

2197492
IN THE SECOND JUDICIAL CIRCUIT COURT
IN AND FOR LEON COUNTY, FLORIDA

STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION,
Petitioner,

v.

Civil Action No: 24-CA-001544
Parcel Nos: 110, 1100, 702R

Barineau Investments, LLC., 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 Bay 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 **November 8, 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 John C. Cooper one of the judges of this court, on Wednesday, December 4, 2024, at

1:00 p.m. CDT/2:00 p.m. EDT – 2:00 p.m. CDT/3:00 p.m. EDT (One Hour) Via zoom. Zoom log in information <https://zoom.us/j/93405437922?pwd=cNjvPmX9agIEtZCvS2x3Cv00AleoTW.1>. Meeting ID: 934 0543 7922, Passcode: 334515. Dial in audio only – 1 786 635 1003. 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.

2024 CA 001544

WITNESS my hand and the seal of this court on 9/24/2024.



Gwen Marshall
As Clerk of Court

By: 
As Deputy Clerk

Erin Oliver
Florida Bar No: 0021177
Assistant General Counsel
Office of the General Counsel
Florida Department of Transportation - District 3
1074 Highway 90 East
Chipley, Florida 32428-2162
Telephone (850) 330-1293
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State of Florida Department of Transportation vs Barineau Investments, LLC., and others

SERVICE LIST

Akin Akinyemi, PhD, RA, CFA, CMS, Leon County Property Appraiser

SERVE Akin Akinyemi, PhD, RA, CFA, CMS
Leon County Government Annex Building
315 S Calhoun Street, Suite 300
Tallahassee, Florida 32301-1837

As to interest in and to any parcel included herein.

Doris Maloy, Leon County Tax Collector

SERVE Doris Maloy, Leon County Tax Collector
3840 N Monroe Street, Suite 102
Tallahassee, Florida 32303-2177

As to interest in and to any parcel included herein.

Leon County Board of County Commissioners

SERVE Carolyn Cummings, At-Large I Chairperson
301 S Monroe Street, 5th Floor
Tallahassee, Florida 32301

As to interest in and to any parcel included herein.

Barineau Investments LLC

SERVE T2 LLC.
3539 Apalachee Pkwy
Suite 3, Unit 108
Tallahassee, FL 32311

Parcels 110, 1100 and 702R

Fig 20, LLC for 2021 Tax Certificate No: 2022-00004773-00

SERVE Fig 20, LLC
P.O. Box 12225
Newark, NJ 07101-3411

Parcel Nos: 110, 1100 and 702

Fig 20, LLC, f/b/o Sec Pty for 2021 Tax Certificate No: 2022-00004773-00

SERVE Fig 20, LLC
P.O. Box 12225
Newark, NJ 07101-3411

Parcels 110, 1100 and 702R

Schedule B

ITEM NO. 2197492	S.R. 263	LEON COUNTY	DESCRIPTION
			FEE SIMPLE RIGHT OF WAY

Parcel 110

A parcel of land 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 northeast corner of the Southwest ¼ of said Section 23; thence South 00°00'20" East 1,362.33 feet along the east line of said Southwest 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 North 49°51'13" West 266.68 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, run South 40°16'37" West 5.00 feet; thence South 49°51'13" East 121.06 feet to the existing northerly right of way line of Ruthena Road (county road right of way); thence North 89°57'22" East 7.75 feet along said northerly right of way line to said existing southwesterly right of way line of State Road 263; thence North 49°51'13" West 126.97 feet along said right of way line to POINT OF BEGINNING; Containing 620 square feet, more or less.

OWNED BY: Barineau Investments, LLC., a dissolved Florida limited company

SUBJECT TO: 2021 Tax Certificate NO: 2022-00004773-00, in favor of FIG 20 LLC

2021 Tax Certificate NO: 2022-00004773-00, in favor of
FIG 20 LLC FBO SEC PTY

ITEM NO. 2197492	S.R. 263	LEON COUNTY	DESCRIPTION
			TEMPORARY CONSTRUCTION EASEMENT

Parcel 702R

- A. A parcel of land 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 northeast corner of the Southwest ¼ of said Section 23; thence South 00°00'20" East 1,362.33 feet along the east line of said Southwest 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 North 49°51'13" West 378.57 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 North 49°51'13" West 69.52 feet along said right of way line to the northwesterly line of that certain property as described in Official Records Book 4599, Page 760 of the Public Records of Leon County, Florida; thence South 40°08'47" West 15.00 feet along said property line; thence departing said northwesterly property line, run South 49°51'13" East 69.52 feet; thence North 40°08'47" East 15.00 feet to POINT OF BEGINNING;

Containing 1,043 square feet, more or less.

ALSO:

- B. A parcel of land 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 northeast corner of the Southwest ¼ of said Section 23; thence South 00°00'20" East 1,362.33 feet along the east line of said Southwest 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 North 49°51'13" West 266.68 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 North 49°51'13" West 25.00 feet along said right of way line; thence departing said right of way line, run South 11°08'29" East 31.98 feet; thence North 40°16'37" East 20.00 feet to POINT OF BEGINNING;

Containing 250 square feet, more or less.

continued

<u>ITEM NO. 2197492</u>	<u>S.R. 263</u>	<u>LEON COUNTY</u>	<u>DESCRIPTION</u>
			TEMPORARY CONSTRUCTION EASEMENT

Parcel 702R cont.

This easement is a Temporary Easement for the purposes of constructing the project according to the current construction plans, in upon, over and through the described land in Leon County, Florida. This Temporary Easement shall expire upon completion of this transportation project, but in no event later than one hundred twenty (120) months commencing on the date of the good faith deposit.

OWNED BY: Barineau Investments, LLC., a dissolved Florida limited company

SUBJECT TO: 2021 Tax Certificate NO: 2022-00004773-00, in favor of FIG 20 LLC

2021 Tax Certificate NO: 2022-00004773-00, in favor of
FIG 20 LLC FBO SEC PTY

ITEM NO. 2197492	S.R. 263	LEON COUNTY	DESCRIPTION
			FEE SIMPLE RIGHT OF WAY

Parcel 1100

A parcel of land 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 northeast corner of the Southwest ¼ of said Section 23; thence South 00°00'20" East 1,362.33 feet along the east line of said Southwest 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 North 49°51'13" West 206.69 feet along said survey line; thence departing said centerline of survey, run South 40°08'47" West 55.00 feet to POINT OF BEGINNING; thence South 40°16'37" West 40.12 feet to a point on a tangent curve to the left (concave southeasterly); thence southwesterly along said curve, having a radius of 85.00 feet, for an arc distance of 10.99 feet, through a central angle of 07°24'38" to the existing northerly right of way line of Ruthena Road (county road right of way) and end of curve; thence South 89°57'22" West 66.09 feet along said right of way line to a point on a non-tangent curve to the right (concave southeasterly); thence departing said northerly right of way line, from a tangent bearing of North 18°31'43" East, northeasterly along said curve, having a radius of 145.00 feet, for an arc distance of 55.04 feet, through a central angle of 21°44'54" to end of curve; thence North 40°16'37" East 39.98 feet; thence South 49°51'13" East 60.00 feet to POINT OF BEGINNING; Containing 4,400 square feet, more or less.

OWNED BY: Barineau Investments, LLC., a dissolved Florida limited company

SUBJECT TO: 2021 Tax Certificate NO: 2022-00004773-00, in favor of FIG 20 LLC

2021 Tax Certificate NO: 2022-00004773-00, in favor of
FIG 20 LLC FBO SEC PTY