

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

Indian River County, a political
subdivision of the State of Florida,

Case No. 2020 CA 000600
Parcel No. 305

Petitioner

vs.

Harish Sadhwani & Deepti Sadhwani, et al.,

Respondents.

MEDIATION SETTLEMENT AGREEMENT

At the Mediation Conference held on May 12, 2023, the parties reached the following Settlement Agreement, subject to the approval by the Indian River County Commission:

1. Petitioner, Indian River County ("COUNTY") will pay Harish Sadhwani and Deepti Sadhwani "Respondents" as follows:

Respondents shall receive the sum of \$1,133,320 in full settlement of all claims for compensation from COUNTY, including statutory interest, and all claims related to real estate, severance damages, and all apportionment interests, if any and including the purchase of the remainder of the parent tract as referenced in Paragraph 5 of this Agreement..

2. COUNTY previously deposited in the Registry of the Court its good faith estimate in the amount of \$314,264. Upon closing of the property referenced in Paragraph 5, COUNTY or its title company, shall issue a check to the Respondents or Respondent's attorney's trust account in the sum of \$819,056 representing the difference between the total settlement sum and the COUNTY's previous deposit.

3. In addition, at closing, COUNTY shall pay the total sum of \$63,100 for Respondent's expert fees and costs.

4. In addition, at closing, COUNTY shall pay the total sum of \$174,291.00 for any and all of Respondent's attorney fees, inclusive of apportionment, benefits, non-monetary benefits, and supplemental proceedings, if any.

5. In consideration, and as part of this settlement agreement, Respondent agrees to convey and County agrees to purchase Respondent's remaining adjoining land amounting to approximately eleven acres (11+-), free and clear of any all encumbrances. Taxes and assessments, if any, shall be prorated to the date of closing,

6. This mediation settlement agreement is subject to the approval by the Indian River County Board of County Commissioners. Staff will recommend approval of this Agreement to the Board. All reasonable efforts shall be made in order to present this settlement agreement to the County Commission during the month of June, 2023.

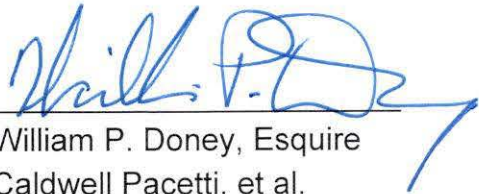
7. Respondents hereby waive any and all rights provided to them in Fl. Stat. 73.013. concerning any subsequent sale, lease or conveyance by County and County shall be free to convey, sell or lease said property, in its sole and absolute discretion.

8. Upon approval of this Agreement, the parties stipulate to using Atlantic Coastal Title Company to perform the closing of the property subject to this Agreement. The Parties shall fully cooperate in effectuate the prompt closing of the lands referenced in Paragraph 5. County shall pay the costs of closing except Respondents shall be responsible to pay the cost of any taxes and/or encumbrances.

9. This Mediated Settlement Agreement is entered into under the threat of eminent domain, pursuant to Chapters 73 and 74, Florida Statutes. The parties shall enter into a Stipulated Final Judgment up



Kirstin Leiendecker
Indian River County - Engineer



William P. Doney, Esquire
Caldwell Pacetti, et al.
Attorneys for County



William K. DeBraal
Deputy County Attorney
Indian River County Attorney's Office



Harish Sadhwani, Respondent



Deepti Sadhwani, Respondent



David Holloway, Esquire
Attorney for Respondents

IN WITNESS WHEREOF, the Board has executed this Agreement at as of the date approved below.

BOARD OF COUNTY COMMISSIONERS
INDIAN RIVER COUNTY, FLORIDA


BY: _____
Joseph H. Earman, Chairman

BCC Approved: _____

Attest: Jeffrey R. Smith, Clerk of Court and
Comptroller

By: _____
Deputy Clerk

Approved as to form and legal sufficiency



William K. DeBraal
Deputy County Attorney

Approved:

By _____
John A. Titkanich, Jr.
Interim County Administrator