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IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT
IN AND FOR PINELLAS COUNTY, FLORIDA

STATE OF FLORIDA DEPARTMENT
OF TRANSPORTATION,

Petitioner,

CIVIL ACTION NO.: 14-002702-CI

vs

PARCEL: 129

KRIZMANICH HOLDINGS, L.C., A FLORIDA
LIMITED LIABILITY COMPANY; SYNOVUS BANK,
A FOREIGN CORPORATION, F/K/A SYNOVUS BANK
OF TAMPA BAY, AS SUCCESSOR IN INTEREST TO
UNITED BANK AND TRUST COMPANY; RICE AUTO
SALES, LLC, A FLORIDA LIMITED LIABILITY
COMPANY; SERVE: ARLIE G. RICE, JR., AS
REGISTERED AGENT; PINELLAS COUNTY TAX
COLLECTOR, AND CRIMSON PORTFOLIO, LLC, a
DELAWARE LIMITED LIABILITY COMPANY,

Respondents.

FILED
ST. PETERSBURG BRANCH
2016 JAN 29 AM 8:25
KEN BURKE
CLERK OF CIRCUIT COURT

STIPULATED FINAL JUDGMENT

THIS CAUSE having come before the Court upon a Stipulation for Entry of Final Judgment, made by Petitioner, FLORIDA DEPARTMENT OF TRANSPORTATION and Respondents, KRIZMANICH HOLDINGS, L.C. and CRIMSON PORTFOLIO, LLC, and it appearing to the Court that the parties were authorized to enter into such stipulation; that proper notice has been provided to all persons claiming any equity, lien, title, or other interest in or to the real property described herein; the Court finding that the taking is necessary for the public purpose and that the compensation to be paid and any other consideration to be provided as set forth herein by Petitioner is full, just and reasonable for all parties concerned; and the Court being fully advised in the premises, it is therefore:

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ORDERED AND ADJUDGED:

1. That the Respondents, KRIZMANICH HOLDINGS, L.C. and CRIMSON PORTFOLIO, LLC, do have and recover of and from Petitioner the sum of ONE MILLION TWO HUNDRED TWELVE THOUSAND FIVE HUNDRED AND 00/100THS (\$1,212,500.00) DOLLARS, in full global settlement of all claims for compensation from Petitioner whatsoever including all claims related to real estate, business damages, severance damages and all other damages or claims of any nature as they relate to Parcel 129 property taking, including statutory attorneys' fees and costs and expert fees and costs.

2. That title to the Parcel 129 property described in Exhibit "A" attached hereto, which vested in the Petitioner pursuant to the Order of Taking and deposit of money heretofore made is approved, ratified and confirmed.

3. That title to the entire property, which includes Parcel 129 and the remaining property described in Exhibit "B," which vested in Respondent, KRIZMANICH HOLDINGS, L.C. by virtue of a Warranty Deed dated February 14, 1997, which is recorded in the Public Records of Pinellas County, Florida, at O.R. Book 9619, Page 413, is hereby conveyed to and vested in Petitioner, FLORIDA DEPARTMENT OF TRANSPORTATION.

4. That within thirty (30) days of the date of entry of this Stipulated Final Judgment, Petitioner shall remit the total sum of EIGHT HUNDRED TWENTY-EIGHT THOUSAND SIX HUNDRED AND 00/100THS (\$828,600.00) DOLLARS to the Clerk of Circuit Court, which sum is the sum of ONE MILLION TWO HUNDRED TWELVE THOUSAND FIVE HUNDRED AND 00/100THS (\$1,212,500.00) DOLLARS, minus the credit of THREE HUNDRED EIGHTY-THREE THOUSAND NINE HUNDRED AND 00/100THS

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(\$383,900.00) DOLLARS, which was previously deposited pursuant to the Order of Taking.

5. As the Clerk of the Circuit Court has already paid the Pinellas County Tax Collector the amount of the pro-rated taxes due on the above-referenced parcel, consistent with the instructions in the Order of Taking entered previously, this suit shall stand dismissed as to the Pinellas County Tax Collector.

6. That upon deposit into the Court Registry, the Clerk of this Court shall pay SIX HUNDRED TWENTY-NINE THOUSAND ONE HUNDRED AND 00/100THS (\$629,100.00) DOLLARS to Respondent, CRIMSON PORTFOLIO, LLC, via a check made payable to the Trust Account of Adams and Reese LLP, in care of Robert J. Gill, Esquire, 1515 Ringling Blvd., Suite 700, Sarasota, Florida 34236, which sum represents the final amount due CRIMSON PORTFOLIO, LLC from this cause. Upon payment in accordance with this provision, this suit shall stand dismissed as to CRIMSON PORTFOLIO, LLC.

