

**IN THE CIRCUIT COURT OF THE 17TH JUDICIAL CIRCUIT
IN AND FOR BROWARD COUNTY, FLORIDA**

CASE NO. CACE22015622 DIVISION: 09 JUDGE: Levenson, Jeffrey R. (09)

PAL Enterprises LLC

Plaintiff(s) / Petitioner(s)

v.

Smith Oswald, et al

Defendant(s) / Respondent(s)

ORDER AUTHORIZING SERVICE BY PUBLICATION

THIS CAUSE was considered upon Plaintiff's Motion for Order Authorizing Service by Publication and the Court having reviewed the motion, the file and being otherwise apprised in the premises, it is

ORDERED AND ADJUDGED that the Notice of Lis Pendens, Quiet Title Complaint, and all court-issued documents, and this ORDER shall be published in Global Legal Notices, a legal notice publication of general circulation in Jamaica, for a period of four (4) consecutive weeks and that Proof of Publication be filed with this Court no later than thirty (30) days after completion of the publication.

DONE AND ORDERED in Chambers at Broward County, Florida on 23rd day of February, 2023.


CACE22015622 02-23-2023 10:14 AM

CACE22015622 02-23-2023 10:14 AM

Hon. Jeffrey Levenson

CIRCUIT COURT JUDGE

Electronically Signed by Jeffrey Levenson

Copies Furnished To:

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IN THE CIRCUIT COURT OF THE
17TH JUDICIAL CIRCUIT IN AND FOR
BROWARD COUNTY, FLORIDA

PAL ENTERPRISES, LLC, a Florida
limited liability company,

CASE NO.: CACE-22-015622

Plaintiff,

v.

OSWALD SMITH a/k/a OSWALD S. SMITH;
LILIEETH D. SMITH a/k/a LILIEETH D. AGARD
SMITH a/k/a LILIEETH AGARD; MARKHAM
"R" CONDOMINIUM ASSOCIATION, INC., a
Florida non-profit corporation; CENCLUB
RECREATION MANAGEMENT, INC. f/k/a
CENCLUB HOMEOWNERS ASSOCIATION,
INC., a Florida non-profit corporation; CVE
MASTER MANAGEMENT COMPANY, INC.,
a Florida non-profit corporation; REAL TIME
SOLUTIONS, INC.; CITY OF DEERFIELD
BEACH, a Florida municipality; UNKNOWN
OCCUPANT ONE; UNKNOWN OCCUPANT
TWO; and all unknown heirs, grantees, creditors
and other unknown persons or unknown spouses
claiming by, through and under any of the named
defendants,

Defendants.

NOTICE OF LIS PENDENS

TO DEFENDANTS NAMED ABOVE AND ALL OTHERS WHOM IT MAY CONCERN:

YOU ARE HEREBY NOTIFIED THAT The Plaintiff, PAL ENTERPRISES, LLC, has
instituted this action against you seeking to quiet title on the property described as follows:

**CONDOMINIUM PARCEL NO. 380, OF MARKHAM "R" CONDOMINIUM,
A CONDOMINIUM, ACCORDING TO THE DECLARATION THEREOF,
AS RECORDED IN OFFICIAL RECORDS BOOK 6345, AT PAGE 633, OF
THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA,
TOGETHER WITH AN UNDIVIDED INTEREST IN THE ELEMENTS AS
SET FORTH IN THE EXHIBITS TO THE SAID DECLARATION OF
CONDOMINIUM;**

a/k/a 380 Markham R, Deerfield Beach, FL 33442.

DATED: October 19, 2022.

BAKALAR & ASSOCIATES, P.A.
12472 W. Atlantic Blvd.
Coral Springs, FL 33071
Phone: 954-475-4244 / Fax: 954-475-4994
E-Mail: rpiccin@assoc-law.com

By: 

RAYMOND A. PICCIN, ESQ.
Florida Bar No.: 156159

IN THE CIRCUIT COURT OF THE
17TH JUDICIAL CIRCUIT IN AND FOR
BROWARD COUNTY, FLORIDA

PAL ENTERPRISES, LLC, a Florida
limited liability company,

CASE NO.: CACE-22-015622

Plaintiff,

v.

