Sincerely yours,

D. Byron King

Special

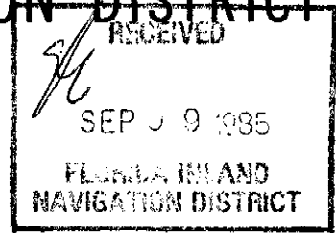
DBK/lal

cc: Colonel Sterling K. Eisiminger  
Commissioner William O. Derr





# FLORIDA INLAND NAVIGATION DISTRICT



## COMMISSIONERS

ASTOR SUMMERLIN  
CHAIRMAN  
ST. LUCIE COUNTY

W. VINCENT BARBER  
VICE CHAIRMAN  
BREVARD COUNTY

EDWARD A. GEARY  
TREASURER  
MARTIN COUNTY

CHARLES L. TRAD  
SECRETARY  
FLAGLER COUNTY

DOUGLAS C. CRANE  
DUVAL COUNTY

SAM T. WILLIS  
ST. JOHNS COUNTY

TONY WALSH  
VOLUSIA COUNTY

JOE H. EARMAN  
INDIAN RIVER COUNTY

ROBERT L. RYBOVICH  
PALM BEACH COUNTY

MYRON H. BURNSTEIN  
BROWARD COUNTY

JOHN J. COLLIER, JR.  
DADE COUNTY

## STAFF

STERLING K. EISIMINGER  
GENERAL MANAGER

D. BYRON KING  
Special ATTORNEY

September 5, 1985

Colonel Sterling K. Eisiminger  
General Manager, FIND  
818 U. S. Highway One, Suite 7  
North Palm Beach, Florida 33408

Dear Butch:

Enclosed is a copy of a letter from David Foerster re the Woodbridge Land Company on Sawpit Road, Duval County.

First of all, Commissioner Derr and I did not make an offer to Mr. Foerster for the 60-foot easement we need.

Secondly, we asked him to give us a statement as to what Mr. Martin would accept for the easement. His letter does not give us this information.

You have copies of the three appraisals. I do not know if we can work it out as I had hoped we could.

I will keep you informed.

Cordially yours,

*D. Byron King*  
D. Byron King  
Special Attorney

DBK/lal

Enclosure

cc: Commissioner William O. Derr

LAW OFFICES

DAVID W. FOERSTER, P.A.  
653 FLORIDA NATIONAL BANK BUILDING  
JACKSONVILLE, FLORIDA 32202

(904) 355-2543

DAVID W. FOERSTER  
THERESA M. ROONEY

September 4, 1985

Florida Inland Navigation District  
c/o D. Bryon King, Esquire  
137 East Forsyth Street  
Suite 308  
Jacksonville, Florida 32202

RE: United States Government v.  
Woodridge Land Company

Gentlemen:

Mr. Harvey C. Martin of Woodridge Land Company advises that he is unwilling to accept the offer of the Florida Inland Navigation District. His primary concern involves the flooding of his lands subsequent to the original installation of the dikes. While the proposed ditch may alleviate such flooding in the future, he nevertheless feels his Company should be compensated for the extensive flooding which has taken place in the past.

Yours very truly,

DAVID W. FOERSTER, P. A.



David W. Foerster

DWF:jt

cc: Mr. Harvey C. Martin



**WALTER M. LAMPE, INC.**

APPRAISER-CONSULTANT

4440 MERRIMAC AVENUE, JACKSONVILLE, FLORIDA 32210 (904) 388-7020

WALTER M. LAMPE, MAI-SRPA  
MICHAEL C. ROY, MAI  
STEPHEN J. SMITH, SRA  
W. SCOTT LUCAS

August 1, 19 85

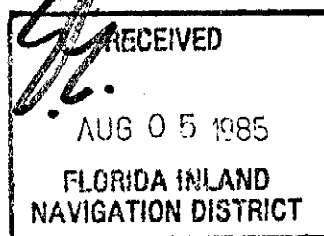
Florida Inland Navigation District  
Suite 308  
137 East Forsyth Street  
Jacksonville, Florida

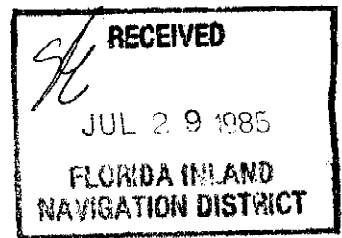
ATTENTION: Mr. D. Bryon King, Special Attorney

APPRAISAL

Proposed Drainage Easement  
Located West of Sawpit Road  
Jacksonville, Duval County,  
Florida

\$1,500





July 23, 1985

Mr. Walter Lampe, M.A.I.  
4440 Merrimac Avenue  
Jacksonville, Florida 32210

Dear Mr. Lampe:

Enclosed please find a survey and legal description of the property off of Sawpit Road. The Florida Inland Navigation District owns the land immediately to the east, but I understand Pumpkin Hill Corporation owns the 60-foot strip of land which FIND requires for a perpetual easement for the purpose of putting in a drainage ditch.

We previously acquired by condemnation from Mr. and Mrs. Turner a 60-foot strip of land immediately to the south of the spoil disposal area and running through the marsh to Pumpkin Hill Creek.

You promised me this morning that you could do this work within a period of two and one-half weeks. I will appreciate this being done within this frame of time as we need this appraisal badly.

You should make the bill out to the "Florida Inland Navigation District" and send it to me.

Yours sincerely,

S/D BYRON KING

D. Byron King

DBK/lal

Enclosures

Special

cc: Colonel Sterling K. Eisiminger, General Manager

Butch:

I fired Harry Broome yesterday as we had some very harsh words.

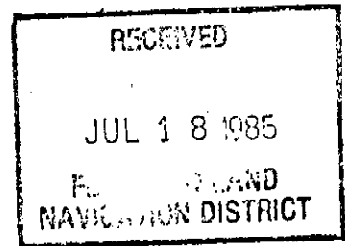


Real Estate Appraisers / Consultants / Realtors

1755 University Boulevard, West / Jacksonville, Florida 32217 / (904) 737-3232

July 16, 1985

Mr. D. Byron King  
Attorney At Law  
137 East Forsyth Street  
Jacksonville, FL 32202



Appraisal of the 60 foot drainage easement for the Florida Inland Naval District

Appraiser: Earl B. Miller, MAI, SRPA

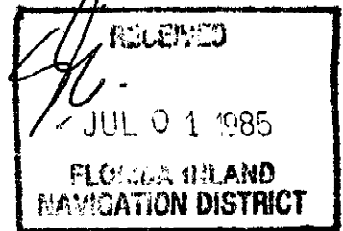
Fee: \$1,500

File #7855

Specializing in Valuing Real Property

RUMPH AND STODDARD

ATTORNEYS AT LAW  
SUITE 101-3100 BUILDING  
3100 UNIVERSITY BOULEVARD SOUTH  
JACKSONVILLE, FLORIDA 32216



J. QUINTON RUMPH  
RICHARD C. STODDARD  
DEMERE MASON

May 29, 1985

TELEPHONE 724-5060  
AREA CODE 904

Florida Inland Navigation District  
c/o D. Bryon King, Esquire  
137 E. Forsyth Street  
Suite 308  
Jacksonville, Florida 32202

Re: Florida Inland Navigation District -vs-  
Edwin Turner and Frances Turner

STATEMENT OF SERVICES

50 Hours of Service at \$100.00 Per Hour = \$5,000.00

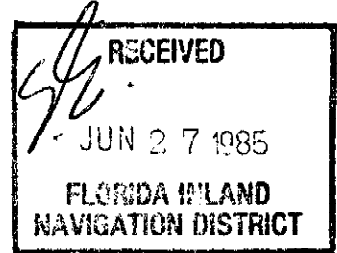
Service Included:

1. Preparation of Petition in Eminent Domain and Filing of Lis Pendens
2. Responded to Interrogatories Filed by Defendant's
3. Preparation of Summons
4. Employed Surveyor to Survey Property Being Taken
5. Attended and Presented Evidence for the Order of Taking and Preparation of the Order of Taking to be Signed by the Court
6. Inspected Property with Mr. King
7. Conference with the Appraiser - Harry V. Broom
8. Filed Motion to Set Case for Trial
9. Attended Hearing on Setting Case for Hearing
10. Reviewed the Order Setting Case for Trial and Pre-Trial Conference
11. Attended Pre-Trial Conference
12. Prepared Subpoenas for Harry Broom and Gordon Holmes
13. Office Conference with Harry Broom and Gordon Holmes
14. Attended Deposition of Gordon Holmes
15. Prepared new Subpoenas after Case Reset for Trial
16. Conference with Gordon Holmes, Harry Broom and Bryon King in Preparation for Trial
17. Prepared Jury Instructions and Pre-Trial Statement
18. Reinspection of Property prior to Trial after employing Surveyor to Red Flag the 60 Feet of Right-of-Way
19. Reviewed the Law and Argued Same During Trial
20. Conducted 2 full days of Trial before 12 Person Jury which included inspecting property with Jury
21. Prepared Jury Verdict
22. Prepared Final Judgment and Presented Same to Court



# FLORIDA INLAND NAVIGATION DISTRICT

June 25, 1985



## COMMISSIONERS

ASTOR SUMMERLIN  
CHAIRMAN  
ST. LUCIE COUNTY

W. VINCENT BARBER  
VICE CHAIRMAN  
BREVARD COUNTY

EDWARD A. GEARY  
TREASURER  
MARTIN COUNTY

CHARLES L. TRAD  
SECRETARY  
FLAGLER COUNTY

DOUGLAS C. CRANE  
DUVAL COUNTY

SAM T. WILLIS  
ST. JOHNS COUNTY

TONY WALSH  
VOLUSIA COUNTY

JOE H. EARMAN  
INDIAN RIVER COUNTY

ROBERT L. RYBOVICH  
PALM BEACH COUNTY

MYRON H. BURNSTEIN  
BROWARD COUNTY

JOHN J. COLLIER, JR.  
DADE COUNTY

## STAFF

STERLING K. EISIMINGER  
GENERAL MANAGER

Special D. BYRON KING  
ATTORNEY

Colonel Sterling K. Eisiminger  
General Manager, FIND  
818 U.S. Highway One  
Suite 7  
North Palm Beach, Florida 33408

RE: FIND vs. Turner, Condemnation

Dear Colonel Eisiminger:

Enclosed please find copies of the following items: Order signed by Judge Adams assessing interest, court costs and attorney's fees; Motion to Tax Costs together with bills and a Motion to Assess Attorney's Fees signed by Attorney Foerster; an Affidavit from Attorney Foerster supporting his Motion for Attorney's Fees.

In paragraph 7 of his affidavit, Attorney Foerster estimates that he spent 62 hours.

Yesterday I spoke with you in regard to the payment of \$11,579.99 which FIND is to deposit with the Clerk of the Circuit Court, S. Morgan Slaughter. In addition to that, the clerk needs \$115.00 for court costs in handling and disburseing the money. This makes a total payment of \$11,694.99.

A question came up at the hearing as to how soon FIND could pay this, and I told them that it would be within a reasonable time. I explained why I did not want the Court to set a definite time as to when payment should be made.

I am also enclosing a copy of a letter addressed to me from J. Quinton Rumph, who was the attorney that I had associated with me in this trial. He is asking \$5,000.00, estimating he spent approximately 50 hours of service at \$100.00 per hour.

When I started this condemnation suit, the defendants secured the services of David W. Foerster as their attorney. I was told by several people in the Corps of Engineers that Attorney Foerster specializes in condemnation suits and is recognized in the State of Florida as one of the finest attorneys in that field.

As the law had been changed considerably since I had worked on condemnation suits 15 years ago, I felt that it was necessary that FIND be also represented by an expert in this field. In checking around and conferring with the Corps of Engineers,

Attorney Rumph was suggested as also being an expert in condemnation suits.

As the next scheduled meeting for FIND was some time away, I employed Attorney Rumph to assist me on behalf of FIND. I told him at that time that even though I was General Counsel for FIND, I had no authority to seek his services without the consent of the Board. He was advised by me that if FIND did not pay for his services, I personally would, as I did not want FIND to get behind the eight ball in this situation. Normally, the General Counsel has the authority to employ whatever assistance is needed in this type of situation. I repeat, if FIND does not honor this obligation, I will pay it.

I am very happy that we have practically closed out the condemnation suit. The jury's verdict was a little more than I expected, but not much.

In so far as the present situation for the securing of an additional 60 feet along the west side of the spoil area which FIND owns is concerned, I still do not have an appraisal from Mr. Broome or Mr. Miller. I do have an appraisal from Mr. Osborne. All three of these men are M.A.I. appraisers. Mr. Osborne's appraisal states the value of \$7,500.00 as a fair market value.

After I get the other appraisals, I want to sit down and talk with Attorney Foerster and Commissioner Derr to see if we can settle this matter without condemnation, as we all know condemnation suits are expensive.

Please contact me if you have any questions in regard to the subject matter enclosed.

Cordially yours,

*D. Byron King*

D. Byron King

DBK/lal

Enclosures

cc: Commissioner William O. Derr, Duval County  
Commissioner Astor Summerlin, St. Lucie County, Chairman of the Board



IN THE CIRCUIT COURT, FOURTH  
JUDICIAL CIRCUIT, IN AND FOR  
DUVAL COUNTY, FLORIDA

CASE NO: 84-8689-CA

DIVISION: K

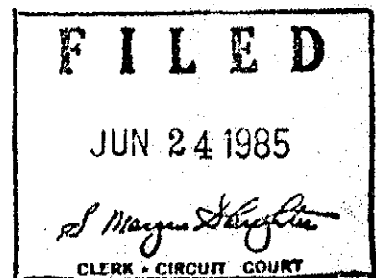
FLORIDA INLAND NAVIGATION DISTRICT,  
A Special Taxing District Under the  
Laws of the State of Florida,

Plaintiff,

v.

EDWIN TURNER and FRANCES TURNER,  
his wife,

Defendant.



ORDER ASSESSING INTEREST,  
COSTS AND ATTORNEY'S FEES

THIS CAUSE came on to be heard on Defendants' Motion to Assess Interest, Motion to Assess Attorney's fees, and Motion to Tax Costs. The Court having considered the evidence presented and the Affidavit of Defendants' attorney of record and being otherwise fully advised, it is

ORDERED and ADJUDGED as follows:

1. Costs are hereby taxed against the Plaintiff, FLORIDA INLAND NAVIGATION DISTRICT, in the amount of \$ 2,306.65.

2. A reasonable attorney's fee to be paid to David W. Foerster, P. A. is hereby set at \$ 8,700<sup>00</sup>.

3. Interest on \$8,000.00 at 12% per annum (\$2.63 per diem) for 218 days is hereby assessed at \$ 573.34.

4. The Plaintiff, FLORIDA INLAND NAVIGATION DISTRICT is hereby directed to forthwith deposit with the Clerk of the

Circuit Court the aggregate amount of \$ 11,579.99

to

5. Upon deposit of funds pursuant to paragraph 4 herein, the Clerk of the Court shall forthwith distribute the amounts set forth below as follows:

EDWIN TURNER and  
FRANCES TURNER, his wife

\$ 573.34

DAVID W. FOERSTER, P. A.

\$ 11,006.65

DONE and ORDERED in Chambers, at Jacksonville, Duval County, Florida this 24<sup>th</sup> day of June, 1985.

  
CIRCUIT JUDGE

Copies to:

D. Bryon King, Esquire  
137 East Forsyth Street  
Suite 308  
Jacksonville, Florida 32202

J. Quinton Rumph, Esquire  
3100 University Boulevard  
Jacksonville, Florida 32216

David W. Foerster, Esquire  
653 Florida National Bank  
Jacksonville, Florida 32202

STATE OF FLORIDA }  
COUNTY OF DUVAL }

I, S. MORGAN SLAUGHTER, Clerk of the Circuit Court, Duval County,  
Florida, do hereby certify that the foregoing is a true and correct copy of the  
Order Assessing Interest, etc.,  
in the case of Florida Inland Navigation District, etc.,  
vs. Edwin Turner, et ux., as the same  
appears among the files and records of my office.

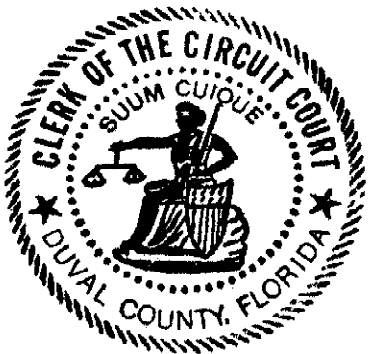
Witness my hand and seal of office at Jacksonville, Florida, this the 24th  
day of June A. D. 1985

S. MORGAN SLAUGHTER,  
Clerk Circuit Court

By

*Carolyn L. Carter*  
Deputy Clerk

Carolyn L. Carter



IN THE CIRCUIT COURT, FOURTH  
JUDICIAL CIRCUIT, IN AND FOR  
DUVAL COUNTY, FLORIDA

CASE NO: 84-8689-CA

DIVISION: K

FLORIDA INLAND NAVIGATION DISTRICT,  
A Special Taxing District Under the  
Laws of the State of Florida,

Plaintiff,

v.

EDWIN TURNER and FRANCES TURNER,  
his wife,


Defendant.

---

MOTION TO ASSESS INTEREST

DEFENDANTS, EDWIN TURNER and FRANCES TURNER, his wife,  
move the Court, pursuant to the provisions of §74.061, F. S.,  
to enter an order assessing interest on \$8,000.00, the amount  
by which the jury verdict of \$14,300.00 exceeded the amount set  
forth in Plaintiff's Declaration of Taking, \$6,300.00, at the  
rate of twelve percent (12%) per annum, from November 2, 1984,  
the date of possession, through June 7, 1985, the date of  
deposit. Said interest is in the amount of \$573.34.

DAVID W. FOERSTER, P. A.

  
\_\_\_\_\_  
David W. Foerster  
653 Florida National Bank  
Jacksonville, Florida 32202  
(904) 355-2543

CERTIFICATION

I HEREBY CERTIFY that a copy of the foregoing has been

IN THE CIRCUIT COURT, FOURTH  
JUDICIAL CIRCUIT, IN AND FOR  
DUVAL COUNTY, FLORIDA

CASE NO: 84-8689-CA  
DIVISION: K

FLORIDA INLAND NAVIGATION DISTRICT,  
A Special Taxing District Under the  
Laws of the State of Florida,

Plaintiff,

v.

EDWIN TURNER and FRANCES TURNER,  
his wife,

Defendant.

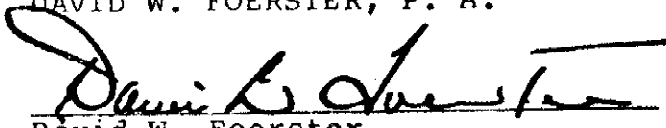
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MOTION TO TAX COSTS

Defendant-owners, EDWIN TURNER and FRANCES TURNER, his  
wife, pursuant to the provisions of §73.091, F. S., hereby  
move the Court to tax costs reasonably incurred herein in this  
cause against the Plaintiff, FLORIDA INLAND NAVIGATION  
DISTRICT, as follows:

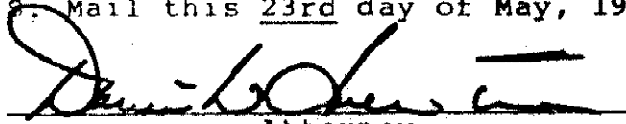
H. A. Yeargin & Associates, Inc. (Valuation appraiser)	\$1,875.00
Aero-Pic, Photographers	373.28
Dowling & Pattison, Inc.	12.00
Xerox copies--174 @ \$.25/copy	43.50
Postage	<u>2.87</u>
TOTAL:	\$2,306.65

DAVID W. FOERSTER, P. A.

  
David W. Foerster  
653 Florida National Bank

CERTIFICATION

I HEREBY CERTIFY that a copy of the foregoing has been furnished to D. BRYON KING, ESQUIRE, 137 E. Forsyth Street, Suite 308, Jacksonville, Florida 32202 and J. QUINTON RUMPH, ESQUIRE, 3100 University Boulevard South, Suite 101, Jacksonville, Florida 32216 by U. S. Mail this 23rd day of May, 1985.

  
Attorney

H. A. Yeargin  
& Associates

502 Dyal Upchurch Building 6 East Bay Street Jacksonville, Florida 32202 Telephone (904) 354 4424

May 14, 1985

#84-12-20-8602-Y

Mr. David Foerster, Esquire  
653 Edward Ball Building  
Jacksonville, Florida 32205

---

For professional services rendered

Re: Appraisal, 1 Pre-trial conference, photographs  
exhibits, reinspection and update

Florida Inland Navigation District vs.  
Edwin Turner and Francis Turner  
Case #84-8689

\$1,400.00

Court Testimony

475.00

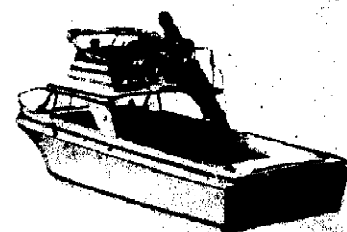
\$1,875.00 Total Due

\*\*\* PAYMENT IS DUE UPON RECEIPT OF THIS INVOICE \*\*\*

---

COLOR AND BLACK &amp; WHITE

PHOTOGRAPHY

**aero-pic**P. O. BOX 18042 • JACKSONVILLE INTERNATIONAL AIRPORT  
JACKSONVILLE, FLORIDA 32229  
904-787-0451

AERIAL

COMMERCIAL

INDUSTRIAL

MARINE

David W. Foerster, Attorney  
653 Florida National Bank Bldg.  
Jacksonville, Fla. 32202

DATE 3/7/85

YOUR ORDER NO.

TERMS net

Invoice #850318

QUANTITY	SIZE	DESCRIPTION	UNIT PRICE	TOTAL
1	8X10	Color aerial photo #9831-A		\$110.00
1	8X10	Additional color view #9831-B		\$ 55.00
1	8X10	Additional color view #9831-C		No charge
1	20X24	Color print #9831-B		\$ 90.00
		Mount above print on foam core w/3" border		\$ 18.00
.5	Hours	Helicopter time (shared flight)	\$165.00 hr.	\$ 82.50
				-----
			Sales tax	\$355.50
				\$ 17.78
				-----
			Total	\$373.28



**DOWLING & PATTISON, INC.**

OFFICIAL & GENERAL SHORTHAND REPORTERS

MAILING ADDRESS ROOM 356

DUVAL COUNTY COURTHOUSE

JACKSONVILLE FLORIDA 32202

PLEASE RETURN COPY WITH REMITTANCE

ID 59-1592216

Florida Inland Migration, Inc. v. Turner, et al. Case No. 82-100-76, 1982

On 1/11/82, the Duval County Court, Jacksonville, Florida, on 1/11/82

Declaratory Judgment, et al. Case No. 82-100-76, 1982

Case No. 82-100-76

Of necessity, this office must look to counsel for the moving party in all trials in the Circuit Court for the collection of costs for Court Reporters services, unless initially engaged by the opposing counsel.

IN THE CIRCUIT COURT, FOURTH  
JUDICIAL CIRCUIT, IN AND FOR  
DUVAL COUNTY, FLORIDA

CASE NO: 84-8689-CA  
DIVISION: K

FLORIDA INLAND NAVIGATION DISTRICT,  
A Special Taxing District Under the  
Laws of the State of Florida,

Plaintiff,

v.

EDWIN TURNER and FRANCES TURNER,  
his wife,

Defendants.

---

MOTION TO ASSESS  
ATTORNEY'S FEES

Defendant-owners, EDWIN TURNER and FRANCES TURNER his wife, pursuant to the provisions of §73.092, F. S., hereby move the Court for the entry of an order assessing a reasonable attorney's fee to be paid by the Plaintiff, FLORIDA INLAND NAVIGATION DISTRICT herein to its undersigned counsel of record. In support thereof, Affidavit of counsel of record, setting forth services rendered in connection with the above-styled cause, is attached hereto as Exhibit "A".

DAVID W. FOERSTER, P. A.



David W Foerster  
653 Florida National Bank  
Jacksonville, Florida 32202  
(904) 355-2543

Attorney for Defendant-owners  
EDWIN TURNER and FRANCES TURNER,  
his wife

CERTIFICATION

I HEREBY CERTIFY that a copy of the foregoing has been furnished to D. BRYON KING, ESQUIRE, 137 E. Forsyth Street, Suite 308, Jacksonville, Florida 32202 and J. QUINTON RUMPH, ESQUIRE, 3100 University Boulevard South, Suite 101, Jacksonville, Florida 32216 by U. S. Mail this 23rd day of May, 1985.

  
Attorney

IN THE CIRCUIT COURT, FOURTH  
JUDICIAL CIRCUIT, IN AND FOR  
DUVAL COUNTY, FLORIDA

CASE NO: 84-8689-CA  
DIVISION: K

FLORIDA INLAND NAVIGATION DISTRICT,  
A Special Taxing District Under the  
Laws of the State of Florida,

Plaintiff,

v.

EDWIN TURNER and FRANCES TURNER,  
his wife,

Defendants.

---

AFFIDAVIT

OF

DAVID W. FOERSTER

BEFORE ME, the undersigned authority, this day personally  
appeared DAVID W. FOERSTER, who being first duly sworn by me,  
deposes and says:

1. The deponent is counsel of record in the above-styled  
cause, representing the Defendant-owners EDWIN TURNER and  
FRANCES TURNER, his wife, hereinafter referred to as Defendant-  
owners. The deponent has been a member of the Florida Bar for  
33 years, specializing, during that period, in the field of  
eminent domain.

2. Involved in the subject proceedings were the follow-  
ing unusual questions of law which were fully researched by the  
deponent:


a. Whether the owner could recover sever-  
ance damages from the original "spoil area"  
or whether said damages were limited to

- b. Whether sales to the condemning authority were admissable in evidence as comparable sales.
  - c. The legal extent of the taking of a "drainage easement".
  - d. Whether recovery could be made for area flooding at time of construction of "spoil area".
3. The deponent engaged in the following discovery:
- a. Interrogatories by Defendant-owners to Plaintiff.
  - b. Deposition of Gordon B. Holmes, Jr. by Defendant-owners.
4. The deponent engaged in the following factual research.
- a. Review in the field of each comparable sale used by valuation appraisers for Plaintiff and Defendant-owners.
  - b. History of title to subject property.
  - c. Review of construction plans of U. S. Corps of Engineers.
  - d. Growth statistics of area.
  - e. F. H. A. requirements for fencing adjacent to drainage facilities.
5. The deponent procured, interviewed and had numerous conferences with expert witness for the Defendant-owners and in addition, had numerous conferences, by telephone and in person, with the owners or their representatives.
6. The amount set forth in the Declaration of Taking was covering the interest acquired from the Defendant-owners was

7. The subject proceedings were filed on July 18, 1984 and were concluded by the entry of a jury verdict on May 10, 1985 during which time the deponent expended an estimated 62 hours in connection with the entire proceedings, enumerated above.

  
David W. Foerster

Sworn to and subscribed to  
before me this 23rd day of  
May, 1985.

  
NOTARY PUBLIC  
My Commission expires:

NOTARY PUBLIC, STATE OF FLORIDA  
My commission expires April 1, 1989

# OSBORN APPRAISAL COMPANY

Frank K. Osborn, M.A.I.  
131 EAST BAY STREET  
JACKSONVILLE, FLORIDA 32203

Telephone 355-7531

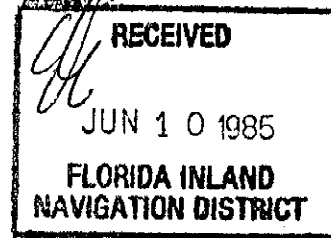
Date June 3, 19 85

Florida Inland Navigation District  
2725 Avenue E.  
Riviera Beach, Florida 33404

Appraisal

\$1,000.

1.85 acres along the west side  
of an existing berm of the spoil  
area for the Florida Inland  
Navigation District, Jacksonville,  
Florida.



*Thank You*

PLEASE RETURN COPY OF BILL WITH REMITTANCE.

2 July 1985

D. Byron King, Esq.  
Suite 308  
137 East Forsyth Street  
Jacksonville, Florida 32202

Dear Byron:

Enclosed is a FIND check for \$11,694.99 payable to S. Morgan Slaughter, Clerk for final settlement of the FIND Condemnation Suit against Mr. and Mrs. Turner (Case No. 84-8689 CA). A copy of Voucher Register No. 7604 is enclosed for your information and records.

Sincerely,

Sterling K. Eisiminger  
General Manager

SKE:ngb  
encs.



# SUMMARY STATEMENT OF ACCOUNT FOR RECEIPTS AND EXPENDITURES

Address Clerk of the Circuit Court, Duval CountyCity Jacksonville, Fla. 32202Date June 24, 1985

From or To

S. Morgan Slaughter, Clerk, Dr.

FLORIDA INLAND NAVIGATION DISTRICT

Department \_\_\_\_\_

For Period \_\_\_\_\_ to \_\_\_\_\_, both dates inclusive

CHARACTER OF ITEM	Register No.	FOLIO	AMOUNT
Final payment to Court in condemnation suit to acquire a 60 foot drainage easement west of Sawpit Road, south of MSA DU-20 and draining west to the marsh.	7604		\$11,694.99
H.A. Yeargin, Property Appraiser \$1,875.00			
Aero-Pic - Aerial Photograph 373.28			
Court Reporter 12.00			
Xerox copies 43.50			
Postage 2.87			
Total Expenses \$2,306.65			
David Foerster, Attorney 8,700.00			
Interest on excess of verdict over value in declaration of taking (Ch. 74.061 F.S.) 573.34			
Clerk of the Court 115.00			
Total \$11,694.99			
		TOTAL	\$11,694.99

Certified Correct

(Sig.) \_\_\_\_\_

(Title) \_\_\_\_\_

Audited:

AUDITOR

Receipt Acknowledged or  
Approved for Payment

S.K. Eisiminger, General Manager

F.I.N.D. Voucher No. \_\_\_\_\_

Paid by Check No. 2878

25 June 1985

D. Byron King, Esq.  
Suite 308  
137 East Forsyth Street  
Jacksonville, Florida 32202

Dear Byron:

Enclosed is a list of expenses in connection with your recent condemnation suit in Duval County. All amounts listed have been paid except for the final check to M. Morgan Slaughter, Clerk dated June 24, 1985. This check was sent to the Treasurer and Chairman yesterday for signature and will be sent to you as soon as it is received in this office.

Sincerely,

Nancy G. Beers  
Administrative Assistant

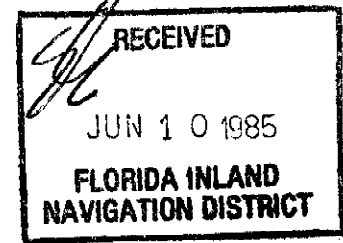
ngb  
enc.

# EXPENSES IN CONNECTION WITH CONDEMNATION - DUVAL COUNTY

DATE	PAYEE	AMOUNT
Oct. 15, 1984	S. Morgan Slaughter, Clerk	\$ 6,368.00
Nov. 6, 1984	Broom, Cantrell, Moody & Johnson, Appraisers	300.00
Feb. 21, 1985	D. Byron King, Esq.	356.60
Mar. 14, 1985	D. Byron King, Esq.	475.48
Mar. 14, 1985	Cindy Jennings, Court Reporter	146.95
Mar. 25, 1985	Charles DeGrove, Land Surveyor	225.00
Apr. 8, 1985	D. Byron King, Esq.	333.33
May 16, 1985	D. Byron King, Esq.	167.58
May 21, 1985	S. Morgan Slaughter, Clerk	8,085.00
May 21, 1985	Broom, Cantrell, Moody & Johnson, Appraisers	2,389.17
May 21, 1985	Dowling & Pallison, Inc., Court Reporters	200.00
May 31, 1985	Charles DeGrove, Land Surveyor	175.00
May 31, 1985	Gray Line of Jacksonville	140.00
June 6, 1985	D. Byron King	1,484.28
June 24, 1985	S. Morgan Slaughter, Clerk	11,694.99



# FLORIDA INLAND NAVIGATION DISTRICT



## COMMISSIONERS

ASTOR SUMMERLIN  
CHAIRMAN  
ST. LUCIE COUNTY

W. VINCENT BARBER  
VICE CHAIRMAN  
BREVARD COUNTY

EDWARD A. GEARY  
TREASURER  
MARTIN COUNTY

CHARLES L. TRAD  
SECRETARY  
FLAGLER COUNTY

DOUGLAS C. CRANE  
DUVAL COUNTY

SAM T. WILLIS  
ST. JOHNS COUNTY

TONY WALSH  
VOLUSIA COUNTY

JOE H. EARMAN  
INDIAN RIVER COUNTY

ROBERT L. RYBOVICH  
PALM BEACH COUNTY

MYRON H. BURNSTEIN  
BROWARD COUNTY

JOHN J. COLLIER, JR.  
DADE COUNTY

TO: Colonel Sterling K. Elsiminger  
FROM: D. Byron King, Special Attorney  
DATE: June 7, 1985  
SUBJECT: Payment of Bills

Please advise me as to when the bills concerning the condemnation suit have been paid, including: the bus, the appraisers, the surveyors and the court reporters. Thank you.

## STAFF

STERLING K. EISIMINGER  
GENERAL MANAGER

D. BYRON KING  
Special ATTORNEY

19 June 1985

District Engineer  
U.S. Army Corps of Engineers  
P.O. Box 4970  
Jacksonville, Florida 32232

Attention: Chief, Real Estate Division

Dear Mr. Jones:

The condemnation suit to acquire a drainage easement west of Sawpit Road, south of Tract 300-E and draining to the marsh to the west, in Duval County, has now been completed.

A draft Perpetual Drainage Easement is enclosed for your consideration and approval. A copy of the Final Judgement is also enclosed for your information.

In the related matter of acquisition of a drainage easement west of Tract 300-E, we are aware of the time and the total costs that would be involved in another condemnation suit. As soon as the property appraisals have been received, this District will attempt to agree with the property owner on a negotiated price for the easement that will be acceptable to the FIND Board of Commissioners and the Executive Director, DNR.

Your early approval of the draft Perpetual Drainage Easement will be appreciated.

