

IN THE CIRCUIT COURT OF THE FIFTH JUDICIAL CIRCUIT
IN AND FOR CITRUS COUNTY, FLORIDA

CASE NO.: 2007-CA-2092

MARK J. THOMAS,

Plaintiff,

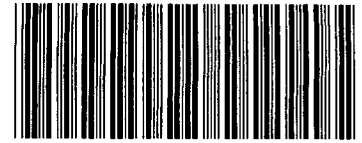
Vs.

IRENE LEONARDY, CAROLYN L. SCOTT, LINDA J. LEONARDY, MURRAY A. REESE and BEVERLY E. REESE, his Wife, BEVERLY RENEE TALLAKSEN, ELIZABETH DIANE REESE, MARK MURRAY MALO, PAMELA MARINO, RUSSELL MURRAY REESE, JR., LEANNE BOUFFARD, JOHN ROBERT TALLAKSEN, MICHAEL OWEN TALLAKSEN, and DALE MARSHALL TALLAKSEN, if alive and if dead, their unknown spouse, heirs, devisees, grantees, creditors and all parties claiming by, through, under or against them, and all other parties claiming by, through, under or against them, and all unknown natural persons, if alive and if dead or not known to be dead or alive, their several and respective unknown heirs, devisees, grantees and creditors, or other parties claiming by, through, or under those unknown natural persons; the several and respective unknown assigns, successors in interest, trustees or other persons claiming by, through, under or against the Defendants and all claimants, persons or parties, natural or corporate, or whose exact legal status is unknown, claiming under any of the above named or described defendants, or parties claiming to have any right, title or interest in and to the lands hereinafter described.

Defendants.

FINAL JUDGMENT

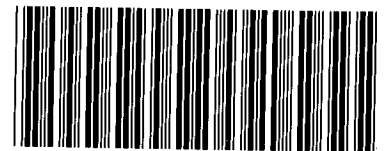
THIS CAUSE having come before the Court for hearing upon the Motion for Final Summary Judgment as filed by the Plaintiff, MARK J. THOMAS, by and through his undersigned attorney, the Court having reviewed the Motion, the file, and evidence



2008030496 7 PGS

OFFICIAL RECORDS
CITRUS COUNTY
BETTY STRIFLER
CLERK OF THE CIRCUIT COURT
RECORDING FEE: \$0.00
2008030496 BK:2224 PG:2385
06/20/2008 08:18 AM 7 PGS
AHOLMES,DC Receipt #016626

FILED
CITRUS COUNTY, FLORIDA
BETTY STRIFLER, CLERK
2008 JUN 17 A 9:40



2008031607 7 PGS

OFFICIAL RECORDS
CITRUS COUNTY
BETTY STRIFLER
CLERK OF THE CIRCUIT COURT
RECORDING FEE: \$40.00
2008031607 BK:2226 PG:450
06/27/2008 08:42 AM 7 PGS
JCARROLL,DC Receipt #017305

CERTIFIED TO BE A TRUE COPY
BETTY STRIFLER
CLERK OF THE CIRCUIT COURT



BY: Julie Canall D.C.
THIS 27 DAY OF June A.D. 2008

submitted by the Plaintiff, and having heard argument from counsel, and being otherwise duly apprised in the premises,

The Court finds as follows:

1. The Plaintiff, MARK J. THOMAS, has properly filed his Verified Complaint herein.
2. The Plaintiff, MARK J. THOMAS, is the owner in fee simple title of the following described lands in Citrus County, Florida:

LOT 3, BLOCK C, and LOT 3-C, OF AZALEA ISLAND SUBDIVISION, according to the plat thereof as recorded in Plat Book 2, Page(s) 162, of the Public Records of Citrus County, Florida.

3. Pursuant to the original Plat of Azalea Island Subdivision as set forth in Plat Book 12, Page 162, of the Public Records of Citrus County, Florida, as well as, the original deeds of conveyance from the original developers to purchasers "The ten (10) foot lots on Sportsman's Lane are to be used exclusively for boat dockage.
4. The Scheme of Development for Azalea Island Subdivision clearly intended that the ten foot lots on Sportman's Lane, which lot numbers correspond to the numbers for the residential building lots be conveyed incidental to the conveyance of each building lot and not separated therefrom.
5. At the time of the conveyance of Lot 3, Block C, Azalea Island Subdivision by Irene Leonardy to Jeffery A. De Board and Renee E. De Board, (See, Exhibit "A") such conveyance pursuant to the terms of the

Plat and restrictions governing the property would have included Lot 3-C, Azalea Island Subdivision.