OSWALD SMITH a/k/a OSWALD S. SMITH;
LILIEETH D. SMITH a/k/a LILIEETH D. AGARD
SMITH a/k/a LILIEETH AGARD; MARKHAM
"R" CONDOMINIUM ASSOCIATION, INC., a
Florida non-profit corporation; CENCLUB
RECREATION MANAGEMENT, INC. f/k/a
CENCLUB HOMEOWNERS ASSOCIATION,
INC., a Florida non-profit corporation; CVE
MASTER MANAGEMENT COMPANY, INC.,
a Florida non-profit corporation; REAL TIME
SOLUTIONS, INC.; CITY OF DEERFIELD
BEACH, a Florida municipality; UNKNOWN
OCCUPANT ONE; UNKNOWN OCCUPANT
TWO; and all unknown heirs, grantees, creditors
and other unknown persons or unknown spouses
claiming by, through or under any of the named
defendants,

Defendants.

QUIET TITLE COMPLAINT

Plaintiff, PAL ENTERPRISES, LLC, by and through the undersigned counsel, brings this quiet title action against Defendants; OSWALD SMITH a/k/a OSWALD S. SMITH; LILIEETH D. SMITH a/k/a LILIEETH D. AGARD SMITH a/k/a LILIEETH AGARD; MARKHAM "R" CONDOMINIUM ASSOCIATION, INC., a Florida non-profit corporation; CENCLUB RECREATION MANAGEMENT, INC. f/k/a CENCLUB HOMEOWNERS ASSOCIATION, INC., a Florida non-profit corporation; CVE MASTER MANAGEMENT COMPANY, INC., a Florida

non-profit corporation; REAL TIME SOLUTIONS, INC.; CITY OF DEERFIELD BEACH, a Florida municipality; UNKNOWN OCCUPANT ONE; UNKNOWN OCCUPANT TWO; and all unknown heirs, grantees, creditors and other unknown persons or unknown spouses claiming by, through or under any of the named defendants and alleges the following:

General Allegations

1. This is an action to quiet title to real property located in Broward County, Florida per Section 65.081, Florida Statutes.

2. The property (the "Property") is situated in Broward County, Florida, at 380 Markham R, Deerfield Beach, FL 33442, and is legally described as follows:

CONDOMINIUM PARCEL NO. 380, OF MARKHAM "R" CONDOMINIUM, A CONDOMINIUM, ACCORDING TO THE DECLARATION THEREOF, AS RECORDED IN OFFICIAL RECORDS BOOK 6345, AT PAGE 633, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, TOGETHER WITH AN UNDIVIDED INTEREST IN THE ELEMENTS AS SET FORTH IN THE EXHIBITS TO THE SAID DECLARATION OF CONDOMINIUM.

3. Pursuant to a Tax Deed recorded on May 25, 2022, in Official Records ("O.R.") Instrument No. 118169756 of the Public Records of Broward County, Florida, Plaintiff is the owner of the Property. See **Exhibit A**.

4. Defendants, OSWALD SMITH a/k/a OSWALD S. SMITH and LILIETH D. SMITH a/k/a LILIETH D. AGARD SMITH a/k/a LILIETH AGARD, to Plaintiff's best information and belief are residents of Broward County, Florida and are *sui juris*.

5. Defendant, MARKHAM "R" CONDOMINIUM ASSOCIATION, INC., is a Florida non-profit corporation that conducts business in Broward County, Florida and is *sui juris*.

6. Defendant, CENCLUB RECREATION MANAGEMENT, INC. f/k/a CENCLUB HOMEOWNERS ASSOCIATION, INC., is a Florida non-profit corporation that conducts business

in Broward County, Florida and is *sui juris*.

7. Defendant, CVE MASTER MANAGEMENT COMPANY, INC., is a Florida non-profit corporation that conducts business in Broward County, Florida and is *sui juris*.

8. Defendant, REAL TIME SOLUTIONS, INC., is a Delaware corporation and is *sui juris*.

9. Defendant, CITY OF DEERFIELD BEACH, is a municipality of the State of Florida and is *sui juris*.

10. Defendants, UNKNOWN OCCUPANT 1 and UNKNOWN OCCUPANT 2, to Plaintiff's best information and belief, reside in the Property and are *sui juris*.

11. All conditions precedent required to occur prior to bringing this cause of action have occurred or have been waived by all parties involved.

