

**CITIZEN'S COMMENTS**



# MANATEE COUNTY

## OFFICE OF THE COUNTY ATTORNEY

Teddy N. Williams Jr., County Attorney

January 5, 2001

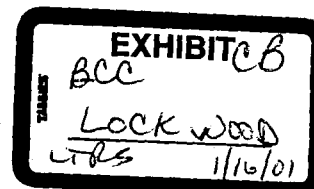
Ms. Claire Brown  
P. O. Box 1440  
Oneco, Florida 34264

**RE: *Manatee County v. Saint Barbara Greek Orthodox Church, et al.***  
**Case No. 1999-CA-1981; parcels 16 and 16-SE (Brown)**

Dear Ms. Brown:

I am in receipt of your letter sent certified mail to Senior Assistant County Attorney James Minix dated December 28, 2000, regarding the above-styled case. In your letter you allege that the County offered you the sum of \$14,477.13 to settle your interest in the above case. However, our records reflect the fact that you were offered, subject to Board approval, the sum of \$12,000.00. The settlement offer made to you was the same amount your ex-husband received for his interest in the property acquired. I have enclosed a copy of the Stipulated Final Judgment regarding Charles D. Brown which reflects the amount the County paid him for his interest in the property acquired. I believe your confusion regarding the amount paid to your ex-husband arose because the County paid for the costs of his experts witnesses.

Subject to approval by the Board of County Commissioners, I am authorized once again to offer you the sum of \$12,000.00, less the County's previous deposit amount of \$5,600.00 for your interest in parcels 16 and 16SE, as a full and complete settlement for your interest in the above case. I have prepared a proposed Stipulated Final Judgment for your review. If your are desirous of accepting the County's offer, please review and sign where indicated. Once I receive the executed document, I will submit the proposed settlement to the Board for consideration. If accepted by the Board, I will sign the Stipulated Final Judgment and submit the original to the Court and you will receive a copy. Based on the language in the Stipulated Final Judgment, a check for \$6,400.00 will be sent you within thirty (30) days of the Court's entry of the Final Judgment.



\*Board Certified City, County & Local Government Law

†Board Certified Civil Trial Law

1112 Manatee Avenue West, Suite 969, P.O. Box 1000, Bradenton, Florida 34206  
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Ms. Claire Brown  
January 5, 2001  
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I recognize the fact that this case has been an emotional issue for you, however, I am hopeful that we can finally end this matter on a high note. I look forward to hearing from you in the near future.

Sincerely,



Michael H. Rosen  
Assistant County Attorney

MHR/kc  
Enclosures

cc: Jim Staples, Manager, Land Acquisition, Transportation Department  
James A. Minix, Senior Assistant County Attorney

**IN THE CIRCUIT COURT OF THE TWELFTH JUDICIAL CIRCUIT  
IN AND FOR MANATEE COUNTY, FLORIDA**

MANATEE COUNTY, a political	:	
subdivision of the State of Florida,	:	
	:	
Petitioner,	:	
	:	Case No. 1999-CA-1981
v.	:	
	:	EMINENT DOMAIN PROCEEDING
SAINT BARBARA GREEK ORTHODOX	:	
CHURCH OF THE GREEK ORTHODOX	:	
COMMUNITY OF MANASOTA, INC., et al.,	:	Parcels 16 and 16-SE
	:	
Defendants.	:	
	:	
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**STIPULATED FINAL JUDGMENT AS TO  
DEFENDANT CLAIRE R. BROWN**

THIS CAUSE having come on upon joint motion for the entry of a Final Judgment made by the Petitioner and the Defendant set forth hereinbelow, and it appearing to the Court that the parties were authorized to enter into such stipulation and the Court finding that the compensation to be paid by the Petitioner is full, just and reasonable, and the Court being fully advised in the premises, it is therefore,

**ORDERED AND ADJUDGED**

**PART I**

That the Defendant CLAIRE R. BROWN, shall have and recover of and from the Petitioner the aggregate sum of \$12,000.00 in full payment for Parcels 16 and 16-SE, and for damages resulting to the remainder, if less than the entire property was taken, and for all other claims or damages of any nature.

