# IN THE CIRCUIT COURT OF THE 12<sup>TH</sup> JUDICIAL CIRCUIT IN AND FOR SARASOTA COUNTY, FLORIDA

BSLF Holdings,	LLC
and 72 Partners,	LLC

Plaintiff Case No.: 2011 CA 004209 NC

v.

CECIL DAUGHTREY JR., and PATRICIA A. DAUGHTREY,

**Defendants** 

-and-

JOSEPH GILBERTI, JR., an individual Intervening Creditor.

SECURED LAND AND MINERAL OWNER-CREDITOR JOE GILBERTI PE JUDICIAL NOTICE
OF FEDERAL CASE AGAINST JUDGE PADAR, JUDGE WALKER AND TERRORIST HIDING
PRIMARY WATER ACCESS WITH FRAUD TRANSFER BY EDBRODSKI'S OFFICE AND
CIRCUIT 12, 13 AND TAMPA MIDDLE DISTRICT JUDGES AND CLERKS AS A WHOLE

See Gilberti vs Pentagon et al – docketed at US Supreme Court –Case 23-5414

FRAUD BY SARASOTA COURTS, JUDGE WALKER, JUDGE PADAR, Ed Brodsky's office, SARASOTA CLERK AND COMPTROLLER WITH MULTIPLE COUNTY SHERIFFS, STATE ATTORNEYS AND POLITICIANS across Florida tied to 9-11 Blue Gold Bush Family and Trump-Obama-Byron Donalds

**COMES NOW**, Secured Creditor of Minerals and Land rights, Joseph D. Gilberti, P.E., pursuant to applicable Florida Rules of Civil Procedure, hereby files JUDICIAL NOTICE of related cases for malpractice, Court Fraud, Title Fraud by Circuit 12 Judges as a whole, State Attorneys office, Public Defenders Office, 72 Partners LLC, Sarasota Staff and Commission, continuing service engineers at Peace River Manasota Water Supply, FDEP, SWFWMD and local Hospitals on Water Supply Eugenics and this ILLEGAL land grab involving corrupt Judges, cops, lawyers and Politicians.

1. PLEASE TAKE NOTE OF THE RELATED CASES OF FRAUD AND TITLE STILL ONGOING OR BEING REFILED TO ANOTHER COURT LOOKING FOR ONE GOOD AMERICAN JUDGE WHO CARES ABOUT CHILDREN AND WATER SUPPLY:

US Supreme Court case: 18-1110 Cecil Daughtrey, et ux., vs Rivera

Filed 08/28/2023 03:22 PM - Karen E. Rushing, Clerk of the Circuit Court, Sarasota County, FL

US Supreme Court case: 23-5414 Gilberti vs Pentagon, et. al. – Sarasota Co. District of Columbia case: 19-cv-00738 Gilberti vs Federal Reserve, et. al

Florida US Middle Dist case: 9:13-bk-14831-FMD Daughtrey vs Rivera

9:19-ap-00104-FMD Gilberti vs Rivera, et. al,

Georgia 11<sup>th</sup> Dist case: 2:15-cv-35-Ftm-29 Daughtrey vs Rivera

Sarasota Cases: 2011 CA 004209 NC BSFL Holdings vs Daughtrey

2015 CA 006544 NC Gilberti vs 72 Partners LLC 2016 CA 000205 NC 72 Partners vs Joe Gilberti

2019 CA 04532 NC - Gilberti vs 72 Partners, et al

(Pending Title Case-more being filed)

Hillsborough Cases: 12-CM-011299-A State of Florida vs Joe Gilberti

13-DR-006408 David Weinstein vs Joe Gilberti 13-DR-007061 Vincent Marchetti vs Joe Gilberti 13-CM-008278-A State of Florida vs Joe Gilberti

16-CF-010976-A State of Florida vs Joe Gilberti

\*Chris Shaw case where SA fabricated 6 felonies with Judges and Public Defenders/SA offices w

**Desantis-Scott Undue Influence** 

18-CF-004829-A State of Florida vs Joe Gilberti 18-CF-005038-A State of Florida vs Joe Gilberti

Broward County Cases: CACE 18-008568 Borges vs Cruz

CACE 18-009607 Pollack vs Cruz

18001958CF10A State of Florida vs Cruz

17002130CF10A State of Florida vs Cory Gilberti

(AR-15 shooting hidden)