Sincerely,

Sterling K. Eisiminger  
General Manager

SKE:ngb  
encs.

cc: Commissioner Derr

PERPETUAL DRAINAGE EASEMENT

THIS EASEMENT, made this \_\_\_\_\_ day of \_\_\_\_\_ A.D. 19\_\_\_\_\_, between THE FLORIDA INLAND NAVIGATION DISTRICT, a special taxing district organized under the laws of the State of Florida, whose address is 818 U.S. Highway One, Suite 7, North Palm Beach, Florida 33408, party of the first part, and THE UNITED STATES OF AMERICA, as party of the second part, WITNESSETH that

WHEREAS, the Congress of the United States, by River and Harbor Act of June 30, 1938, Public No. 685--75th Congress (H.R. 10298), provided for the improvement of that portion of said Intracoastal Waterway between the St. Johns River and the St. Marys River in Florida (said portion of said Intracoastal Waterway being in Nassau and Duval Counties, Florida) upon condition that local interests shall furnish free of cost to the United States necessary rights-of-way and suitable spoil disposal areas for initial work and subsequent maintenance as may be required, and

WHEREAS, the party of the first part is authorized and required by the laws of Florida to provide free of cost to the United States the rights-of-way and disposal areas for said Waterway, and

WHEREAS, the party of the first part is the owner of sufficient title in and to the hereinafter described land, and so represents, to entitle it to convey to the United States of America the rights, privileges, and easements herein described which are needed in connection with the aforementioned project, said land being described in Schedule A, which is made a part hereof,

NOW, THEREFORE, in consideration of the premises, the party of the first part does hereby convey to the United States of America the permanent easement and right-of-way in, over, and across the land described in Schedule A to construct, maintain, repair, operate, patrol and replace a drainage swale, reserving, however, to the owners, their heirs and assigns, all such rights and privileges in the land as may be used without interfering with or abridging the rights and easement hereby acquired, subject, however, to existing easements for public roads and highways, public utilities and

TO HAVE AND TO HOLD the said rights and easements unto the party of the second part, the United States of America, for the purposes aforesaid, in perpetuity commencing on the day and year first above written. And the said party of the first part for itself and for its successors and assigns, does hereby covenant that it is lawfully seized of sufficient title to the property described in Schedule A to grant the rights aforementioned.

IN WITNESS WHEREOF, said party of the first part has hereunto set hand and seal on the day and year first above written.

Executed in presence of:

FLORIDA INLAND NAVIGATION DISTRICT

\_\_\_\_\_  
ASTOR SUMMERLIN, CHAIRMAN

\_\_\_\_\_  
CHARLES L. TRAD, SECRETARY

SCHEDULE A

All that portion of the north 60 feet of Section 35, Township 1 North, Range 28 East, Duval County, Florida, lying west of the west right-of-way of Sawpit Road, a 60 foot right-of-way, containing 2.72 acres, more or less.

AND

A strip or parcel of marsh land 60 feet in width, lying in the unsurveyed portions of Sections 34 and 35 of Township 1 North, Range 28 East, Duval County, Florida, being the Westerly projection of the North 60 feet of Section 35, as referenced above, from the Easterly mean high water line of Pumpkin Hill Creek marsh, Westerly approximately 1,334 feet, more or less, to the Easterly line of Pumpkin Hill Creek, containing 1.78 acres, more or less.

S. MORGAN SLAUGHTER  
CLERK OF THE CIRCUIT COURT  
DUVAL COUNTY, FLORIDA

27785

DATE

5-6

1985

RECEIVED FROM

Florida Inland Navigation District

Amount \$8,085.00

FOR

☐

REGISTRY OF COURT

☐

GARNISHMENT

☐

FORECLOSURE SALE

☐

CASH BOND

☐

LIEN DEPOSITS

☒

OTHER — CASE NO.

84-8689-CA

Florida Inland Navigation District

VS

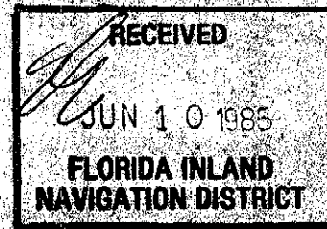
Edwin Turner

OTHER

S. MORGAN SLAUGHTER, CLERK

BY D. M. Intest

D. C.





IN THE CIRCUIT COURT, FOURTH  
JUDICIAL CIRCUIT, IN AND FOR  
DUVAL COUNTY, FLORIDA.

CASE NO.: 84-8689-CA

DIVISION: K

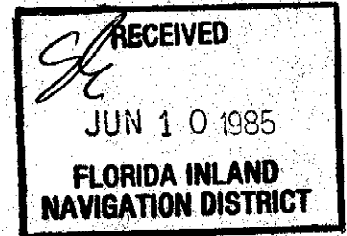
FLORIDA INLAND NAVIGATION DISTRICT  
a Special Taxing District Under the  
Laws of the State of Florida,

Plaintiff,

vs.

EDWIN TURNER and FRANCES TURNER,  
his wife,

Defendants.



ORDER FOR DEPOSIT

This cause coming on to be heard on the application of the Plaintiff for authority to deposit the monies required to be paid to the Defendants by the Final Judgment entered herein on May 30, 1985. And the Court, having considered the same, it is thereupon,

ORDERED, ADJUDGED and DECREED that the Plaintiff deposit with the Clerk of the Circuit Court of Duval County, Florida the sum of Eight Thousand Eighty-Five Dollars (\$8,085.00).

IT IS, FURTHER ORDERED that the said Clerk pay Eight Thousand Dollars (\$8,000.00) to the Defendants, Edwin Turner and Frances Turner, his wife, pursuant to the provisions of the said Final Judgment.

DONE and ORDERED in Jacksonville, Duval County, Florida this 6 day of June, 1985.

(Signed) Henry Lee Adams, Jr.

Circuit Court

IN THE CIRCUIT COURT, FOURTH  
JUDICIAL CIRCUIT, IN AND FOR  
DUVAL COUNTY, FLORIDA.

CASE NO.: 84-8689-CA

DIVISION: K

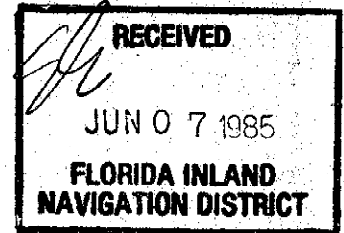
FLORIDA INLAND NAVIGATION DISTRICT  
a Special Taxing District Under the  
Laws of the State of Florida,

Plaintiff.

vs.

EDWIN TURNER and FRANCES TURNER,  
his wife,

Defendants.



FINAL JUDGMENT

This action was tried as to that certain perpetual drainage easement as described in the land set forth in the Verdict, and the Jury, having been impaneled and sworn to try what compensation shall be made to the Defendants for the said perpetual drainage easements and to the damages to the remainder, and the Court, having heard the evidence and the charges of the Court, and have retired to consider their verdict on May 10, 1985, returned the following verdict:

V E R D I C T

Jacksonville, Florida

May 10th, 1985

WE, THE JURY, find for the Plaintiff, FLORIDA INLAND NAVIGATION DISTRICT, and find that the Plaintiff is entitled to acquire a perpetual easement for drainage as set forth in the Complaint for Condemnation in and to the following, described land, situate, lying and being in the County of Duval, State of Florida, more particularly described as follows:

All that portion of the north 60 feet of Section

A strip or parcel of marsh land 60 feet in width, lying in the unsurveyed portions of Sections 34 and 35 of Township 1 North, Range 28 East, Duval County, Florida, being the Westerly projection of the North 60 feet of Section 35, as referenced above, from the Easterly mean high water line of Pumpkin Hill Creek marsh, Westerly approximately 1,334 feet, more or less, to the Easterly line of Pumpkin Hill Creek, containing 1.78 acres, more or less.

WE, THE JURY, further find that the compensation to be paid by the Plaintiff for the taking of said interest in and to the said parcel hereinabove described, acquired, and condemned hereby, are the following respective sums:

EDWIN TURNER and FRANCES TURNER, his wife,

Property Taken-----	\$12,300.00
Severance Damage (if any)-----	\$ 2,000.00
Total-----	\$14,300.00

SO SAY WE ALL.

/s/William H. Wilder .  
Foreman/~~XXXXXXXXXX~~

ADJUDGED that:

1. The property described in the verdict, title to the perpetual drainage easement was vested in the petitioner by Order of Taking dated October 15, 1984, and effective as of November 2, 1984,

All that portion of the north 60 feet of Section 35, Township 1 North, Range 28 East, Duval County, Florida, lying west of the west right-of-way of Sawpit Road, a 60 foot right-of-way, containing 2.72 acres, more or less.

AND

A strip or parcel of marsh land 60 feet in width, lying in the unsurveyed portions of Sections 34 and 35 of Township 1 North, Range 28 East, Duval County, Florida, being the Westerly projection of the North 60 feet of Section 35, as referenced above, from the Easterly mean high water line of Pumpkin Hill Creek marsh, Westerly approximately 1,334 feet, more or less, to the Easterly line of Pumpkin Hill Creek, containing 1.78 acres, more or less.

2. The Clerk of this Court shall draw a check on the funds on deposit in the registry of the Court in connection with this cause and mail them, if no appeal is filed within thirty (30) days from the date of this Judgment as follows:

To Edwin Turner and Frances Turner, his wife \$8,000.00, which is in addition to the \$6,300.00 heretofore paid.

3. That this Court shall retain jurisdiction of this cause for the purpose of determining costs and reasonable attorneys' fees for the attorney for the Defendants.

DONE and ORDERED in Jacksonville, Duval County, Florida this 30 day of May, 1985.

(Signed) Henry Lee Adams, Jr.  
\_\_\_\_\_  
Circuit Court Judge

Copies To:

All Attorneys of Record  
Defendants

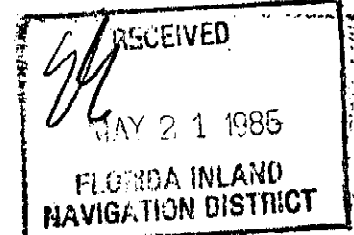
**DOWLING & PATTISON, INC.**

OFFICIAL & GENERAL SHORTHAND REPORTERS

MAILING ADDRESS: ROOM 338  
DUVAL COUNTY COURTHOUSE  
JACKSONVILLE, FLORIDA 32202

323 E. Bay St., Suite 201

May 13, 1985



Messrs. Rumph & Stoddard  
Suite 101  
3100 University Boulevard South  
Jacksonville, Florida 32216

J. Quinton Rumph, Esquire

PLEASE RETURN COPY WITH REMITTANCE

IN THE CIRCUIT COURT IN AND FOR DUVAL COUNTY, FLORIDA. ID 59-1593216

RE: Florida Inland Navigation District, etc. -vs- Edwin  
Turner, et ux. Case No. 84-8689-CA. Div. K.

JURY TRIAL before the Hon. Henry L. Adams, Jr., Circuit Judge, Duval  
County Courthouse, Jacksonville, Florida, on:

5/9/85	Per Diem	\$ 80.00
5/10/85	Per Diem & Overtime	90.00
		<u>\$ 170.00</u>
Closing Arguments (3)		30.00
		<u>\$ 200.00</u>

Reporter:  
David W. Parrish

Of necessity, this office must look to counsel for the moving party in all trials in the Circuit Court for the collection of costs for Court Reporter's services, unless initially engaged by the opposing counsel.

INVOICE

CHARLES W. DEGROVE, JR.  
REGISTERED LAND SURVEYOR NO. 971  
36 BAISDEN ROAD JACKSONVILLE, FLORIDA 32218  
PHONE 757-5155

DATE 5/9/85

Quinton Rumph, Attorney

3100 University Boulevard South

Suite 101

Jacksonville, Florida 32216

5/8/85: Reflagging part of North  
line and flagging 500'  
on South line

Map No. TIN-121A for Florida Inland Navigation District  
Part of Gov. Lot 5, Section 35, TIN, R28E, Duval Co. and portion  
SURVEY OF  
of unsurveyed marshes Sec. 34 & 35, TIN, R28E, Duval Co.

\$ 175.00 DUE

THANK YOU.

Local Telephone  
(904) 396-TOUR

GRAY LINE OF JACKSONVILLE  
P. O. Box 10501  
Jacksonville, Florida 32247

(ISSUING COMPANY)

## CHARTER BUS ORDER

Ordered for Florida Inland Navigation District Phone No. 356-7621  
Address 330 E. Bay St., Jacksonville, FL 32202 (DUVAL COUNTY COURT HOUSE)  
Ordered by Byron King, Attorney Person in Charge Byron King  
Capacity Bus(es) Ordered 1--47 Pass. for Passengers. Leaving Date May 9, 1985  
From Jacksonville To Sawpit Road--North Duval Cty. OW RT X  
Routed Via I-95 North--Cross Trout River Bridge--Exit at Oceanway Exit

Loading Point - Going 330 E. Bay Street

Loading Point - Return Sawpit Road

Live Miles \_\_\_\_\_ Per Mile \$ \_\_\_\_\_  
Deadhead Miles \_\_\_\_\_ Per Mile \$ \_\_\_\_\_  
Time Minimum \_\_\_\_\_  
Charges: Hours \_\_\_\_\_ @ \$ \_\_\_\_\_ per hour  
Days \_\_\_\_\_ @ \$ \_\_\_\_\_ per day  
Tax \_\_\_\_\_  
Misc. \_\_\_\_\_  
Charges: \$35.00 per hour, minimum  
four hours. 140.00

District: TOTAL CHARGES \$ 140.00  
DEPOSIT \$ \_\_\_\_\_  
Classification: BALANCE \$ \_\_\_\_\_

Balance to be paid as follows:

Billed to Florida Inland Navigation District,  
C/O Byron King, Attorney

Refunds only if cancelled over 72 hours before  
departure less actual cost.

	Point	Date	Time
Lv.	<u>330 E. Bay St.</u>	<u>5/9/85</u>	<u>1:30 P.M.</u>
Ar.	<u>Sawpit Road</u>		
Lv.			
Ar.			
Lv.			
Ar.			
Lv.			
Ar.			
Lv.			
Ar.			

Remarks:

Operator's Name and Badge Number	Bus No.	No. Psgs.	From	To	MILES	
					Live	Deadhead

Subject to tariff regulations. Cost specified above is based on information as shown and is subject to change based on actual service performed if change in service is made per request by chartering party. Baggage and all other property will be handled only at passengers' own risk and in the amount that can be conveniently carried in the Charter Bus. Any damage to the vehicle caused by the Charter Party will be charged by the carrier to the Charter Party. If a greater number of passengers than specified on the order are carried, charges will be increased to applicable tariff rate for number of persons actually carried.

Order Issued by

Ruth Handy

Sold at:

Terminal #

Terminal

Terminal #

Signature of party contracting for charter:

Approved by

same as above

Date

5/8/85

Title

ACCOUNTING COPY



PLEASE COMPLETE ALL INFORMATION IN THE 5 BLOCKS OUTLINED IN ORANGE  
SEE BACK OF FORM SET 1 COMPLETE PREPARATION INSTRUCTIONS.

AIRBILL NUMBER

364294151



YOUR FEDERAL EXPRESS ACCOUNT NUMBER

1099-9872-0

DATE

05/30/85

FROM (Your Name)

COMPANY

DEPARTMENT/FLOOR NO.

FLORIDA INLAND NAVIGATION DIST

STREET ADDRESS

2725. AVE. I. 818 U.S. Hwy 1, Suite 7

CITY

STATE

WILMINGTON, North Palm Beach

TO (Recipient's Name)

If Hold For Pick-Up or Saturday Delivery,  
Recipient's Phone Number

D. Byron King, Esq.

COMPANY

DEPARTMENT/FLOOR NO.

Suite 308

STREET ADDRESS (P.O. BOX NUMBERS ARE NOT DELIVERABLE)

137 East Forsyth Street

CITY

STATE

Jacksonville, Florida

AIRBILL NO.

364294151

ZIP ACCURATE ZIP CODE REQUIRED  
FOR CORRECT INVOICING

32202

IN TENDERING THIS SHIPMENT, SHIPPER AGREES THAT  
F.E.C. SHALL NOT BE LIABLE FOR SPECIAL, INCIDENTAL  
OR CONSEQUENTIAL DAMAGES ARISING FROM

ZIP ACCURATE ZIP CODE REQUIRED  
FOR OVERNIGHT DELIVERY

32202

YOUR NOTES/REFERENCE NUMBERS (FIRST 12 CHARACTERS WILL ALSO APPEAR ON INVOICE)

PAYMENT ☐ Bill Shipper ☐ Bill Recipient's F.E.C. Acct. ☐ Bill 3rd Party F.E.C. Acct. ☐ Bill Credit Card  
☐ Cash in Advance Account Number/Credit Card Number

CARRIAGE HEREOF, F.E.C. DISCLAIMS ALL WARRANTIES, EXPRESS OR IMPLIED, WITH  
RESPECT TO THIS SHIPMENT. THIS IS A NON-NEGOTIABLE  
AIRBILL SUBJECT TO CONDITIONS OF CONTRACT SET FORTH  
ON REVERSE OF SHIPPER'S COPY. UNLESS YOU DECLARE A  
HIGHER VALUE, THE LIABILITY OF FEDERAL EXPRESS CORPORATION  
IS LIMITED TO \$100.00. FEDERAL EXPRESS DOES NOT CARRY CARGO LIABILITY INSURANCE.

FEDERAL EXPRESS USE

FREIGHT CHARGES

DECLARED VALUE CHARGE

SERVICES  
CHECK ONLY ONE BOX

DELIVERY AND SPECIAL HANDLING  
CHECK SERVICES REQUIRED

PACKAGES WEIGHT DECLARED VALUE O/S

PRIORITY 1 OVERNIGHT LETTER

1 ☐ (OVERNIGHT PACKAGES) (Up to 70 LBS.)

COURIER PAK 7 ☐

2 ☐ OVERNIGHT ENVELOPE (Up to 2 LBS.)

3 ☐ OVERNIGHT BOX (Up to 5 LBS.)

4 ☐ OVERNIGHT TUBE (Up to 5 LBS.)

STANDARD AIR

5 ☐ DELIVERY 2ND BUSINESS DAY FOLLOWING PICK-UP (Up to 70 LBS.)

"OVERNIGHT" IS NEXT BUSINESS DAY (MONDAY THROUGH FRIDAY). TWO DAYS FROM ALASKA/HAWAII. SATURDAY DELIVERY AVAILABLE IN CONTINENTAL U.S. SEE "SPECIAL HANDLING."

1 ☐ HOLD FOR PICK UP AT FOLLOWING FEDERAL EXPRESS LOCATION SHOWN IN SERVICE GUIDE. RECIPIENT'S PHONE NUMBER REQUIRED

2 ☒ DELIVER

3 ☐ SATURDAY SERVICE REQUIRED See Reverse (Extra charge applies for delivery.)

4 ☐ RESTRICTED ARTICLES SERVICE (P-1 and Standard Air Packages only, extra charge)

5 ☐ SSS (Signature Security Service required, extra charge applies)

6 ☐ DRY ICE LBS.

7 ☐ OTHER SPECIAL SERVICE

8 ☐

9 ☐

TOTAL TOTAL TOTAL

RECEIVED AT

SHIPPER'S DOOR

☐ REGULAR STOP

☐ ON-CALL STOP

☐ F.E.C. LOC.

Federal Express Corporation Employee No.

DATE/TIME For Federal Express Use



AGT/PRO ADVANCE ORIGIN

AGT/PRO ADVANCE DESTINATION

OTHER

TOTAL CHARGES

PART  
#2041730751  
FEC-S-0751 D/O/B  
REVISION DATE  
7/82 NCR  
PRINTED U.S.A.

SHIPPER'S COPY



30 May 1985

D. Byron King, Esq.  
Suite 308  
137 East Forsyth Street  
Jacksonville, Florida 32202

Dear Byron:

Enclosed is FIND check No. 2837 payable to S. Morgan Slaughter, Clerk of the Circuit Court in the amount of \$8,085.00 which represents the balance due to Mr. and Mrs. Turner in connection with the condemnation suit in Duval County.

Sincerely,

Sterling K. Eisiminger  
General Manager

SKE:ngb  
enc.

Dispatched by Federal Express

S. Morgan Slaughter, Dr.

FLORIDA INLAND NAVIGATION DISTRICT

Department

For Period \_\_\_\_\_ to \_\_\_\_\_, both dates inclusive

**Certified-Correct**

(Sig.)

(Title) \_\_\_\_\_

**Audited:**

**AUDITOR**

Paid by Check No. 2837

Receipt Acknowledged or  
Approved for Payment

S.K. Eisiminger, General Manager

F.I.N.D. Voucher No. \_\_\_\_\_

# SUMMARY STATEMENT OF ACCOUNT FOR RECEIPTS AND EXPENDITURES

Address 6601 Southpoint Drive, No., Suite 260City Jacksonville, Fla. 32216Date May 21, 1985

From or To

Broom, Cantrell, Moody & Johnson, Dr.

FLORIDA INLAND NAVIGATION DISTRICT

Department

For Period \_\_\_\_\_ to \_\_\_\_\_, both dates inclusive

CHARACTER OF ITEM	Register No.	FOLIO	AMOUNT
Appraisers charges in connection with condemnation suit in Duval County for pre- trial preparation, conferences with attorney, court testimony and preparation of court exhibits.	7557		\$2,389.17
Bills attached.			
		TOTAL	\$2,389.17

Certified Correct

(Sig.) \_\_\_\_\_

(Title) \_\_\_\_\_

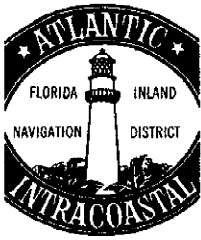
Audited:

AUDITOR

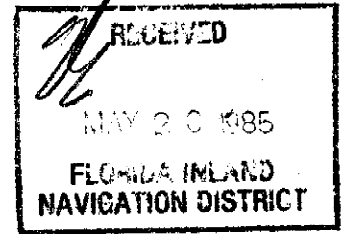
Paid by Check No. 2838Receipt Acknowledged or  
Approved for Payment

S.K. Eisiminger, General Manager

F.I.N.D. Voucher No. \_\_\_\_\_



# FLORIDA INLAND NAVIGATION DISTRICT



## COMMISSIONERS

May 14, 1985

ASTOR SUMMERLIN  
CHAIRMAN  
ST. LUCIE COUNTY

W. VINCENT BARBER  
VICE CHAIRMAN  
BREVARD COUNTY

EDWARD A. GEARY  
TREASURER  
MARTIN COUNTY

CHARLES L. TRAD  
SECRETARY  
FLAGLER COUNTY

DOUGLAS C. CRANE  
DUVAL COUNTY

SAM T. WILLIS  
ST. JOHNS COUNTY

TONY WALSH  
VOLUSIA COUNTY

JOE H. EARMAN  
INDIAN RIVER COUNTY

ROBERT L. RYBOVICH  
PALM BEACH COUNTY

MYRON H. BURNSTEIN  
BROWARD COUNTY

JOHN J. COLLIER, JR.  
DADE COUNTY

## STAFF

STERLING K. EISIMINGER  
GENERAL MANAGER

D. BYRON KING  
Special ATTORNEY

Colonel Sterling K. Eisiminger  
General Manager  
818 U.S. Highway One, Suite 7  
North Palm Beach, Florida 33408

Dear Butch:

Enclosed are bills for expenses recently incurred in the trial of our condemnation suit for the property on Sawpit Road.

The first one is for the hours that were spent by our appraiser, Mr. Broome, in the amount of \$1,987.50. The second one is for Mr. Broome for court expenses amounting to \$401.67. The next one is for Mr. DeGrove for reflagging the property sought to be acquired in the amount of \$175.00. The last one is for the bus which took the judge, the attorneys and the jury to the site for \$140.00.

I would appreciate it if you would pay these bills whenever it is convenient and please advise me when you mail out the checks.

After we have the hearing before the judge for a determination of the attorney's fee for the defendants and for the costs, which I hope will be this month, I will advise you. If it would be possible for you to get permission from the Board to pay Attorney Foerster and his costs without the necessity of waiting another two months for a Board meeting, it would be appreciated.

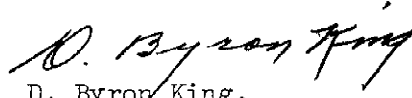
At the time I advise you of the court's determination as to the costs and attorney's fee, will also ask for a check to be sent for the difference between \$14,300.00 and the amount we have previously paid the court for the Turners.

I need to try to work out our problem with Attorney Foerster for a 60-foot perpetual easement on the westside of the spoil disposal area. I still have not gotten an appraisal from Mr. Broome on the value of the 60-foot easement.

I would suggest that either you or the chairman request

Commissioner Derr to make a report to the Board in regard to the court trial.

Cordially yours,

  
D. Byron King,  
Special Attorney

DBK/lal

Enclosures

cc: Officers of the Board  
Commissioner Will O. Derr

20 May 1985

D. Byron King, Esq.  
Suite 308  
137 East Forsyth Street  
Jacksonville, Florida 32202

Dear Byron:

Reference is made to my letter to you dated 11 January 1985 concerning the acquisition of a 60 foot easement west of FIND-owned property in Duval County referred to as MSA DU-20.

At the FIND Board of Commissioners meeting on 17 May 1985, it was the consensus that a total of three independent appraisals should be obtained before an initial offer is made to the property owner. (Appraisers to be selected from the MAI's on the State's approved list). Then if an offer within the limits of the appraisals is not acceptable to the property owner, the minimum price that is acceptable to the owner should be determined and confirmed in writing as acceptable. If it appears this price would be advantageous to FIND, considering the costs associated with the alternative of condemnation action, this information should be transmitted to me for consideration by the Board and by DNR.

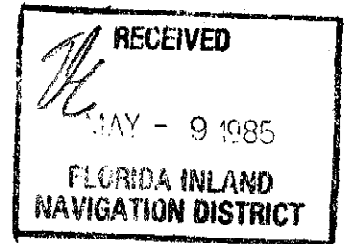
In addition to the above, it would be appreciated if you would keep Commissioner Derr apprased of your actions in this acquisition effort, and invite him to be present during appropriate phases of the negotiations.

Sincerely,

Sterling K. Eisiminger  
General Manager

SKE:ngb

cc: Commissioner Derr



May 7, 1985

Commissioner Will O. Derr  
Duval County Commissioner  
14750 Beach Boulevard  
Jacksonville Beach, Florida 32250

Dear Commissioner Derr:

I have been trying to reach you on the telephone for the last several days, but have not succeeded. When it is convenient, I would appreciate your calling me. I would like to hear from you as soon as possible as our condemnation suit starts on Thursday, May 9th at 10:00 a.m.

I do not as yet know what court room we will be in, but you can go to Judge Adams' chambers, #324, and his secretary will advise you as to the court room number.

A bus is being hired to take the jurors, the court officials, the attorneys and yourself (if possible) out to the site to take a look at the property we have under condemnation.

Please call my office between the hours of 10:00 a.m. and 2:30 p.m. as soon as you can.

Cordially yours,

S/D BYRON KING

D. Byron King  
Special Attorney

Special

DBK/lal

cc: Colonel Sterling K. Eisiminger, General Manager

INVOICE

CHARLES W. DEGROVE, JR.  
REGISTERED LAND SURVEYOR NO. 971  
36 BAISDEN ROAD JACKSONVILLE, FLORIDA 32218  
PHONE 757-5155

DATE 3/11/85

---

Florida Inland Navigation District

---

% Bryon King

---

To: Quinton Rumph, Attorney  
3100 University Boulevard South  
Suite 101, Jax., Fla. 32216

---

---

SURVEY OF Part of Gov. Lot 5, Section 35, T1N, R28E, Duval Co.

---

Map #T1N-121A staked parcel every 100' \$ 225.00

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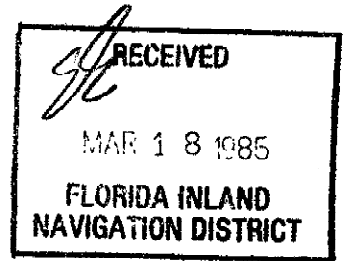
THANK YOU.





# FLORIDA INLAND NAVIGATION DISTRICT

March 13, 1985



## COMMISSIONERS

ASTOR SUMMERLIN  
CHAIRMAN  
ST. LUCIE COUNTY

W. VINCENT BARBER  
VICE CHAIRMAN  
BREVARD COUNTY

EDWARD A. GEARY  
TREASURER  
MARTIN COUNTY

CHARLES L. TRAD  
SECRETARY  
FLAGLER COUNTY

DOUGLAS C. CRANE  
DUVAL COUNTY

SAM T. WILLIS  
ST. JOHNS COUNTY

TONY WALSH  
VOLUSIA COUNTY

JOE H. EARMAN  
INDIAN RIVER COUNTY

ROBERT L. RYBOVICH  
PALM BEACH COUNTY

MYRON H. BURNSTEIN  
BROWARD COUNTY

JOHN J. COLLIER, JR.  
DADE COUNTY

## STAFF

STERLING K. EISIMINGER  
GENERAL MANAGER

Special D. BYRON KING  
ATTORNEY

Colonel Sterling K. Eisiminger  
General Manager, FIND  
818 U.S. Highway One  
Suite 7  
North Palm Beach, Florida 33408

Dear Butch:

Enclosed is a copy of the survey of the property which we have under condemnation. The surveyor's bill is \$225.00 which I would like for you to take care of. Surveying in a marsh is sometimes expensive.

I do not have an appraisal as yet on the 60-foot area west of the spoil disposal site. I hope to have that next week.

I gave Commissioner Derr some files to deliver to you. He will give them to you this week.

I hope you have a good meeting. As I told you previously, I do not plan to attend.

Cordially yours,

*Byron*

D. Byron King  
Special Attorney

DBK/1a1

Enclosures

*Maney -*  
*Prepare voucher on the bill.*  
*Date the survey description*  
*with HSA 00-20*  
*SE*  
*18 MAR 85*



February 28, 1985

CINDY J. JENNINGS & ASSOCIATES  
2616 INDEPENDENT SQUARE  
JACKSONVILLE, FLORIDA 32202  
(904) 359-0257  
S.S. #263-31-5117

TO: J. Quinton Rumph, Esq.  
3100 University Bldv. South  
Suite 101  
Jacksonville, Florida 32216

RE: Florida Inland Navigation District  
-vs- Edwin Turner and Frances Turner  
Case No. 84-8689 CA  
Division K

Deposition of GORDON B. HOLMES, JR., taken on  
behalf of the defendants herein, at 653  
Florida National Bank Bldg., Jacksonville, Florida,  
on February 22, 1985.

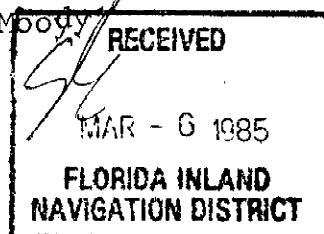
Attendance Reporter  
Transcript Original  
Transcript Copy

\$40.00  
85.25  
21.70

TOTAL

\$146.95

Reporter: Tanya L. Moody  
Thank you



A part of Government Lot 5, Section 35, Township 1 North, Range 28 East, Duval County, Florida and a portion of the unsurveyed marsh in Sections 35 and 34, Township 1 North, Range 28 East, said County, and being more particularly described as follows:

Begin at the intersection of the North line of said Section 35 and the Westerly right of way line of Sawpit Road ( a 60 foot R/W); thence South 89 degrees 31 minutes West along the Northerly line of said Section 35, said line being coincident with the Northerly line of said Government Lot 5, 1984.0 feet, more or less, to the edge of marsh; thence continue South 89 degrees 31 minutes West along the Northerly line of said Sections 35 and 34, 1351.0 feet, more or less, to the Bank of Pumpkin Hill Creek; thence Southerly along the meanderings of said Bank, 61.0 feet, more or less; thence North 89 degrees 31 minutes East along a line parallel to and 60.0 feet Southerly of the North line of said Sections 34 and 35, 1349.0 feet, more or less, to the edge of high land in said Section 35; thence continue North 89 degrees 31 minutes East, 1981.0 feet, more or less, to a point in the Westerly right of way line of said Sawpit Road; thence North 02 degrees 19 minutes 10 seconds East along said right of way line, 60.07 feet to the Point of Beginning.

The high land contains 2.73 acres, more or less, or 118,919 square feet, more or less.

The marsh land contains 1.86 acres, more or less, or 81,022 square feet, more or less.

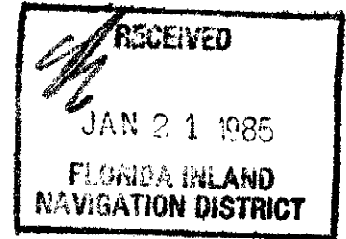


DEPARTMENT OF THE ARMY  
JACKSONVILLE DISTRICT, CORPS OF ENGINEERS  
P. O. BOX 4970  
JACKSONVILLE, FLORIDA 32232-0019

January 17, 1985

REPLY TO  
ATTENTION OF

Real Estate Division



Colonel Sterling K. Eisiminger  
USA Retired  
General Manager  
Florida Inland Navigation District  
818 U.S. Highway One, Suite 7  
North Palm Beach, Florida 33408

Dear Colonel Eisiminger:

The following comments are in response to your letter of November 13, 1984 concerning the drainage problems at the Sawpit Road disposal area for the AIWW Project.

a. If the west dike is removed by sale of the material as proposed, the silt and mud which is now contained within the disposal area will overflow onto the adjoining property. This would undoubtedly result in a lawsuit against the Corps and FIND by the adjoining property owners who, as you are aware, are presently disturbed with the situation.

b. If the dike is moved to the east to provide for construction of a north/south drainage ditch, an interior dike will have to be constructed before the outer dike can be removed to prevent the loss of the silt and mud. Our Engineering Division has estimated that dike construction will cost \$137,000.00.

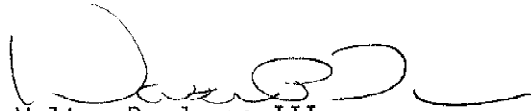
c. In comparison of the cost to relocate the dike versus the cost to acquire the easement west of the dike, acquisition of the easement and payment of damages for timber loss should be the more economical solution. It is requested that your Board reconsider this proposal and approve purchase of the easement west of the dike.