Quiet Title Action

12. Plaintiff re-alleges and incorporates herein paragraphs one (1) through eleven (11).

13. Plaintiff acquired title to the Property by Tax Deed from the State of Florida, a copy of which is attached hereto as **Exhibit A**.

14. Defendants, OSWALD SMITH a/k/a OSWALD S. SMITH and LILIETH D. SMITH a/k/a LILIETH D. AGARD SMITH a/k/a LILIETH AGARD ("Prior Owners"), were the previous owners of the Property pursuant to a Corrective Warranty Deed recorded on September 30, 2004, in O.R. Book 38283, Page 674, of the Public Records of Broward County, Florida. Prior Owners' interest in the Property, if any, was lost once Plaintiff acquired title via tax deed.

15. Defendant, MARKHAM "R" CONDOMINIUM ASSOCIATION, INC., may claim an interest in the Property pursuant to its status as a condominium or homeowner association and its recorded governing documents. Subject to Section 197.573, Florida Statutes, said interest in the

Property, if any, was lost once Plaintiff acquired title via tax deed.

16. Defendant, CENCLUB RECREATION MANAGEMENT, INC. f/k/a CENCLUB HOMEOWNERS ASSOCIATION, INC., may claim an interest in the Property pursuant to its status as a condominium or homeowner association, its recorded governing documents and pursuant to an amended Claim of Lien recorded on September 14, 2021, in O.R. Instrument No. 117581340 of the Public Records of Broward County, Florida. Subject to Section 197.573, Florida Statutes, said interest in the Property, if any, was lost once Plaintiff acquired title via tax deed.

17. Defendant, CVE MASTER MANAGEMENT COMPANY, INC., may claim an interest in the Property pursuant to a Claim of Lien recorded in O.R. Book 50364, Page 511, of the Public Records of Broward County, Florida. Said interest in the Property, if any, was lost once Plaintiff acquired title via tax deed.

18. Defendant, REAL TIME SOLUTIONS, INC., may claim an interest in the Property pursuant to a Corporate Assignment of Mortgage recorded on June 17, 2022, in O.R. Instrument No. 118219093 of the Public Records of Broward County, Florida. Said interest in the Property, if any, was lost once Plaintiff acquired title via tax deed.

19. Defendant, CITY OF DEERFIELD BEACH, may claim an interest in the Property by virtue of its rights and obligations to levy and collect charges and assessments under the CITY OF DEERFIELD BEACH Utilities and the Municipal Services. Subject to Section 197.552, Florida Statutes, said interests in the Property, if any, were lost once Plaintiff acquired title via tax deed.

20. Defendants, UNKNOWN OCCUPANT ONE and UNKNOWN OCCUPANT TWO are named as Defendants as they may claim an interest in the Property by virtue of their residence in the Property pursuant to a lease or other agreement. Said interest in the Property, if any, was lost once Plaintiff acquired title via tax deed.

21. Pleading in the alternative, Plaintiff requests that, if the Court determines that the tax deed title of Plaintiff is void as to any or all Defendants, the Court determine in its final judgment that Plaintiff holds a good and valid lien on the subject real property for the amount of money paid by Plaintiff for the tax deed and all taxes paid on the Property, together with interest on that amount at the statutory rate per annum from the date of the tax deed, all legal expenses incurred by Plaintiff in obtaining the date deed, the fair cash value of all maintenance and permanent improvements Plaintiff has made on the land, and the cost of this action, including attorneys fees per Section 197.602, Florida Statutes.

WHEREFORE, the Plaintiff moves this Court grant the following relief:

- a) Grant this Complaint to quiet title.
- b) A Judgment against the Defendants removing the clouds from the Plaintiffs title to the Property.
- c) A judgment declaring the Plaintiff's title is superior in dignity to any title, right or interest in any and all other parties may have.
- d) A determination that all named Defendants have no legal interest in the Property and that as such Defendants hold no estate, right, or mortgage lien on the Property.
- e) A judgment declaring that all Defendants are enjoined from claiming any estate, right, title or mortgage lien on the Property.
- f) The issuance of a writ of possession to remove any occupant(s) of the Property.
- g) In the event the tax deed title to Plaintiff is invalidated, Plaintiff's statutory lien for the amount paid for the tax deed together with interest on that amount, costs and attorneys fees be foreclosed and that the subject real property be sold by the clerk of the court to satisfy the lien.