19-005019 Israel vs Desantis

Florida DOAH Cases: 17-003257PL –Fla Board of Engineers vs Gilberti

18-003276 - Polk Regional vs Peace River-Swfwmd

Florida Board of Eng Case: 2016-029320 – Board of Engineers vs Joe Gilberti

- \* Request and need to call in META DATA from Service provider on fabricated emails by Chris Shaw, Andrew Warren, Mark Obers, Judge Mark Wolfe, Catisha Smith and a slough of lawyers from Tampa and Sarasota down to Lee and Broward working on cell phones together to kill Americans with Water Supply Eugenics paid for by Benderson, Morgan Stanley, Tax base by ESLAP, FDEP and Fools from Harvard, Yale, and Notre Dame all over this site for 10yrs or more with Mosaic Phosphate and Seminole Gulf Railway and now Byron Donalds, Trump, General Flynn and a gang of Terrorist.
- 2. Sarasota County just purchased with a fraudulent Transfer the Defendants land for \$5million tax dollars on February 15, 2023 and three more during the attack when this court and Judge Goudie courts in Tampa never let me see a court or Judge for over 4months attacking civil rights to do a LAND GRAB and Eugenic operation with the Jeb Bush Family, Trump, Desantis and all Congress, to hide the underground knowledge from the World; Sarasota County illegally purchased my lands for \$5million tax dollars to hide the water supply and kill people with amoebas and cancer rates, virus rates from pathogens from chlorine in water supply, using Florida and US Judges, Carlton, Benderson, Pat Neil, Morgan & Stanley and more, to kill Americans and destroy the economic drivers here for over 10yrs ongoing.
- 3. Contact with Sarasota Utility Directors office, Parks and Recreation staff and more, who reviewed the fraud want to come into the case and expose the Fraud and 10yrs of attacks on Defendants behalf to arrest Judges, State Attorneys, US congressman, Desantis, Trump, Biden and more for Eugenics and timed Terrorism with Cops and Judges on my rights and their communities in Water Supply.
- 4. A pre-application for Water supply, Cancer research Center, mining, fly-in community was submitted two years ago and another this week to pull in all Sarasota County staff on this case in Sarasota and down to Lee County and Broward is being filed in Federal Courts today to arrest the State attorneys office and Sheriffs involved for Title 18 US Code 241 and 242. Multiple staff members are calling attorneys and human resources on UNDUE INFLUENCE by their bosses and Commission to hide this resource or they get fired!!?
  - 5. The Following cases related to subduing the Defendant, attacking his family

Members with Cops who shoot up buildings with AR-15's in Broward County on Cory Gilberti timed with Fraud Case by Hillsborough County, *Gilberti vs CDC*, et al, *Gilberti vs Federal Reserve*, et al, *Gilberti vs Biden*, et al, *Gilberti vs Mark Adams*, et al, *Gilberti vs Desantis*, et al, using **Smith Mundt Act Modification via H.R. 5736 initiated** days after the secret underground resource was exposed to FDEP and SWFWMD in May 2012, then funded with Navy Military ops, in Dec 2012, three days later Sandy Hook and months later Boston Bomb timed with raising Defendants bond with Tampa Judge Dominquez and Judge Conrad.

- 6. Sarasota Judge Stephen Walker, Judge Ruhl, Judge Williams, Judge Hall, Judge Parker, Judge Donnellan (retired) and other Judges in this Circuit 12, 13, 17 and 20 must be called in on Change in Venue hearing that needs a few days of hearings as it affects the title cases ongoing since 2019 and new ones Defendant is now forced to file by May 13, 2023, that this case is affecting with its Fraud by Attorney Thomas Widen, Chris Hallet, Ed Brodsky, attorneys listed on the case giving notice below. These folks are now being subpoenas as well in Lee County on the Warrant that attacked by home and family illegally with Carmine Marceno, who attempted to kill Defendant and his kid at Lexington Middle School on file Case 2022 CA 0380 NC with another Smith-Mundt Act.
- 7. WE NEED DEPOSITION ON ED BRODSKY, MARK ADAMS, CHRIS HALLET, TOM WIDEN, SHERIFF HOFFMAN, SHERIFF MARCENO, SHERIFF ISRAEL FOR US TREASON.
- 8. Attached are Case files on Broward County to take Judicial notice and was emailed to over 300 recipients in the Political, Legal and Water Supply agencies forum for THE PEOPLE and ignored by this court.
- 9. Gilberti's cousin Cory Gilberti testified two weeks ago that Cops shot up Cambridge Security building with Sheriff Scott Israel in Broward days after Defendant presented to Broward County Commission the 300mile Pipeline, and that he never held a gun in his life. Who gets PTI for an AR-15 shooting days after Pulse Bar shooting and media hides it, via Smith Mundt Act by CIA and Military Ops working with DOJ and tied directly to this Case.
- 10. The below cases related to Title, fraud and subduing Defendants, as well as an attempted School Shooting at Lexington Middle School by FDLE, who coordinated with Sheriff