The Corps has no objection to FIND selling the good material which is contained within the dike to recoupe expenses incurred in the purchase of drainage easements. This would be

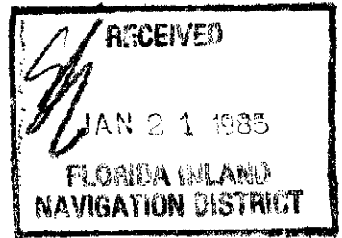
subject, of course, to the State's requirements for sale of spoil material; and further subject to the requirement that removal of spoil be accomplished without any adverse impact on the integrity of the existing dike.

Your continued cooperation is appreciated.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Walter P. Jones III', with a long horizontal flourish extending to the right.

Walter P. Jones III  
Chief, Real Estate Division



January 17, 1985

Mr. David W. Foerster  
Attorney at Law  
643 Florida National Bank Building  
Jacksonville, Florida 32202

Dear David:

As I advised you over the telephone, I am now authorized by the Florida Inland Navigation District to negotiate with you for the purchase of a 60-foot strip of land along the west side of the maintenance disposal area on Sawpit Road.

Mr. Broome will be asked to give us an appraisal on the value of this land. I am enclosing with this letter a sketch of the area which needs to be acquired at this time.

As soon as I get the appraisal, I'll be in touch with you.

Yours sincerely,

S/D BYRON KING

D. Byron King

DBK/la1

Enclosure

cc: Colonel Sterling K. Eisinger  
Mr. Clive Powell

11 January 1985

D. Byron King, Esq.  
Suite 308  
137 East Forsyth Street  
Jacksonville, Florida 32202

Dear Mr. King:

Reference is made to copy of enclosed letter dated 11 October 1984 from the Jacksonville District Engineer requesting the Florida Inland Navigation District acquire a 60 foot easement west of FIND-owned property referred to as MSA DU-20.

At the meeting of the FIND Board of Commissioners this date, authorization was given to proceed with obtaining a survey and appraisal and the initiation of negotiations to purchase the requested easement. If it is not feasible to reach an agreement with the property owner to purchase the easement, preparations should be made for the initiation of condemnation action.

The Board of Commissioners authorized you to proceed with the above actions, with compensation to be based on the fees contained in your most recent contract with this District (with monthly billings).

Request you prepare a resolution for consideration by the Board at its 15 March 1985 meeting, to acquire the requested easement by either purchase or condemnation action, as considered appropriate at that time.

Sincerely,

Sterling K. Eisiminger  
General Manager

SKE:ngb  
enc.

WINDERWEEDLE, HAINES, WARD & WOODMAN, P. A.  
ATTORNEYS AT LAW

W. E. WINDERWEEDLE (1906-1979)  
WEBBER B. HAINES  
HAROLD A. WARD III  
JOHN DEM. HAINES  
VICTOR E. WOODMAN  
WILLIAM A. WALKER II  
C. BRENT MCCAGHREN  
JAMES L. FLY  
J. P. CAROLAN III  
LAURENCE C. HAINES  
FREDERIC B. O'NEAL  
TUCKER H. BYRD  
THOMAS A. SIMSER, JR.  
BRENDA L. VALLA  
PETER A. KNOCKE

REPLY TO

Winter Park

November 19, 1984

BARNETT BANK BUILDING  
250 PARK AVENUE, SOUTH  
POST OFFICE BOX 880  
WINTER PARK, FLORIDA  
ZIP CODE 32790-0880  
(305) 644-6312

BARNETT PLAZA - SUITE #1460  
201 SOUTH ORANGE AVENUE  
POST OFFICE BOX 1391  
ORLANDO, FLORIDA  
ZIP CODE 32802-1391  
(305) 423-4246

*SE*

D. Byron King, Esquire  
Florida Inland Navigation District  
Suite 308  
137 East Forsyth Street  
Jacksonville, Florida 32202

Re: Florida Inland Navigation District and  
Pumpkin Hill Mortgage to Intercoastal Trust

Dear Mr. King:

Our client, Intercoastal Trust, couldn't wait any longer and accordingly, the foreclosure was filed on November 21, 1984. J. P. Carolan III of our office is handling the foreclosure.

Very truly yours,

*William A. Walker II*

William A. Walker II

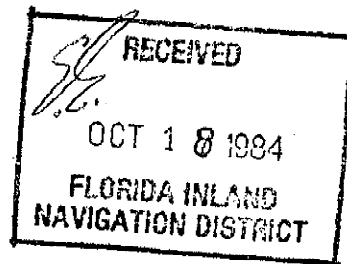
/se





DEPARTMENT OF THE ARMY  
JACKSONVILLE DISTRICT, CORPS OF ENGINEERS  
P. O. BOX 4970  
JACKSONVILLE, FLORIDA 32232

October 11, 1984



REPLY TO  
ATTENTION OF

Real Estate Division

Col Sterling T. Eisiminger  
USA Retired  
General Manager  
Florida Inland Navigation  
District  
818 U.S. Highway One, Suite 7  
North Palm Beach, Florida 33408


Dear Colonel Eisiminger:

Our Engineering Division has completed their study of the drainage system required to eliminate the flooding problems for the disposal area on Black Hammock Island for the IWW, Jacksonville to Fernandina.

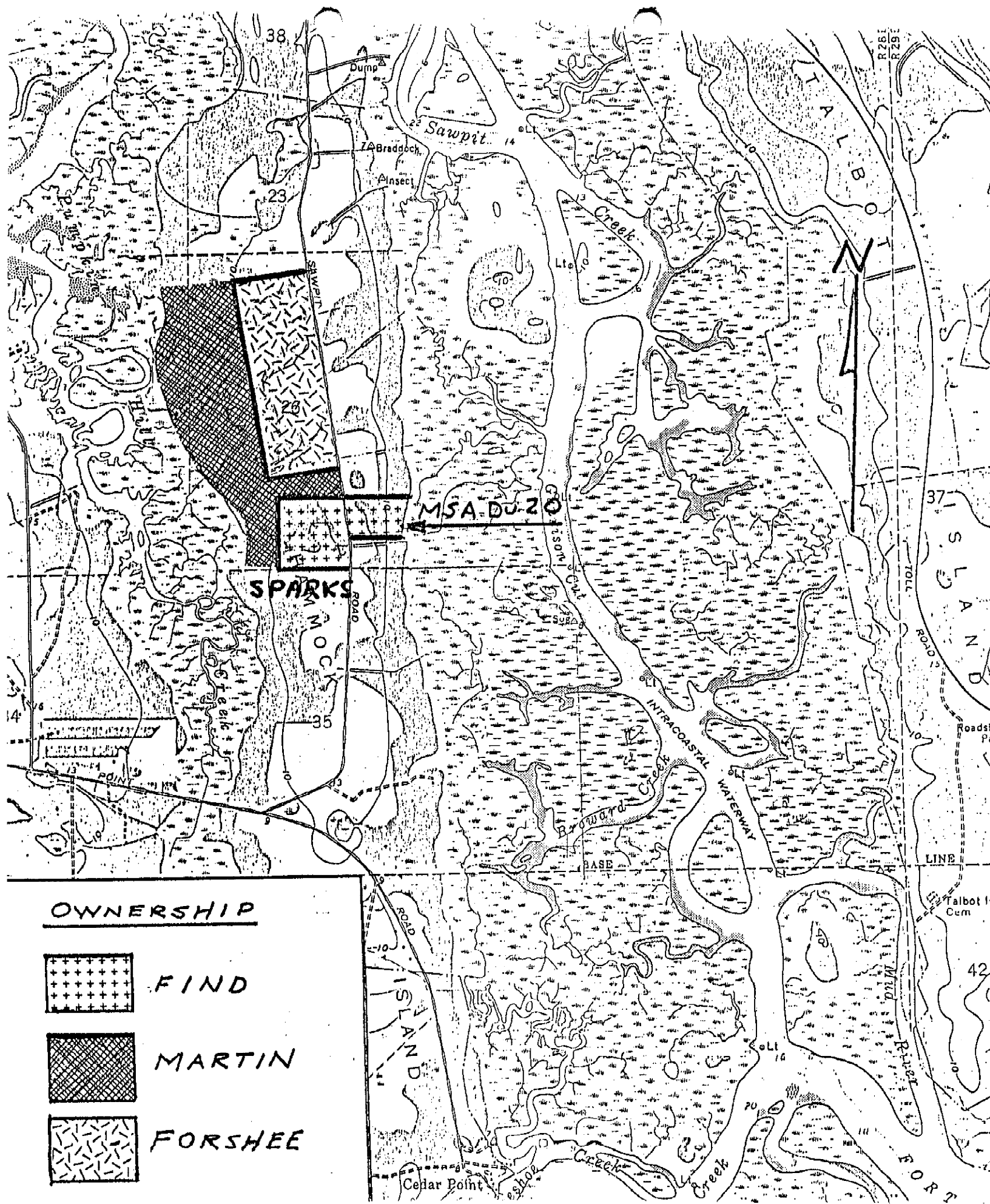
The alternatives of partial drainage to the IWW on the east side of the Island versus draining westerly along the disposal area to Pumpkin Hill Creek were previously discussed with you by Mr. Powell. Based on that conversation and discussion of October 10, 1984 with Mr. Byron King, we request a 60 foot wide perpetual easement along the west side of the ownership for said spoil area with an additional triangular parcel as a widener where the north/south ditch meets the east/west ditch at the southwest corner of the disposal area. This is shown outlined in red on the enclosed map.

As Mr. Foerster has contacted the Corps directly, we are also answering his request to be informed as to what plans are for the drainage problems in this area. A copy of our letter was approved by Mr. King before it was sent and a copy is enclosed for your records.

Sincerely,

  
Walter P. Jones III  
Chief, Real Estate Division

Enclosures





# FLORIDA INLAND NAVIGATION DISTRICT

13 November 1984

## COMMISSIONERS

ASTOR SUMMERLIN  
CHAIRMAN  
ST. LUCIE COUNTY

W. VINCENT BARBER  
VICE CHAIRMAN  
BREVARD COUNTY

EDWARD A. GEARY  
TREASURER  
MARTIN COUNTY

CHARLES L. TRAD  
SECRETARY  
FLAGLER COUNTY

DOUGLAS C. CRANE  
DUVAL COUNTY

SAM T. WILLIS  
ST. JOHNS COUNTY

TONY WALSH  
VOLUSIA COUNTY

JOE H. EARMAN  
INDIAN RIVER COUNTY

ROBERT L. RYBOVICH  
PALM BEACH COUNTY

MYRON H. BURNSTEIN  
BROWARD COUNTY

JOHN J. COLLIER, JR.  
DADE COUNTY

## STAFF

STERLING K. EISIMINGER  
GENERAL MANAGER

D. BYRON KING  
ATTORNEY

District Engineer  
U.S. Army Corps of Engineers  
P.O. Box 4970  
Jacksonville, Florida 32232

Attention: Chief, Real Estate Division

Dear Mr. Jones:

Reference is made to your letter of 11 October 1984 requesting this District obtain a 60 foot easement immediately west of the FIND property (MSA DU-20) on Black Hammock Island in Duval County.

Your request was presented to the FIND Board of Commissioners at its regular meeting on 9 November 1984 to obtain authorization to proceed with an appraisal and to negotiate with the land owner. Followed a lengthy discussion on past actions concerning this MSA by the Corps and also adjacent property owners and the probability of an expensive settlement if condemnation proceedings were required to acquire the easement requested. The Board finally voted to sell off the spoil, starting with that now making up the westerly dike, to provide an area for the westerly drainage ditch.

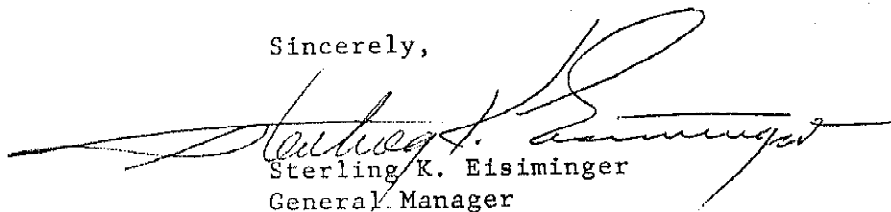
I realize Chapter 253.03(10)(c) Florida Statutes requires a 60 day advertisement plus approval from the TIIF if any bids are received. Therefore, we are looking at over 60 days just to find out if any bids are going to be submitted, and if a bid is submitted, probably four months plus before the first load is removed and many more months before a full 60 foot wide area is removed from the west side of the disposal area.

Because of the need to drain the surrounding area and the length of time to acquire the 60' needed by the above method, I suggest the Corps consider moving the existing westerly dike to the east as part of the proposed earth moving contract to provide drainage on the north and south as well as the westerly side of the disposal area. Request your response to this proposal prior to my advertising the spoil for sale as directed by the Board of Commissioners.

District Engineer  
13 November 1984  
Page 2.

In compliance with a telephonic request from Mr. Cleve Powell, enclosed is a right of entry on the 60 foot strip south of the Black Hammock Island disposal area recently taken by condemnation action in accordance with your request.

Sincerely,

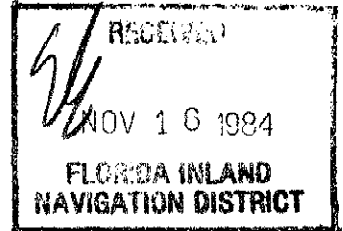


Sterling K. Eisiminger  
General Manager

SKE:ngb  
enc.

cc: D. Byron King

November 14, 1984



Mr. Harvey (Chip) Martin  
Woodbridge Land Company  
One Independent Drive  
Jacksonville, Florida 32202

Dear Chip:

In your letter of September 12th you requested that I and Colonel Eisiminger return to you the legal description and surveys of the Pumpkin Hill property west of the FIND land on Sawpit Road that you supplied to us.

I sent to you on October 3rd the survey and the legal description which I had in my office, and I requested that Colonel Eisiminger do the same. I was advised shortly thereafter that they did not have or could not find the legal description and the survey.

At the meeting of the Board of Commissioners last Friday in Daytona Beach, Colonel Eisiminger's secretary gave me the survey and legal description which they had previously been unable to locate.

Enclosed are three surveys with legal descriptions that were given to me for your files.

Sorry for the delay.

Yours sincerely,

S/D BYRON KING

D. Byron King

DBK/lal

Enclosure

cc: Colonel Sterling K. Eisiminger



DEPARTMENT OF THE ARMY  
JACKSONVILLE DISTRICT, CORPS OF ENGINEERS  
P. O. BOX 4970  
JACKSONVILLE, FLORIDA 32232

October 31, 1984


REPLY TO  
ATTENTION OF  
Real Estate Division

Mr. Byron King, Esquire  
137 East Forsyth Street  
Jacksonville, Florida 32202

Dear Mr. King:

Enclosed is a legal description and drawing of the proposed drainage easement west of the disposal area at Sawpit Road.

Sincerely,

  
Walter P. Jones III  
Chief, Real Estate Division

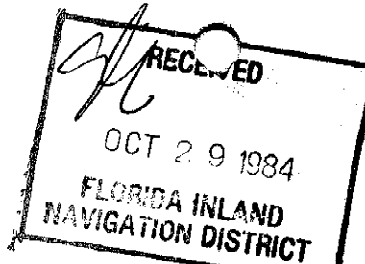
Enclosures

*Manney -  
Add this to  
our file on  
MSA DU-20  
38  
14 JAN 15*

Description of Proposed Drainage Easement  
West of AIWW Disposal Area, Sawpit Road  
Duval County, Florida

A tract or parcel of land being a portion of Government Lot 5  
Section 26, Township 1 North, Range 28 East, Duval County, Florida  
being more particularly described as follows:

Begin at an iron pipe at the Northeast corner of said Government Lot 5, also being the Northwest corner of Government Lot 4 of said section; thence run south  $00^{\circ}50'01''$  E. along the east line of Government Lot 5, 1350.30 feet to the southeast corner of Government Lot 5, thence run south  $89^{\circ}31'22''$  West, 120.00 feet to a point; thence run North  $44^{\circ}31'22''$  East, 84.83 feet to a point; thence run North  $00^{\circ}50'01''$  West, parallel to and 60 feet west of the east line of said Government Lot 5, a distance of 1290.30' to the north line of said Government Lot 5; thence run North  $89^{\circ}22'58''$  East a distance of 60 feet more or less to the point of beginning, containing 1.85 acres more or less.



IN THE CIRCUIT COURT, FOURTH  
JUDICIAL CIRCUIT, IN AND FOR  
DUVAL COUNTY, FLORIDA

CASE NO: 84-8689-CA

DIVISION: K

FLORIDA INLAND NAVIGATION DISTRICT,  
A Special Taxing District Under the  
Laws of the State of Florida,

Plaintiff,

v.

EDWIN TURNER and FRANCES TURNER,  
his wife,

Defendant.

---

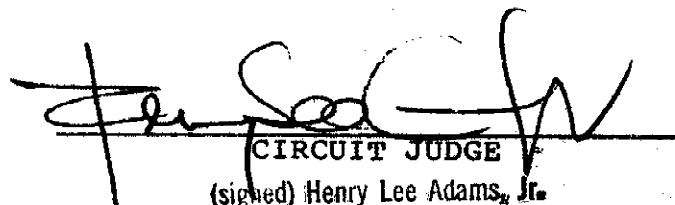
ORDER OF DISTRIBUTION

Upon deposit of funds in the registry of the Court,  
pursuant to the Order of Taking entered herein on October 15,  
1984, it is;

ORDERED and ADJUDGED, as follows:

The Clerk of the Court shall forthwith distribute the sum  
of \$6,300.00 to EDWIN TURNER and FRANCES TURNER, his wife.

DONE and ORDERED in Chambers, Jacksonville, Duval County,  
Florida, this 15th day of October, 1984

  
CIRCUIT JUDGE  
(signed) Henry Lee Adams, Jr.

Copies to:

D. Bryon King, Esquire  
137 E. Forsyth Street  
Suite 308  
Jacksonville, Florida 32202

J. Quinton Rumph, Esquire  
3100 University Boulevard South



IN THE CIRCUIT COURT, FOURTH  
JUDICIAL CIRCUIT, IN AND FOR  
DUVAL COUNTY, FLORIDA.

CASE NO. 84-8689-CA  
DIVISION: K.

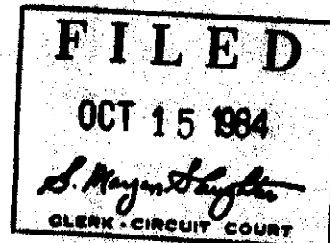
FLORIDA INLAND NAVIGATION DISTRICT,  
a Special Taxing District Under the  
Laws of the State of Florida,

Plaintiff,

vs.

EDWIN TURNER and FRANCES TURNER,  
his wife,

Defendants.



ORDER OF TAKING

THIS CAUSE coming on to be heard by the Court, and it appearing that proper notice was first given to all Defendants, and all persons having or claiming any equity, lien, title, or other interest in or to the real property described in the Complaint, that the Plaintiff would apply to this Court on the 15<sup>th</sup> day of October, 1984, for an Order of Taking, and the Court being fully advised in the premises, upon consideration, it is, therefore,

ORDERED AND ADJUDGED:

1. That the Court has jurisdiction of the subject matter and of the parties to this cause.
2. That the pleadings in this cause are sufficient, and the Plaintiff is properly exercising its delegated authority.
3. That the Estimate of Value filed in this cause by the Plaintiff was made in good faith, and based upon a valid

All that portion of the north 60 feet of Section 35, Township 1 North, Range 28 East, Duval County, Florida, lying west of the west right-of-way of Sawpit Road, a 60 foot right-of-way, containing 2.72 acres, more or less.

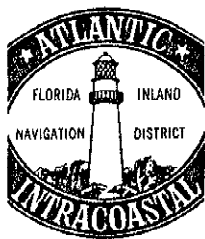
AND

A strip or parcel of marsh land 60 feet in width, lying in the unsurveyed portions of Sections 34 and 35 of Township 1 North, Range 28 East, Duval County, Florida, being the Westerly projection of the North 60 feet of Section 35, as referenced above, from the Easterly mean high water line of Pumpkin Hill Creek marsh, Westerly approximately 1,334 feet, more or less, to the Easterly line of Pumpkin Hill Creek, containing 1.78 acres, more or less.

upon payment into the Registry of this Court of the deposit herein-after specified; and that said deposit of money will fully secure and fully compensate the persons lawfully entitled to compensation, as will be determined ultimately by Final Judgment of the Court, and which said sum of money to be deposited is in no instance less than the value of each parcel of said land, as fixed by the estimate of value as set by the Plaintiff.

THAT upon the deposit of the aforesaid monies the title to the lands described herein shall be vested in the Plaintiff, FLORIDA INLAND NAVIGATION DISTRICT.

PROVIDED, FURTHER, that the said sum of money in the total sum of Sixty three hundred & no/100 (\$6300) Dollars, shall be deposited into the Registry of this Court within twenty (20) days after the date of this Order, and, upon making such deposit, the Plaintiff shall notify in writing all attorneys of record, that the deposit has been made, and that on November 2 1984, the Plaintiff shall be entitled to possession of the property described in the Complaint without further notice or Order of this Court.



# FLORIDA INLAND NAVIGATION DISTRICT

13 November 1984

## COMMISSIONERS

ASTOR SUMMERLIN  
CHAIRMAN  
ST. LUCIE COUNTY

W. VINCENT BARBER  
VICE CHAIRMAN  
BREVARD COUNTY

EDWARD A. GEARY  
TREASURER  
MARTIN COUNTY

CHARLES L. TRAD  
SECRETARY  
FLAGLER COUNTY

DOUGLAS C. CRANE  
DUVAL COUNTY

SAM T. WILLIS  
ST. JOHNS COUNTY

TONY WALSH  
VOLUSIA COUNTY

JOE H. EARMAN  
INDIAN RIVER COUNTY

ROBERT L. RYBOVICH  
PALM BEACH COUNTY

MYRON H. BURNSTEIN  
BROWARD COUNTY

JOHN J. COLLIER, JR.  
DADE COUNTY

## STAFF

STERLING K. EISIMINGER  
GENERAL MANAGER

D. BYRON KING  
ATTORNEY

District Engineer  
U.S. Army Corps of Engineers  
P.O. Box 4970  
Jacksonville, Florida 32232

Attention: Chief, Real Estate Division

Dear Mr. Jones:

Reference is made to your letter of 11 October 1984 requesting this District obtain a 60 foot easement immediately west of the FIND property (MSA DU-20) on Black Hammock Island in Duval County.

Your request was presented to the FIND Board of Commissioners at its regular meeting on 9 November 1984 to obtain authorization to proceed with an appraisal and to negotiate with the land owner. Followed a lengthy discussion on past actions concerning this MSA by the Corps and also adjacent property owners and the probability of an expensive settlement if condemnation proceedings were required to acquire the easement requested. The Board finally voted to sell off the spoil, starting with that now making up the westerly dike, to provide an area for the westerly drainage ditch.

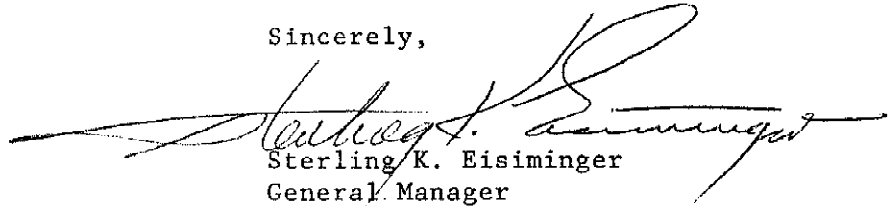
I realize Chapter 253.03(10)(c) Florida Statutes requires a 60 day advertisement plus approval from the TIFB if any bids are received. Therefore, we are looking at over 60 days just to find out if any bids are going to be submitted, and if a bid is submitted, probably four months plus before the first load is removed and many more months before a full 60 foot wide area is removed from the west side of the disposal area.

Because of the need to drain the surrounding area and the length of time to acquire the 60' needed by the above method, I suggest the Corps consider moving the existing westerly dike to the east as part of the proposed earth moving contract to provide drainage on the north and south as well as the westerly side of the disposal area. Request your response to this proposal prior to my advertising the spoil for sale as directed by the Board of Commissioners.

District Engineer  
13 November 1984  
Page 2.

In compliance with a telephonic request from Mr. Cleve Powell, enclosed is a right of entry on the 60 foot strip south of the Black Hammock Island disposal area recently taken by condemnation action in accordance with your request.

Sincerely,



Sterling K. Eisiminger  
General Manager

SKE:ngb  
enc.

cc: D. Byron King

DEPARTMENT OF THE ARMY

RIGHT OF ENTRY FOR CONSTRUCTION

ICWW Jacksonville to Miami, FL  
(Project, Installation or Activity)

North 60 ft. of Section 35, Township 1N,  
Range 28E & Westerly Projection to Pumpkin  
(Tract No. or Other Property Identification)  
Hill Creek

The undersigned, hereinafter called the "Sponsor," who is responsible as local sponsor for the ICWW, Jacksonville to Miami Project to the UNITED STATES OF AMERICA, hereinafter called the "Government," for all lands or easement rights hereinafter described, hereby grants to the Government, a permit or right-of-entry upon the following terms and conditions:

1. The Sponsor hereby grants to the Government an irrevocable right to enter upon the lands hereinafter described at any time within a period of Twenty-four (24) months from the date of this instrument, in order to perform construction of any nature.

2. This permit includes the right of ingress and egress on other lands of the Sponsor not described below, provided that such ingress and egress is necessary and not otherwise conveniently available to the Government.

3. All tools, equipment, buildings, improvements, and other property taken upon or placed upon the land by the Government shall remain the property of the Government and may be removed by the Government at any time within a reasonable period after the expiration of this permit or right-of-entry.

4. The Government shall have the right to patrol and police the lands hereinafter described during the period of this permit or right-of-entry.

The land affected by this permit or right-of-entry is located in the County of Duval, State of Florida, and is described as follows:

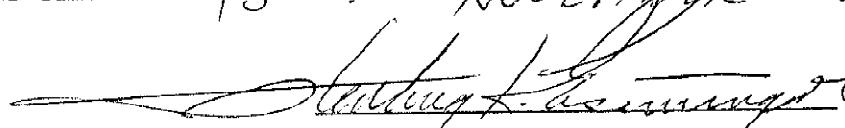
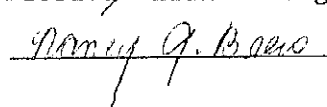
All that portion of the north 60 feet of Section 35, Township 1 North, Range 28 East, Duval County, Florida, lying west of the west right-of-way of Sawpit Road, a 60 foot right-of-way, containing 2.72 acres, more or less.

And

A strip or parcel of marsh land 60 feet in width, lying in the unsurveyed portions of Sections 34 and 35 of Township 1 North, Range 28 East, Duval County, Florida, being the Westerly projection of the North 60 feet of Section 35, as referenced above, from the Easterly mean high water line of Pumpkin Hill Creek marsh, Westerly approximately 1,334 feet, more or less, to the Easterly line of Pumpkin Hill Creek, containing 1.78 acres, more or less.

WITNESS MY HAND AND SEAL this 13<sup>th</sup> day of NOVEMBER, 19 82

WITNESS

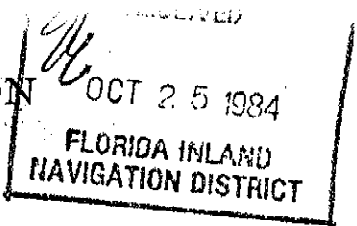
 (SEAL)  
Florida Inland Navigation District, General  
 (SEAL) Manager



# BROOM, CANTRELL, MOODY & JOHNSON

REAL ESTATE APPRAISERS - CONSULTANTS

October 17, 1984



HARRY B. BROOM, JR., M.A.I.  
HEYWARD M. CANTRELL, M.A.I.  
RONALD K. MOODY, M.A.I.  
PHILIP M. JOHNSON, M.A.I.

SUITE 260  
6601 SOUTHPOINT DR., NO.  
JACKSONVILLE, FLORIDA 32216  
904/737-3000

Florida Inland Navigation District  
c/o Quinton Rumph, Esquire  
3100 So. University Blvd.  
Jacksonville, Florida

HBB:5807-84

DATE	AMOUNT
10-17-84	\$300 00
<p><u>FOR PROFESSIONAL SERVICES RENDERED</u></p> <p>Property located on west side of Sawpit Rd., Black Hammock Island, Jacksonville, Duval Cty., Fla.</p> <p>This invoice reflects time spent in the following endeavors:</p> <p>Pretrial conf. w/attorneys concerning order of Taking and update of appraisal; reinspection of property and general area in connection with valu- ation update; sales search and review of original appraisal in connection with appearance at Order of Taking Hearing; time spent at Order of Taking in testimony on the above matter.</p> <p>(4.0 Hrs. @ \$75.00/Hr. = \$300.00)</p>	<p>WE MUST HAVE INVOICE NUMBER WITH REMITTANCE</p>

22 October 1984

D. Byron King, Esq.  
Suite 308  
137 East Forsyth Street  
Jacksonville, Florida 32202

Dear Byron:

Enclosed is the check you requested in connection with the  
Condemnation Action in Duval County. Check No. 2640 in the  
amount of \$6,368 is payable to S. Morgan Slaughter, Clerk.

Sincerely,

Sterling K. Eisiminger  
General Manager

SKE:ngb  
enc.

18 October 1984

D. Byron King, Esq.  
Suite 308  
137 East Forsyth Street  
Jacksonville, Florida 32202

Dear Byron:

Reference is made to the enclosed letter dated 11 October 1984 from the Chief, Real Estate Division, Jacksonville District U.S. Army, Corps of Engineers concerning the need for an easement along the west boundary of the FIND property on Black Hammock Island, Duval County, Florida.

Request you initiate preliminary negotiations with Mr. Foerster to obtain this easement in accordance with our telephone conversation this date. Based on his previous actions, I assume Mr. Foerster (and his client) will not agree to sell, thus forcing us to another condemnation action.

I would hope you could have a resolution or a formal motion for consideration and adoption by the Board of Commissioners at its next meeting on 9 November 1984 which would authorize purchase of the property under the same guidelines used previously, if possible, and if not, authorization to proceed with another condemnation action to obtain the easement requested plus those necessary related actions.

Sincerely,

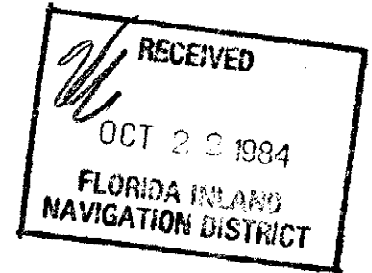
Sterling K. Eisiminger  
General Manager

SKE:ngb  
enc.





DEPARTMENT OF THE ARMY  
JACKSONVILLE DISTRICT, CORPS OF ENGINEERS  
P. O. BOX 4970  
JACKSONVILLE, FLORIDA 32232  
October 17, 1984



REPLY TO  
ATTENTION OF  
Real Estate Division

Colonel Sterling K. Eisiminger  
USA Retired  
General Manager  
Florida Inland Navigation District  
818 U.S. Highway One, Suite 7  
North Palm Beach, Florida 33408

Dear Colonel Eisiminger:

This letter is written to confirm the telephonic request for acquisition of a 60 foot wide perpetual drainage easement bordering the AIWW disposal area on Sawpit Road on the south from Sawpit Road to Pumpkin Hill Creek. As previously stated, the easement is required to construct a ditch to improve the drainage problems which resulted from the construction of the above-mentioned disposal area.

A copy of the letter sent to Byron King on June 6, 1984 concerning this subject is also enclosed to complete your files.

Your expedient action in acquisition of this area to reduce the danger of flooding of Sawpit Road is appreciated.

Sincerely,

Walter P. Jones III  
Chief, Real Estate Division

Enclosure

June 6, 1984

Real Estate Division

Mr. Byron King, Esq.  
137 East Forsyth Street  
Jacksonville, Florida 32202

Dear Mr. King:

The easement format for the drainage ditch at Sawpit Road is attached for your request.

Sincerely,

Walter P. Jones III  
Chief, Real Estate Division

Enclosure

*CP* Powell/SAJRE-A  
tam/1178  
Dull/SAJRE-A 6/6  
Jones/SAJRE

PERPETUAL DRAINAGE EASEMENT

THIS EASEMENT, made this \_\_\_\_\_ day of \_\_\_\_\_ A.D. 19 \_\_\_\_\_,  
between \_\_\_\_\_

\_\_\_\_\_, party of the first part, and  
THE FLORIDA INLAND NAVIGATION DISTRICT, a special taxing district organized  
under the laws of the State of Florida, whose address is 2725 Avenue E,  
Riviera Beach, Florida, as party of the second part, WITNESSETH that

WHEREAS, the Congress of the United States, by River and Harbor Act  
of June 30, 1938, Public No. 685--75th Congress (H.R. 10298), provided for  
the improvement of that portion of said Intracoastal Waterway between the  
St. Johns River and the St. Marys River in Florida (said portion of said  
Intracoastal Waterway being in Nassau and Duval Counties, Florida) upon  
condition that local interests shall furnish free of cost to the United  
States necessary rights-of-way and suitable spoil disposal areas for  
initial work and subsequent maintenance as may be required, and

WHEREAS, the party of the second part is authorized and required by  
the laws of Florida to provide free of cost to the United States the  
rights-of-way and disposal areas for said Waterway, and

WHEREAS, the party of the first part is the owner in fee simple or  
of sufficient title in and to the hereinafter described land, and so  
represents, to entitle it to convey to the Florida Inland Navigation  
District the rights, privileges, and easements herein described which are  
needed in connection with the aforementioned project, said land being  
described in Schedule A, which is made a part hereof,

NOW, THEREFORE, in consideration of

\_\_\_\_\_, the party of the first part  
does hereby convey to the Florida Inland Navigation District the perpetual  
and assignable easement and right-of-way in, over, and across the land  
described in Schedule A to construct, maintain, repair, operate, patrol  
and replace a drainage ditch, reserving, however, to the owners, their

used without interfering with or abridging the rights and easement hereby acquired, subject, however, to existing easements for public roads and highways, public utilities and pipelines.