Dated this 19th day of October, 2022.

BAKALAR & ASSOCIATES, P.A.
12472 W. Atlantic Blvd.
Coral Springs, FL 33071
Phone: 954-475-4244 / Fax: 954-475-4994
E-Mail: rpiccin@assoc-law.com

By: 

RAYMOND A. PICCIN, ESQ.
Florida Bar No.: 156159

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Tax Deed # 48746
Property Identification No. 484203-JA-0040

DR-506
R.01/95

Tax Deed

County of Broward

State of Florida

The following Tax Sale Certificate Numbered 1868 issued on May 23, 2019 was filed in the office of the tax collector of this County and application made for the issuance of a tax deed, the applicant having paid or redeemed all other taxes or tax sale certificates on the land described as required by law to be paid or redeemed, and the cost and expenses of this sale, and due notice of sale having been published as required by law, and no person entitled to do so having appeared to redeem said land; such land was on the 18th day of May, 2022, offered for sale as required by law for cash to the highest bidder and was sold to:

PAL ENTERPRISES, LLC

whose address is: 2929 AIRPORT BLVD KEY WEST, FL 33040 being the highest bidder and having paid the sum of his bid as required by the laws of Florida.

Now on this 19th day of May, 2022 in the County of Broward, State of Florida in consideration of the sum of (\$105,000.00) One Hundred Five Thousand Dollars, being the amount paid pursuant to the Laws of Florida does hereby sell the following lands, including any hereditaments, buildings, fixtures and improvements of any kind and description, situated in the County and State aforesaid and described as follows:

THIS TAX DEED IS SUBJECT TO ALL EXISTING PUBLIC PURPOSE UTILITY & GOVERNMENT EASEMENTS

CONDOMINIUM PARCEL NO. 380, OF MARKHAM "R" CONDOMINIUM, A CONDOMINIUM, ACCORDING TO THE DECLARATION THEREOF, AS RECORDED IN OFFICIAL RECORDS BOOK 6345, AT PAGE 633, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. TOGETHER WITH AN UNDIVIDED INTEREST IN THE ELEMENTS AS SET FORTH IN THE EXHIBITS TO THE SAID DECLARATION OF CONDOMINIUM.



Witness:

[Handwritten signatures of witnesses]

[Signature of Juliette M. Alkman] (Seal)
Clerk of Circuit Court or County Comptroller
Deputy County Administrator

State of Florida
County of Broward

On this 19th day of May, 2022, before me Sandra L. Mathis personally appeared Monica Cepero, County Administrator, by Juliette M Alkman, Deputy in and for the State and this County known to me to be the person described in, and who executed the forgoing instrument, and acknowledged the execution of this instrument to be his own free act and deed for the use and purposed therein mentioned.

[Signature of Sandra L. Mathis]

Witness my hand and office seal date aforesaid.

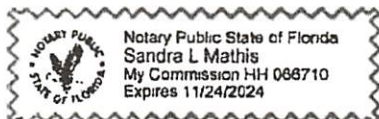


Exhibit: A

Broward County, Florida

RECORDS, TAXES & TREASURY DIVISION/TAX DEED SECTION

NOTICE OF APPLICATION FOR TAX DEED NUMBER 48746

NOTICE is hereby given that the holder of the following certificate has filed said certificate for a tax deed to be issued thereon. The certificate number and year of issuance, the description of the property, and the name in which it was assessed are as follows:

Property ID: 484203-JA-0040

Certificate Number: 1868

Date of issuance: 05/23/2019

Certificate Holder: PICKLES ON THE SIDE INC AND BANESCO USA

Description of Property: MARKHAM R CONDO
UNIT 380
PER CDO BK/PG: 6345/633

Condominium Parcel No. 380, of MARKHAM "R" CONDOMINIUM, a Condominium, according to the Declaration thereof, as recorded in Official Records Book 6345, at Page 633, of the Public Records of Broward County, Florida. Together with an undivided interest in the elements as set forth in the Exhibits to the said Declaration of Condominium.