Hoffman and Sheriff Carmine Marceno, causing the Lee County teachers, VP and Superintendent to resign the next day, as part of this cases Warrant by Ed Brodsky's office to stop service to the Pentagon case.

11. In addition to the cases below, new cases are filed this week regarding Judges and State Attorneys from Tampa to Miami, Georgia, DC, VA and California collectively cohersed with major Political groups like Biden, Desantis, Trump all hiding this resource with Congress and CDC after a Hurricane Ian hit and the still maintain their attack on America and Defendant with this court and ongoing cases and Federal Crimes by this State Attorneys office and Circuit 12 as a whole:

The case involves the Defendants in a massive Enterprise which consist of Judicial courts, Judges, State attorneys, public defenders, Police officers, Utility directors, water and health agencies, hard money loan sharks, local law-firms and developers who have teamed up against THE ENGINEER to steal a hidden underground resource which more valuable that Gold, in an effort to hide it and its knowledge to find more like it from THE AMERICAN PEOPLE; and keep cancer and diseases rising in the region from Water supply being treated from polluted rivers and corporate dumping at the Taps.

By this suit, Plaintiff seeks federal district court review of the federal and Florida constitutionality of Defendants' actions for both on their face and as applied, which:

- (i) Deny an impartial tribunal;
- (ii) Violate United States Code, Title 4§§101 and 102;
- (iii) Violate Florida Statute §876.05(1)
- (IV) CRIMES OF GENOCIDE/EUGENICS
  General Assembly resolution 260 A(III) of 9 December 1948 Entry into force: 12 January
  1951, in accordance with article XIII

Having considered the declaration made by the General Assembly of the United Nations in its resolution 96 (I) dated 11 December 1946 that genocide is a crime under international law, contrary to the spirit and aims of the United Nations and condemned by the civilized world, Recognizing that at all periods of history genocide has inflicted great losses on humanity, and being convinced that, in order to liberate mankind from such an odious scourge, international co-operation is required, Hereby agree as hereinafter provided:

#### Article I

The Contracting Parties confirm that genocide, whether committed in time of peace or in time of war, is a crime under international law which they undertake to prevent and to punish.

#### Article II

In the present Convention, genocide means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such:

- (a) Killing members of the group;
- (b) Causing serious bodily or mental harm to members of the group;
- (c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;
- (d) Imposing measures intended to prevent births within the group;
- (e) Forcibly transferring children of the group to another group.

#### Article III

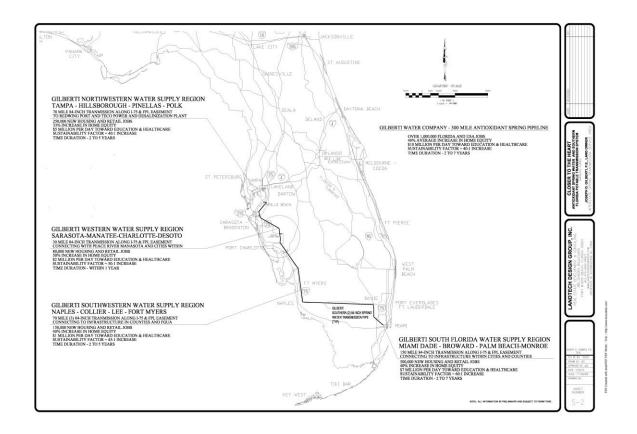
The following acts shall be punishable:

- (a) Genocide;
- (b) Conspiracy to commit genocide;
- (c) Direct and public incitement to commit genocide;
- (d) Attempt to commit genocide;
- (e) Complicity in genocide.