The rights and authority herein conferred may be granted to the officers, agents, contractors, employees and authorized representatives of the United States of America as its interest in said Intracoastal Waterway may appear.

It is understood and agreed by and between the parties hereto that in its discretion the Florida Inland Navigation District, its agents, contractors, and assigns may use the premises, in whole or in part, for the purposes aforesaid, but is under no obligation so to do.

TO HAVE AND TO HOLD the said rights and easements unto the party of the second part, the Florida Inland Navigation District, its successors and assigns, for the purposes aforesaid, in perpetuity. And the said party of the first part, for itself and for its successors and assigns, does hereby covenant that it is lawfully seized of sufficient title to the property described in Schedule A to grant the rights aforementioned.

Party of the first part covenants that it is lawfully seized and possessed of the rights, privileges, and easements herein conveyed, that it has a good and lawful right to convey the same, and covenants to defend the title to the same against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the said party of the first part has hereunto set hand and seal on the day and year first above written.

Executed in presence of:

---

(SEAL)

(SEAL)

SCHEDULE A

All that portion of the north 60 feet of Section 35, Township 1 North,  
Range 28 East, Duval County, Florida, lying west of the west right-of-  
way of Sawpit Road, a 60-foot right-of-way, containing 2.72 acres more  
or less.

in width,

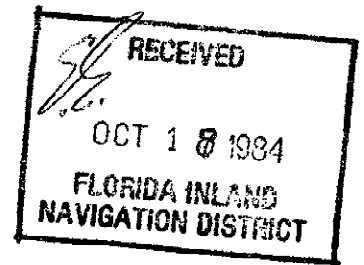


Advised



DEPARTMENT OF THE ARMY  
JACKSONVILLE DISTRICT, CORPS OF ENGINEERS  
P. O. BOX 4970  
JACKSONVILLE, FLORIDA 32232

October 11, 1984



REPLY TO  
ATTENTION OF

Real Estate Division

Col Sterling T. Eisiminger  
USA Retired  
General Manager  
Florida Inland Navigation  
District  
818 U.S. Highway One, Suite 7  
North Palm Beach, Florida 33408

Dear Colonel Eisiminger:

Our Engineering Division has completed their study of the drainage system required to eliminate the flooding problems for the disposal area on Black Hammock Island for the IWW, Jacksonville to Fernandina.

The alternatives of partial drainage to the IWW on the east side of the Island versus draining westerly along the disposal area to Pumpkin Hill Creek were previously discussed with you by Mr. Powell. Based on that conversation and discussion of October 10, 1984 with Mr. Byron King, we request a 60 foot wide perpetual easement along the west side of the ownership for said spoil area with an additional triangular parcel as a widener where the north/south ditch meets the east/west ditch at the southwest corner of the disposal area. This is shown outlined in red on the enclosed map.

As Mr. Foerster has contacted the Corps directly, we are also answering his request to be informed as to what plans are for the drainage problems in this area. A copy of our letter was approved by Mr. King before it was sent and a copy is enclosed for your records.

Sincerely,

  
Walter P. Jones III  
Chief, Real Estate Division

Enclosures

FOR FLORIDA INLAND NAVAL DISTRICT

S 09° 22' 58" W (1094.23') 1094.27'

GOV'T. LOT 3

GOV'T. LOT 4

N.M. 1/2 OF S.W. 1/4

TO FACE OF MARSH

GOV'T. LOT 6

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DEPARTMENT OF THE ARMY  
JACKSONVILLE DISTRICT, CORPS OF ENGINEERS  
P. O. BOX 4970  
JACKSONVILLE, FLORIDA 32232

October 12, 1984

REPLY TO  
ATTENTION OF  
Real Estate Division

Mr. David W. Foerster  
Attorney at Law  
653 Florida National  
Bank Building  
Jacksonville, Florida 32202

Dear Mr. Foerster:

This letter is written in response to previous discussions and correspondence concerning the claim of Woodridge Land Company for land damages on Black Hammock Island in connection with the disposal area for the Intracoastal Waterway, Jacksonville to Fernandina.

Our Engineering Division has made a study of the drainage requirements for the disposal area and its environs and recommends that the drainage ditch be constructed along the outer edge of the disposal area on the north, west and south sides of the dike. This will convey sheet flow (runoff) from the surrounding lands to Pumpkin Hill Creek which was the natural drainage pattern before the disposal area was constructed. It is anticipated that this drainage system will return the drainage of your client's land to a condition superior to that which existed before the disposal area was constructed.

Construction of the drainage system discussed above will require a 60 foot wide perpetual drainage easement from your client's land along the west side of the disposal area with a widener at the south end of the easement to facilitate directing the flow of water westerly to Pumpkin Hill Creek. The Florida Inland Navigation District, sponsor of the project, will be responsible for acquiring this easement from your client, however, the Corps would like to encourage a speedy negotiation for the conveyance of this easement to facilitate implementation of the drainage system as soon as possible.

The damage which your client sustained in the clearing of the lands immediately west of the disposal area, may also be arbitrated during negotiations for the purchase of the drainage easement. It would be helpful if a written estimate of damages by our contractor to your client's timber could be provided



-2-

for review which sets forth the estimated loss that your client believes occurred.

We apologize for the delay in our response, however, several alternatives to this system for drainage were studied which took more time than anticipated.

Sincerely,

Walter P. Jones III  
Chief, Real Estate Division

Enclosures



# FLORIDA INLAND NAVIGATION DISTRICT

15 October 1984

## COMMISSIONERS

ASTOR SUMMERLIN  
CHAIRMAN  
ST. LUCIE COUNTY

W. VINCENT BARBER  
VICE CHAIRMAN  
BREVARD COUNTY

EDWARD A. GEARY  
TREASURER  
MARTIN COUNTY

CHARLES L. TRAD  
SECRETARY  
FLAGLER COUNTY

DOUGLAS C. CRANE  
DUVAL COUNTY

SAM T. WILLIS  
ST. JOHNS COUNTY

TONY WALSH  
VOLUSIA COUNTY

JOE H. EARMAN  
INDIAN RIVER COUNTY

ROBERT L. RYBOVICH  
PALM BEACH COUNTY

MYRON H. BURNSTEIN  
BROWARD COUNTY

JOHN J. COLLIER, JR.  
DADE COUNTY

## STAFF

STERLING K. EISIMINGER  
GENERAL MANAGER

D. BYRON KING  
ATTORNEY

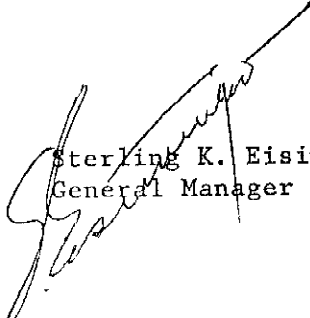
MEMORANDUM: For the Record

FROM: General Manager

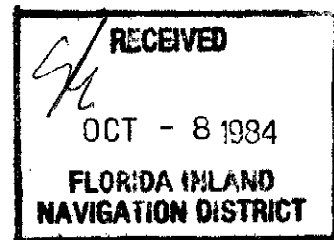
SUBJECT: Condemnation Action, Duval County

The Hearing on the FIND Condemnation Action in Duval County to obtain a 60 foot drainage easement was held this date. The Judge approved the taking. No date was set for the jury trial which will determine the final cost to FIND. Case No. 84-8689-CA.

The FIND Appraiser had appraised the land at \$6,300. Court costs were \$68. A check for \$6,368.00 payable to S. Morgan Slaughter, Clerk, was prepared this date and forwarded to Commissioners Geary and Barber for signature. The deadline to have the check in the hands of the Court is 2 November 1984.

  
Sterling K. Eisiminger  
General Manager

SKE:ngb



October 3, 1984

Mr. Harvey (Chip) Martin  
Woodridge Land Company  
One Independent Drive  
Jacksonville, Florida 32202

Dear Chip:

Recently in talking with Colonel Eisiminger, General Manager for the Florida Inland Navigation District, he advised me that he cannot find in his files a map or legal description of the land owned by Woodridge Land Company immediately to the west of the property which FIND owns on Sawpit Road.

I have checked my files. I found a map, but I cannot find a legal description of the 16 acre tract. I am returning to you the map that was sent to me as per your request. If you send a legal description of this 16 acre tract and I find it, I will certainly return it to you.

I am sorry I was delayed in getting this map returned.

Yours sincerely,

S/D BYRON KING

D. Byron King  
Attorney for the Florida Inland  
Navigation District

DBK/lal

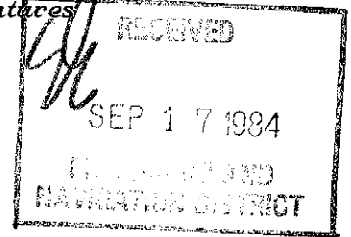
Enclosure

cc: Colonel Sterling K. Eisiminger

**WOODRIDGE LAND COMPANY**

*Realtors · Acreage · Commercial · Industrial · Joint Ventures*

September 12, 1984



Col. S. K. Eisiminger  
General Manager  
Florida Inland Navigation District  
818 U.S. Highway One, Suite 7  
North Palm Beach, FL 3e3408

Dear Col. Eisiminger:

With reference to your letter of September 4, 1984, I have had a conversation with Byron King regarding the survey.

I can now see that any misunderstanding was my responsibility. Therefore, if you would kindly return all copies of the survey and legal description, I will pay the invoice and consider the matter closed.

Kind regards,

Harvey "Chip" Martin

HCM:ls

cc: Byron King, Esquire

4 September 1984

Mr. Harvey "Chip" Martin  
Woodridge Land Company  
One Independent Drive  
Jacksonville, Florida 32202

Dear Mr. Martin:

Reference is made to your letters of 10 July and 13 August 1984 requesting this District pay Invoice No. 90504 from All-American Surveyors Inc. for \$250.00.

You stated our Attorney, D. Byron King, had authorized the survey for which the bill was submitted. I provided Mr. King with your comments in an attempt to obtain his confirmation. Mr. King's response to me concluded with the following sentence: "At no time did I ever tell Chip Martin that FIND would pay for the survey." Without evidence that this District incurred the obligation, I cannot authorize payment of the invoice as requested.

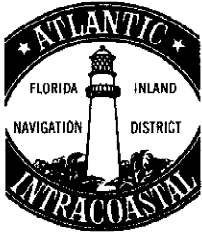
The original of Invoice No. 90504 is returned herewith.

Sincerely,

Sterling K. Eisiminger  
General Manager

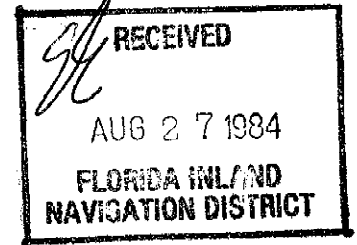
SKE:ngb

cc: D. Byron King, Esq.



# FLORIDA INLAND NAVIGATION DISTRICT

August 23, 1984



## COMMISSIONERS

ASTOR SUMMERLIN  
CHAIRMAN  
ST. LUCIE COUNTY

W. VINCENT BARBER  
VICE CHAIRMAN  
BREVARD COUNTY

EDWARD A. GEARY  
TREASURER  
MARTIN COUNTY

CHARLES L. TRAD  
SECRETARY  
FLAGLER COUNTY

DOUGLAS C. CRANE  
DUVAL COUNTY

SAM T. WILLIS  
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JOE H. EARMAN  
INDIAN RIVER COUNTY

ROBERT L. RYBOVICH  
PALM BEACH COUNTY

MYRON H. BURNSTEIN  
BROWARD COUNTY

JOHN J. COLLIER, JR.  
DADE COUNTY

Colonel Sterling K. Eisiminger  
818 U. S. Highway One  
Suite 7  
North Palm Beach, Florida 33408

Dear Colonel:

In response to Chip Martin's letter, please be advised that I do not recall having told Mr. Martin that FIND would pay for a survey.

In his letter to you he stated that I informed him that he would be required to supply this; and according to him, he said he would be happy to order the cut out, and I said I would appreciate it.

At no time did I ever tell Chip Martin that FIND would pay for the survey. I think he is trying to put one over on us.

Cordially yours,

*D. Byron King*  
D. Byron King

DBK/lal

## STAFF

STERLING K. EISIMINGER  
GENERAL MANAGER

D. BYRON KING  
ATTORNEY

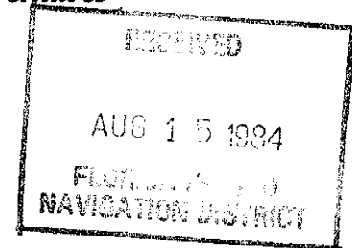
P.S. Enclosed is a copy of a survey of the land that is under condemnation proceedings. There is a total bill of \$775.00 for the survey. This survey has been filed with the Court, which is one of the requirements of the condemnation. I would be appreciated if this survey bill would be paid directly to the surveyors.

*DBK*

# WOODRIDGE LAND COMPANY

*Realtors · Acreage · Commercial · Industrial · Joint Ventures*

August 13, 1984



Col. S. K. Eisiminger  
General Manager  
Florida Inland Navigation District  
818 U. S. Highway One, Suite 7  
North Palm Beach, Florida 33408

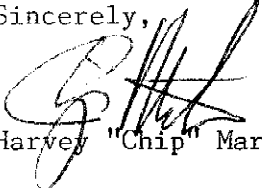
Dear Col. Eisiminger:

Reference is made to your letter of July 27, 1984. Unfortunately, we did not keep a log on the visits made by Byron King to our office. However, on his last visit, we discussed, among other things, the offer on and the appraisal of the 16.94-acre tract known as Parcel A.

During that discussion, Mr. King informed me that he would require a cut-out of that tract from the overall survey with a metes and bounds legal description of same. I informed him that I would be happy to order the cut-out and he indicated that would be appreciated. I hope this letter will serve to refresh his memory on this matter.

With reference to paragraph three of your letter, please find enclosed a copy of our letter dated March 22, 1984. Since this letter was not returned to this office, we assumed that you had received it.

Sincerely,



Harvey "Chip" Martin

HCM:ls

Encl.

cc: D. Byron King, Esquire

March 22, 1984

Col. S. K. Eisiminger  
General Manager  
Florida Inland Navigation District  
2725 Avenue B  
Riviera Beach, Florida 33404

RE: Pumpkin Hill Corp.

Dear Col. Eisiminger:

As per the request of Byron King, Esquire, we requested the All American Surveyors prepare a cutout of the 16.94-acre tract. Enclosed is same with invoice.

Sincerely,

*Harvey C. Mattan*  
Harvey C. Mattan

HCM:kc

Enclosures

cc: Byron King, Esquire



16 August 1984

D. Byron King, Esq.  
Suite 308  
137 East Forsyth Street  
Jacksonville, Florida 32202

Dear Byron:

Enclosed is a copy of a letter from Harvey "Chip" Martin dated 13 August 1984 which is in response to my letter of 27 July 1984. My 27 July letter was sent at your request to attempt to find justification to pay a \$250 surveyor's bill submitted by Mr. Martin with the comment that you had requested the survey.

Request you reconsider this matter and inform me as to whether payment of the surveyor's bill from FIND funds is justified.

Sincerely,

Sterling K. Eisiminger  
General Manager

SKE:ngb  
enc.

MF July 1984

Mr. Harvey "Chip" Martin  
Woodridge Land Company  
1 Independent Drive  
Jacksonville, FL 32202

Dear Mr. Martin:

Reference is made to your letter of 10 July 1984 enclosing an invoice #90504 in the amount of \$250 from All American Surveyors, Inc. You stated the work was ordered at the request of Byron King.

I have been in contact with Mr. King, and he has no recollection of requesting a survey from you. Request you provide me with more information on this survey, including evidence Mr. King requested it, in order that I can justify paying the invoice as an obligation of this District, if in fact it is such an obligation.

You also commented the invoice is over 90 days past due. Your letter of 10 July 1984 is the first I knew of this invoice. If we had been billed earlier, I would have taken action on it when received.

Sincerely,

Sterling K. Eisiminger  
General Manager

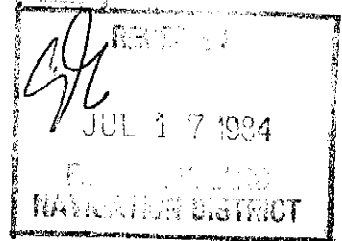
SKE:ngb

cc: D. Byron King

# WOODRIDGE LAND COMPANY

*Realtors · Acreage · Commercial · Industrial · Joint Ventures*

July 10, 1984



Col. S. K. Eisiminger  
General Manager  
Florida Inland Navigation District  
2725 Avenue E  
Riviera Beach, FL 33404

Dear Col. Eisiminger:

With reference to my letter of March 22, 1984 enclosing invoice #90504 in the amount of \$250, please note that this account is now over 90 days past due.

This work was ordered at the request of Byron King, Esquire, on behalf of Florida Inland Navigation District. I hope this invoice can be paid promptly.

Kind regards,

A handwritten signature in dark ink, appearing to be 'Chip Martin', written over the typed name.

Harvey "Chip" Martin

HCM:ls

Encl.

cc: All American Surveyors

ALL AMERICAN SURVEYORS INC  
8282 WESTERN WAY CIRCLE #111  
JACKSONVILLE, FLOR. 32216

32216

30200 WOODRIDGE LAND COMPANY  
1 INDEPENDENT DRIVE  
SUITE 3210  
JACKSONVILLE, FLORIDA

05/31/84

32202

AMOUNT

PLEASE DETACH AND RETURN THIS STUB WITH YOUR REMITTANCE.

ENCLOSED \$

STATEMENT

DATE	INVOICE	CHARGES	✓	CREDITS
02/20	90504 INVOICE	250.00		
RECEIVED JUN 22 1984				
PLEASE CALL US REGARDING YOUR ACCOUNT				

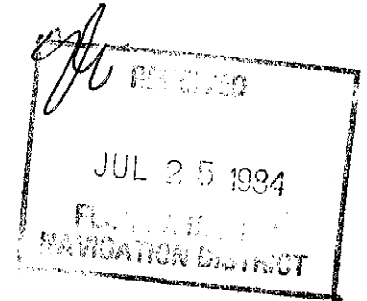
CURRENT	OVER 30	OVER 60	OVER 90	TOTAL
			250.00	250.00

TRANSACTIONS AFTER STATEMENT DATE WILL  
APPEAR ON NEXT MONTH'S STATEMENT.

**PAY  
THIS AMOUNT**



# FLORIDA INLAND NAVIGATION DISTRICT



## COMMISSIONERS

ASTOR SUMMERLIN  
CHAIRMAN  
ST. LUCIE COUNTY

W. VINCENT BARBER  
VICE CHAIRMAN  
BREVARD COUNTY

EDWARD A. GEARY  
TREASURER  
MARTIN COUNTY

CHARLES L. TRAD  
SECRETARY  
FLAGLER COUNTY

DOUGLAS C. CRANE  
DUVAL COUNTY

SAM T. WILLIS  
ST. JOHNS COUNTY

TONY WALSH  
VOLUSIA COUNTY

JOE H. EARMAN  
INDIAN RIVER COUNTY

ROBERT L. RYBOVICH  
PALM BEACH COUNTY

MYRON H. BURNSTEIN  
BROWARD COUNTY

JOHN J. COLLIER, JR.  
DADE COUNTY

## STAFF

STERLING K. EISIMINGER  
GENERAL MANAGER

D. BYRON KING  
ATTORNEY

July 23, 1984


Colonel Sterling K. Eisinger  
General Manager  
818 U.S. Highway 1  
Suite 7  
North Palm Beach, Florida 33408

Dear Butch:

Enclosed is the original resolution passed by the Board of Commissioners of the Florida Inland Navigation District and adopted at our meeting on Friday.

I appeared before Judge Adams this morning and got a date for our hearing on the FIND condemnation which is October 15th, 1984, at 10 a.m. Judge Adams is one of our newer circuit judges, and he belong to the negro race.

Cordially yours,

  
D. Byron King

DBK/lal

Enclosure

RESOLUTION

On a motion made by Commissioner Crane and seconded by Commissioner Barber, the following Resolution was adopted by the Board of Commissioners of the Florida Inland Navigation District at a regularly scheduled meeting held on July 20, 1984, at Vero Beach, Florida.

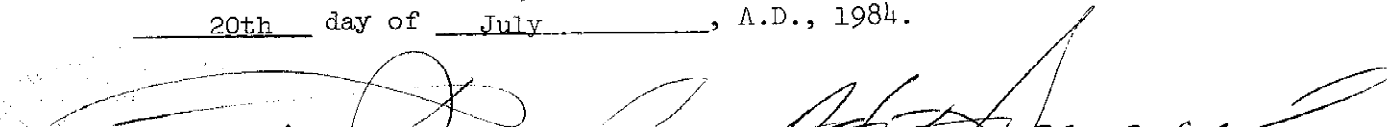
WHEREAS, the United States Corps of Engineers has requested the Florida Inland Navigation District to furnish the necessary perpetual easement over a 60-foot strip of land of Section 35, Township 1 North, Range 28 East and a parcel of land 60 feet in width lying in Sections 34 and 35 of Township 1 North, Range 28 East, Duval County, Florida, which property has been surveyed and located by the Florida Inland Navigation District as shown by a map on file in the office of the Clerk of the Circuit Court of Duval County, Florida, and attached to the Complaint for Eminent Domain herein, and, be it further

RESOLVED that D. Byron King, attorney for the Board of Commissioners of the Florida Inland Navigation District be, and he hereby authorized and directed to proceed to take the necessary steps for the Florida Inland Navigation District to acquire, in the name of the Florida Inland Navigation District, by purchase or condemnation, said perpetual easement for the land described in the map referred to, and to prepare, in the name of the Florida Inland Navigation District, all condemnation papers, affidavits and pleadings, and prosecute all condemnation proceedings to judgment, and to take possession and said interest in the property in advance of the entry of final judgment in eminent domain actions as provided by law.

STATE OF FLORIDA  
COUNTY OF DUVAL

WE HEREBY CERTIFY that the foregoing is a true and correct copy of resolution passed by the Board of Commissioners of the Florida Inland Navigation District at a meeting held on July 20, A.D., 1984, and recorded in the official minutes of the Florida Inland Navigation District.

IN WITNESS WHEREOF, we hereunto set our hands and official seals this  
\_\_\_\_ 20th \_\_\_\_ day of \_\_\_\_ July \_\_\_\_, A.D., 1984.

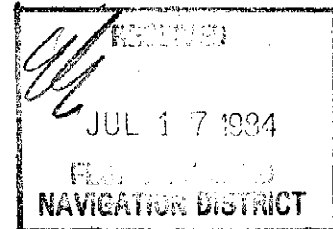




**DEPARTMENT OF THE ARMY**  
JACKSONVILLE DISTRICT, CORPS OF ENGINEERS  
P. O. BOX 4970  
JACKSONVILLE, FLORIDA 32232

July 12, 1984

Real Estate Division



Mr. David W. Foerster  
Attorney at Law  
653 Florida National Bank Building  
Jacksonville, Florida 32202

Dear Mr. Foerster:

This is in response to your telephone conversation of July 9, 1984 with Mr. Powell of this office. The Corps of Engineers and the Florida Inland Navigation District have discussed the direction which should be taken in regard to your client's property on Sawpit Road.

Concerning the claim for the trees which were inadvertently cleared, our offer of \$1,500.00 which was made September 19, 1983 was based on an appraisal made by our district staff. It is our understanding that your client rejected this offer in your letter to FIND of March 1, 1984 which also rejected their offer to purchase the land immediately west of the Government's disposal area. A counter offer would possibly be useful if it gave a basis for evaluation of the loss of the trees which our appraiser overlooked.

As to the purchase of the lands lying between the disposal area and the marsh, subsequent to your letter of March 1, 1984 the Corps has requested FIND to acquire a drainage easement south of the disposal area and Pumpkin Hill's lands which should solve the drainage problems across the south end of your client's property. Additional studies are being made to find the best solution to improve the drainage for the remaining lands which adjoin the disposal area. Purchase of any portion of your client's lands has been deferred until our engineering studies have been completed.

Sincerely,

Walter P. Jones III  
Chief, Real Estate Division

bcc:  
Bryan King, Attorney at Law/FIND  
Colonel Sterling K. Eisiminger/FIND  
SAJOC

6 June 1984

D. Byron King, Esq.  
Suite 308  
137 East Forsyth Street  
Jacksonville, Florida 32202

Dear Byron:

Enclosed is check No. 2497 in the amount of \$6,300 payable to Edwin A. Turner & Frances Turner, his wife.

This check for the cost of acquiring a 60 foot easement for drainage on the north side of the Turner property adjacent to DU-20 in Duval County was authorized by the Board of Commissioners at the meeting of 18 May 1984.

Sincerely,

Nancy G. Beers  
Administrative Assistant

ngb  
enc.





# FLORIDA INLAND NAVIGATION DISTRICT

31 May 1984

## COMMISSIONERS

ASTOR SUMMERLIN  
CHAIRMAN  
ST. LUCIE COUNTY

W. VINCENT BARBER  
VICE CHAIRMAN  
BREVARD COUNTY

EDWARD A. GEARY  
TREASURER  
MARTIN COUNTY

CHARLES L. TRAD  
SECRETARY  
FLAGLER COUNTY

DOUGLAS C. CRANE  
DUVAL COUNTY

SAM T. WILLIS  
ST. JOHNS COUNTY

TONY WALSH  
VOLUSIA COUNTY

JOE H. EARMAN  
INDIAN RIVER COUNTY

ROBERT L. RYBOVICH  
PALM BEACH COUNTY

MYRON H. BURNSTEIN  
BROWARD COUNTY

JOHN J. COLLIER, JR.  
DADE COUNTY

MEMORANDUM TO: Commissioners Geary and Barber

FROM: Nancy

SUBJECT: Check for Acquisition of Easement in Duval County.

Attorney King has finally received clearance from the owners of the land adjacent to DU-20 in Duval County to acquire the easement for drainage for the price agreed to at the last Board meeting of \$6,300.

He requested that I have a check drawn as quickly as possible so that he can bind the deal.

Please sign the enclosed check and return it to this office at your earliest convenience. Envelopes for this purpose are enclosed.

Sincerely,

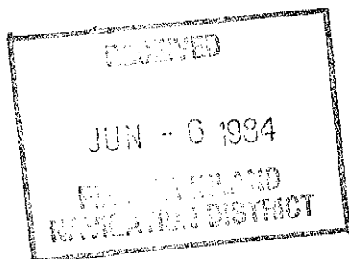
*Nancy*

*CR# 3497*

## STAFF

STERLING K. EISIMINGER  
GENERAL MANAGER

D. BYRON KING  
ATTORNEY



June 4, 1984

Mr. D. Byron King  
Attorney of the Board  
Florida Inland Navigation District  
137 East Forsyth Street, Suite 308  
Jacksonville, Florida 32202

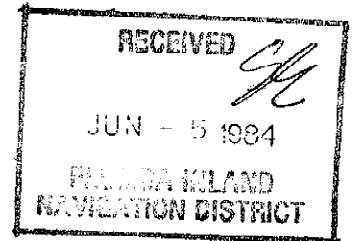
Dear Mr. King:

My father and mother-in-law, Mr. and Mrs. Turner, have authorized me to advise you that they will accept \$6,300.00 for a 60 foot easement on the north side of their property on Sawpit Road, which runs from the road to the creek on the west.

As soon as you have the easement prepared with a check payable to Mr. and Mrs. Turner, they will execute the perpetual easement to the Florida Inland Navigation District.

Yours sincerely,

Larry F. Sparks  
4132 Peach Drive  
Jacksonville, Florida 32216



June 1, 1984

Mr. Larry F. Sparks  
4132 Peach Drive  
Jacksonville, Florida 32216

Dear Mr. Sparks:

Enclosed with this letter are an original and a copy of a letter which I am asking you to sign on behalf of you in-laws, Mr. and Mrs. Turner.

As soon as I receive the check, I will contact you with a perpetual easement which will need to be signed by Mr. and Mrs. Turner.

Please sign and return the enclosed letter of authorization, keeping the copy for yourself, at your earliest convenience.

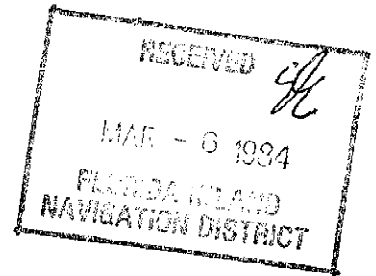
Yours sincerely,

S/D BYRON KING

D. Byron King  
Attorney of the Board

cc: Commissioner Douglas Crane, Duval County  
Colonel Sterling K. Eisiminger, General Manager

LAW OFFICES  
DAVID W. FOERSTER, P.A.  
653 FLORIDA NATIONAL BANK BUILDING  
JACKSONVILLE, FLORIDA 32202  
(904) 355-2543



DAVID W. FOERSTER  
THERESA M. ROONEY

March 1, 1984

Mr. Sterling K. Eisiminger  
Florida Inland Navigation District  
2725 Avenue E.  
Riviera Beach, Florida 33404

Dear Mr. Eisiminger:

Reference is made to your letter of February 1, 1984, addressed to D. Chanslor Howell, Esquire, concerning the proposed offer by Florida Inland Navigation District to acquire lands owned by Woodridge Land Company.

At the request of Mr. Howell and Mr. Harvey C. Martin of Woodridge Land Company, we have reviewed the entire file concerning this matter, particularly the appraisal report of Mr. Frank K. Osborn, M.A.I.

On behalf of Woodridge Land Company, we wish to advise that the offer of \$59,290.00 is hereby declined.

Yours very truly,

DAVID W. FOERSTER, P. A.

David W. Foerster

DWF/pg

cc: D. Chanslor Howell, Esquire  
Mr. Harvey C. Martin

# OSBORN APPRAISAL COMPANY

Frank K. Osborn, M.A.I.  
131 EAST BAY STREET  
JACKSONVILLE, FLORIDA 32202

Telephone 355-7581

Date Jan 23, 19 84

Mr. Sterling K. Elsiminger  
General Manager  
Florida Inland Navigation District  
2725 Avenue E.  
Riviera Beach, Florida 33404

---

Appraisal	\$1,900
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Parcel I of Woodridge Land  
Company Survey  
Sawpit Road, Jacksonville

*Thank You*

PLEASE RETURN COPY OF BILL WITH REMITTANCE.

1 February 1984

D. Byron King, Esq.  
Suite 308  
137 East Forsyth Street  
Jacksonville, Florida 32202

Dear Byron:

Enclosed for your review is my letter to D. Chanslor Howell offering to buy Woodridge Land Company Parcel 1 for \$59,290, the appraised fair market value.

Request you review this letter to be sure we are complying with "the spirit" of the Florida Statutes on purchase of land. Section 253.025 F.S. was revised extensively by the 1983 Legislature, but I have not received any copies of revised Division of State Lands Regulations reflecting the changes. If you agree, send the letter to Howell.

Also enclosed is your copy of the Osborn appraisal report.

Sincerely,

Sterling K. Eisiminger  
General Manager

SKE:ngb  
encs.

1 February 1984

D. Chanslor Howell, Esq.  
Howell & Deas, P.A.  
P.O. Box 40063  
Jacksonville, Florida 32204

Dear Mr. Howell:

Reference is made to my letter of 23 November 1983 to Mr. Harvey C. Martin of the Woodridge Land Company and to your response of 3 January 1984.

This office ~~contracted~~ with Mr. Frank K. Osborn, M.A.I. of Jacksonville on 10 January 1984 to appraise the 16.94 acre Woodridge Land Company tract identified as Parcel 1 (GL 5, Sec. 25, T 1N, R 26E). Mr. Osborn's appraisal of the fair market value of Parcel 1 as of 23 January 1984 is \$59,290.

In order for this District to purchase this parcel, the following is necessary:

- a. The owner must agree in writing to accept the appraised value as his selling price. (This District cannot pay a price in excess of the appraisal).
- b. If the owner agrees (to a. above), the FIND Board of Commissioners must agree to pay the appraised value to purchase the property.
- c. The Cabinet and Governor ~~must~~ approve the purchase.
- d. The owner ~~must~~ comply with the provisions of the following sections of the Florida Statutes: 253.025 (Evidence of marketable title) and 286.23 (Disclosure of beneficial interests).

The Florida Inland Navigation District offers to purchase Parcel 1 for \$58,290 subject to all of the above.

D. Chanslor Howell, Esq.  
1 February 1984  
Page 2.

If you desire to review a copy of Mr. Osborn's appraisal report, request you contact our Attorney, D. Byron King, who has a copy.

I will await the receipt of the property owner's agreement to accept \$59,290 for the purchase of Parcel 1.

Sincerely,

Sterling K. Eisiminger  
General Manager

SKE:ngb

cc: D. Byron King



10 January 1984

Mr. Frank K. Osborn, M.A.I.  
Osborn-Miller Appraisers, Inc.  
131 East Bay Street  
Jacksonville, Florida 32202

Dear Mr. Osborn:

This letter confirms telephone conversation D. Byron King, Esq. had with you on 10 January 1984 concerning the appraisal of a parcel of land on Black Hammock Island, Duval County, Florida for this District.

Request you appraise that parcel of land in Section 26, Township 1 North, Range 28 East, Duval County, Florida represented as Parcel 1 on the attached survey prepared by Jim Harrison and Associates, Inc., revised 20 December 1982. You are requested to follow the Department of Natural Resources Division of State Lands Appraisal Format and base the appraisal on the fair market value of the land.

"Parcel 1" is west of and contiguous with property you appraised for this District, and which we purchased, in 1980. You are hereby granted permission to enter on to this District's property as the need arises. Right of entry on Parcel 1 for appraisal purposes is enclosed.

It would be appreciated if you would make the above appraisal at your earliest convenience. Request the appraisal and your bill for services be mailed to the undersigned at the address indicated at the bottom of this page.