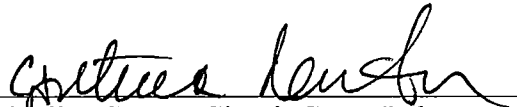
7. That after paying the above-referenced sum, the Clerk of this Court shall pay the remaining balance via a check made payable to the Trust Account of Moore, Bowman & Rix, P.A., in care of Jackson H. Bowman, Esquire, Attorney for KRIZMANICH HOLDINGS, L.C., 300 West Platt Street, Suite 100, Tampa, Florida 33606, for proper and final disbursement in this cause of statutory attorneys' fees and costs and expert fees and costs.

(The remainder of this page is intentionally blank)

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8. The Counterclaim filed by Respondent, KRIZMANICH HOLDINGS, L.C., is hereby dismissed with prejudice.

DONE AND ORDERED in Pinellas County, Florida this 28 day of Jan., 2016.


Pinellas County Circuit Court Judge

Copies to those on the attached Service List

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SERVICE LIST
Case No. 14-002702-CI
FDOT V. KRIZMANICH HOLDINGS

Synovus Bank, a foreign corporation
Serve: Corporation Service Company, as registered agent
1201 Hays St.
Tallahassee, FL 32301-2525

Rice Auto Sales, LLC, a Florida limited liability company
Serve: Arlie G. Rice, Jr., as registered agent
14740 San Marsala Ct.
Tampa, FL 33626

Pinellas County Tax Collector
Serve: Diane Nelson or her designee
315 Court Street, 3rd Floor
Clearwater, FL 33756

Robert J. Gill, Esquire
Adams and Reese LLP
1515 Ringling Blvd., Suite 700
Sarasota, FL 34236-6720
Attorneys for Crimson Portfolio, LLC, a Delaware
Limited Liability Company

Jackson H. Bowman, Esquire
Moore Bowman & Rix, P.A.
300 West Platt Street, Suite 100
Tampa, FL 33606
Attorneys for Krizmanich Holdings, L.C.,
a Florida Limited Liability Company

Rodney C. Wade, Esquire
Assistant General Counsel
Florida Department of Transportation
11201 N. McKinley Drive
Tampa, FL 33612-6456
Attorney for Petitioner

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EXHIBIT "A"

| WPI/S 413622 2 | STATE ROAD 690 | PINELLAS COUNTY | DESCRIPTION |
|----------------|----------------|-----------------|-------------|
|----------------|----------------|-----------------|-------------|

PARCEL 129

FEE SIMPLE RIGHT OF WAY

Part of Farm Lot 8 in PINELLAS FARMS as recorded in Plat Book H-7, Pages 4-5 of the Public Records of Pinellas County, Florida, lying in the Northwest quarter of Section 16, Township 30 South, Range 16 East, Pinellas County, Florida, and being part of the property described in Official Record Book 9619, Page 413, Public Records of Pinellas County, Florida, being further described as follows:

Commence at the North quarter corner of Section 17, Township 30 South, Range 16 East; thence South $89^{\circ}55'15''$ East, 2634.91 feet to the Northeast corner of said Section 17; thence South $89^{\circ}52'19''$ East, 121.72 feet along the North line of the Northwest quarter of said Section 16 to survey line Station 666+50.59 of State Road 55 (U.S. 19) per Florida Department of Transportation Right of Way Map, Work Program Item/Segment Number 257070 1); thence along said survey line of State Road 55 (U.S. 19), South $31^{\circ}56'27''$ East, 160.54 feet to survey line Station 664+90.05; thence departing said survey line North $89^{\circ}54'18''$ West, 117.96 feet to the POINT OF BEGINNING; said point also being the northeast corner of a property described in said Official Record Book 9619, Page 413, and the existing westerly Right of Way line of State Road 55 (U.S. 19) as depicted on the Florida State Road Department Right of Way Map Section 1515-104; thence along said existing westerly Right of Way line for State Road 55 (U.S. 19) South $31^{\circ}56'27''$ East, 120.58 feet; thence departing said existing westerly Right of Way line along the arc of a non-tangent curve concave northeasterly, having a radius of 682.75 feet, a delta of $10^{\circ}17'43''$, an arc distance of 122.68 feet, and having a chord bearing and distance of North $77^{\circ}58'55''$ West, 122.52 feet to a point on the West line of said property described in Official Record Book 9619, Page 413, and the easterly Right of Way line of 58th Street, per Pinellas County Commissioners Book 6, Page 350; thence North $00^{\circ}05'42''$ East, 76.91 feet along said existing easterly Right of Way line of 58th Street and said westerly line of property described in Official Record Book 9619, Page 413, to the Northwest corner of said property, also being the southerly Right of Way line of County Road 296 (118th Avenue North) as described in Official Record Book 10506, Page 2464, Public Records of Pinellas County, Florida; thence South $89^{\circ}54'18''$ East, 55.91 feet along said existing southerly Right of Way line, and the Northerly line of said property described in Official Record Book 9619, Page 413, to the POINT OF BEGINNING.