6. The Defendants, PAMELA MARINO and RUSSELL MURRAY REESE, JR., were properly served with a Summons and copy of the Plaintiff's Verified Complaint via Service of Process and that Defendants, PAMELA MARINO and RUSSELL MURRAY REESE, failed to file any responsive pleadings or papers as required by law to the Plaintiff's Verified Complaint, either individually or by counsel to the Defendants, PAMELA MARINO and RUSSELL MURRAY REESE, JR.
7. The Plaintiff filed its Motion for Clerk's Default on January 25, 2008, against the Defendant, PAMELA MARINO, for failure to serve or file any paper as required by law and the Clerk of the Circuit Court entered its Clerk's Default against the Defendant, PAMELA MARINO, on January 25, 2008.
8. The Plaintiff filed its Motion for Clerk's Default on January 25, 2008, against the Defendant, RUSSELL MURRAY REESE, JR., for failure to serve or file any paper as required by law, and the Clerk of the Circuit Court entered its Clerk's Default against the Defendant, RUSSELL MURRAY REESE, JR., on January 25, 2008.
9. ELIZABETH DIANE REESE, individually and as surviving spouse of RUSSELL MURRAY REESE, SR., and as Personal Representative of the Estate of BEVERLY E. REESE, and Trustee of the MURRAY A. REESE and BEVERLY E. REESE Trust, filed a letter/response dated May 28,

2007, with the Clerk of the Court serving as her responsive pleading with respect to Plaintiffs' Amended Complaint.

10. Service of process was obtained on all living Defendants, the remaining Defendants are deceased and their heirs can not be located.
11. The Plaintiff, MARK J. THOMAS, has made a diligent search for all known Defendants.
12. The Plaintiff, MARK J. THOMAS, by and through his undersigned attorney, motioned the Court for the appointment of an Attorney Ad Litem, Guardian Ad Litem, and Administrator Ad Litem for the following Defendants: IRENE LEONARDY, CAROLYN L. SCOTT, LINDA J. LEONARDY, MURRAY A. REESE and BEVERLY RENEE REESE, his Wife, BEVERLY RENEE TALLAKSEN, MARK MURRAY MALO, LEANNE BOUFFARD, JOHN ROBERT TALLAKSEN, MICHAEL OWEN TALLAKSEN, and DALE MARSHALL TALLAKSEN.
13. JOHN H. EDEN, IV, ESQUIRE, was appointed by this Court to serve as Attorney Ad Litem, Guardian Ad Litem and Administrator Ad Litem by the Court for the following Defendants: IRENE LEONARDY, CAROLYN L. SCOTT, LINDA J. LEONARDY, MURRAY A. REESE and BEVERLY RENEE REESE, his Wife, BEVERLY RENEE TALLAKSEN, MARK MURRAY MALO, LEANNE BOUFFARD, JOHN ROBERT TALLAKSEN, MICHAEL OWEN TALLAKSEN, and DALE MARSHALL TALLAKSEN.
14. JOHN H. EDEN, IV., ESQUIRE has filed an Answer to the Plaintiff's

Verified Complaint on behalf of the following Defendants: IRENE LEONARDY, CAROLYN L. SCOTT, LINDA J. LEONARDY, MURRAY A. REESE and BEVERLY RENEE REESE, his Wife, BEVERLY RENEE TALLAKSEN, MARK MURRAY MALO, LEANNE BOUFFARD, JOHN ROBERT TALLAKSEN, MICHAEL OWEN TALLAKSEN, and DALE MARSHALL TALLAKSEN.

15. There is no genuine issue as to any material fact, and the claim of Plaintiff against the Defendants is liquidated and the Plaintiff is entitled to a judgment as a matter of law.

It is therefore, ORDERED AND ADJUDGED as follows:

1. That pursuant to the filing of the Plaintiff's Verified Complaint herein, the allegations contained within the Plaintiff's Verified Complaint have been proved by competent evidence and the equities in this cause are with the Plaintiff.
2. The Court finds the fee simple title to the following described property:

**LOT 3, BLOCK C, and LOT 3-C OF AZALEA ISLAND
SUBDIVISION, according to the plat thereof as recorded in
Plat Book 2, Page(s) 162, of the Public Records of Citrus
County, Florida.**

be adjudged to be in favor of the Plaintiff, MARK J. THOMAS.

3. That all right title, and interest of the Defendants and those parties claiming by, through, under, or against the Defendants, be forever quieted and confirmed to Plaintiff.