Sincerely,

Sterling K. Eisiminger  
General Manager

SKE:ngb  
encs.

cc: Attorney King

For copy of survey, see attachment to 6 January 1983 letter from Woodridge Land Company.



# FLORIDA INLAND NAVIGATION DISTRICT

FLA INL NAV DIST  
DATE REC 12/7/83  
MANAGER [Signature]  
ACCOUNTING [Signature]  
FILE [Signature]

December 7, 1983

## COMMISSIONERS

ASTOR SUMMERLIN  
CHAIRMAN  
ST. LUCIE COUNTY

W. VINCENT BARBER  
VICE CHAIRMAN  
BREVARD COUNTY

EDWARD A. GEARY  
TREASURER  
MARTIN COUNTY

CHARLES L. TRAD  
SECRETARY  
FLAGLER COUNTY

DOUGLAS C. CRANE  
DUVAL COUNTY

SAM T. WILLIS  
ST. JOHNS COUNTY

TONY WALSH  
VOLUSIA COUNTY

JOE H. EARMAN  
INDIAN RIVER COUNTY

ROBERT L. RYBOVICH  
PALM BEACH COUNTY

MYRON H. BURNSTEIN  
BROWARD COUNTY

JOHN J. COLLIER, JR.  
DADE COUNTY

## STAFF

STERLING K. EISIMINGER  
GENERAL MANAGER

D. BYRON KING  
ATTORNEY

Mr. D. Chanslor Howell  
Howell & Deas, P.A.  
Suite 606  
1000 Riverside Avenue  
Jacksonville, Florida 32204

RE: FLORIDA INLAND NAVIGATION DISTRICT AND PUMPKIN HILL  
CORPORATION

Dear Chanslor:

In response to your letter of December 1st, please be advised that the Florida Inland Navigation District, my client, is not in any way legally connected with the United States Corps of Engineers. How they communicate with parites such as yourself is their prerogative, but not ours. I cannot make them direct their correspondence with Woodridge Land Company to you.

The State recommends that we follow their procedures in selecting an appraiser for land to be purchased by F.I.N.D. They have a list of M.A.I. appraisers, and we have used from this list Mr. Frank K. Osborne of Jacksonville, Florida, for the land we purchased from Mr. Rahm. He previously gave us a very complete appraisal, and we plan to use him again on the appraisal of the 16 acres owned by Pumpkin Hill Corporation. I talked with Colonel Eisiminger this morning, and he advised me that Mr. Osborne would be satisfactory for this work.

I will be happy to get together with you to personally discuss this situation, but I want you to fully understand that the Corps of Engineers is not my client. Whatever damage they may have caused your client, Mr. Martin or that of Mr. William Forshee, must be resolved between your client and the Corps of Engineers.

Would you please answer Colonel Eisiminger's letter and

LAW OFFICES  
**HOWELL & DEAS, P.A.**  
SUITE 608  
1000 RIVERSIDE AVENUE  
JACKSONVILLE, FLORIDA 32204

FLA INL NAV DIST

DATE FILED

12/6/83

RECEIVED

ACCOUNTING

FILE

MAILING ADDRESS:

P. O. BOX 40063

TELEPHONE

354-1622

AREA CODE 904

D. CHANSLOR HOWELL  
WILLIAM J. DEAS

December 1, 1983

D. Byron King, Esq.  
137 East Forsyth, Room 308  
Jacksonville, Florida 32202

Re: Florida Inland Navigation District

Dear Byron:

Mr. Harvey C. Martin of Woodridge Land Company has brought to me the letter addressed to him under date of November 23, 1983, from Sterling K. Eisiminger, General Manager, Florida Inland Navigation District. The Corps of Engineers had previously been advised to direct all correspondence concerning their differences with Woodridge Land Company to me, but I see that this request has been ignored.

The problem, as you may or may not be aware, concerns certain actions taken by the Corps of Engineers which included trespassing upon land owned by Pumpkin Hill Corporation which is managed by Woodridge Land Company, and while trespassing on that land, the malicious destruction of certain valuable timber thereon. This, however, is only the "tip of the iceberg", since it appears that the Corps has now constructed a kike which is approximately 25 ft. in height and which constitutes not only an attractive nuisance, but undoubtedly a hazard to the adjacent properties, which adjacent properties are owned in part by Pumpkin Hill Corp. and others. Among those "others" is one William Forshee, who has asked me to represent him in connection with the loss of value to his land resulting from the construction of this dike.

In Mr. Eisiminger's letter, he requests permission to have a 16-acre portion of the land owned by Pumpkin Hill Corp. appraised. Before that permission is granted, I would like to know the names and addresses of the appraisers that will make the appraisal. By copy of this letter, I am so advising Mr. Eisiminger.

It might be wise for the two of us to get together and discuss the question of damages suffered by my client as a result of your client's willful and wanton trespass, destruction and conversion of trees, and damage to the remainder of its property as a result of the construction mentioned above.

MR KING TO REPLY

(FRANK K. OSBORN)

OR DETT

6/1/83

December 1, 1983  
Page 2

---

Please advise.

Faithfully yours,

*D. Chancellor Howell*  
*Emb*

D. Chancellor Howell

DCH/dmh

cc: Mr. Sterling K. Eisiminger  
Mr. Harvey C. Martin  
Mr. William Forshee

LAW OFFICES  
**HOWELL & DEAS, P.A.**  
SUITE 608  
1000 RIVERSIDE AVENUE  
JACKSONVILLE, FLORIDA 32204

FLA INL NAV DIST  
DATE REC 1/10/84  
MAILED 9  
ACCOUNTING \_\_\_\_\_  
FILE \_\_\_\_\_

D. CHANSLOR HOWELL  
WILLIAM J. DEAS

January 3, 1984

MAILING ADDRESS:  
P. O. BOX 40063  
TELEPHONE  
354-1622  
AREA CODE 904

Colonel Sterling K. Eisiminger  
General Manager  
Florida Inland Navigation District  
2725 Avenue East  
Riviera Beach, Florida 33404

Re: Sawpit Road Property

Dear Colonel Eisiminger:

Reference is made to your letter of November 23, 1983, to Woodridge Land Company and to recent letters between me and D. Byron King, Esq. This letter authorizes Florida Inland Navigation District or its agents to sell to the 16.94 acre portion of the land as shown on the attached survey, i.e., Parcel 1, and by this reference made a part hereof, for the purpose of appraising said land under the present conditions.

If another appraiser other than Mr. Frank K. Osborne, M.I.A. is used, please give us an opportunity to approve before the appraisal is performed. If said appraisal cannot be authorized with the above condition, please advise.

I have been contacted by Mr. Cleveland Powell of the U.S. Corps of Engineers, who is attempting to work out a satisfactory solution to the damages caused to Mr. Forshee's and Pumpkin Hill Corporation's other property.

Faithfully yours,

  
D. Chanslor Howell

DCH/dmh

cc: D. Byron King, Esq.  
Woodridge Land Company  
William B. Forshee, Jr.

23 November 1983

Mr. Harvey C. Martin  
Woodridge Land Company  
One Independent Drive  
Jacksonville, Florida 32202

Dear Mr. Martin:

Reference is made to recent conversations between you and D. Byron King, Attorney for this District, concerning property you own on Black Hammock Island and in particular that 16 acre portion west of property owned by this District and its availability for purchase.

This District has now been requested by the Corps of Engineers to purchase that 16 acre portion of your property and must comply with certain State regulations concerning acquisition of real estate. One requirement is to have one or more appraisals of the property made by appraisers approved by the Division of State Lands of the Department of Natural Resources. Before such an appraisal can be initiated, I must have in hand your written permission to have such appraisals made. There are numerous other requirements, including the owners agreement to sell for the appraised price, finally culminating in approval of the acquisition by the Governor and Cabinet.

Request you provide me with written permission to have that 16 acre portion of your property on Black Hammock Island appraised.

Sincerely,

Sterling K. Eisiminger  
General Manager

SKE:ngb

cc: D. Byron King



DEPARTMENT OF THE ARMY  
JACKSONVILLE DISTRICT, CORPS OF ENGINEERS  
P. O. BOX 4970  
JACKSONVILLE, FLORIDA 32232

REPLY TO  
ATTENTION OF  
Real Estate Division

October 31, 1983

DATE 11/3/83  
NAME  
ACCOMPLISHED  
FILE

Colonel Sterling K. Eisiminger  
USA Retired  
Florida Inland Navigation District  
2725 Avenue E  
Riviera Beach, Florida 33404

Dear Colonel Eisiminger:

As discussed in your telephone conversation of October 20, 1983 with Mr. Powell, our request for a perpetual drainage easement adjacent to the disposal area on Sawpit Road for the Intracoastal Waterway Fernandina to Jacksonville is herein superseded by a request for a perpetual spoil disposal area for the 16 acres + which lies between the present disposal area and Pumpkin Hill Creek marsh. You may wish to purchase this area in fee simple as was done for the present spoil area.

The reasons for the revision in our request stem mainly from multiple drainage problems which have surfaced with the recent rains in this area. The 16 acres is primarily flooded at the present, as well as a portion of the adjoining ownership of Mrs. Sparks, south of the disposal area. The Corps plans to construct a drainage system to alleviate Mrs. Sparks' problem but this will add additional water to the 16-acre tract.

The spoil area was originally designed to include most of the 16-acre tract. This was reduced when it was learned that our ownership did not extend to the marsh. This area, when purchased, will allow us to return to the original size and capacity of this area for future maintenance.

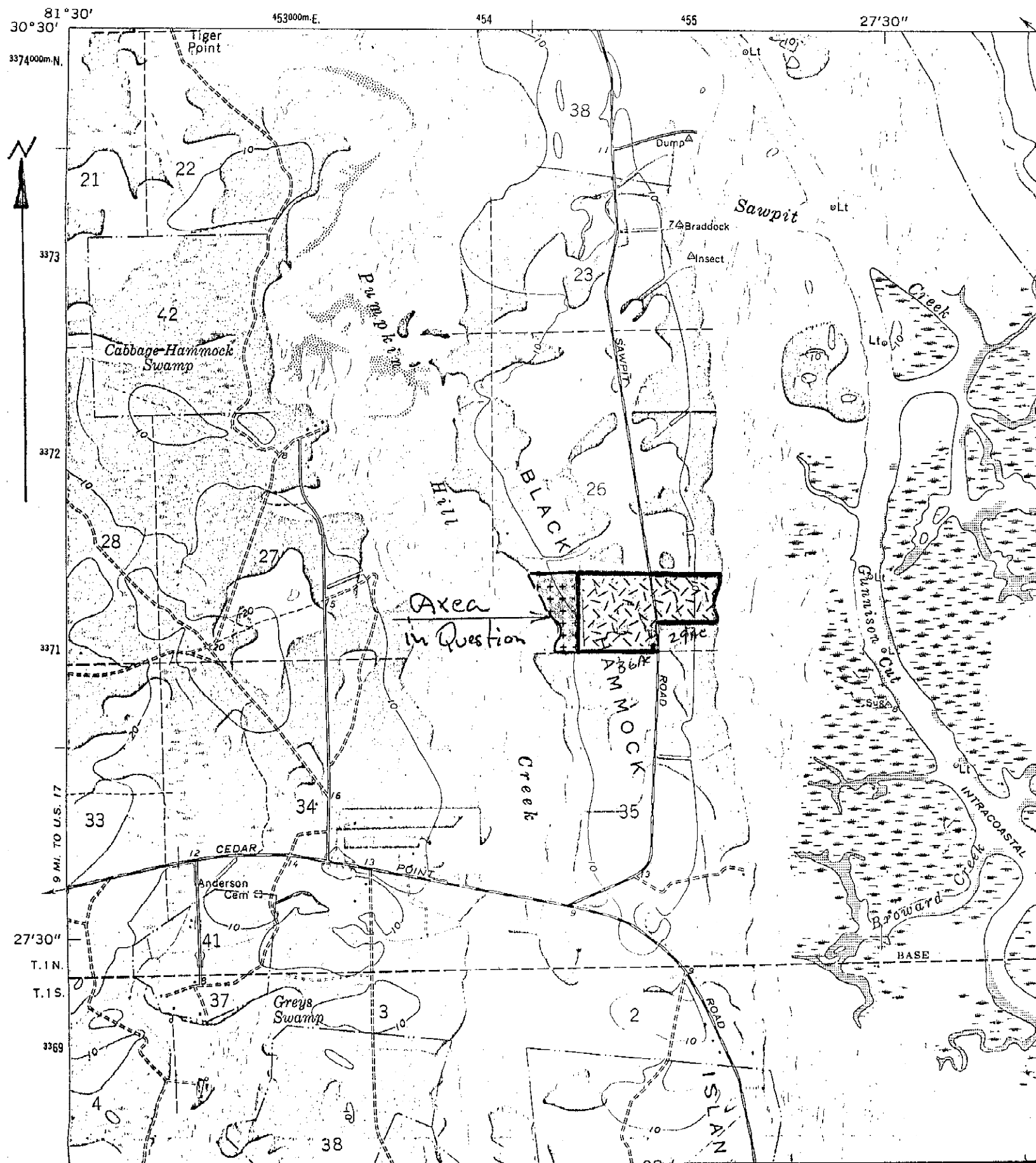
Acquisition of this area should quiet any claims made by the owners for flooding, etc. Should you have any questions, please contact Mr. Powell of this office at telephone (904) 791-1178.

Sincerely,

*Domine L. Di Maio*  
Walter P. Jones III  
Chief, Real Estate Division

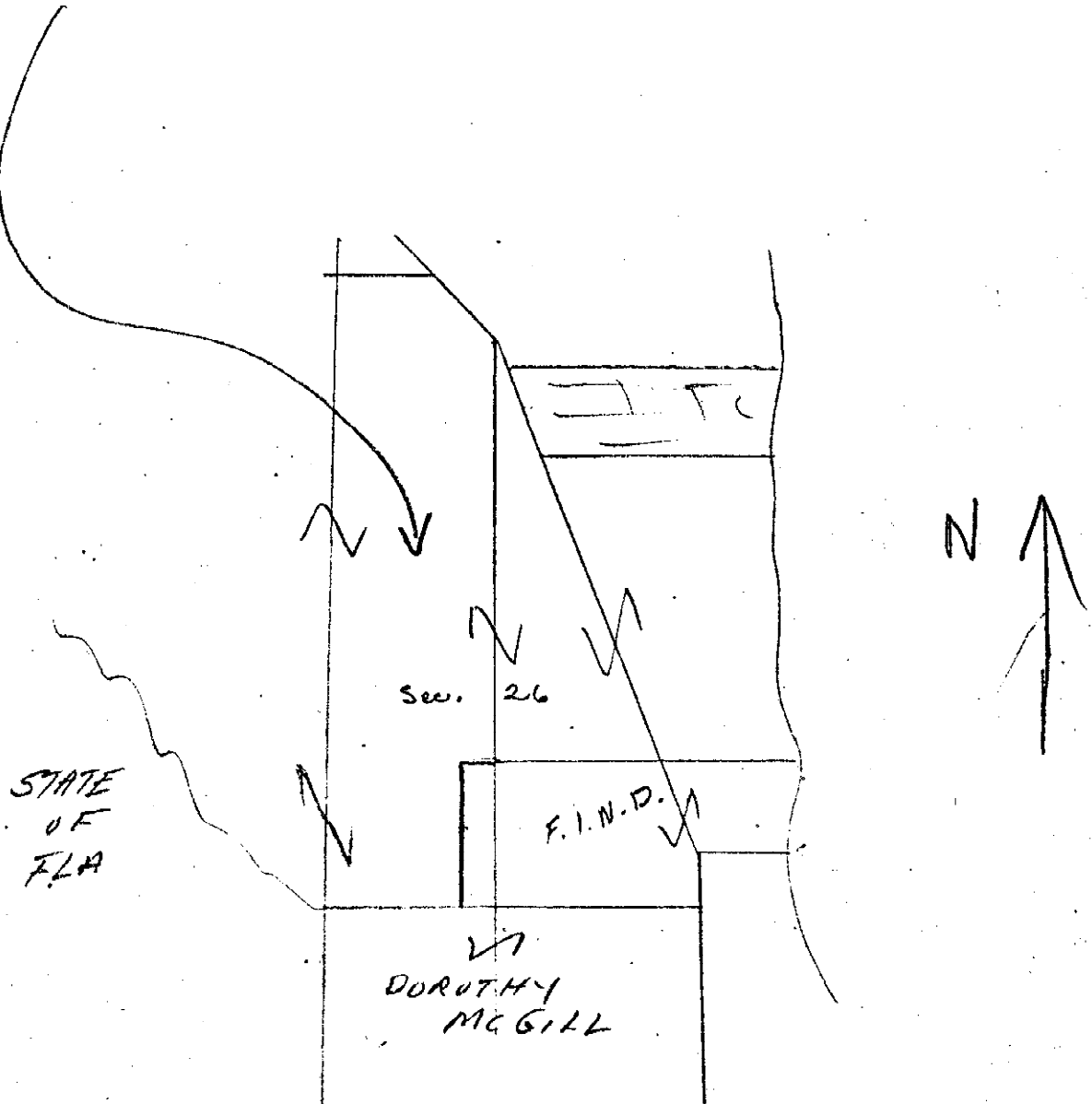
UNITED STATES  
DEPARTMENT OF THE INTERIOR  
GEOLOGICAL SURVEY

0 1000' 2000' 4000' 6000'  
SCALE 1" = 2000'





First National Bank of South Miami TT  
c/o Woodridge Land Company  
H. C. Martin  
3210 Independent Square  
Jacksonville, Florida 32202 1-904-356-8397



5 October 1983

D. Byron King, Esq.  
Suite 308  
137 East Forsyth Street  
Jacksonville, Florida 32202

Dear Byron:

Your attention is invited to the enclosed letter dated 23 September 1983 from the Corps of Engineers requesting this District obtain a drainage easement on property in Duval County.

The property is owned by the Pumpkin Hill Corp. which is represented by Mr. Harvey C. Martin, c/o Woodridge Land Co., #1 Independent Drive, Jacksonville, Florida 32202.

Also enclosed is a Perpetual Drainage Easement which would be acceptable to the Corps.

Request you negotiate a mutually acceptable agreement with the Pumpkin Hill Corp. If such an agreement cannot be reached, it will be necessary to initiate condemnation proceedings.

Sincerely,

Sterling K. Eisiminger  
General Manager

SKE:ngb  
encs.

PERPETUAL DRAINAGE EASEMENT

THIS EASEMENT, made this \_\_\_\_\_ day of \_\_\_\_\_ A.D. 19\_\_\_\_,

between \_\_\_\_\_, party of the first part, and THE FLORIDA INLAND NAVIGATION DISTRICT, a special taxing district organized under the laws of the State of Florida, whose address is 2725 Avenue E, Riviera Beach, Florida, as party of the second part, WITNESSETH that

WHEREAS, the Congress of the United States, by River and Harbor Act of June 30, 1938, Public No. 685--75th Congress (H.R. 10298), provided for the improvement of that portion of said Intracoastal Waterway between the St. Johns River and the St. Marys River in Florida (said portion of said Intracoastal Waterway being in Nassau and Duval Counties, Florida) upon condition that local interests shall furnish free of cost to the United States necessary rights-of-way and suitable spoil disposal areas for initial work and subsequent maintenance as may be required, and

WHEREAS, the party of the second part is authorized and required by the laws of Florida to provide free of cost to the United States the rights-of-way and disposal areas for said Waterway, and

WHEREAS, the party of the first part is the owner in fee simple or of sufficient title in and to the hereinafter described land, and so represents, to entitle it to convey to the Florida Inland Navigation District the rights, privileges, and easements herein described which are needed in connection with the aforementioned project, said land being described in Schedule A, which is made a part hereof,

NOW, THEREFORE, in consideration of

\_\_\_\_\_, the party of the first part does hereby convey to the Florida Inland Navigation District the permanent and assignable easement and right-of-way in, over, and across the land described in Schedule A to construct, maintain, repair, operate, patrol and replace a drainage swale, reserving, however, to the owners, their heirs and assigns, all such rights and privileges in the land as may be used without interfering with or abridging the rights and easement hereby acquired, subject, however, to existing easements for public roads and highways,

TO HAVE AND TO HOLD the said rights and easements unto the party of the second part, the Florida Inland Navigation District, its successors and assigns, for the purposes aforesaid, in perpetuity commencing on the day and year first above written. And the said party of the first part, for itself and for its successors and assigns, does hereby covenant that it is lawfully seized of sufficient title to the property described in Schedule A to grant the rights aforementioned.

IN WITNESS WHEREOF, said party of the first part has hereunto set hand and seal on the day and year first above written.

Executed in presence of:

_____	_____ (SEAL)
_____	_____ (SEAL)

Schedule A

The south one hundred fifty (150) feet of Government Lot 5, Section 26, Township 1 North, Range 28 East, Duval County, Florida.



DEPARTMENT OF THE ARMY  
JACKSONVILLE DISTRICT, CORPS OF ENGINEERS  
P. O. BOX 4970  
JACKSONVILLE, FLORIDA 32232

ELA INL NAV DIST  
DATE REC 9/28/83  
MAILED  
ACCOUNTED  
FILE

September 23, 1983

REPLY TO  
ATTENTION OF  
Real Estate Division

Colonel Sterling K. Eisiminger  
USA Retired  
Florida Inland Navigation District  
2725 Avenue E  
Riviera Beach, Florida 33404

Dear Colonel Eisiminger:


As previously discussed with Mr. Powell of this office, the disposal area for the Atlantic Intracoastal Waterway Fernandina to Jacksonville, located on Sawpit Road, requires a perpetual drainage easement to allow for runoff to Pumpkin Hill Creek.

The required area is marked in red on the enclosed survey with a proposed legal description for your use. A photo taken from the southwest corner of the dike around the spoil area shows the existing drainage ditch going westerly to the marsh.

For your information we have completed our assessment of the damages to the timber of a 5-acre tract which was inadvertently cleared by our contractor and we will have contracted Mr. Martin's attorney with an offer of settlement before you contact them for an easement. We did not include any damage for the drainage ditch, which runs through the southern portion of this tract, as it was our opinion that you probably will have to pay for the easement, and the owner would be paid twice in that event.

Please contact Mr. Powell, telephone (904) 791-1178, if you have any questions on this matter.

Sincerely,

  
Walter P. Jones III  
Chief, Real Estate Division

Enclosure

JOB NO. 9941

The south 150' of 600 4/10 of 5, Sec. 26, Twp 11 North  
Rge. 20 East Duval County, Florida. Cont. 1.27 Acre.

SEC. 35

OF MARY

END

' of 600 ft of 5' Sec. 26, Twp 1 N, R. 10 E  
 SEC. 26  
 3701' TO EDGE  
 OF MARSH  
 SEC. 35  
 OF MARSH  
 3701' TO  
 END

—

89-31-22

Note: ditch will be widened and improved with gravel upon receipt of easement.

8' ± D I T C H  
(APPROX. LOCATION)

175A 00-20

1800-1805

S 00° 50' 01" E (1350.76  
1350.3

# WOODRIDGE LAND COMPANY

*Realtors . Acreage . Commercial . Industrial . Joint Ventures*

FLA INL NAV DIST  
DATE REC 3/8/83  
MANAGER *[Signature]*  
ACCOUNTING \_\_\_\_\_  
FILE \_\_\_\_\_

March 1, 1983

Col. S. K. Eisiminger  
General Manager  
Florida Inland Navigation District  
2725 Avenue B  
Riviera Beach, FL 33404

Dear Col. Eisiminger:

I have been instructed to refer any future communications and/or negotiations on the Black Hammock Island--Sawpit Road tract to D. Chanslor Howell, Esquire, 1000 Riverside Avenue, Suite #606, Jacksonville, Florida 32204, (904)354-1622.

Sincerely,

*[Signature]*  
Harvey C. Martin

HCM:ls

cc: Cleveland Powell  
Walter P. Jones, III  
Carl Pettijohn

# WOODRIDGE LAND COMPANY

*Realtors · Acreage · Commercial · Industrial · Joint Ventures*

January 6, 1983

FLA INL NAV DIST

DATE 1/11/83

RE:

ACCOUNT:

FILE

Col. S. K. Eisiminger  
General Manager  
Florida Inland Navigation District  
2725 Avenue E  
Riviera Beach, FL 33404

Dear Col. Eisiminger:

At Mr. Martin's request, I am enclosing a survey map of property on Sawpit Road and a statement from All American Surveyors, Inc.

Mr. Martin will be in touch with you in the very near future regarding the "other matters" you discussed.

Sincerely,

*Linda Sara*

(Mrs.) Linda S. Sara  
Secretary to Harvey C. Martin

:ls  
Enclosures



INVOICE

Nº 8420

**NFS** NORTHEAST FLORIDA SURVEYORS, INC.  
2000 CORPORATE SQUARE BLVD. / SUITE 201 / JACKSONVILLE, FLORIDA 32216  
(904) 721-3066

December 22, 1982

Florida Inland Naval District  
2725 Avenue "E"  
Riviera Beach, Florida 33404

ATTENTION: Col. S. K. Eisiminger

FLA INL NAV DIST

DATE REC 12/29/82

RECEIVED 34

ACCOUNTING                     

FILE                     

Ordered By: Mr. Cleve Powell

Job No. 9941

SURVEY & MAPPING:

A portion of Government Lot 4, Section 26, Township 1 North,  
Range 28 East, Duval County, Florida.

Amount Due \$ 900.00

Thank You

**DEPARTMENT OF THE ARMY**  
**SPOIL DISPOSAL EASEMENT—PERPETUAL**

*This deed made this 14th day of November, 1980, between the Florida Inland Navigation District, a special taxing district of the State of Florida, party of the first part, and the UNITED STATES OF AMERICA, party of the second part, WITNESSETH:*

*WHEREAS, in the act of Congress approved 20 June, 1938, P.L. 685, 75th Cong. provision was made for the improvement of Intracoastal Waterway, N.C. to St. Johns River in accordance with a project set forth in House Document No. 618, 75th Congress, subject to the condition that local interests furnish free of cost to the United States suitable spoil disposal areas for said improvement, and*

*WHEREAS, The party of the first part is the owner in fee simple of a tract of land situated in Duval County, State of Florida, more particularly described as follows:*

Government Lot 4, Section 26, Township 1 North, Range 28 East, Duval County, Florida, excepting therefrom Part of Government Lot 4, Section 26, Township 1 North, Range 28 East, Duval County, Florida, more particularly described as follows: Begin at the intersection of the South line of said Government Lot 4, and the East line of Sawpit Road; thence North 2°19'10" East, 404.58 feet to an iron; thence continue along the East line of Sawpit Road North 8°32'50" West, 71.7 feet to an iron; thence North 89°30'50" East 943.75 feet to the line of Sawpit Marsh; thence Southerly along the line of said marsh 478 feet more or less to the South line of said Government Lot 4; thence South 89°30'50" West, 868.75 feet along the South line of Government Lot 4 to the Point of Beginning, Also excepting therefrom any part lying in Sawpit Road.

*AND WHEREAS, the party of the second part desires to use said tract of land for the purpose of depositing spoil from dredging operations and other uses incident thereto,*

*NOW THEREFORE, in consideration of the sum of one dollar (\$1.00), the receipt of which is hereby acknowledged and the benefits to the party of the first part from the improvements of the*

Atlantic Intracoastal Waterway , the party of the first part does hereby grant, bargain, sell and convey unto the party of the second part, and its assigns, the perpetual right privilege to deposit on the hereinbefore described tract of land or any part thereof any and all spoil and other matter excavated in the improvement and maintenance of the aforesaid improvement. RESERVING HOWEVER, to the party of the first part, his heirs and assigns, all such rights and privileges in said tract of land as may be used and enjoyed without interfering with or abridging the rights and easements hereby conveyed to the party of the second part.

The said party of the first part hereby expressly and fully releases the UNITED STATES OF AMERICA, its officers, agents, servants, and contractors from liability for any and all damages done or caused to be done, and from any claim or demand whatsoever for injuries suffered by or done to the said premises by reason of the deposit of such spoil or other material.

TO HAVE AND TO HOLD the said rights and easements unto the party of the second part, the UNITED STATES OF AMERICA, and its assigns, for the purpose aforesaid, forever. And the said party of the first part, for himself and for his heirs and assigns, does hereby covenant with the party of the second part that he is lawfully seized in fee of the aforegranted premises; that the said premises are free from all encumbrances; that he has good right to sell and convey the same as aforesaid; and that he will warrant and defend the title of the same to the said party of the second part, and its assigns, against the lawful claims and demands of all persons.

IN WITNESS WHEREOF, the said Chairman and Secretary, F.I.N.D. of party of the first part, has set hereto his hand and seal on the day and year above written.

ON COAST GUARD VESSEL NO. 1000, U.S. COAST GUARD, AT NEW YORK, N.Y., THIS 10TH DAY OF APRIL, 1959, the said Chairman and Secretary, F.I.N.D. of party of the first part, has set hereto his hand and seal on the day and year above written.

Chairman

(SEAL)

Secretary

(SEAL)

(SEAL)

18 November 1980

MEMORANDUM TO: Astor Summerlin and Charles Trad, in turn  
FROM: General Manager  
SUBJECT: Spoil Disposal Easement

Request you sign all copies of the enclosed Spoil Disposal Easement in turn and then return them to me in the envelopes provided.

This perpetual easement to the United States of America is on the property the District recently purchased from Fred Rahaim in Duval County. The Board of Commissioners formally approved the granting of this easement in their meeting on 14 November 1980.

Sincerely,

Sterling K. Elsiminger  
General Manager

SKE:ngb  
encs.

Atlantic Intracoastal Waterway, the party of the first part does hereby grant, bargain, sell and convey unto the party of the second part, and its assigns, the perpetual right privilege to deposit on the hereinbefore described tract of land or any part thereof any and all spoil and other matter excavated in the improvement and maintenance of the aforesaid improvement. **RESERVING HOWEVER**, to the party of the first part, his heirs and assigns, all such rights and privileges in said tract of land as may be used and enjoyed without interfering with or abridging the rights and easements hereby conveyed to the party of the second part.

The said party of the first part hereby expressly and fully releases the UNITED STATES OF AMERICA, its officers, agents, servants, and contractors from liability for any and all damages done or caused to be done, and from any claim or demand whatsoever for injuries suffered by or done to the said premises by reason of the deposit of such spoil or other material.

**TO HAVE AND TO HOLD** the said rights and easements unto the party of the second part, the UNITED STATES OF AMERICA, and its assigns, for the purpose aforesaid, forever. And the said party of the first part, for himself and for his heirs and assigns, does hereby covenant with the party of the second part that he is lawfully seized in fee of the aforegranted premises; that the said premises are free from all encumbrances; that he has good right to sell and convey the same as aforesaid; and that he will warrant and defend the title of the same to the said party of the second part, and its assigns, against the lawful claims and demands of all persons.

**IN WITNESS WHEREOF**, the said Chairman and Secretary, F.I.N.D. of party of the first part, has set hereto his hand and seal on the day and year above written.

\_\_\_\_\_  
(SEAL)  
Chairman

\_\_\_\_\_  
(SEAL)  
Secretary

\_\_\_\_\_  
(SEAL)

VOL 5209 PG 739  
OFFICIAL RECORDSWARRANTY DEEDTHIS INDENTURE, Made this 20th day of October, A.D., 1980

BETWEEN Fred J. Rahaim and Dena Rahaim, his wife, of the County of Duval, State of Florida, parties of the first part, and the Florida Inland Navigation District, a special taxing district organized under the laws of the State of Florida, whose post office address is 2725 Avenue "E", Riviera Beach, Florida 33404, of the County of Palm Beach, State of Florida, party of the second part,

WITNESSETH: That the said parties of the first part, for and in consideration of the sum of TEN and no/100 Dollars (\$10.00) to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, have granted, bargained and sold to the said party of the second part, its successors and assigns forever, the following described land, situate, lying and being in the County of Duval, State of Florida, to-wit:

Government Lot 4, Section 26, Township 1 North, Range 28 East, Duval County, Florida, excepting therefrom Part of Government Lot 4, Section 26, Township 1 North, Range 28 East, Duval County, Florida, more particularly described as follows: Begin at the intersection of the South line of said Government Lot 4, and the East line of Sawpit Road; thence North 2° 19' 10" East, 404.58 feet to an iron; thence continue along the East line of Sawpit Road North 8° 32' 50" West, 71.7 feet to an iron; thence North 89° 30' 50" East 943.75 feet to the line of Sawpit Marsh; thence Southerly along the line of said marsh 478 feet more or less to the South line of said Government Lot 4; thence South 89° 30' 50" West, 868.75 feet along the South line of Government Lot 4 to the Point of Beginning, Also excepting therefrom any part lying in Sawpit Road.

And the said parties of the first part do hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hands and seals the day and year first above written.


SIGNED, SEALED IN OUR  
PRESENCE:

STATE OF FLORIDA

COUNTY OF DUVAL

Before me personally appeared FRED J. RAHAIM and DENA RAHAIM, his wife, to me well known and known to me to be the individuals described in and who executed the foregoing instrument, and acknowledged to and before me that they executed the same for the purposes therein expressed.

WITNESS my hand and official seal this 20<sup>th</sup> day of October, 1980,  
at Jacksonville, County and State aforesaid.

  
NOTARY PUBLIC, STATE OF FLORIDA  
AT LARGE. My commission expires: 02-15-81

60-72619  
OCT 21 11 11 AM '80

FILED AND RECORDED IN PUBLIC  
RECORDS OF DUVAL COUNTY, FLA.

CLOSING STATEMENT

October 20, 1980

Sellers: Fred J. Rahaim and Dena Rahaim, his wife

Purchaser: Florida Inland Navigation District

Description of Property: Government Lot 4, Section 26, Township 1 North, Range 28 East, Duval County, Florida, excepting therefrom Part of Government Lot 4, Section 26, Township 1 North, Range 28 East, Duval County, Florida.