THE ENGINEER brings this action against DEFENDANTS for a Violation of RICO, 18 U.S.C. § 1961-1968, et seq (a), (b), (c) and (d). THE ENGINEER seeks damages from DEFENDANTS who are working in a massive Enterprise tied to water supply eugenics across Florida, USA and the World with the World Health Organization in MOU agreements with the Environmental Protection Agency, FDEP in Tallahassee at the Florida Marjorie Stoneman Douglas State Revolving Fund, 2001-2010 Florida Forever Trust Funds, ESLAPP in Sarasota Florida, Global Cooperative Agreements of combined Environmental and Global Healthcare sustainability crimes by essentially hiding and/or stealing secret underground critical National Defense Resources of 'Blue Gold'....... or ready to drink Alkaline Spring Water from Earth not

Manmade.

12. A proposed 15 County, 60 City Transmission System to serve Tampa to South Florida antioxidant spring water is hidden by all Florida Leaders and the DEFENDANTS to keep Cancer and Opioids rising as an epidemic in Florida and USA. See Schematic below and FDOT Permit Tracking Number in District 1, 4, & 6 (FDOT Tracking No. 0032982 resubmitted on Feb 4, 2019 from submittals back to April 1, 2013 also to District 5 & 7 Tampa).



300-mile Antioxidant pipeline solves Florida North South Water Conflict submitted to FDOT in 2014

13. See attached letter to Byron Donalds regarding revised plans down Seminole Gulf Railway and CSX from Sarasota to Naples. Seminole Gulf/CSX are caught buying deeds on our property months after the Boston Bomb game in Tampa to kidnap Defendant. They didn't record the deeds until 2019, six years later, and they don't pay doc stamps at CSX so this was a hidden attack to preserve the optimum alignment, steal our land, ideas, resource and play with it another 50yrs to kill people with Eugenics and War mongers like the 9-11 Blue Gold Bush Family.

- 14. A new case in New York will hit this week on Sarasota and Bush 9-11 Connection with Water, Terrorism and Sarasota and New York towers, which Mayor Adams is investigation with many others across the Nation and World now on this Sarasota gang of lawyers and Judges running with Morgan Stanley and RV Griffin Arsenic reservoir, Zika Pond and amoeba water to the Tap.
- 15. The man that died last month from Peace River Water Supply via Amoeba would be alive if this court would not have attacked my rights for past two years, the Pipe and FIJI water to the tap would have been installed but this case KILLED THAT MAN and is being filed on all parties in this court for US Treachery and Treason. I will keep filing each week in different states now until Ed Brodsky and his ENTIRE OFFICE AND DESANTIS IS ARRESTED.
- 16. See Judicial Notice of cases below and please watch the 3hrs video of this case merits with Judge Goudie on February 2022 that was filed many times on video and sent to State Attorney that ended this case. But this court continue to attack my rights during ongoing complex title litigation that is now being updated to County closings in fraud to attack our States and Nations No.1 Aquifer hidden 50yrs in Sarasota to kill kids, pets, Americans with Eugenics to fill Benderson Medical space in Sarasota and Manatee with a gang of lawyers who attacked Florida and helped kill many children stacked in Cancer Centers and that recent man who washed his face-nose and died from the Water Supply. HE WOULDN'T have DIED of AMEOBA BRAIN EATING WATER SUPPLY if this case never happened. See Dockets prior to this file.

#### **CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that a true and correct copy of the foregoing was sent to the State Tom Widen as well as others on Service list and related cases below who are part of related cases was furnished via E-File system email this 26<sup>th</sup> day of August, 2023 to:

<u>|s|Joe Gilberti</u>

Joseph D. Gilberti, Jr., PE
Defendant
385 Donora Blvd
Ft Myers Beach, FL 33931
813-470-6000
Gilberiwater@gmail.com
www.gilbertibluegold.com

# NEW FTC LAWSUIT ON SARASOTA TERDS JUDGE PADAR, DESANTIS, BIDEN, TRUMP, JUDGES THROUGHOUT FLORIDA, PENTAGON AND MORE

FOR FRAUD TRANSFER AND CLOSINGS USING TAX BASE WITH 72 PARTNERS, LLC, LEE PALLARDY, THOMAS HOWZE, KENNY HARRISON, JUDGE WALKER, RYAN SNYDER