Name in which assessed: SMITH,OSWALD S & LILIEITH D A

Legal Titleholders: SMITH,OSWALD S & LILIEITH D A
4401 NW 7 CT
PLANTATION, FL 33317-1523

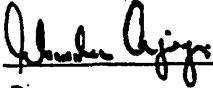
All of said property being in the County of Broward, State of Florida.

Unless such certificate shall be redeemed according to law the property described in such certificate will be sold to the highest bidder on the 18th day of May, 2022. Pre-bidding shall open at 9:00 AM EDT, sale shall commence at 10:00 AM EDT and shall begin closing at 11:01 AM EDT at:

broward.deedauction.net
*Pre-registration is required to bid.

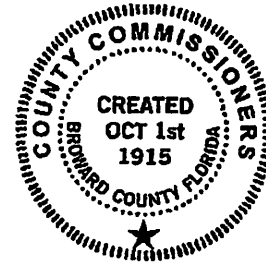
Dated this 1st day of February, 2022.

Bertha Henry
County Administrator
RECORDS, TAXES, AND TREASURY DIVISION



By:

Abiodun Ajayi
Deputy



This Tax Deed is Subject to All Existing Public Purpose Utility and Government Easements. The successful bidder is responsible to pay any outstanding taxes.

Publish: DAILY BUSINESS REVIEW
Issues: 04/14/2022, 04/21/2022, 04/28/2022 & 05/05/2022
Minimum Bid: 12705.29

Board of County Commissioners, Broward County, Florida
Records, Taxes, & Treasury

CERTIFICATE OF MAILING NOTICES

Tax Deed #48748

STATE OF FLORIDA
COUNTY OF BROWARD

THIS IS TO CERTIFY that I, County Administrator in and for Broward County, Florida, did on the 1st day of April 2022, mail a copy of the Notice of Application for Tax Deed to the following persons prior to the sale of property, and that payment has been made for all outstanding Tax Certificates or, if the Certificate is held by the County, that all appropriate fees have been paid and deposited:

AGARD, LILIE TH
380 MARKHAM R
DEERFIELD BEACH, FL 33442-2770

AGARD, LILIE TH
4401 NW 7TH CT
PLANTATION, FL 33317-1523

LILIE TH D. SMITH
421 W EVERSTON CIRCLE
FORT LAUDERDALE, FL 33312

OSWALD S. SMITH AND LILIE TH D.
AGARD SMITH AKA LILIE TH AGARD
308 MARKHAM R BLVD.
DEERFIELD BEACH, FL 33442

SMITH LILIE TH D AGARD
380 MARKHAM R
DEERFIELD BEACH, FL 33442-2770

SMITH LILIE TH D AGARD
4401 NW 7TH CT
PLANTATION, FL 33317-1523

SMITH, OSWALD
380 MARKHAM R
DEERFIELD BEACH, FL 33442-2770

SMITH, OSWALD
4401 NW 7TH CT
PLANTATION, FL 33317-1523

MARKHAM "R" CONDOMINIUM
ASSOCIATION, INC.
2101 CENTRE PARK W DR SUITE 110
WEST PALM BEACH, FL 33409

MARKHAM "R" CONDOMINIUM
ASSOCIATION, INC. JENNIFER M.
CUNHA, ESQ. THE LAW OFFICE OF
J.M. CUNHA, P.A.
601 HERITAGE DRIVE, SUITE 424
JUPITER, FL 33458

*DRESDER, JULIEN
OUELLET, LISE ETAL
168 JOSEPH KEANE
RIMOUSKI, QUEBEC G5L 3B7
CANADA

ABRAMS ANTON, P.A.
PO BOX 229010
HOLLYWOOD, FL 33022

AMERICAN BROKERS CONDUIT
538 BROADHOLLOW ROAD
MELVILLE, NY 11747

ASSOCIATION LAW GROUP
ATTN: HOWARD S. WEINBERG ESQ.
PO BOX 311059
MIAMI, FL 33231-1059

BD AR FL I, LLC BD FLA I, LLC
PO BOX 2624
HALLANDALE BEACH, FL 33008

BD FLA I, LLC AND BD AR FL I, LLC
2710 DAVIE ROAD
DAVIE, FL 33314

BENSON MUCCI & WEISS PL,
REGISTERED AGENT O/B/O CENCLUB
RECREATION MANAGEMENT, INC.
C/O BRIAN ABELOW, ESQ.
5561 NORTH UNIVERSITY DRIVE -
STE. 102
CORAL SPRINGS, FL 33067

