

IN THE SECOND JUDICIAL CIRCUIT COURT
IN AND FOR LEON COUNTY, FLORIDA

STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION,
Petitioner,

CIVIL ACTION NO.: 24-CA-001131

v.

Parcel Nos.: 132 [2197492]

SUWANNEE SWIFTY SOTRES, INC., a
dissolved Georgia limited company, et al.,
Defendants.

**NOTICE OF ACTION IN EMINENT DOMAIN
AND NOTICE OF HEARING**

TO: All defendants named in Schedule A, attached; all parties claiming interests by, through, under, or against the named defendants; and all parties having or claiming to have any right, title, or interest in and to the property described in Schedule B.

A petition in eminent domain has been filed to acquire certain property interests in Leon County, Florida.

Each defendant is required to serve written defenses to the petition on petitioner's attorney, whose name and address are shown below, on or before **September 3, 2024**, and to file the original of the defenses with the clerk of this court either before service on the petitioner's attorney or immediately thereafter, showing what right, title, interest, or lien defendant has in or to the property described in the petition, and to show cause why that property should not be taken for the uses and purposes set forth in the petition. If any defendant fails to do so, a default will be entered against that defendant for the relief demanded in the petition.

*PLEASE TAKE NOTICE that a Declaration of Taking has been filed in this cause and that petitioner will apply for an Order of Taking and any other order the court deems proper before the Honorable **Angela C. Dempsey** one of the judges of this court, on **Thursday, September 12, 2024, at 2:15 p.m. Eastern Time**, by Zoom conference. Zoom log in information <https://zoom.us/j/92832494644?pwd=JE28Jax8Rce5vO0yKNesjZH4i55dsF.1>, Meeting ID# 928 3249 4644, Passcode: 368391. Or, by phone at 1(786) 635-1003 + Meeting ID# 928 3249 4644 + Passcode: 368391. All Defendants in this action may request a hearing at the time and place designated and be heard. Any Defendant failing to file a request for hearing shall waive any right to object to the Order of Taking.*

WITNESS my hand and the seal of this court on 7/25/2024.

Gwen Marshall

2024 CA 001131

As Clerk of Court



By:  07/25/2024
As Deputy Clerk

Jodie M. Buckentin
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Florida Department of Transportation
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Schedule A

STONE and BAXTER, LLP

577 3rd Street
Macon, GA 31201

SUWANNEE SWIFTY STORES, INC. a dissolved Georgia limited company

Thomas E. Kelson, President
14921 Old York Road
Phoenix, MD 21131

Schedule B

| <u>ITEM NO. 2197492</u> | <u>S.R. 263</u> | <u>LEON COUNTY</u> | <u>DESCRIPTION</u> |
|-------------------------|-----------------|--------------------|--------------------|
|-------------------------|-----------------|--------------------|--------------------|

FEE SIMPLE
RIGHT OF WAY

Parcel 132

A portion of Tillie Lane (private road), being in Section 23, Township 1 South, Range 1 West, Leon County, Florida, described as follows: Commence at a 6 inch round terra cotta pipe filled with concrete (no ID) marking the northwest corner of the Southeast ¼ of said Section 23; thence South 00°00'20" East 1,362.33 feet along the west line of said Southeast ¼ to the centerline of survey of State Road 263, as shown on Florida Department of Transportation (F.D.O.T.) Right of Way Map F.P. No. 2197492 (said map being on file at F.D.O.T. District 3 Office, Chipley, Florida); thence South 49°51'13" East 60.31 feet along said survey line; thence departing said centerline of survey, run South 40°08'47" West 50.00 feet to the existing southwesterly right of way line of said State Road 263, as shown on said Right of Way Map and POINT OF BEGINNING; thence departing said southwesterly right of way line, continue South 40°08'47" West 5.00 feet; thence North 49°51'13" West 13.91 feet to the west line of said Southeast ¼; thence North 00°00'20" West 6.54 feet along said west line to said existing southwesterly right of way line; thence South 49°51'13" East 18.13 feet along said right of way line to POINT OF BEGINNING;

Containing 80 square feet, more or less.

OWNED BY: SUWANNEE SWIFTY STORES, INC., a dissolved Georgia limited company