TOTAL PURCHASE PRICE \$119,650.00

SELLERS' COSTS:

Documentary Stamps on Deed \$478.80

Taxes to be pro-rated after receipt  
of tax bill for 1980

BUYER'S COSTS

Title Insurance \$692.50

Recording Deed 8.00

Taxes to be pro-rated after receipt  
of tax bill for 1980

PROCEEDS TO SELLERS		\$119,171.20
From Escrow Account	5,000.00	
From FIND	\$114,650.00	

Fred J. Rahaim  
FRED J. RAHAIM, Seller

Dena Rahaim  
DENA RAHAIM, Seller

FLORIDA INLAND NAVIGATION DISTRICT

By N. Byron Fung



ADDENDUM TO CLOSING STATEMENT

Per agreement between the parties hereto, the tax prorations upon the amount of taxes for the year 1980 cannot be accurately determined. The Sellers, Fred J. Rahaim and Dena Rahaim, his wife, are responsible for the taxes for 294 days of the taxable year 1980. It is mutually understood between the parties hereto that when the 1980 tax bills are received, the Sellers agree to pay for 294 days of the total tax bill based upon 366 days.

10-20-80

Fred J. Rahaim  
FRED J. RAHAIM, Seller

Dena Rahaim  
DENA RAHAIM, Seller

FLORIDA INLAND NAVIGATION DISTRICT

By D. Byron Arroy  
Buyer

P14

7416588

## RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED—  
NOT FOR INTERNATIONAL MAIL  
(See Reverse)

SENT TO	
STREET AND NO. 137 E. FORSYTH ST	
P.O., STATE AND ZIP CODE JACKSONVILLE FL. 32202	
POSTAGE \$ 15	
CERTIFIED FEE 80¢	
SPECIAL DELIVERY ¢	
RESTRICTED DELIVERY ¢	
SHOW TO WHOM AND DATE DELIVERED 45¢	
SHOW TO WHOM, DATE, AND ADDRESS OF DELIVERY ¢	
SHOW TO WHOM AND DATE DELIVERED WITH RESTRICTED DELIVERY ¢	
SHOW TO WHOM, DATE AND ADDRESS OF DELIVERY WITH RESTRICTED DELIVERY ¢	
TOTAL POSTAGE AND FEES \$ 1.40	
POSTMAN'S OR DAY	

CONSULT POSTMASTER FOR FEES

OPTIONAL SERVICES

RETURN RECEIPT SERVICE

PS Form 3800, Apr. 1976

WEST PALM BEACH FLA 33411



STANDARD AGREEMENT RECOMMENDED BY THE JACKSONVILLE BOARD OF REALTORS  
DEPOSIT RECEIPT & PURCHASE AND SALE AGREEMENT



Attorney

Receipt is hereby acknowledged by D. Byron King hereinafter called ~~SELLER~~,  
of the sum of \$5,000.00, as binder deposit from Florida Inland Navigation District

hereinafter called BUYER,  
(which term may be singular or plural and shall include the heirs, successors, personal representatives and assigns of the  
BUYER) on account of offer to purchase the property of Fred J. Rahaim

hereinafter called SELLER,  
(which term may be singular or plural and shall include the heirs, successors, personal representatives and assigns of the  
SELLER) said property being in Duval County, Florida, and described as follows:

**See attached schedule**

Also known as:

The SELLER hereby agrees to sell said property to the BUYER and the BUYER hereby agrees to purchase said property from the SELLER upon the following terms and conditions, if completed or marked; In any conflict of terms or condition, that which is added shall supersede that which is printed or marked.

1. The total PURCHASE PRICE to be paid by the BUYER is payable as follows:

- (a) Binder deposit will remain a binder until closing, unless sooner forfeited or returned, according to the provisions of this agreement \$ 5,000.00
- (b) Additional binder deposit due within \_\_\_\_\_ days after date of acceptance in paragraph 29 \$ -0-
- (c) Additional payment due at closing (not including BUYER'S closing cost and/or prepaid items) \$ 114,650.00
- (d) Proceeds of new note and mortgage to be executed by the BUYER to any lender other than the SELLER \$ -0-
- (e) Existing mortgage balance encumbering the property to be assumed by the BUYER \$ -0-
- (f) Balance due to the SELLER to be evidenced by a negotiable promissory note of the BUYER, secured by a valid purchase money mortgage, in a form acceptable to SELLER, on said property executed and delivered by the BUYER to the SELLER dated the date of closing, bearing interest at the rate of \_\_\_\_\_ % per annum and payable \$ \_\_\_\_\_ per \_\_\_\_\_ \$ -0-  
Privilege of prepayment ☐ does apply ☐ does not apply
- TOTAL PURCHASE PRICE:** \$ 119,650.00

2. It is understood that the said property will be conveyed by GENERAL WARRANTY DEED (Unless otherwise required) subject to taxes, existing zoning, covenants, restrictions and easements of record.

3. The BUYER will pay for: (X) Recording fees; ( ) Stamps on note; ( ) Intangible Tax on mortgage; ( ) Credit report; ( ) Attorney's fee; ( ) Mortgage transfer charge; ( ) Mortgagee's origination fee; ( ) Photos; (X) Appraisal fee; ( ) Mortgage insurance premium; (X) Title binder; ( ) Prepaid insurance; taxes and interest ( ) Opinion of title; ( )

Any incurred expense on behalf of BUYER will be deducted from binder deposit in the event loan and/or sale is not closed through no fault of the SELLER.

4. The SELLER will pay for: (X) Stamps and surtax on deed; ( ) Title binder; ( ) Survey; ( ) Attorney's fee; ( ) Appraisal fee; ( ) Real Estate sales commission; ( ) Abstract of title; ( ) Opinion of title; ( ) FHA/VA Mortgage discount; ( ) Photos; ( ) Satisfaction of Mortgage and recording fee; ( ) Termite inspection; ( ) Repairs or replacements required by FHA or VA not to exceed \$ \_\_\_\_\_; ( )

Any expenses incurred on behalf of the BUYER or SELLER in this transaction, shall be paid by the SELLER in the event the SELLER is unable or unwilling to complete the transaction for a qualified BUYER.

**5. EXCEPTIONS: Not Applicable**

All taxes, rentals, monthly mortgage insurance premiums and interest on existing mortgages shall be pro-rated as of the date of closing. If part of the purchase price is to be evidenced by the assumption of a mortgage requiring deposit of funds in escrow for payment of taxes, insurance or other charges, the BUYER agrees to reimburse the SELLER for said escrowed funds assigned to BUYER at closing, and any unearned hazard insurance premiums assumed, with all mortgage payments to be current at the time of closing.

6. TITLE EVIDENCE: WITHIN 20 days (X) After date of acceptance ( ) After date of approval of mortgage loan, the SELLER will furnish and deliver to the BUYER, AGENT or closing ATTORNEY: ( ) Title insurance binder for a fee policy in the amount of the purchase price ( ) Title insurance binder for mortgage policy in the amount of \$ \_\_\_\_\_ ( ) A continuation abstract of title from the last title insuring policy or institutional mortgage.

7. SURVEY: Within \_\_\_\_\_ days ( ) After date of acceptance ( ) After date of approval of mortgage loan, the SELLER will furnish and deliver to the BUYER, AGENT or closing ATTORNEY: ( ) A new staked survey showing all improvements now existing thereon. ( ) An accurate survey of said property certified within 3 months of the date of closing. (X) A copy of a previously made survey of said property, showing all improvements now existing thereon. ( ) No survey is required.

8. TITLE EXAMINATION AND TIME FOR CLOSING: If said title evidence and survey as specified above show that the SELLER is vested with a good and insurable title to said property, subject to the usual exceptions contained in title insurance binders (such as exceptions for survey, current taxes, zoning ordinances, covenants, restrictions and easements of record), the transaction shall be closed and the SELLER and BUYER shall perform the agreements made herein on or before (X) 11-1-80 \_\_\_\_\_ days after mortgage loan approval ( ) \_\_\_\_\_ days after date of acceptance. If title evidence and survey reveal

## Not Applicable

12. ~~REPAIRS~~ If the improvements are damaged by fire or other casualty prior to closing, and the costs of restoring same does not exceed 10% of the Assessed Valuation of the improvements so damaged, cost of restoration shall be an obligation of the Seller and closing shall proceed pursuant to the terms of Agreement with cost therefor escrowed at closing, when permissible by the Mortgagee, otherwise all repairs to be completed by a licensed contractor within 90 days and prior to closing. In the event the cost of repair or restoration exceeds 10% of the assessed valuation of the improvements so damaged, BUYER shall have the option of either taking the property as is, together with either the said 10% or any insurance proceeds payable by virtue of such loss or damage, or of canceling Agreement and receiving return of deposit(s) made hereunder.

13. The SELLER agrees to deliver the property in its PRESENT AS IS CONDITION, excepting normal wear and tear. The OWNER does hereby certify and represent that he has legal authority and capacity to convey the property with all improvements. OWNER further certifies and represents that he knows of no latent defects to the property, except the following .....

..... BUYER agrees that they have inspected the property and have not relied upon any representation made by REALTOR in describing the property and BUYER agrees to accept the property in its PRESENT AS IS CONDITION, except as herein otherwise specified.

## Not Applicable

14. ~~REPRESENTATION~~ represents that there are no parties in occupancy other than SELLER, but if property is intended to be rented or occupied beyond closing, the fact and terms thereof shall be stated herein, and the tenant(s) shall be disclosed. SELLER agrees to deliver occupancy of property at time of closing unless otherwise specified ..... If occupancy is to be delivered prior to closing, BUYER assumes all risk of loss to property from date of occupancy, shall be responsible and liable for maintenance thereof from said date, and shall be deemed to have accepted the property, real, and personal in its existing condition as of time of taking occupancy unless otherwise noted in writing.

## Not applicable

15. ~~FINANCING~~ is agreed that the BUYER will require a mortgage loan in order to finance this transaction. The application for such mortgage will be made with a lender selected by the ( ) SELLER or ( ) BUYER; and unless such mortgage loan is approved without contingencies other than those covered in this Agreement within ..... days of the date of acceptance of this Agreement, the SELLER or BUYER shall have the right to terminate this Agreement and thereupon the AGENT will return to the BUYER all sums deposited hereunder, less any incurred mortgage processing costs and the BUYER will return to the SELLER all the title evidence and surveys received from the SELLER and BUYER'S copy of the Agreement. BUYER shall make application for financing within ..... days of the date of acceptance of this Agreement and furnish any and all credit, employment, financial and other information required by the Lender. The BUYER, if requested by the SELLER or his AGENT, will reapply within ..... days at an alternate Lender in the event the original loan application is declined.

## Not applicable

16. ~~FINANCING~~ It is expressly agreed that, notwithstanding any other provisions of the Agreement, the BUYER shall not be obligated to complete the purchase of the property described herein or to incur any penalty by forfeiture of earnest money deposit or otherwise unless the SELLER has delivered to the BUYER a written statement issued by the Federal Housing

Commissioner setting forth the appraised value of the property (excluding closing cost) of not less than \$..... which statement the SELLER hereby agrees to deliver to the BUYER promptly after such appraised value statement is made available to the SELLER. The BUYER shall, however, have the privilege and option of proceeding with the consummation of the Agreement without regard to the amount of the appraised valuation made by the Federal Housing Commissioner. The appraised valuation is arrived at to determine the maximum mortgage the Department of Housing and Urban Development will insure. HUD does not warrant the value or the condition of the property. The purchaser should satisfy himself/herself that the price and condition of the property are acceptable.

## Not applicable

17. ~~FINANCING~~ It is expressly agreed that, notwithstanding any other provisions of this Agreement, the BUYER shall not incur any penalty by forfeiture of earnest money or otherwise be obligated to complete the purchase of the property described herein, if the Agreement purchase price or cost exceeds the reasonable value of the property established by the Veterans Administration. The BUYER shall, however, have the privilege and option of proceeding with the consummation of the Agreement without regard to the amount of reasonable value established by the VA.

## Not applicable

18. ~~INSPECTION~~ The SELLER agrees to furnish, without expense to the BUYER, an inspection report showing all buildings on the premises to be free and clear from visible infestation and/or free from visible damage by termites and other wood-destroying organisms. This inspection report is to be furnished by a licensed pest control firm. If a report shows such visible infestation or visible damage, the SELLER shall have the right, within a reasonable time, to remedy the infestation and/or damage as reported on MLS Form No. 10. If the SELLER elects not to remedy same, the BUYER shall have the right to complete this transaction or to terminate this Agreement and receive a refund of all sums theretofore deposited with the AGENT.

19. (X) ZONING: Unless the property is properly zoned for..... deposit of spoil..... use and there are no deed restrictions against such use at time of closing, the Buyer shall have the right to terminate this Agreement and receive a refund of all sums theretofore deposited with the AGENT.

## Not applicable

20. ~~FIXED EQUIPMENT~~ All fixed equipment, including drapery hardware, television antenna, mailbox, fence, plants and shrubbery as now installed on said property. Additional personal property .....

21. (X) The offer of the BUYER shall terminate if the SELLER has not indicated his acceptance of this Agreement by signing and delivering same to the attorney before 11:00 P.M. on .....

22. TIMING OF CONDITIONS: The timing of paragraphs 6, 7 and 8 will become operable after the elimination of any contingencies numbered .....

23. ADDITIONAL TERMS OR CONDITIONS OR CONTINGENCIES: Seller agrees to buy the above described property subject to: (a) That subject property may be used for deposit of spoil upon it and that the City of Jacksonville has no objections to proposed use; and (b) That the Cabinet of the State of Florida approve the purchase of the property by the Florida Inland Navigation District.

24. There are no agreements, promises or understandings between these parties except as specifically set forth herein. No alterations or changes shall be made to the Agreement except in writing and signed or initialed by the parties herein.

## Not applicable

25. ~~SALES COMMISSION~~ SELLER agrees to pay the listing AGENT, a commission of .....% of the total sales price accepted by him no later than at the closing of this transaction. Listing AGENT, ..... agrees to pay ..... cooperating agent .....% of the sale price on closing.

26. This legal and binding Agreement shall not be recorded and if not understood, parties hereto should seek competent legal advice. attorney

27. SELLER and BUYER give attorney authorization to advise surrounding neighbors who will be the new owner of the property. Florida Inland

28. TIME is of the Essence in this Agreement.

Navigation District

**Legal Description:**

**Lot 4, Section 26, Township 1 North, Range 28 East, Duval County, Florida, less 10.17 acres, described as follows:**

**Begin at the intersection of the South line of Government Lot 4 and the East Line of Sawpit Road thence North  $20^{\circ}-10'-10''$  East, 404.58 feet to an iron, thence continue along the East line of Sawpit Road  $80^{\circ}-32'-50''$  West, 71.7 feet to an iron, thence North  $89^{\circ}-30'-50''$  East 943.75 feet to the line of Sawpit Marsh, thence Southerly along the line of said marsh 478 feet, more or less, to the South line of Government Lot 4, thence South  $89^{\circ}-30'-50''$  West 868.75 feet along the South line of Government Lot 4 to the Point of Beginning.**

- P14 7466144

# RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED—  
NOT FOR INTERNATIONAL MAIL  
(See Reverse)

SENT TO		D. Bylen King	
STREET AND NO.		132 E Forsyth St	
P.O., STATE AND ZIP CODE		Jacksonville, FL 32202	
POSTAGE		\$ 1.50	
CONSULT POSTMASTER FOR FEES	CERTIFIED FEE	80 c	
	SPECIAL DELIVERY	c	
	RESTRICTED DELIVERY	c	
	OPTIONAL SERVICES		
	RETURN RECEIPT SERVICE	45 c	
	SHOW TO WHOM, DATE, AND ADDRESS OF DELIVERY	c	
	SHOW TO WHOM AND DATE DELIVERED WITH RESTRICTED DELIVERY	c	
TOTAL POSTAGE AND FEES		\$ 1.40	
POSTMARK OFFICE		WEST PALM BEACH FL 32202	

PS Form 3800, Apr. 1976

PS Form 3811, Jan. 1978

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

● **SENDER:** Complete items 1, 2, and 3.  
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one.)  
☐ Show to whom and date delivered.....  
☐ Show to whom, date and address of delivery.....  
☐ RESTRICTED DELIVERY  
Show to whom and date delivered.....  
☐ RESTRICTED DELIVERY.  
Show to whom, date, and address of delivery.\$

(CONSULT POSTMASTER FOR FEES)

2. **ARTICLE ADDRESSED TO:**  
D. BYRON King  
137 Forsyth St  
Jacksonville FL 32202

3. **ARTICLE DESCRIPTION:**  
REGISTERED NO. CERTIFIED NO. INSURED NO.  
7466144

(Always obtain signature of addressee or agent)

I have received the article described above.  
SIGNATURE ☐ Addressee ☒ Authorized agent  
Shirley M. Bell

4. **DATE OF DELIVERY** **POSTMARK**  
JAN 20 1980  
U.S. POST OFFICE JACKSONVILLE FL 32202

5. **ADDRESS** (Complete only if requested)

6. **UNABLE TO DELIVER BECAUSE:**

16 October 1980

D. Byron King, Esq.  
Suite 308  
137 East Forsyth Street  
Jacksonville, Florida 32202

Dear Byron:

Enclosed are two checks. The Check for \$114,650.00 payable to Fred J. Rahaim and Dena Rahaim, his wife, is to be used to complete the acquisition of the Rahaim property in Duval County. The check for \$692.50 payable to Duval Title and Abstract Company is to pay for the title insurance on the Rahaim property. Request you forward for our formal records the original invoice for \$692.50 from the Duval Title and Abstract Company.

Sincerely,

Sterling K. Eisiminger  
General Manager

SKE:ngb  
encls.

CERTIFIED MAIL



TITLE INS. FILE NO: 51308

INVOICE

Nº 23269

ABSTRACT NO:

DATE: September 4, 1980

**Duval Title & Abstract Co.**

"SERVICE IS OUR PRODUCT"

To: Florida Inland Navigation District  
c/o D. Byron King, Attorney  
137 East Forsyth St.  
Jacksonville, Florida

PHONE: 359-0221 — 337-C E. BAY STREET  
JACKSONVILLE, FLORIDA 32202

DATE	REAL ESTATE	RECORDING FEES	TITLE INSURANCE	ABSTRACTING
9/4/80	Government Lot 4, Section 26, Town- ship 1 North, Range 28 East, Duval County, Florida.  Abstracting Fee Underwriting Fee	<i>PAID</i> <i>10-21-80</i> <i>me</i> FLA INL NAV DIST 10/23/80	\$145.00 547.50	
OWNER: Florida Inland Navigation District				
TITLE INSURANCE BINDER COMMITMENT (X) ABSTRACT ( ) DELIVERED TO: D. Byron King			\$692.50	
REMARKS:		TOTAL		



State of Florida

DEPARTMENT OF NATURAL RESOURCES

DR. ELTON J. GISSENDANNER  
Executive Director

3900 COMMONWEALTH BOULEVARD / TALLAHASSEE 32303

BOB GRAHAM  
Governor  
GEORGE FIRESTONE  
Secretary of State  
JIM SMITH  
Attorney General  
GERALD A. LEWIS  
Comptroller  
BILL GUNTER  
Treasurer  
DOYLE CONNER  
Commissioner of Agriculture  
RALPH D. TURLINGTON  
Commissioner of Education

October 27, 1980

Colonel Sterling K. Eisiminger  
Florida Inland Navigation District  
Suite 208, 137 E. Forsyth Street  
Jacksonville, Florida 32202

FLA INL NAV DIST  
DATE REC 11/10/80  
MAIL ROOM  
ACCOUNTING  
FILE

Dear Colonel Eisiminger:

Attached is a copy of the appraisal report from Ken Howell, which was forwarded to the Cabinet for their consideration of the agenda item on the purchase of the Rahaim property.

Also attached is certification of the item that was approved, as the minutes will not be approved for at least a month.

Sincerely,

Susie M. Coleman  
Administrative Assistant  
Division of Resource Management

SMC:dc

Attachments



DIVISIONS /

ADMINISTRATION • LAW ENFORCEMENT • MARINE RESOURCES  
RECREATION AND PARKS • RESOURCE MANAGEMENT • STATE LANDS

State of Florida



*Due Coleman*

Department of Natural Resources Interoffice Memorandum

October 7, 1980

TO: Cabinet Aides

FROM: Casey J. Gluckman, Director *CJG*  
Division of Resource Management

SUBJECT: DNR Agenda Item 18, October 8, 1980

Attached please find the report of DNR Appraiser Administrator, K. P. Howell. The report is a desk review of the appraisals submitted by FIND in regard to their proposed land acquisition.

Mr. Howell states that, in his opinion, the value of the land is "within the range presented by the [FIND] appraisers."

CJG:dc

Attachment

State of Florida



Department of Natural Resources

Interoffice Memorandum

October 6, 1980

TO: Casey Gluckman, Director  
Division of Resource Management

FROM: K. P. Howell *KPH*  
Appraiser Administrator  
Division of State Lands

SUBJECT: Appraisal Review for Florida Inland Navigation  
District (Fred J. Rahaim Property), Duval County,  
Appraisal File No. 80-443

Attached is a copy of the review memo from T. A. Anderson, Senior Appraiser, written as a report on his field review of the captioned project. I concur with Mr. Anderson's opinions. On the basis of his review, I have approved the appraisal reports of both F. K. Osborn, M.A.I., and T. F. Petit, M.A.I.

KPH/vc

Attachment

# State of Florida



## Department of Natural Resources Interoffice Memorandum

### DIVISION OF STATE LANDS

October 6, 1980

TO: K. P. Howell  
Appraiser Administrator

FROM: T. A. Anderson *TA*  
Senior Appraiser

SUBJECT: Appraisal Review for Florida Inland Navigation  
District (Fred J. Rahaim Property), Appraisal  
File No. 80-443, Duval County

I have desk and field reviewed both the subject property and comparable sales of the above file. The field review was conducted on September 30, 1980. I have reviewed appraisals of Mr. F. K. Osborn, M.A.I., and T. F. Petit, M.A.I., with the following conclusions:

	<u>F. K. Osborn</u>	<u>T. F. Petit</u>
Date of value	6/20/80	7/5/80
Area of subject	55.23 acres	55.23 acres
No. sales used	7	8
No. common sales used	3	3
Range of sale dates	2/27/78 to 2/5/80	5/7/79 to 5/2/80
Range of sales/value/ac.	\$2,096 to \$14,564	\$1,471 to \$3,863
Per acre value	\$2,173 } 2,500 east } 2,000 west	\$2,160
Value of subject	\$120,000	\$119,300

The report by Mr. Petit is weak in support other than the comparable sales shown. The sales do appear to give a good indication of value. Sales 1 and 7, which are about 7½ miles inland, are tracts of 11 and 34 acres, and when combined with Sales 3 and 4 of 23.85 and 30 acres, indicate a fairly consistent range in value--namely, \$2,000 to \$2,333 per acre overall.

MEMORANDUM

K. P. Howell

Page Two

October 6, 1980

The subject had a sell-off of 10.17 acres on June 6, 1979, for \$2,458 which should indicate the high end of the range for unimproved large tracts.

The sales of the small homesite tracts indicate a value somewhere close to double that of large unimproved lots. There also appears to be a small increase in value for lots east of Sawpit Road over the west side.

At present, 5-acre tracts bordering the subject to the north are listed on the market. These tracts are shown as Petit 6 and Osborn 2. The actual 5-acre sales are listed in each report.

Of the tracts listed, the east side of Sawpit Road appears to sell higher (between \$400 and \$800 per acre higher). Listing of Lots 18W at \$2,380 per acre and 13E at \$3,180 per acre indicate a difference between swamp, bay or waterfront land versus non-water.

The value overall of \$2,160 per acre arrived at by Mr. Petit appears to be a reasonable market value. However, the method in which he arrived at that value is by the development method. This method appears to be sort of backing into the total value as he does not have enough market transactions other than Sale 6 to show a projected selling price. This, coupled with an unsupported sell-off period, selling expenses and annual discount rate, is only speculation.

The appraiser (Petit) could have made a straight market comparison with the information he presented and arrived at probably the same indicated value.

The report of Mr. Osborn has utilized five sales of small homesite sales. The largest sales used are 25 acres (Sale 5) and part of the subject (Sale 1) of 10.17 acres. Sale 5 is shown to be \$4,000 per acre; however, it should only be around \$2,000 per acre. This has been called to Mr. Osborn's attention and evidence of correction will be forthcoming.

Sales 6 and 7 show the extreme upper level of value, but they are waterfront properties at the edge of a resort area. They are not comparable to the subject.

MEMORANDUM

K. P. Howell

Page Three

October 6, 1980

This report is also weak in support, but again the end result is felt to be a valid figure for market value. This is based on a review of all 14 sales available to this reviewer.

An in-the-field inspection was made by me on September 30, 1980, of the subject and comparable sales used for value. During this inspection, the records were checked, and no new transactions were found comparable to the subject. There were adjoining listings north of the subject but only of 5-acre tracts.

While making the field review, I became aware that the owner is a real estate broker. Also, while reviewing the subject file, I found the owner, Mr. F. J. Rahaim, had stated he would accept the mean of the two appraisals.

It is felt that market value would surely fall within the range presented by the two appraisers. The reasoning is based on the fact the subject is in two tracts, the subject has not been cleared and the majority of the sales are located along the same road and enjoy the same amenities as the subject.

It is my opinion, based on the facts and appraisals, that the value is within the range presented by the appraisers.

TAA/vc



# State of Florida

## DEPARTMENT OF NATURAL RESOURCES

DR. ELTON J. GISSENDANNER  
Executive Director

3900 COMMONWEALTH BOULEVARD / TALLAHASSEE 32303

BOB GRAHAM  
Governor  
GEORGE FIRESTONE  
Secretary of State  
JIM SMITH  
Attorney General  
GERALD A. LEWIS  
Comptroller  
BILL GUNTER  
Treasurer  
DOYLE CONNER  
Commissioner of Agriculture  
RALPH D. TURLINGTON  
Commissioner of Education

S T A T E O F F L O R I D A )

C O U N T Y O F L E O N )

### C E R T I F I C A T E

I, Mary H. Folsom, Executive Secretary to the Department of Natural Resources of the State of Florida, do hereby certify that the Executive Board of said department did meet on October 8, 1980, and did approve Item No. 18 on the agenda for that date (copy of agenda item attached). This was a request for approval of an acquisition by the Florida Inland Navigation District of a parcel of land to be used as a spoil disposal site in the maintenance dredging of the Intracoastal Waterway north of the St. Johns River. The district submitted two appraisals for review by the appraisal office of the Department of Natural Resources.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Department of Natural Resources this 22 day of October, A. D. 1980.

Mary H. Folsom  
EXECUTIVE SECRETARY  
STATE OF FLORIDA  
DEPARTMENT OF NATURAL RESOURCES

SEAL



DIVISIONS /

ADMINISTRATION • LAW ENFORCEMENT • MARINE RESOURCES  
RECREATION AND PARKS • RESOURCE MANAGEMENT • STATE LANDS



Item 17 (continued)

Permission to abandon and plug this well is herein granted with the specific approval of the Department of Natural Resources' staff, completion of Form 5, and receipt of the specified fee. The staff may authorize the deepening of this well beyond the permitted depth to further test the geologic column. If, for good cause, this well cannot be started within the originally permitted period, the staff has the authority to extend the permit for 180 days.

The proposed site has been inspected, and the application has been reviewed for safety and possible impact on the environment, especially with respect to the water and oil resources of the area. With conformance to the Department's rules and regulations, there should be no damage to the environment, water, or oil resources.

RECOMMEND APPROVAL

---

3  
2

Item 18

Approval of acquisition by the Florida Inland Navigation District of a parcel of land to be used as a spoil disposal site in the maintenance dredging of the Intracoastal Waterway north of the St. Johns River. The district submitted two appraisals for review by the appraisal office of the Department of Natural Resources.

(See Attachment 18, Pages 190-193)

RECOMMEND APPROVAL

---

*Ken Howell  
memo on review  
of appraisals*

DIVISION OF RECREATION AND PARKS

Item 19

Consideration of staff request for authorization to issue a non-exclusive permit to Mr. Otto Bundy, Horticultural Systems, Inc., of Parrish, Florida, for the harvesting of sea oat seeds from selected state park lands. This permit will expire December 31, 1982.

Mr. Bundy's was the only bid received in response to advertised public invitation. He proposes to give the Department 11% of the sea oat plants propagated from seed collected under the permit. Mr. Bundy's knowledge and experience in sea oats propagation is well established. He has successfully propagated 1,300,000 sea oat plants since 1973.

5

16 September 1980

Mrs. Susie Coleman, Administrative Assistant  
Department of Natural Resources  
3900 Commonwealth Boulevard  
Tallahassee, Florida 32303

Dear Mrs. Coleman:

Responding to a request from the U.S. Army, Corps of Engineers, this District, carrying out its responsibilities as local sponsor for the Atlantic Intracoastal Waterway, searched for property in Duval County suitable for disposal of spoil resulting from maintenance dredging of the Waterway north of the St. Johns River. Three tracts were located within an acceptable distance from the areas to be dredged. Two of the owners refused to lease their property for this purpose or to sell their property to this District. The third owner, Mr. Fred J. Rahaim, refused to lease his property for this purpose but was willing to sell his 55 acre parcel for \$3,000 an acre.

Mr. Rahaim granted a Right of Entry for Survey to the Corps of Engineers who determined the property was suitable for a spoil disposal area.

Mr. Howell, Appraisal Administrator, Division of State Lands, was contacted and he provided the names of six property appraisers in Duval County from his Qualified Appraisers List.

One of these appraisers, Frank K. Osborn, was contracted to appraise the Rahaim property. His appraisal was

Mrs. Susie Coleman  
16 September 1980  
Page 2.

\$120,000. As this exceeded \$100,000, a second appraiser, Theodore F. Pettit, was contracted to appraise the Rahaim property. His appraisal was \$119,300. (Average \$119,650 or \$2,175/acre).

The owner, Fred J. Rahaim was contacted and he agreed to sell his property to this District for the average of the appraisals, \$119,650.

At the regular meeting of the Board of Commissioners, Florida Inland Navigation District on 25 July 1980, the Board voted to purchase the Rahaim property for \$119,650 for use as a spoil disposal area, subject to approval of the appraisals by the Division of State Lands and further subject to the approval of the Cabinet.

On 17 July 1980, the two appraisals referred to above were sent to the Division of State Lands for approval. No response has been received.

Assuming the Appraisal Administrator approves the appraisals now in his hands, and in order to eliminate time lost by mailing, hereby request you place approval of acquisition of the Rahaim property by this District on the earliest possible agenda for Cabinet approval.

Sincerely,

Sterling K. Eisiminger  
General Manager

SKE:ngb

cc: Attorney King

12 August 1980

MEMORANDUM TO: Chairman Astor Summerlin and  
Secretary Charles Trad (in turn)

FROM: General Manager

SUBJECT: Rahaim property purchase

Enclosed is a contract binding FIND to buy the Rahaim property in Duval County, executed by the seller and witnessed by D. Byron King. This purchase was approved by the Board of Commissioners at its last regular meeting on 25 July 1980.

Request you each sign the contract in original and two copies, with one witness signature opposite each of your signatures.

After all signatures have been affixed, request all copies be returned to the undersigned for further processing. Addressed and postage paid envelopes are enclosed for your convenience.

Sincerely,

Sterling K. Eisiminger  
General Manager

SKE:ngb  
encs.



# FLORIDA INLAND NAVIGATION DISTRICT

July 31, 1980

## COMMISSIONERS

ASTOR SUMMERLIN  
CHAIRMAN  
ST. LUCIE COUNTY

WILLIAM W. WILSON  
VICE-CHAIRMAN  
ST. JOHNS COUNTY

JAMES W. WINTERS  
TREASURER  
PALM BEACH COUNTY

CHARLES L. TRAD  
SECRETARY  
FLAGLER COUNTY

C.J. GUNTI  
DUVAL COUNTY

TONY WALSH  
VOLUSIA COUNTY

VINCENT BARBER  
BREVARD COUNTY

JOE S. EARMAN, SR.  
INDIAN RIVER COUNTY

EDWARD A. GEARY  
MARTIN COUNTY

GEORGE A. SCHEIGERT  
BROWARD COUNTY

HERBERT J. FISHWICK  
DADE COUNTY

## STAFF

STERLING K. EISIMINGER  
GENERAL MANAGER

D. BYRON KING  
ATTORNEY

Colonel Sterling K. Eisiminger  
2725 Avenue "E"  
Riviera Beach, Florida 33404

Dear Colonel:

Enclosed please find a copy of minutes of the FIND Board meeting held July 25 at Pier 66 in Fort Lauderdale. They are a little lengthy but I have checked them over and I think they are fairly accurate. Would you please check these over and call Shirley on Tuesday morning and suggest to her any corrections that should be made in order that she can prepare a final draft and send the corrected copies to DNR, officers and members of the Board.

I am also enclosing an original and two copies of a Deposit Receipt & Purchase and Sale Agreement on Fred Rahaim's property. I have indicated in the agreement that we will accept the present survey which he has. This survey is fairly old and includes all of the property that he purchased of which he has sold 10 acres. I also have a copy of the survey of the 10 acres which was sold out of this tract. I still think these two surveys will be sufficient.

If you would send the original and one copy of this agreement to Astor and ask him to sign it as Chairman and have him forward the original and copy to Trad and ask him to sign it as Secretary and return them to you, then you can return them to me along with a check for \$5,000.00 which I will place in my special account, I will then place the seal on the documents and we will be in a position to order title insurance on the property which I will do as soon as I get the original back.

I am also enclosing my expense report which is quite heavy. I have neglected to total the items for the report as I don't know how

FLA INL NAV DIST

DATE

RECEIVED

APPROVED

FILE

8/5/80

Colonel Sterling K. Eisiminger  
July 31, 1980  
Page Two /

much we are allowed for mileage. If you would please make the insertion and total it up, that will be fine.

I expect to be out of my office starting tomorrow morning for the major portion of August, except Thursdays when I plan to be in the office. If anything comes up that's urgent, call me at Summer Haven or call Shirley and she will get in touch with me and I will call you.

Cordially yours,

*D. Byron King*

D. Byron King

DBK/smr  
Enclosures

P.S. Come September I intend to get ride of the "snake."