BENSON MUCCI & WEISS PL,
REGISTERED AGENT O/B/O CVE
MASTER MANAGEMENT COMPANY,
INC.
5561 NORTH UNIVERSITY DRIVE 102
CORAL SPRINGS, FL 33067

BLACK DIAMOND OF FLORIDA
LIMITED LIABILITY COMPANY
PO BOX 2624
HALLANDALE BEACH, FL 33008

BLACK DIAMOND OF FLORIDA LLC,
REGISTERED AGENT O/B/O BD AR FL
I, LLC BD FLA I, LLC
2690 NE 207 STREET SUITE 714
AVENTURA, FL 33180

BLACK DIAMOND OF FLORIDA, LLC,
REGISTERED AGENT O/B/O BD FLA I,
LLC
2960 NE 207 STREET SUITE 714
AVENTURA, FL 33180

CEN-CLUB HOME OWNERS
ASSOCIATION, INC
100 CENTURY BLVD
WEST PALM BEACH, FL 33417-2262

CENCLUB HOMEOWNERS
ASSOCIATION, INC. NOW KNOWN AS
CENCLUB RECREATION
MANAGEMENT, INC. C/O CENTURY
VILLAGE EAST CLUBHOUSE
2400 CENTURY BLVD.
DEERFIELD BEACH, FL 33442

CENCLUB RECREATION
MANAGEMENT, INC. C/O CENTURY
VILLAGE EAST CLUBHOUSE
2400 CENTURY BLVD.
DEERFIELD BEACH, FL 33442

CENCLUB RECREATION
MANAGEMENT, INC. C/O CENTURY
VILLAGE EAST CLUBHOUSE ATTN:
RITA PICKAR
2400 CENTURY BLVD.
DEERFIELD BEACH, FL 33442

CITY OF DEERFIELD BEACH
150 NE 2ND AVE
DEERFIELD BEACH, FL 33441-3506

CT CORPORATION SYSTEM,
REGISTERED AGENT O/B/O
MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.
1200 SOUTH PINE ISLAND ROAD
PLANTATION, FL 33324

CVE MASTER MANAGEMENT
COMPANY, INC.
3501 WEST DRIVE
DEERFIELD BEACH, FL 33442-2085

CVRF DEERFIELD
117 W 72ND ST # 5W
NEW YORK, NY 10023-3204

CVRF DEERFIELD LIMITED
919 3RD AVE FL 41
NEW YORK, NY 10022-3902

MARK F LEVY, REGISTERED AGENT
O/B/O CEN-DEER COMMUNITIES,
INC.
1601 FORUM PLACE, SUITE 500
WEST PALM BEACH, FL 33401

MARKHAM "R" CONDOMINIUM
ASSOCIATION, INC.
601 HERITAGE DR. #424
JUPITER, FL 33458

MARKHAM R CONDO ASSOCIATION,
REGISTERED AGENT O/B/O
MARKHAM "R" CONDOMINIUM
ASSOCIATION INC.
2101 CENTRE PARK W DRIVE #110
WEST PALM BEACH, FL 33049

MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.
P.O. BOX 2026
FLINT, MI 48503-2026

MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.
1818 LIBRARY ST, STE 300
RESTON, VA 20190

STEVEN KATES, REGISTERED AGENT
O/B/O BLACK DIAMOND OF FLORIDA
LIMITED LIABILITY COMPANY
2690 NE 207TH STREET SUITE 1110
AVENTURA, FL 33180

I certify that notice was provided pursuant to Florida Statutes, Section 197.502(4)
I further certify that I enclosed with every copy mailed, a statement as follows: "Warning - property in which you are interested" is listed in the copy of the enclosed notice.
GIVEN UNDER MY HAND AND OFFICIAL SEAL, this 1st day of April 2022 in compliance with section 197.522 Florida Statutes, 1995, as amended by Chapter 95-147 Senate Bill No. 598, Laws of Florida 1995.

SEAL



Bertha Henry
COUNTY ADMINISTRATOR
Finance and Administrative Services Department,
Records, Taxes, & Treasury Division
By *Juliette M. Aikman*
Deputy Juliette M. Aikman