

Filing # 138432027 E-Filed 11/12/2021 02:42:05 PM

**IN THE CIRCUIT COURT
OF THE EIGHTH JUDICIAL CIRCUIT
IN AND FOR LEVY COUNTY, FLORIDA**

PCASE NUMBER: 38-2021-CA-000075-CAA
Circuit Civil Division

**SOUTHERN FOREST GROVE LLC,
Plaintiff,**

-vs-

**JIM BELIZAIRE
CLAUDETTE BELIZAIRE,
Defendant.**

**REPORT AND RECOMMENDATION OF THE GENERAL MAGISTRATE, SUMMARY
FINAL JUDGMENT QUIETING TITLE**

THIS CAUSE having come before the undersigned General Magistrate, and having reviewed the record and being otherwise fully advised in the premises, the Magistrate makes the following findings of fact:

- A. The General Magistrate and the Court have jurisdiction and the parties have consented to the Magistrate hearing this case.
- B. A Case Management Conference was held on Tuesday, November 09, 2021.
- C. In accordance with Article 5, §5(b), Florida Constitution, and §26.012(2)(a),(g), Florida Statutes, the Court has subject matter jurisdiction over the matters at issue in this case.
- D. In accordance with the provisions of Florida Statutes Chapter 48, the Court has personal jurisdiction over the Defendants, **Jim Belizaire and Claudette Belizaire**, in that due and legal service of process has been had upon said Defendants, Jim Belizaire and Claudette Belizaire, by publication in the Williston Pioneer Newspaper on 08/12/21, 08/19/21 08/26/21 and 09/02/21.
- E. The Court has carefully considered and reviewed the summary judgment evidence submitted by the Plaintiff and determined that the allegations contained in the Complaint have been proved by substantial and competent evidence.
- F. The parties have waived the period for filing Exceptions to the Magistrate's Report.

IT IS THEREFORE RECOMMENDED THAT:

1. The equities in this case are with the Plaintiff.
2. The Plaintiff is declared to be the fee simple and absolute owner of the following described real property situate, lying, and being in Levy County, Florida, to-wit:

Tract #50 of University Estates, an Unrecorded Subdivision, said Tract being more particularly described as follows: The S ½ of the SW ¼ of the NW ¼ of the NW ¼ of the NE ¼ of Section 16, Township 12 South, Range 17 East, Levy County, Florida.

TAX PARCEL NUMBER: 03416-035-00

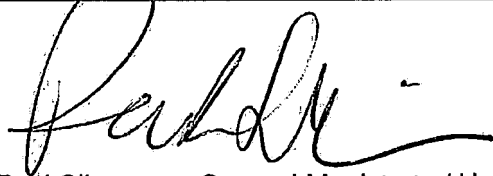
3. That at the time of and prior to the commencement of this Plaintiff was, and at all times thereafter has been and is the owner of, seized of, and possessed fee simple title to, the lands described in Paragraph 2 above and is entitled to bring this suit to quiet title to said lands; that on April 12, 2021, **Southern Forest Grove, LLC., a Florida Limited Liability Company**, purchased the lands described herein from Danny J. Shipp, Clerk of Court, in and for Levy County, Florida, at tax sale, said Tax Deed being dated April 12, 2021, and recorded on April 14, 2021 in OR Book 1579, Page 154, Public Records of Levy County, Florida.
4. The Tax Deed from which Plaintiff acquired title, as recorded in OR Book 1579, Page 154, public records of Levy County, Florida, is recognized as duly and properly issued and as a good and valid conveyance.
5. The lands contained and described herein in Paragraph 2 above are found to be the same lands as described in the Tax Deed from which Plaintiff acquired title.
6. All the right, title or interest of the Defendants, and all persons claiming to have any right, title or interest in the lands since the filing of the Lis Pendens be, and the same are quieted, vacated, set aside, and canceled as clouds upon the title of the Plaintiff in and to those lands, and it is forever quieted, cleared, and confirmed and forever fully and completely established as against all persons whomsoever claiming, by through, or under them, and all persons having or claiming to have any right, title or interest in the lands involved in this action since the filing of the Lis Pendens.
7. The Defendants, and all persons claiming by, through, or under them, and all parties having or claiming to have any right, title or interest in the hereinabove described lands since the filing of the Lis Pendens are forever prohibited, enjoined, and restrained of and from executing any right, title, interest, claim or demand of any nature or kind whatsoever in, to, or against those lands of the Plaintiff, or any part of them.
8. The Plaintiff, **Southern Forest Grove, LLC, a Florida Limited Liability Company**, is decreed to be the owner, in fee simple, of said property which is the subject matter of the Complaint filed herein, and described in Paragraph 2 above; and the claims of the Defendants and each of them are declared to be inferior and subordinate to the right, title, interest and estate of the Plaintiff in and to the same; and that the Defendants and each of them, and all persons claiming by, through, or under either of them since the filing of this Complaint, or any person whose claim or title arose or vested in them prior to the filing of the Complaint, are forever and perpetually enjoined

and restrained from asserting or attempting to assert any right, title, interest or estate, claim or demand in and to the same, or any part thereof, adverse to said title of the Plaintiff and those claiming by, through or under them.

- 9. All instruments of record requiring reformation or cancellation in order to perfect said fee simple title in Plaintiff, if any, are hereby reformed or cancelled as the case may require.

REPORTED AND RECOMMENDED on Wednesday, November 10, 2021.

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Paul Silverman, General Magistrate / Hear
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ORDER

THIS CAUSE came before the Court upon the Report and Recommendation of the General Magistrate, the Court finding that the period for filing exceptions was waived by the parties, it is hereby

ORDERED AND ADJUDGED that the Report and Recommendation of the General Magistrate set forth above is approved, ratified, confirmed, and adopted as the Order of this Court, and is incorporated herein by reference. All parties shall be governed thereby and shall comply with each and every one of its terms.

DONE AND ORDERED on Wednesday, November 10, 2021.

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Craig C. DeThomasis, Circuit Judge
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that copies have been furnished by U.S. Mail or via filing with the Florida Courts E-Filing Portal on Friday, November 12, 2021 to the following:

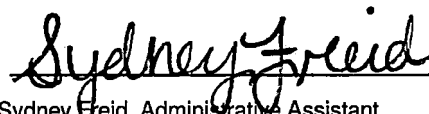
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Sydney Freid, Administrative Assistant
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Under the Americans with Disabilities Act, if you are a person with a disability who needs any accommodation in order to participate in a proceeding, you are entitled to be provided with certain assistance at no cost to you. Please contact the ADA Coordinator at (352)337-6237 at least 7 days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than 7 days. If you are hearing or voice impaired, call 1-800-955-8770 via Florida Relay Service.