DBK

DEPARTMENT OF HOUSING & URBAN DEVELOPMENT  
Building and Zoning Inspection Division

FLA INL NAV DIST

DATE REC 8/12/80

MANAGER [Signature]

ACCOUNTING \_\_\_\_\_

FILE \_\_\_\_\_



July 30, 1980.

Florida Inland Navigation District  
c/o Mr. Byron King, Attorney  
137 East Forsyth Street  
Jacksonville, Florida 32202

Dear Mr. King:

Enclosed is an excerpt from the Zoning Code dealing with the placement of fill material on private property. Unless the Public Works Department has other law on the matter, I would presume your client has no problem with dredged fill being placed on any land in the county--of course, this presumes reasonable safety procedures.

Very truly yours,

*Marvin Boutwell*

Marvin Boutwell, P.E., Chief  
Building and Zoning Inspection Division

MB/dd

Enclosure



AREA CODE 904 / 633-54 50 / 220 E. BAY STREET / JACKSONVILLE, FLORIDA 32202

# State of Florida



## DEPARTMENT OF NATURAL RESOURCES

3900 Commonwealth Boulevard

DR. ELTON J. GISSENDANNER  
Executive Director

~~XXXXXXXXXXXXXXXXXXXX~~ / TALLAHASSEE ~~32303~~ 32303

BOB GRAHAM  
Governor  
GEORGE FIRESTONE  
Secretary of State  
JIM SMITH  
Attorney General  
GERALD A. LEWIS  
Comptroller  
BILL GUNTER  
Treasurer  
DOYLE CONNER  
Commissioner of Agriculture  
RALPH D. TURLINGTON  
Commissioner of Education

July 23, 1980

FLA INL NAV DIST

DATE REC

RECEIVED

ACCOMPLISH

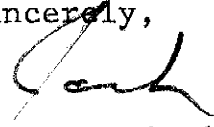
FILE

Colonel Sterling K. Eisiminger  
General Manager  
Florida Inland Navigation District  
2725 Avenue E  
Riviera Beach, Florida 33404

Dear Colonel Eisiminger:

This is to acknowledge your letter transmitting two appraisal reports on land which Florida Inland Navigation District anticipates purchasing for review by our Appraiser Administrator. I have forwarded both appraisal reports to Ken Howell for review.

Sincerely,

  
H. J. Woodard  
Assistant Director  
Division of State Lands

HJW:pm

cc: Dr. Elton J. Gissendanner  
Susie M. Coleman  
Ken Howell



DIVISIONS /

ADMINISTRATION • LAW ENFORCEMENT • MARINE RESOURCES  
RECREATION AND PARKS • RESOURCE MANAGEMENT • STATE LANDS



17 July 1980

Director  
Division of State Lands  
Department of Natural Resources  
3900 Commonwealth Boulevard  
Tallahassee, Florida 32303

Attention: Mr. Jack Woodard

Dear Mr. Woodard:

Reference is made to our conversation in your office on 14 July 1980.

The Atlantic Intracoastal Waterway between the St. Marys River and the St. Johns River in Nassau and Duval Counties has shoaled to the point where commercial barges moving petroleum products from terminals in Jacksonville to mills in the Fernandina Beach area may travel only at high tide and only partially loaded. The Corps of Engineers desires to dredge this reach of the Waterway to provide ~~the~~ authorized channel depth and accordingly have given it the highest priority for obligation of funds in FY 80-81, beginning 1 October 1980.

Easements for the disposal of dredge spoil which this District obtained previously and which were used frequently during maintenance dredging in the past are no longer acceptable for this purpose. Therefore, this District is in the process of obtaining additional upland tracts in Nassau and Duval Counties as close to the proposed dredging as possible for use as spoil disposal sites. The nearest upland in Duval County is

Mr. Jack Woodard  
17 July 1980  
Page 2

Black Hammock Island. We have determined that there are three tracts of undeveloped land adequate in size and located within economic pumping distance of the proposed dredging. The owners of these three tracts were contacted and two declined to consider an easement for spoil disposal or to sell their property to this District. The third owner, Fred J. Rahaim, offered to sell his property but would not consider an easement for spoil disposal.

Two appraisals have been obtained on the Rahaim property and are enclosed herewith. (The appraisers names were obtained from the Appraisal Administrator. The appraisals indicate the fair market value to be \$120,000 and \$119,300). Request these appraisals be reviewed in accordance with the Division of State Lands, State Land Acquisition Procedures, and the results transmitted to the undersigned at your earliest convenience. (\$119,650, the average of the two appraisals, is acceptable as a purchase price to the owner of the property.)

The next meeting of the Florida Inland Navigation District Board of Commissioners will be held on 25 July 1980. At that meeting the Board will be requested to approve the purchase of the Rahaim property for \$119,650, subject to the approval of the appraisals by your Division and by the final approval of the Governor and Cabinet sitting as the Board of Trustees of the Internal Improvement Fund.

Your assistance is appreciated.

Sincerely,

Sterling K. Eisiminger  
General Manager

SKE:ngb  
encs.

cc: D. Byron King, Attorney  
Mrs. Susie Coleman, Division of Resource Management

REAL ESTATE

FRED

**Rahaim**

REALTOR

FLA INL N DIST

DATE REC

7/20/80

INVESTMENTS

MANAGER

ACCOUNTING

TITLE

1527 HIGHLAND AVENUE • JACKSONVILLE, FLORIDA 32207 • PHONE 904 / 398-6811

July 17, 1980

D. Byron King, Esquire  
137 East Forsyth St., Suite 308  
Jacksonville, Florida 32202

Re: Proposed purchase of 55.23 acres of land  
on Sawpit Road, Duval County, Florida

Dear Mr. King:

I have before me your letter dated July 15, 1980 in which you made an unofficial offer of the Florida Inland Navigation District to purchase my 55.23 acres of land described above.

I fully understand that your Board is bound by laws covering the acquisition of land which have been prescribed by the State Legislature and based thereon, I am willing to sell to the Florida Inland Navigation District the 55.23 acres above described for \$119,650.00 cash, which is the average of the two appraisals which you have received on my property.

It is my understanding that I will be required to pay for and place documentary stamps upon the deed, but I want it fully understood that I do not expect to be required to pay any additional costs of closing including title insurance, recording, appraisal fees, attorney fees, etc.

After your Board meets on July 25, I would appreciate hearing from you as to what action they have taken on my offer to sell and an approximation as to how soon closing could be held.

You may rest assured that you will have my full cooperation in bringing this transaction to a conclusion, if accepted, as soon as possible.

Yours sincerely,

*Fred J. Rahaim*

Fred J. Rahaim

FJR/fr



ELA TNL 100 100  
7/20/80  
LA  
WA  
AC  
FILE

July 16, 1980

Mr. Fred Rahaim  
1527 Highland Avenue  
Jacksonville, Florida 32207

Re: Proposed purchase of 55.23 acres of land  
on Sawpit Road, Duval County, Florida

Dear Mr. Rahaim:

Yesterday I wrote to you and gave you an unofficial proposal to purchase your land described above on behalf of the Florida Inland Navigation District.

The law requires that you be notified that final purchase approval is subject to affirmative action by the Governor and Cabinet sitting as the Board of Trustees of the Internal Improvement Fund. Also I must advise you that the sale is contingent upon the City of Jacksonville approving the use of this property by the Corps of Engineers for the deposit of spoil.

If you accept the offer as stated in my letter of July 15, 1980, the matter will come before the Board of Commissioners of the Florida Inland Navigation District at its regular meeting on July 25 to be held in Fort Lauderdale and if acted upon favorably by the Board, it will be subject to the two conditions set out above.

Yours sincerely,

D. Byron King

DBK/amt  
cc: Colonel Elsminger  
Astor Summerlin  
Douglas Crane

FLA INL NAV DIST  
DATE REC 7/25/80  
MANAGER *[Signature]*  
ACCOUNTING *[Signature]*  
FILE  
July 15, 1980

Mr. Fred Rahaim  
1527 Highland Avenue  
Jacksonville, Florida 32207

Re: Proposed purchase of 55.23 acres of land  
on Sawpit Road, Duval County, Florida

Dear Mr. Rahaim:

Pursuant to our telephone conversation this morning, I am writing to advise you officially that the Florida Inland Navigation District has received an appraisal from Frank K. Osborn, M.A.I., S.R.E.A., dated June 20, 1980, appraising your property on Sawpit Road in Duval County, Florida. The appraisal is quite detailed and is based upon the fair market value of your land. Mr. Osborn's appraisal values your property at \$120,000.00.

I received a second appraisal from Mr. T. F. Petit, M.A.I., S.R.P.A., dated July 5, 1980, and he appraised the same property and came up with a fair market value of \$119,300.00. Both of these appraisals are in my office and are available for your inspection.

In 1979 the Florida Legislature passed a new act pertaining to acquisition of State lands and I wish to call your attention to Chapter 253.025, Paragraph 5, subsection (d) regarding the acquisition of State lands where there are two appraisals made as required and where they vary as to the value of the land appraised. Quoting therefrom:

"All offers or counter-offers shall be in writing and shall be available for examination by the Board of Trustees. No offer by a State Agency shall exceed the value for that parcel as determined pursuant to a single appraisal or the average of two appraisals if such are required."

Mr. Fred Rahaim

July 15, 1980

Page Two

Under this provision of the law the Florida Inland Navigation District is not allowed to offer you more than the average of these two appraisals or a total sum of \$119,650.00 for the purchase of the 55.23 acres referred to above.

This amount would be paid to you in a lump sum and I anticipate could be closed within 90 days of the Board meeting of the Florida Inland Navigation District on July 25, 1980.

If you would accept this offer to sell to the Florida Inland Navigation District you would also be required by law, under Chapter 286.23 to make a public disclosure in writing, under oath, which would state your name and address and the names and addresses of every person having a beneficial interest in the real property in question, however small or minimal.

As the attorney for the Florida Inland Navigation District, I would appreciate a letter from you advising me as to your acceptance or rejection of this offer which is being made to you for the purchase of your property, realizing that no official action can be taken upon this offer to purchase unless passed by the Board of Directors of the Florida Inland Navigation District.

Thanking you for a prompt reply, I remain

Yours sincerely,

D. Byron King

DBK/smr

cc: Sterling K. Eisiminger  
Astor Summerlin  
Douglas Crane

# OSBORN APPRAISAL COMPANY

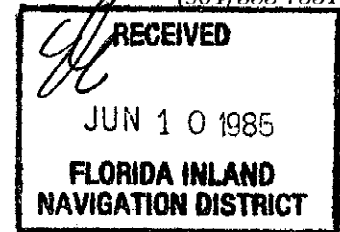
Real Estate Appraisers and Consultants

Frank K. Osborn  
M.A.I.  
MEMBER



June 3, 1985

131 E. Bay Street  
Jacksonville, Florida  
32202  
(904) 355-7531



D. Byron King, Esquire  
137 East Forsyth Street  
Jacksonville, Florida 32202

Dear Mr. King:

This is in response to your request for appraisal of 1.85 acres along the west side of an existing berm of the spoil area for the Florida Inland Navigation District, Jacksonville, Florida, legally described herein and outlined on the accompanying sketch.

I certify to have no present or contemplated future interest in the property nor any personal interest or bias with respect to the subject matter of this appraisal report or the parties involved. Report has been prepared in conformity with the Standards of Professional Ethics of the AIREA, which includes provisions for peer review.

Instructions were to estimate the Fair Market Value of easement acquisition for this property, definition for which is as follows:

"The most probable price in terms of money which this property is expected to bring if exposed on the open market with a reasonable time allowed toward finding a purchaser buying with the full knowledge of all the uses of the property."

As detailed herein, it is my opinion that the Fair Market Value of this property, as of June 3, 1985 was,

Value of easement acquisition	\$6,500
Severance damage	<u>1,000</u>
Total Value	\$7,500

Sincerely yours,

Frank K. Osborn

FKO/jb  
Atts.

## Part I - Introduction

3. Table of Contents
4. Summary
5. Photographs
  - Ground Level
  - Aerial which includes location and sales
6. Survey
7. Area plat
8. Geodetic survey, excerpt
9. Limiting Conditions
10. Appraiser's Qualifications.

## Part II - Factual Data

1. Purpose of Appraisal
2. Legal Description
3. Title Data and 5 Year History
4. Assessed Value and Taxes
5. Location Data
6. Description of Property

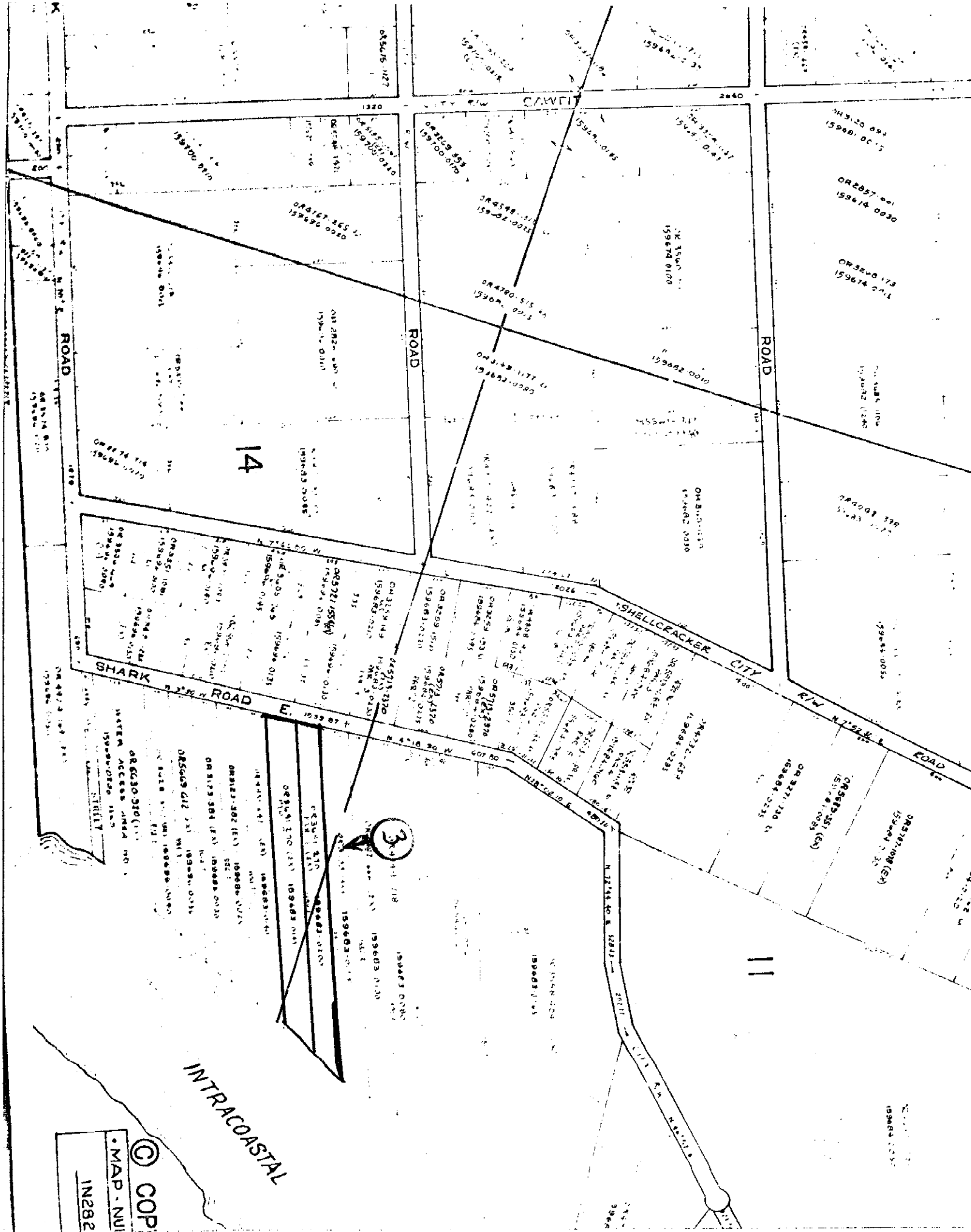
## Part III - Analysis & Conclusion

1. Best Use
2. Market Approach
  - Sales
3. Fair Market Value



1. TITLE PAGE

- A. PROPERTY IDENTIFICATION - partial acquisition of property owned by the Pumpkin Hill Corporation, c/o Woodridge Land Company, Independent Square, Jacksonville, Florida 32202. As indicated by accompanying survey and legal description, tract amounts to 1.85 acres, approximating 60' in width, extending 1,350.3' along the west side of an existing beam of the spoil area for the Florida Inland Navigation District.
- B. Appraisal report prepared by Frank K. Osborn, MAI
- C. Appraisal dated June 3, 1985.

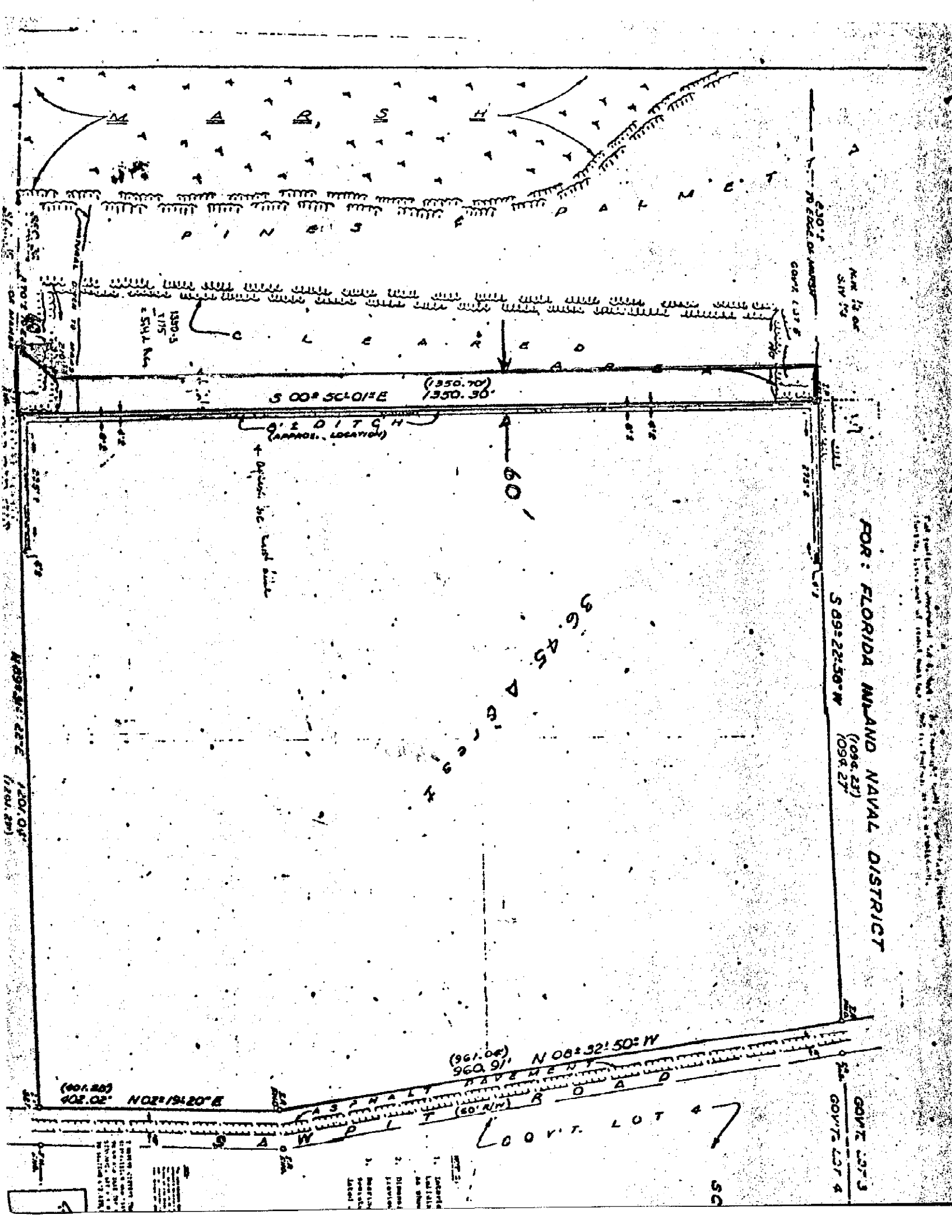


INTRACOASTAL

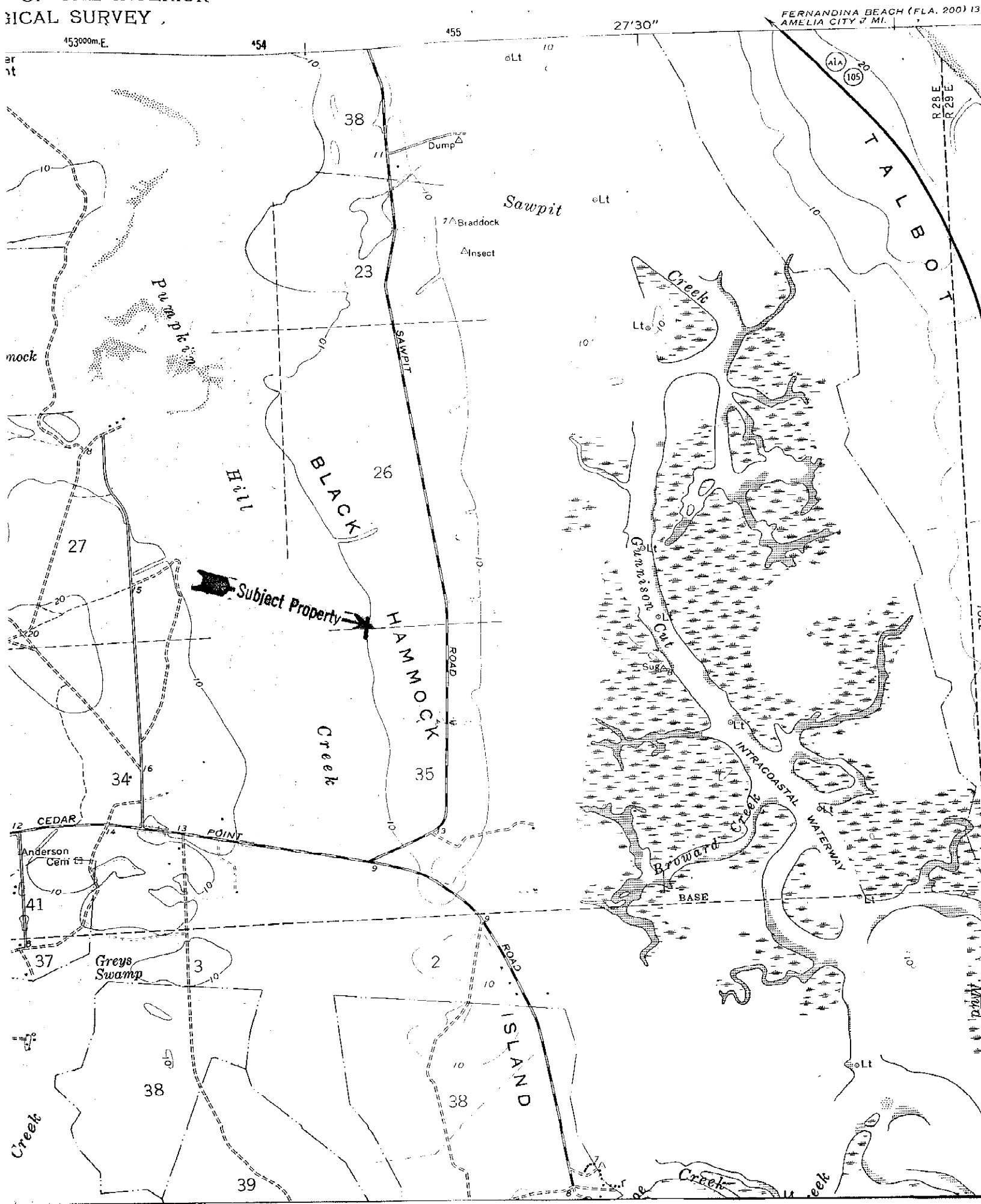
© COP

MAP - NUI

IN282



OF THE INTERIOR  
ICAL SURVEY



## ASSUMPTIONS AND LIMITING CONDITIONS

The *market value* estimate of the property or properties appraised herein is subject to certain assumptions and limiting conditions. Specifically they are:

1. The legal description furnished is assumed to be correct.
2. No responsibility is assumed for matters legal in character nor is any opinion rendered herein as to title which is assumed to be good and merchantable. It is assumed that the property is free and clear of liens and encumbrances, and under responsible ownership and management on the appraisal date.
3. It is assumed that surveys and/or plats furnished to or acquired by the appraiser and used in the making of this report are correct. The appraiser has not made a land survey or caused one to be made, and therefore assumes no responsibility for their accuracy.
4. Certain data used in compiling this report was furnished the appraiser from sources which he considers reliable; however, he does not guarantee the correctness of such data, although as far as is reasonably possible the data has been checked and is believed to be correct.
5. The soil of the area under appraisement appears to be firm and solid, unless otherwise stated. Subsidence in the area is unknown or uncommon but the appraiser does not warrant against this condition or occurrence.
6. Subsurface rights (minerals and oil) were not considered in making this report unless otherwise stated.
7. The tracts that according to survey, map or plat, indicate riparian rights and/or littoral rights are assumed to go with the property unless easements or deeds of record were found by the appraiser to the contrary.
8. Possession of this report, or copy thereof, does not carry with it the right of publication or reproduction, nor may it be used by any but the applicant without prior written consent of the applicant and the appraiser, and in any event only in its entirety.
9. The appraiser by reason of this report, is not required to give testimony in court with reference to the property herein appraised nor is he obligated to appear before any governmental body, board or agent unless arrangements have been previously made therefor.
10. A careful inspection was made of any and all buildings involved in this appraisal report and damage, if any, by termites, dryrot, wetrot or other infestations was reported as a matter of information by the appraiser, but no guarantee as to the amount or degree of damages if any, is given herein.
11. The drawings of any and all buildings contained herein were prepared approximately to scale after carefully measuring the improvements. The drawings are believed to be correct but were not produced by an engineer.
12. The distribution of the total valuation in this report between land and improvements applies only under the existing program of utilization. The separate valuations for land and building must not be used in conjunction with any other appraisal and are invalid if so used.
13. Neither all nor any part of the contents of this report shall be conveyed to the public through advertising, public relations, news, sales or other media, without the written consent and approval of the author, particularly as to valuation conclusions, the identity of the appraiser or firm with which he is connected, or any reference to the American Institute of Real Estate Appraisers, or to the M.A.I. designation.

FRANK K. OSBORN  
M.A.I.

## QUALIFICATIONS AND EXPERIENCE

Member, American Institute of Real Estate Appraisers, M.A.I.  
Designation, Certificate #2420.  
President, Florida Chapter No. 2, A.I.R.E.A. - 1968.  
Governing Councilor - American Institute of Real Estate  
Appraisers 1979-81.  
President, Jacksonville Chapter No. 72, S.R.E.A. - 1964,  
Member, Reviewing Sub-Committee, S.R.E.A. 1969 and 70,  
Member Governing Council S.R.E.A. - 1971  
S.R.E.A. Instructor, "Introduction to Appraising Real  
Property",  
Advanced Course "Appraising Apartments", and Course  
201, University of North Florida  
Graduate, BSBA Degree, University of Florida.  
Over ten years appraisal experience with the Mortgage Loan  
and Real Estate Development Department, Prudential  
Insurance Company. Properties appraised include  
residential, commercial, apartment, motel, ranch,  
timber and specialty types.  
Assistant Vice President and Chief Appraiser, Stockton,  
Whatley, Davin & Company, Jacksonville, then fourth  
largest mortgage banker in the United States.  
Approved appraiser for the following governmental agencies:  
City of Jacksonville, Florida  
Duval County Florida  
D.O.T. including Interstate Highways  
General Services Administration  
U.S. Navy  
Jacksonville Port Authority  
Jacksonville Electric Authority  
Consultant and Reviewing Appraiser, Canal Authority, State  
of Florida.  
Approved appraiser for various corporations under personnel  
transfer agreements, including:  
Prudential  
Westinghouse  
Relocation Realty  
Republic National  
Reynolds Metals

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"The American Institute of Real Estate Appraisers conducts  
a voluntary program of continuing education for its designated  
members. MAIs and RMs who meet the minimum standards of  
this program are awarded periodic educational recertification.  
I am certified under this program through December 31, 1986."

## PART II - Factual Data

### 1. Purpose of the Appraisal

To estimate fair market value, definition of which will be noted on the cover page.

### 2. Legal Description.

A tract or parcel of land being a portion of Government Lot 5 Section 26, Township 1 North, Range 28 East, Duval County, Florida being more particularly described as follows:

Begin at an iron pipe at the Northeast corner of said Government Lot 5, also being the Northwest corner of Government Lot 4 of said section; thence run south 00°50'01" E. along the east line of Government Lot 5, 1350.30 feet to the southeast corner of Government Lot 5, thence run south 89°31'22" West, 120.00 feet to a point; thence run North 44°31'22" East, 84.83 feet to a point; thence run North 00°50'01" West, parallel to and 60 feet west of the east line of said Government Lot 5, a distance of 1290.30' to the north line of said Government Lot 5; thence run North 89°22'58" East a distance of 60 feet more or less to the point of beginning, containing 1.85 acres more or less.

### 3. Title Data and 5 Year History.

Latest transaction concerning was recorded O.R. 5526-1559, dated 9/15/81, this being a convenience deed, Florida stamps being 45¢.

O.R. 4172-1088 dated 6/15/76 conveyed the entirety of the parent tract, plus that part being in Government Lots 2 & 3 on the east side of Sawpit Road. Consideration was \$100,900.

### 4. Assessed Value and Taxes

RE #159797-0000 values Lot 5 at \$43,700, the 1984 taxes before discount amounting to \$858.60.

RE #159795, which covers the balance of the parent tract, plus that part on the east side of Sawpit Road, valued at \$89,400, the 1984 taxes before discount amounting to \$1,756.50.

### 5. Location Data.

The accompanying mosaic of 2,000 scale aerial photographs, dated January 1982, continues to provide an accurate overview of this outlying rural property located in the NE corner of Duval County. The Intracoastal Waterway and the adjoining marshes can be seen at the right edge of aerial photograph,

as well as road access, limited to Cedar Point Road, which forks into Sawpit Road, approximately one mile south of the subject acquisition.

An original report dated June 20, 1980 for land acquisition to be acquired by the Florida Inland Navigation District required a careful study of this area, its environs, development aspects and general observation of the quantity and quality of development. A subsequent appraisal dated January 23, 1984 for additional acquisition also required the same study. Point of these comments is to the effect that during the approximate five year interval there has been no perceptible growth pattern in this vicinity. Understandably a sprinkling for new mobile home sites in the area has been cleared, as well as less than a sprinkling of new housing. An approximate 15 acre clearing for development on the east side of Sawpit Road, in the vicinity of and south of Hurlburt Road, location of which is noted on the aerial photograph, now has a sprinkling of mobile homes, plus one good quality, medium sized, residence located near the Intracoastal Waterway.

Noted herein as Sale #1, is a sizeable tract of about 450 acres, conveyed to an astute business man, inquiry indicating that sale together with another large tract to the west, has been purchased for future development trend of this northeasterly portion of Duval County. Reason for this pending development pattern is the contract letting for the Dames Point Bridge, which will connect to I-295, completed for the most part north of the St. Johns River, as well as to the south thereof. Upon completion the Dames Point Bridge is anticipated to commence the development of this NE section of Duval County, similar to that experienced in southwest Duval County during the late 1960's and early 1970's after completion of the Buckman Bridge over the St. Johns River tying to I-295.

Development of any consequence has not yet commenced in NE Duval County and probably will not until the Dames Point Bridge is in final stages of construction, perhaps three years hence.

#### 6. Description of Property.

The accompanying aerial photograph predates the hydraulic deepening of the Intracoastal Waterway in this vicinity, the spoil for which has been deposited on the west side of Sawpit Road in an area adjoining and east of the subject acquisition. The property to be acquired which amounts to 1.85 acres, is 1,350' in length, varying in width from 60' along the north line to a flare along the south line of 120'. This is reasonably high ground, vegetation described as cut over pine land.

The parent tract from which the acquisition will be obtained



is outlined in red on the accompanying excerpt of Property Appraisers Atlas Page. This Atlas Page reasonably conforms with the aerial photograph, although precision in showing precise marsh line perhaps is at variance. The parent tract for this acquisition is defined as that part of the Pumpkin Hill property located on the west side of Sawpit Road. This parent tract is estimated at 100 Acres, being well wooded, reasonably high with a gradual and very slight outfall into the Pumpkin Creek marsh. Accompanying geodetic survey indicates 10' contour line meanders perhaps 200' east of the marsh line.

On a before and after basis the accessibility to that part of the property adjoining and west of the acquisition will be unaffected. It should be commented that due to the configuration of that part of the parent tract lying between the acquisition and the Pumpkin Hill Marsh, some minimal damage to that part of the remainder between Pumpkin Hill Marsh and the subject acquisition is an outside possibility. Stated another way, were the 60' wide acquisition of 1.85 acres proposed along the south line of the parent tract and adjoining the McGill property which lies to the south, there obviously would be no severance damage. By virtue of this 60' wide acquisition the remainder to the west fronting Pumpkin Creek Marsh will require greater marsh width when ultimately developed, particularly for mobile homes which require 1½ acre tract under OR zoning.

### PART III - ANALYSIS AND CONCLUSION

1. Highest and Best Use - The subject parent tract has best use, in my judgment, for ultimate development for either single family or mobile home residential use. This is the present concept of area development and I doubt seriously that it could be appreciably changed. Property is zoned OR, signifying Open Rural, which is basically a holding category incurring considerably less ad valorem taxation, but suitable for mobile home sites. While residences can be erected on such zoning, typically it requires a single family zoning category, which as yet has not been secured.

