

IN THE CIRCUIT COURT OF THE 19TH JUDICIAL CIRCUIT OF FLORIDA, IN AND FOR INDIAN RIVER COUNTY, FLORIDA

INDIAN RIVER COUNTY, FLORIDA,
a political subdivision of the State of Florida,

CASE NO. 2020 CA 000600

Petitioner

PARCEL NO. 105

vs.

HARISH SADHWANI, DEEPTI
SADHWANI and CAROLE JEAN
JORDAN, TAX COLLECTOR OF
INDIAN RIVER COUNTY, FLORIDA

Respondents

AGREED ORDER OF TAKING

THIS CAUSE came before the Court upon the Petition in Eminent Domain and Petitioner's request for the entry of an Order of Taking herein. It appearing that proper notice was given to the Respondents, Harish Sadhwani, Deepti Sadhwani and Carole Jean Jordan, Tax Collector of Indian River County, Florida, and all persons having or claiming any equity, lien, title or other interest in or to the real property described in the Petition and that Petitioner would apply to this Court for an Order of Taking, and upon agreement of the parties 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 the parties to this cause.
2. That the pleadings in this cause are sufficient and the Petitioner is properly exercising its delegated authority.

3. That the estimate of value filed in this cause by the Petitioner was based upon a valid appraisal.

4. That the Petitioner is entitled to the vesting of title in and possession of the following described property prior to entry of a Final Judgment, to wit:

See Attached Exhibit "A"

upon payment into the Registry of this Court, the deposit hereinafter specified; that said deposit of money will secure the persons lawfully entitled to compensation, as will be determined ultimately by Final Judgment of the Court.

5. That upon the payment of the deposit hereinafter specified into the Registry of this Court, fee simple title to the above-described property shall vest in the Petitioner.

6. The said sum of money to be deposited for Parcel 105 is Three Hundred Fourteen Thousand Two Hundred Sixty-Four (\$314,264.00) Dollars which represents Petitioner's good faith estimate of value for said property. Said sum 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 Petitioner shall notify, in writing, all parties of record that the deposit has been made and, upon making such deposit, fee title to and possession of the property described in the Petition shall vest in Petitioner without further notice or Order of this Court.

7. If Petitioner shall default in making the deposit of said sum of money within the time provided, this Order shall be void and of no further force and effect.

8. In addition to the above provisions, the parties further agree as follows:

A. The full compensation to be received by Respondents, Harish

Sadhvani and Deepti Sadhwani, shall be no less than the good faith estimate of value (\$314,264.00). The amount of the good faith estimate of value shall not be mentioned or otherwise admissible in evidence at the valuation trial in this cause.

- B. At trial, Respondents, or their experts, will be permitted to present evidence concerning the date of Respondents' purchase of the subject property and the purchase price of said property.
- C. At trial, Petitioner agrees that it will present no evidence of any alleged Murphy Reservation that may be applicable to the Subject Property and the alleged Murphy Reservation will not be considered in the valuation of the property.
- D. Petitioner shall construct the project in accordance with the construction plans attached hereto as Exhibit "B." If the project is not so implemented, Respondents may claim additional damages and compensation based on any such deviation from such construction plans.

9. Upon deposit of funds as set forth in Paragraph 6, the Clerk of this Court shall issue a check payable to the Tax Collector of Indian River County in the amount of prorated and apportioned real estate taxes and assessments for the lands described in Exhibit "A" and shall also issue a check in the amount of the balance of funds so deposited payable to "David Holloway, P.A., Trust Account," 10764 70th Avenue, Suite 6206 Seminole, Florida

33772.

DONE AND ORDERED in Indian River County, Florida, this ____ day of
_____, 2020.

Circuit Judge

Copies furnished: See attached Service List