Containing 7,692 square feet, more or less.

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Exhibit "B"

Document Prepared by & return to:
Kenneth G. Arsenault
Title Agency of Florida
10225 Ulmerton Road, Ste 2
Largo, FL 33771

PROPERTY APPRAISER'S
PARCEL NO. 16/30/16/69732/200/0800
GRANTEES SS#:

INST # 97-051122
FEB 25, 1997 11:46AM

PINELLAS COUNTY FLA.
OFF. REC. BK 9619 PG 413

WARRANTY DEED

THIS INDENTURE, made this 14th day of February, 1997, between NATCAR LIMITED PARTNERSHIP II, A FLORIDA LIMITED, a Florida Limited Partnership, hereinafter called the Grantor and KRIZMANICH HOLDINGS, L.C., A FLORIDA LIMITED LIABILITY COMPANY, hereinafter called the Grantee, having its principal Address at: 3801 Ulmerton Rd., Suite 201, Clearwater, FL 34620

WITNESSETH: That the Grantor, for and in consideration of the sum of Ten Dollars (\$10.00), and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, by these presents does grant, bargain, sell, alien, remise, release, enfeoff, convey and confirm unto the Grantee, all that certain parcel of land lying and being in the County of Pinellas, State of Florida, more particularly described as follows:

That part of Farm 8 lying West of U. S. 19 in the Northwest 1/4 of Section 16, Township 30 South, Range 16 East, PINELLAS FARMS, according to the plat thereof recorded in Plat Book 7, pages 4 and 5, Public Records of Hillsborough County, Florida, of which Pinellas County was formerly a part; LESS AND EXCEPT the South 229.53 feet thereof.

SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD
SUBJECT TO TAXES AND ASSESSMENTS FOR THE YEAR 1997 AND ALL SUBSEQUENT YEARS.

TO HAVE AND TO HOLD the same in fee simple forever.

and the Grantor hereby covenants with said Grantee that it is lawfully seized of said land in fee simple; that it has good right and lawful authority to sell and convey said land; that it hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances.

IN WITNESS WHEREOF, Grantor has hereunto set Grantor's hand and seal the day and year first above-written.

SIGNED SEALED AND DELIVERED
IN OUR PRESENCE:

Patricia E. Pace
Witness #1
Print Name: Patricia E. Pace

Maria Binetti
Witness #2
Print Name: Maria Binetti

STATE OF New Jersey
COUNTY OF Essex

NATCAR LIMITED PARTNERSHIP II, A Florida Limited Partnership

By: Marc E. Berson
MARC E. BERSON, General Partner
Address: 225 Millburn Avenue #202
Millburn, NJ, 07041

Documentary Tax Pd. \$ 2,800.00
Intangible Tax Pd. \$ _____
Karlson F Co Baker, Clark, Pinellas County
By _____ Deputy Clerk

I HEREBY CERTIFY that on this 14th day of February, 1997, before me personally appeared Marc E. Berson, General Partner of Natcar Limited Partnership II, a Florida Limited Partnership, who is personally known to me.

WITNESS my hand and official seal in the City of Millburn in the County of Essex and State of New Jersey the _____ day and year last aforesaid.

Maria Binetti
Notary Public
My Commission Expires: MARIA BINETTI
A Notary Public of New Jersey
My Commission Expires June 1, 1997

01 RECORDING
REC 6.00
D~~2~~ 800.00
INT _____
FEES _____
MTF _____
P/C _____
REV _____

90342125 005 02-25-1997 11:17:40
01 DEL-KRIZMANICH
RECORDING 1 \$6.00
DOC STAMP - BRCLP 2 \$2,800.00
TOTAL: \$2,806.00
CHECK AMT. TENDERED: \$2,806.00
CHANGE: \$0.00

PAY 2,806.00