2. Market Approach - To reflect value to the subject property sales of reasonably similar parcels have been found. These are located by encircled numbers on the accompanying aerial photograph to show locational relationship. Detail of these sales is as follows:

Sale #1. O.R.5847-783 dated 8/28/84 was from R. M. Gainer and H. Wayne Ragland to D. W. Trednick and Bertha U. Abess for the SE $\frac{1}{4}$ , SW $\frac{1}{4}$ , S $\frac{1}{2}$  of the W $\frac{1}{4}$  of the NW $\frac{1}{4}$ , SE $\frac{1}{4}$  of the NW $\frac{1}{4}$ , and Government Lot 3, minus the E 500'. All being located in Section 15, Township 1 North, Range 28 East, Duval County. Consideration was \$545,100, sale being subject to a simultaneous purchase money mortgage in the amount of \$409,125, payable \$1#6,375 annually, plus 12 $\frac{1}{2}$ % interest.

Located on the aerial photograph, this is an approximate 450 acre tract, fronting 1,200' on both sides of Boney Road, commencing at a point approximately 2,000' NW of Spring Hammock Road and being about two miles north of the Boney Road intersection with Cedar Point Road. This is outlying rural property, zoned OR, being reasonably high with some typical low spots, heavily forested at purchase with frontage of approximately 1,000' on the marshes of Edwards Creek.

Sale reflects \$1,211.33/acre, zoning is OR and property has been largely cleared for timber sales and ultimate redevelopment.

Sale #2. O.R. 5726-2215 dated 11/1/83 was from the Trustees under a Trust Agreement to Melvin C. Knowles for tract described by metes and bounds, being part of Government Lot 2, lying east of Sawpit Road on which there is frontage of 582.07', north line being 1,395', south line 1,349' and frontage along the west bank of the Intracoastal Waterway 588'. Deed reciting property as having 18.3 acres. The south 40' is in drainage easement. Consideration was \$46,750, sale being subject to a simultaneous purchase money mortgage in the amount of \$37,400, payable \$2,337.50 semi annually, including 10% interest. Sale reflects \$2,555/acre; however estate sales are typically suspect as being below market. This is reasonably high, well wooded property, being a good residential development site for future use. Zoning is OR.

Sale #3. O.R. 5937-507 dated 4/1/85 was from Rose Marie Perretta to Michael C. Grant for two adjoining parcels, having Intracoastal waterway frontage, access being along Shark Road, as indicated by the attached excerpt of Property Appraisers Atlas Page. Property has total frontage of 200' the west side of Shark Road, north line being 1,397', south line being 1,220', total area calculated at 6.166 acres. Consideration was \$49,900, sale being subject to a simultaneous purchase money mortgage in the amount of \$43,700, payable \$497.32 monthly, including 9% interest. Property is reasonably high, but is within the 50 year flood line and as typical of Black Hammock Island property, area is spottly developed. Sale reflects \$6,470/acre.

Sale #4. O.R. 5831-1291 dated 7/23/84 was from Warren Bradley and Patricia to Richard E. Miller, Jack A. Robinson and Michael H. Miller, for property described by metes and bounds, being located in the NW¼ of Section 31, T1N, R28E. This is a 12 acre tract, having 60' frontage on Cedar Point Road by easement, being improved with chicken hatchery buildings, the equivalent of metal barns, used in that type operation. Consideration was \$90,000 cash. Buildings have not been demolished, land probably contributing less than \$5,000/A to the sale.

3. Fair Market Value - View of the accompanying aerial photograph, 2,000 scale, covering a 20 square mile area, has produced only four recent sales. Understandably the lowest unit figure would be Sale #1, a 450 acre tract, selling for \$1,211/acre, the highest of the unit prices being Sale #3, a 6.2 acre tract fronting the Intracoastal Waterway north of the subject property and in the Black Hammock Island area, selling for \$6,470/acre, having access to deep water. Sale #2, also fronting the Intracoastal Waterway Marsh, brought \$2,555/acre for an 18.3 acre tract and Sale #4, formerly a chicken farm, includes buildings, is believed to have contributed less than \$5,000 per acre for 12 acres, having easement access to Cedar Point Road.

Using the before and after basis it is my judgment that the subject parent tract, being west of Sawpit Road, approximating 100 acres, is believed to reflect before value at \$3,500/acre, or \$350,000.

As part of the whole, the subject acquisition, actually a drainage easement, amounting to 1.85 acres, reflects acquisition value at \$3,500/A or \$6,475.

Width of the drainage easement, essentially 60', to a limited extent will adversely affect to a minor point that part of the parent tract remainder lying between the easement and marshes of Pumpkin Hill Creek. Reason for this statement concerns some shortage of depth for the marsh frontage, development probably being associated with residential use, typically having reasonable high land depth of at least 300' to 400' in this outlying rural area. Damage to the remainder is estimated at a nominal \$1,000, total acquisition rounded to \$7,500.

Summary of the foregoing findings follow:

Value before the taking 100 A @ \$3,500/A =	\$350,000
Value after the taking 98.15 A @ \$34x89.56/A	342,500
Value of the taking 1.85A @ \$3,500/A = (Rounded)	6,500
Severence Damage	<u>1,000</u>
Total value of the taking	\$ 7,500.

FLA INLAND NAV DIST  
DATE 6/24/80  
RECEIVED  
AGENCY  
FILE

June 20, 1980

Mr. Theodore F. Pettit  
128 East Forsyth Street, Suite 203  
Jacksonville, Florida 32202

Dear Mr. Pettit:

I talked with your daughter, Sharon, this morning and advised her what we need in the form of an appraisal. As attorney for the Florida Inland Navigation District, I am authorized to employ your services to appraise a tract of land owned by Fred Rahaim which lies on both sides of the Saw Pit Road in northern Duval County.

As the appraisal on this property will probably exceed the sum of \$100,000.00, the Division of State Lands requires that we have two appraisals of this property made. I have previously employed Mr. Frank K. Osborn to make an appraisal. He has the surveys of the property and the format of the Division of State Lands reporting form, Department of Natural Resources. This appraisal is to be based upon the fair market value of the land. Mr. Osborn said he will supply you with whatever information is necessary for you to make your appraisal.

I am enclosing with this letter a copy of a letter from Mr. Rahaim to our General Manager authorizing the appraisal to be made of his property.

It would be appreciated if you would make this appraisal at your earliest convenience and send the bill for your services and the original and one copy of your appraisal to Sterling K. Elsminger, General Manager, Florida Inland Navigation District, 2725 Avenue "E", Riviera Beach, Florida 33404, and I would like a copy of the appraisal sent to my office.

Mr. Theodore F. Pettit  
June 20, 1980  
Page Two

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I am leaving for Alaska in the morning and will not be back in my office until July 14. It is sincerely hoped that the appraisal will have been completed by that time.

Yours sincerely,

D. Byron King

DBK/smr  
Enclosure  
cc: Sterling K. Elsiminger

June 12, 1980

Frank K. Osborne, A.A.P.P.  
131 East Bay Street  
Jacksonville, Florida 32202

FLA INL NAV DIS  
DATE REC 6/18/80  
MAILER 94  
ACCOUNTING  
FILE

Dear Mr. Osborne:

Please be advised that as attorney for the Florida Inland Navigation District, I have been requested by the General Manager of the District to employ you as an appraiser of a tract of land owned by Fred J. Rahaim, which lies on both sides of Sawpit Road in north Duval County. A survey and legal description of said property will be supplied to you at a later date.

I would appreciate you appraising this land in accordance with the Division of State Land format reporting form, Department of Natural Resources, which appraisal is to be based upon the fair market value of the land.

It would be appreciated if you would make this appraisal at your earliest convenience and send the bill for your services and the appraisal to Sterling K. Elsiminger, General Manager, Florida Inland Navigation District, 2725 Avenue "E", Riviera Beach, Florida 33404.

Cordially yours,

D. Byron King

DBK/smr  
cc: Sterling K. Elsiminger



# FLORIDA INLAND NAVIGATION DISTRICT

11 June 1980

## COMMISSIONERS

ASTOR SUMMERLIN  
CHAIRMAN  
ST. LUCIE COUNTY

HERBERT J. FISHWICK  
VICE-CHAIRMAN  
DADE COUNTY

JAMES W. WINTERS  
TREASURER  
PALM BEACH COUNTY

CHARLES L. TRAD  
SECRETARY  
FLAGLER COUNTY

DOUGLAS C. CRANE  
DUVAL COUNTY

SAM T. WILLIS  
ST. JOHNS COUNTY

TONY WALSH  
VOLUSIA COUNTY

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INDIAN RIVER COUNTY

EDWARD A. GEARY  
MARTIN COUNTY

GEORGE A. SCHEIGERT  
BROWARD COUNTY

## STAFF

STERLING K. EISIMINGER  
GENERAL MANAGER

D. BYRON KING  
ATTORNEY

MEMORANDUM: FOR THE RECORD

FROM: General Manager

Undersigned called Jack Woodard, Division of State Lands, Department of Natural Resources, and requested information on procedure to obtain names of appraisers on the Appraisal Administrator's list of qualified fee appraisers. He put me in touch with Ken Howell, the Appraisal Administrator, who read me the following list of appraisers from Duval County (all M.A.I.) over the telephone:

Harry B. Broom, Jr.  
601 Florida Theater Building  
128 E. Forsyth Street  
Jacksonville, FL 32202  
Tel. 354-3411

Walter M. Lampe  
135 W. Bay Street, Suite 540  
Jacksonville, FL 32202  
Tel. 355-1091

Earl B. Miller and Charles B. Rogers  
1755 University Blvd. West  
Jacksonville, FL 32217  
Tel. 737-3232

Frank K. Osborn  
131 East Bay Street  
Jacksonville, FL 32202  
Tel. 355-7531



MEMORANDUM: FOR THE RECORD

11 June 1980

Page 2

Theodore F. Pettit  
203 Florida Theater Building, 128 E. Forsyth Street  
Jacksonville, FL 32202  
Tel. 354-1078

Alan N. Sayford  
301 Florida Theater Building  
128 East Forsyth Street  
Jacksonville, FL 32202

Mr. Howell said that if there is any possibility his office would have to evaluate the appraisal, it would have to be made on the Division of State Lands Appraisal Format, recently published.

The above was related to D. Byron King by telephone this date.

It was agreed that Mr. King would contact Commissioner Crane and they would jointly select an appraiser from the above list to appraise the Rahaim property. If a second appraisal is required (if first appraisal exceeds \$100,000), the appraiser shall be selected from the same list.

  
Sterling K. Eisiminger  
General Manager

SKE:ngb

cc: Attorney King

REAL ESTATE

INVESTMENTS

FRED *Rahaim*  
REALTOR

1527 HIGHLAND AVENUE • JACKSONVILLE, FLORIDA 32207 • PHONE 904 / 398-6811

June 8, 1980

FLA INL NAV DIST  
DATE REC 6/11/80  
MANAGER J.R.  
ACCOUNTING \_\_\_\_\_  
FILE \_\_\_\_\_

Mr. Sterling K. Eisiminger  
General Manager  
Florida Inland Navigation District  
2725 Avenue "E"  
Riviera Beach, Fla. 33404

Dear Mr. Eisiminger:

With reference to the Appraisals mentioned in your letter of 5 June 1980, you have my permission to make whatever Appraisals necessary to meet your requirements on my land on Black Hammock Island.

I hope you keep in mind the figures I quoted you and Byron King when you were in my office.

Sincerely yours,

*Fred Rahaim*

Fred J. Rahaim

cc: D. Byron King



5 June 1980

Mr. Fred J. Rahaim  
1527 Highland Avenue  
Jacksonville, Florida 32207

Dear Mr. Rahaim:

Reference is made to our conversation concerning property you own on Black Hammock Island and our most recent letter dated 12 March 1980.

This District is interested in purchasing your property and must comply with certain State regulations concerning acquisition of real estate. One requirement is to have one or more appraisals of the property made by appraisers approved by the Division of State Lands of the Department of Natural Resources. Before such an appraisal can be initiated, I must have in hand your written permission to have such appraisals made. There are numerous other requirements (which I will discuss in future correspondence) culminating in approval of the acquisition by the Governor and Cabinet.

Request you provide me with written permission to have your property on Black Hammock Island appraised.

Sincerely,

Sterling K. Eisiminger  
General Manager

SKE:ngb

cc: D. Byron King



# FLORIDA INLAND NAVIGATION DISTRICT

12 March 1980

## COMMISSIONERS

ASTOR SUMMERLIN  
CHAIRMAN  
ST. LUCIE COUNTY

HERBERT J. FISHWICK  
VICE-CHAIRMAN  
DADE COUNTY

JAMES W. WINTERS  
TREASURER  
PALM BEACH COUNTY

CHARLES L. TRAD  
SECRETARY  
FLAGLER COUNTY

DOUGLAS C. CRANE  
DUVAL COUNTY

SAM T. WILLIS  
ST. JOHNS COUNTY

TONY WALSH  
VOLUSIA COUNTY

W. VINCENT BARBER  
BREVARD COUNTY

JOE S. EARMAN, SR.  
INDIAN RIVER COUNTY

EDWARD A. GEARY  
MARTIN COUNTY

GEORGE A. SCHEIGERT  
BROWARD COUNTY

## STAFF

STERLING K. EISIMINGER  
GENERAL MANAGER

D. BYRON KING  
ATTORNEY

## Memorandum For The Record

From: General Manager

Subject: Contact With Owner of Property Being Considered  
As A Spoil Area (Fred J. Rahaim)

In searching for property suitable for use as a spoil disposal area in Duval County, north of the St. Johns River, Jacksonville District, Corps of Engineers personnel located three such tracts on Black Hammock Island. The owners were indicated as: (1) North Shore Corp., (2) heirs to the estate of Mrs. Addie B. Ogilvie and (3) Mr. Fred J. Rahaim. The first two owners listed refused to consider an easement for spoil disposal or to offer their property for sale.

On 11 February 1980, Mr. D. Byron King, Attorney for FIND, contacted Mr. Rahaim by telephone and inquired about his property on Black Hammock Island. Rahaim responded that he was willing to discuss it. Mr. King and the undersigned met with Mr. Rahaim in his office on the afternoon of 11 February 1980. After explaining the need for a disposal area on Black Hammock Island to Mr. Rahaim, he declined an easement but offered to sell his property for \$3,000 an acre.

On 6 March 1980, the undersigned returned to Mr. Rahaim's office and requested (and received) Mr. Rahaim's signature on a Department of the Army Right of Entry for Survey and Exploration, to facilitate core borings by Corps of Engineers personnel to determine suitability of the soil for spoil area dike construction.

SKE:ngb

Sterling K. Eisiminger  
General Manager

cc: D. Byron King, Esq.

# RAHAIM PROPERTY

The Rahaim property on Black Hammock Island in Duval County which the Florida Inland Navigation District is interested in buying is described as follows:

Government Lot 4, Section 26, Township 1 North, Range 28 East, Duval County, Florida, except part in Sawpit Road, and also except the south 475 feet east of Sawpit Road (totaling 10.17 acres as described in attachment hereto.

Also attached is a copy of a survey of the total property prior to the severance of the 10.17 acres referred to in the above description.

Survey of a part of Government Lot 4, Section 26, Township 1 North, Range 28 East, Duval County, Florida, particularly described as follows: Begin at the intersection of the South line of said Government Lot 4 and East line of Sawpit Road; thence North  $2^{\circ}-19'-10''$  East, 404.58 feet to an iron; thence continue along the line of Sawpit Road North  $8^{\circ}-32'-50''$  West, 71.7 feet to an iron; thence North  $89^{\circ}-30'-50''$  East, 943.75 feet to the line of Sawpit Marsh; thence Southerly along the line of said marsh 478 feet more or less to the South line of said Government Lot 4; thence South  $89^{\circ}-30'-50''$  West, 868.75 feet along the South line of said Government

to the Point of Beginning.

For: Fred J. Rahall, Realtor

May 31, 1979

Scale: 1"=100'

N-89°-30'-50"E

943.75'

Set Iron

N 8°-32'-50" W

71.7'

Ditch 42  
Found Not traversed

SAWPIT ROAD

N 2°-19'-10" E 404.58'

Found Iron

Fd. Iron

75263.5 F 429-105

Point of Beginning

S 89°-30'-50" W

868.75'

South line of Gov't Lot 4, Section 26, Twp. 1 N. R. 28 East

Fd. Iron

10.17 Acres

475.0'

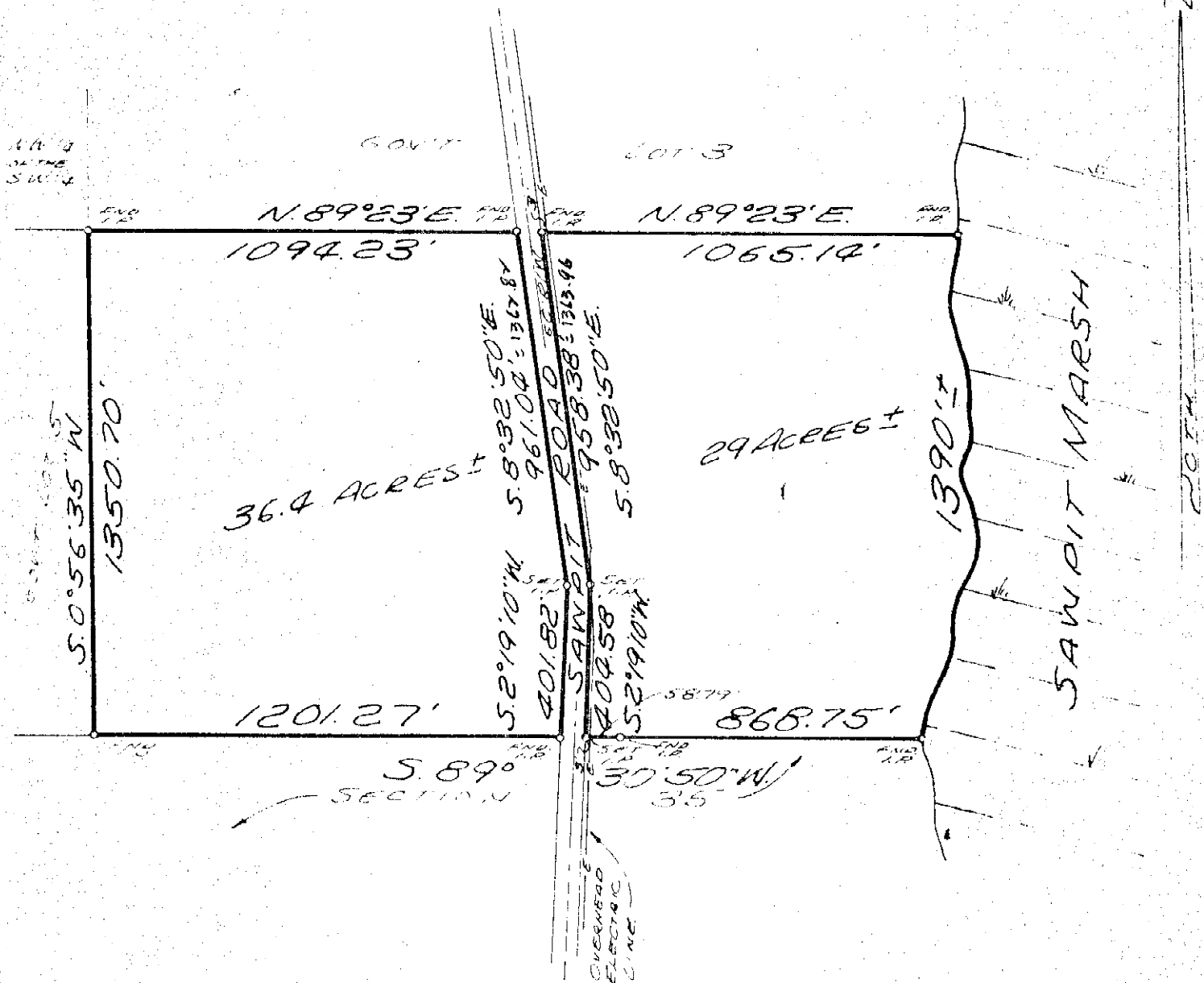
478.5'

Electric lines East of East Road line  
1 Mile to Cedar Point Road.



MAP SHOWING SURVEY OF  
GOVERNMENT LOT 4, SECTION  
26, T. 1 N., R. 28 E., DUVAL COUNTY,  
FLORIDA, EXCEPT PART IN  
SAWPIT ROAD

FOR BUCK & BUCK, INC.



March 12, 1980

Mr. Fred J. Rahaim  
1527 Highland Avenue  
Jacksonville, Florida 32207

Dear Mr. Rahaim:

Enclosed for your information is a copy of the Right of Entry as completed with the description of the property. The originals have been forwarded to the Jacksonville District, U.S. Army, Corps of Engineers for their use.

The two land surveys you loaned me to prepare the description are returned herewith also.

Your cooperation is appreciated.

Sincerely,

Sterling K. Eisiminger  
General Manager

SKE:ngb  
encs.



DEPARTMENT OF THE ARMY  
RIGHT-OF-ENTRY FOR SURVEY AND EXPLORATION

Atlantic Intracoastal Waterway,  
Cumberland Sound to St. Johns River

MSA DU-4A

(Project, Installation or Activity)

(Tract Number or Other Property Identification)

The undersigned, hereinafter called the "Owner", hereby grants to the UNITED STATES OF AMERICA, hereinafter called the "Government", a permit or right-of-entry upon the following terms and conditions:

1. The Owner hereby grants to the Government an irrevocable right to enter upon the lands hereinafter described at any time within a period of Two ( 2 ) months from the date of this instrument, in order to survey, make test borings, and carry out such other exploratory work as may be necessary to complete the investigation being made of said lands by the Government.

2. The permit includes the right of ingress and egress on other lands of the Owner not described below, provided such ingress and egress is necessary and not otherwise conveniently available to the Government.

3. All tools, equipment, and other property taken upon or placed upon the land by the Government shall remain the property of the Government and may be removed by the Government at any time within a reasonable period after the expiration of this permit or right-of-entry.

4. The Government agrees to be responsible for damages arising from the activity of the Government, its officers, employees, or representatives on said land, in the exercise of rights under this permit or right-of-entry, either by repairing such damage or at the option of the Government by making an appropriate settlement with the Owner in lieu thereof.

5. If aircraft flights over said lands, or entry upon the land by means of helicopter or other type aircraft, are necessary, the Government shall inform the Owner, in advance, of each such flight or entry.

6. The land affected by this permit or right-of-entry is located in the State of Florida County of Duval, and is described as follows:

Government Lot 4, Section 26, Township 1 North, Range 28 East, Duval County, Florida, except part in Sawpit Road, and also except the south 475 feet east of Sawpit Road (totaling 10.17 acres) as described in attachment hereto.

WITNESS MY HAND AND SEAL this 6TH day of MARCH, 1980

Israel J. Rahaim (SEAL)

\_\_\_\_\_  
(SEAL)

UNITED STATES OF AMERICA

By



DEPARTMENT OF THE ARMY  
JACKSONVILLE DISTRICT, CORPS OF ENGINEERS  
P. O. BOX 4970  
JACKSONVILLE, FLORIDA 32201

SAJEN-DL

24 January 1980

Mr. Sterling K. Eisiminger  
General Manager  
Florida Inland Navigation District  
2725 Avenue E  
Riviera Beach, Florida 33403

FLA INL NAV DIST

DATE REC 1/30/80

MANAGERS \_\_\_\_\_

ACCOUNTING \_\_\_\_\_

FILE \_\_\_\_\_

Dear Mr. Eisiminger:

As we discussed by telephone 23 January 1980, there is inclosed a map showing several land ownerships on Black Hammock Island, AIWW Fernandina to St. Johns River.

We believe that portions of all the tracts shown would be suitable for disposal. Because of the location of the shoals, we will need three tracts for the upcoming maintenance dredging. One tract should be on the south end of the island, another in about the middle of the area shown, and the third on the north. The size of each tract should be 30 - 40 acres. It would be preferable to have the two most northerly tracts located east of Sawpit Road. We can pinpoint the tracts after you have made your preliminary investigations.

Sincerely,

*J. A. Barlett, Jr.*  
JAMES L. GARLAND  
Chief, Engineering Division

1 Incl  
Mkd Mayport Quad

North Shore Corp

723 Yl. Bank Bldg

Fax 32202 / 904-354-5587.

4000' x 2000'  
180 AC

Addie B. Ogilvie

14764 Egerton Rd.

Fax 32218

4000' x 1000'  
90 AC

J. Nease Danning Jr. et al

2934 Forest Cir

Fax 32217

Armed J. Rahaim

1527 Highland Av.

Fax 32207 904-398-6811

4000' x 1000'  
90 AC (E. of Rd.)

First National Bank of South Miami Trustee  
South Miami 33133

4000' x 2000'  
180 AC

L. C. ~~DePinto~~ OGILVIE

P.O. Box 26245

Ocean Way BR, Fax 32218

Minnie V. Ogilvie

P.O. Box 26245

Ocean Way BR

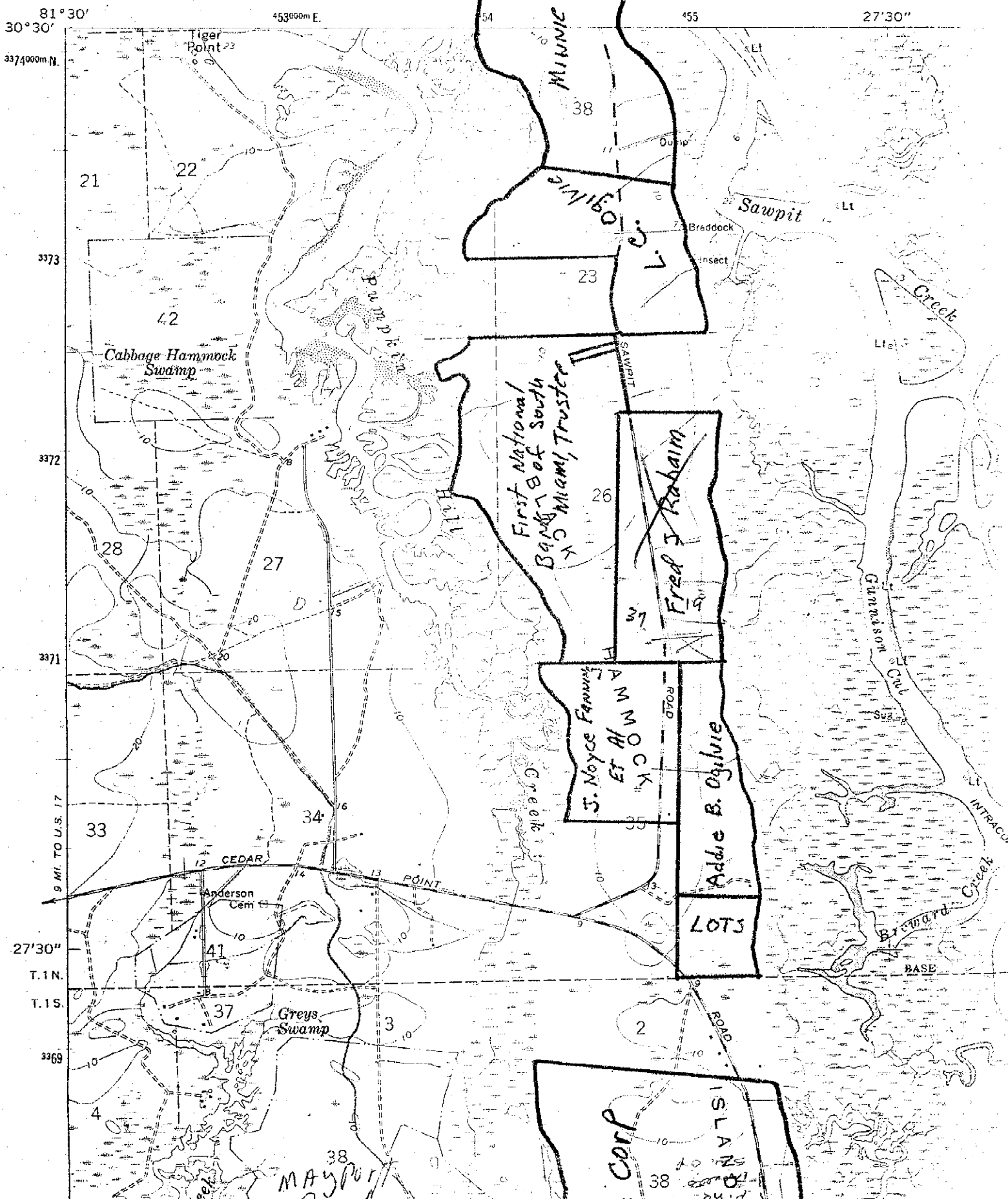
Fax 32218

2400' x 1000'  
55 AC (E. of Rd.)

2000' x 600'  
27 AC (E. of Rd.)

MUCH MORE WEST OF RD

4645 11 SE  
(HEDGES)



RE159795-6  
Forest Preserve

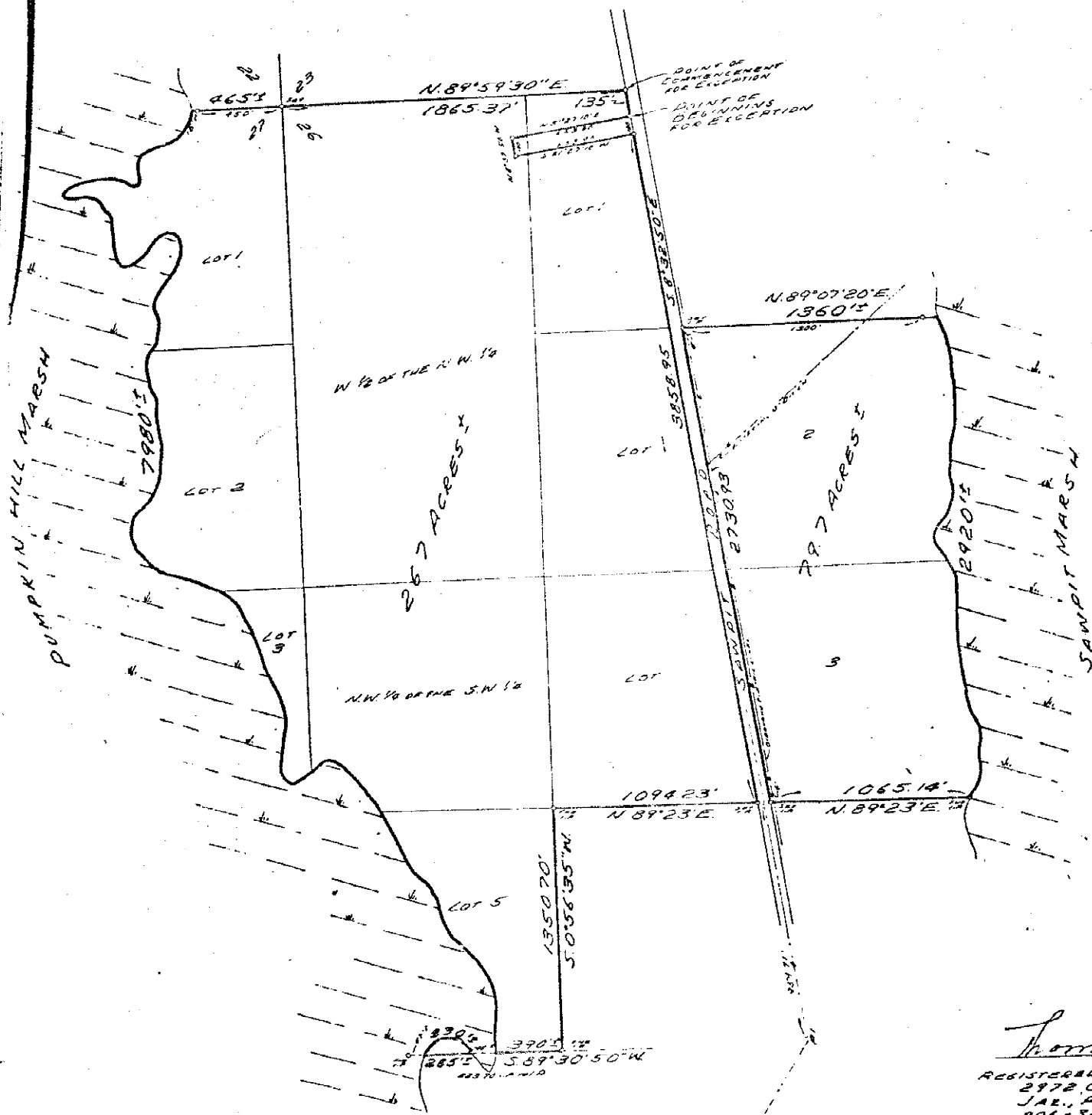
# MAP SHOWING SURVEY

THE WEST 1/2 OF THE N.W. 1/4, THE N.W. 1/4 OF THE S.W. 1/4 AND PART OF GOVERNMENT LOT 1 LYING WEST OF SAWPIT ROAD, ALL OF GOVERNMENTS 2, 3 & 5, ALL IN SECTION 26 AND ALSO GOVERNMENT LOTS 1, 2 & 3, SECTION 27, ALL LYING IN TOWNSHIP 1 NORTH, RANGE 28 EAST, DUVAL COUNTY, FLORIDA, EXCEPTING THAT PART IN SAWPIT ROAD & PART OF SAID SECTION 26 DESCRIBED AS FOLLOWS: COMMENCE AT THE INTERSECTION OF THE NLY LINE OF SAID SECTION 26 WITH THE WLY R/W LINE OF SAWPIT ROAD; THENCE S. 8° 32' 50" E., ALONG SAID WLY R/W LINE OF SAWPIT ROAD, 135 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE S. 8° 32' 50" E., ALONG SAID WLY R/W LINE, 100 FEET; THENCE S. 81° 27' 10" W., 653.40 FEET; THENCE N. 8° 32' 50" W., 100 FEET; THENCE N. 81° 27' 10" E., 653.40 FEET, TO THE POINT OF BEGINNING.

FOR: G. BRENT, E. DRYDEN & G. UMMERSEE  
DATE: MAY 20, 1972

SCALE: 1" = 400'

## OR ZONING



Thomas C. H...  
REGISTERED SURVEYOR  
2972 COLLIER AVE.  
JAE., FLA. 3220  
904-584-0382