IT IS FURTHER ORDERED that by virtue of the Defendant's previous receipt of the sum of \$5,600.00, Final Judgment is hereby entered for the difference of \$6,400.00, for which let execution issue.

**PART II**

IT IS FURTHER ORDERED that title to the following described property in Exhibit "A" attached hereto which vested in Petitioner pursuant to the Order of Taking entered by the Court on July 6, 1999, and deposit of money previously made it approved, ratified and confirmed.

**PART III**

IT IS FURTHER ORDERED that the Petitioner's satisfaction of this Judgment shall be by way of a check in the amount of \$6,400.00 made payable to CLAIRE R. BROWN, P. O. Box 1440, Oneco, Florida, and delivered to CLAIRE R. BROWN within thirty (30) days of entry of this Stipulated Final Judgment.

DONE AND ORDERED in chambers at the Manatee County Courthouse, Bradenton, Florida, this \_\_\_\_ day of \_\_\_\_\_, 2000.

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

**MOTION**

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

\_\_\_\_\_  
Michael H. Rosen, Esquire  
Assistant County Attorney  
Manatee County Attorney's Office  
P. O. Box 1000  
Bradenton, Florida 34206  
(941) 745-3750  
Florida Bar No. 710393  
Attorney for Manatee County

Dated: \_\_\_\_\_

\_\_\_\_\_  
Claire R. Brown, pro se  
P. O. Box 1440  
Oneco, Florida 34264

Dated: \_\_\_\_\_

cc: Michael H. Rosen, Esquire  
Claire R. Brown

Manatee County Board of Commissioners Meeting

January 16, 2001  
Citizens Comments

This is my eighth time to speak to this Board relative to Eminent Domain Case 1999 CA 1981 and the extension of Lockwood Ridge Road northward across my property.

I am still co-owner of what is referred to as parcels 16 & 16 SE with my ex-husband relative to a very unusual and unsatisfactory divorce decree signed by Judge Thomas Gallen in February 1999 - that is two years ago. That decree provided for no property settlement and still does not.

In October of 2000 this Board approved a price of \$ 12,000 as full compensation for the interests of my ex-husband Charles Brown, as well as payment of \$ 8,077.13 referred to as "reasonable costs" incurred in establishing the purchase price for the right-of-way.

On December 28th I notified James Minix, Manatee County Attorney that I waived my right to a jury trial and was willing to accept the county's offer of an additional \$ 14,477.13 as my full compensation. By return mail I was notified by Michael Rosen, Manatee County Attorney that I misunderstood the county's offer, and that in effect the total offered to me was \$ 12,000 the same as my ex-husband. As per Mr. Rosen's letter that means I am still owed a balance of \$ 6,400.00.

In so far as the county has already confiscated the needed right-of-way and tore down my fence and trees beginning this past fall, I am requesting payment now of the balance due me of \$ 6400.

I am providing each member of this Board copies of the letter written by Mr. Rosen along with the packet of garbage that he calls STIPULATED FINAL JUDGMENT AS TO DEFENDANT CLAIRE R. BROWN. Per Mr. Rosen's letter, I need to sign this before he can ask this board to pay me for my land which has already been taken. Of particular offense under PART 1 is the following disclaimer - and I quote

" That the Defendant Claire R. Brown, shall have and recover of and from the Petitioner the aggregate sum of \$12,000 in full payment for Parcels 16 and 16-SE, and for damages resulting to the remainder, if less than the entire property was taken, and for all other claims or damages of any nature."

I am requesting payment from this Board for what the county has already taken from me, and reserve my right to sue for any and all damages as I see fit. Furthermore, I fully expect the county to provide access to my land by reprovding my 2 driveways and replacing my fences to their previous condition. When can I expect my payment?

Claire R. Brown

*Claire R. Brown.*