4. That the Defendants and those parties claiming, by, through, under or against the Defendants be perpetually enjoined from asserting any right, title, claim, or interest in and to the above-described real property.

DONE AND ORDERED IN CHAMBER, in Inverness, Citrus County,
Florida, on this 16 day of June, 2008.


PATRICIA THOMAS, Circuit Judge

CERTIFICATE OF SERVICE

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the above and foregoing was furnished to: KAREN O. GAFFNEY, ESQUIRE, of Karen O. Gaffney, P.A., 221 West Main Street, Suite D, Inverness, FL 34450 (Attorney for the Plaintiff), JOHN H. EDEN, IV, ESQ., (Court-Appointed Attorney Ad Litem) P.O. Box 2755, Inverness, FL 34451-2755 via Courthouse Box Delivery at the Citrus County Courthouse; and to Elizabeth Diane Reese, P.R. of the Estate of Beverly E. Reese, 1650 Rock Terrace, West Palm Beach, FL 33411, Pamela Marino, 8777 Wendy Lane, West Palm Beach, FL 33411, and Russell Murray Reese, Jr., 1631 Rock Terrace, West Palm Beach, FL 33411 via U.S. Mail Delivery on this 17th day of June, 2008.


JUDICIAL ASSISTANT/DEPUTY CLERK

This Order Prepared By:
Karen O. Gaffney, P.A.
Karen O. Gaffney, Esquire
221 West Main Street, Suite D
Inverness, FL 34450
Telephone: (352) 726-9222
Facsimile: (352) 726-2124
Florida Bar No.: 500682

6
245
CRYSTAL RIVER TITLE COMPANY, INC.

THIS WARRANTY DEED, Made this 28th day of September, A. D. 1992

between **IRENE LEONARDY**

hereinafter

called the Grantor, and

JEFFERY A. DEBOARD AND RENEE E. DEBOARD, HIS WIFE *92 NOV 13 AM 10 40

whose mailing address is: 701 Edgewater Dr.
Inverness, FL 34450

hereinafter called the Grantee,

WITNESSETH, That the said Grantor, for and in consideration of the sum of ten dollars (\$10.00) and other valuable considerations to said Grantor in hand paid, the receipt whereof is hereby acknowledged, has granted, bargained, and sold unto the said Grantee, and Grantee's heirs, or successors, and assigns forever, all that certain parcel of land in the County of Citrus and State of Florida, to wit:

Lot 3, Block "C", AZALEA ISLAND SUBDIVISION, according to the plat thereof as recorded in Plat Book 2, page 162, public records of Citrus County, Florida.

SUBJECT TO covenants and restrictions of record.

Grantor warrants and certifies that the herein described land does not constitute the homestead of the Grantor as defined by the constitution of the State of Florida.

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

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

And the said Grantor does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever, except taxes for year 1992 and subsequent. ("Grantor" and "Grantee" are used herein for singular or plural; the singular shall include the plural, and any gender shall include all genders. As context requires.)

Signed, Sealed and Delivered in Our Presence:

(Wit.) Lela M. Burnett HER IRENE LEONARDY (Seal)

(Wit.) Donna M. Johnson 485 Burnham Rd (Seal)

(Wit.) Donna M. Johnson Williamsburg, Virginia 23185 (Seal)

State of Florida

County of Citrus

I HEREBY CERTIFY, That on this 28th day of

September, A. D., 1992 before me, an officer duly authorized in the State and County aforesaid to take acknowledgements, personally appeared

IRENE LEONARDY, who produced a

Drivers License for ID
which did not take oath

to me known to be the person described in and who executed the foregoing conveyance and acknowledged before me that he executed the same.

WITNESS My signature and official seal in the County and State last aforesaid.

Donna M. Shaw
Notary Public

My Commission Expires:

Donna M. Shaw
Notary Public, State of Florida
My Commission Expires Nov. 28, 1997
C.O. No. AA 826806

This instrument was prepared by:

DAVID C. ROBERTS, of Crystal River Title Company, Inc.
Post Office Box 1187
Inverness, FL 32651-1187
Incident to the issuance of a title insurance policy.

RETURN TO:
Crystal River Title Co., Inc.

File # 192-42457 (dm)

PARCEL NO.
08 19S 20E 0030 00000 0030

(Affix Notary Seal Above)

739572
FILED & RECORDED
CITRUS COUNTY, FLORIDA
BETTY STRIFLER, CLERK

VERIFIED BY:

0959PM 11/13/92

137653

STATE OF FLORIDA
NOTARY PUBLIC
NOV 13 1992
245.00

EXHIBIT

"A"