

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

CASE NO.: 04-000254 CACE 14

PARCEL NO.: 201-005

SOUTH FLORIDA WATER
MANAGEMENT DISTRICT.

Petitioner,

v.

NORMAN SUPERSTEIN,
TRUSTEE, ET AL.

Respondents.
_____ /

STIPULATION FOR SETTLEMENT AND FINAL JUDGMENT

The Petitioner, South Florida Water Management District, (hereinafter "SFWMD" or "District") and the Respondent, Norman Superstein, Trustee, hereby enter into this Stipulation for Settlement and Final Judgment with the complete terms as follows:

1. On April 6, 2004, an Order of Taking was entered in the above referenced case pertaining to Parcel No.: 201-005.
2. On or about April 24, 2004, the District served its Notice of Deposit and in fact deposited on or about said date the sum of FIVE MILLION SIX HUNDRED THOUSAND AND NO/100 DOLLARS (\$5,600,000.00), for Parcel No.: 201-005, whereby Fee Simple Title to Respondent's property vested in the District. Respondent withdrew from the Court Registry said \$5,600,000.00 sum, less property taxes and liens.
3. The District and Respondent hereby stipulate and agree that a valuation hearing with respect to Respondent's parcel is no longer necessary. District and Respondent waives any and all rights to a valuation trial/hearing by way of the parties' full,

complete and final settlement of this matter as set forth in the terms of this agreement. The parties further agree that the total compensation paid by the District is full, just, and reasonable for all parties concerned. The parties agree that this Stipulation may be executed in counterparts.

4. The parties hereby stipulate and agree that the Respondent, Norman Superstein, Trustee shall have and recover the total sum of \$11,617,255.00 which includes all interest, expert witness fees, costs and attorneys fees, statutory or otherwise, and any other claims whatsoever the Respondent has or may have against the District as full and final settlement which includes, but is not limited to, any and all apportionment fees or costs and claims for full compensation arising from the above styled eminent domain action.

5. Upon approval of this settlement by the District's Governing Board and upon entry of the Stipulated Final Judgment, the District shall deposit with the Court Registry within twenty (20) days from the entry of the Stipulated Final Judgment a lump sum of SIX MILLION SEVENTEEN THOUSAND, TWO HUNDRED AND FIFTY FIVE AND NO/100 DOLLARS (\$6,017,255.00). This lump sum payment, together with funds previously deposited shall represent full and final payment for Fee Simple Title for Parcel: 201-005 and all interest, expert witness fees, costs and attorneys fees, statutory or otherwise, apportionment attorneys fees and costs and any claims whatsoever the Respondent has or may have against the District regarding the above styled cause. The Respondent shall thereafter be permitted to withdraw said funds. Without further Notice or Hearing, the Clerk of the Court shall issue a check in the amount of SIX MILLION SEVENTEEN THOUSAND, TWO HUNDRED AND FIFTY FIVE AND NO/100 DOLLARS (\$6,017,255.00) payable to the Law Offices of Jeff Cynamon, P.A. Trust Account, 300 71st Street, Suite 300, Miami Beach,

Florida 33141.

7. The Respondent stipulates and represents that he has not assigned any rights concerning the property and/or compensation for his property interest. The Respondent hereby waives any and all claims against the District, (including its employees, agents, legal representatives, attorneys, Governing Board Members, the State of Florida and their successors and assigns), as to Parcel No.: 201-005, including, but not limited to, claims for full compensation for land, improvements, structures, or property of any kind, damages, interest, attorneys' fees, experts' fees and costs and apportionment fees and costs and Respondent fully releases the District and its employees, agents, legal representatives, attorneys, Governing Board members, State of Florida and their successors and assigns from any and all such claims. The parties agree to submit the attached Stipulated Final Judgment, (Exhibit 1), for entry by the Court after approval of this settlement by the District's Governing Board.

Agreed on this _____ day of _____, 2007.

Robert G. Panse, Esq.
Florida Bar No.: 351881
Attorney for Petitioner
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Jeff P. Cynamon, Esq.
Florida Bar No.: 57436
Attorney for Respondent,
Norman Superstein, Trustee
Law Offices of Jeff P. Cynamon, P.A.
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Miami Beach, FL 33141
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Fax.: (305) 860-9994

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by U.S. mail and/or facsimile to: **Jeff P. Cynamon, Esq.**, Law Offices of Jeff P. Cynamon, P.A., 300 Seventy-First Street, Ste. 300, Miami Beach, FL 33141, **Hollie Hawn, Esq.**, Broward County Attorney's Office, 115 S. Andrews Avenue, Suite 423, Ft. Lauderdale, FL 33301, and **Bernard F. Superstein, Esq.**, P.O. Box 190203, Miami Beach, FL 33119 on this _____ day of March 2007.

By: _____

Robert G. Panse
Florida Bar No.: 351881