#### TO HIDE

PRIMARY WATER TO TAPS AND KILL AMERICAN KIDS WITH EPA AND USGS EUGENICS AND ALL OTHER NATIONS WITH WARS

for

THE SARASOTA CONNECTION TO THE YALE-HARVARD-CATHOLIC CHURCH-NOTRE DAME... 9-11 BLUE GOLD BUSH FAMILY with DESANTIS-OBAMA-PELOSI-BIDEN-HARRIS-TRUMP-BYRON DONALDS-US Congress-FDEP, NYDEP, MAYOR ERIC ADAMS, FLORIDA CIRCUIT 12, 13, 17, 20 JUDGES, STATE ATTORNEYS, MEDIA AND CLERKS

### **CIVIL COVER SHEET**

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS			DEFENDANT	S		
Joseph D. Gilberti, P.E., a licensed Prof Engineer			Judge Marie Padar-Ron Desantis-Carmine			
, , ,			Marceno-Pentagon-Rvan Snyder-Sarasota County. et al			
(b) County of Residence of First Listed Plaintiff Lee			County of Residence of First Listed Defendant			
(EXCEPT IN U.S. PLAINTIFF CASES)			(IN U.S. PLAINTIFF CASES ONLY)  NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.			
(c) Attorneys (Firm Name, A	Address, and Telephone Numbe	r)	Attorneys (If Known	1)		
n/a	,	.,		,		
II. BASIS OF JURISD	ICTION (Place an "X" in	One Box Only)	III. CITIZENSHIP OF I (For Diversity Cases Only		(Place an "X" in One Box for Plaintiff and One Box for Defendant)	
U.S. Government Plaintiff	3 Federal Question (U.S. Government)	Not a Party)		PTF DEF  1 Incorporated or Pr of Business In T	PTF DEF incipal Place X 4 X 4	
× 2 U.S. Government Defendant	4 Diversity (Indicate Citizensh.	ip of Parties in Item III)	Citizen of Another State	2 Incorporated and F of Business In A		
			Citizen or Subject of a Foreign Country	3 Foreign Nation	6 6	
IV. NATURE OF SUIT			_	Click here for: Nature of S		
CONTRACT  110 Insurance	PERSONAL INJURY	RTS PERSONAL INJURY	FORFEITURE/PENALTY		375 False Claims Act	
120 Marine 130 Miller Act	310 Airplane 315 Airplane Product	365 Personal Injury - Product Liability	625 Drug Related Seizure of Property 21 USC 881	422 Appeal 28 USC 158 423 Withdrawal 28 USC 157	376 Qui Tam (31 USC 3729(a))	
140 Negotiable Instrument	Liability 320 Assault, Libel &	367 Health Care/	Γ	INTELLECTUAL PROPERTY RIGHTS	400 State Reapportionment	
150 Recovery of Overpayment & Enforcement of Judgment	: Slander	Pharmaccutical Personal Injury		820 Copyrights	410 Antitrust 430 Banks and Banking	
151 Medicare Act 152 Recovery of Defaulted	330 Federal Employers' Liability	Product Liability 368 Asbestos Personal		830 Patent 835 Patent - Abbreviated	450 Commerce 460 Deportation	
Student Loans	340 Marine	Injury Product		New Drug Application	470 Racketeer Influenced and	
(Excludes Veterans)  153 Recovery of Overpayment	345 Marine Product Liability	Liability PERSONAL PROPERT	Y LABOR	840 Trademark 880 Defend Trade Secrets	Corrupt Organizations 480 Consumer Credit	
of Veteran's Benefits	350 Motor Vehicle	370 Other Fraud	710 Fair Labor Standards	Act of 2016	(15 USC 1681 or 1692)	
160 Stockholders' Suits 190 Other Contract	355 Motor Vehicle Product Liability	371 Truth in Lending 380 Other Personal	Act 720 Labor/Management	SOCIAL SECURITY	485 Telephone Consumer Protection Act	
195 Contract Product Liability	360 Other Personal	Property Damage	Relations	861 HTA (1395ff)	490 Cable/Sat TV	
196 Franchise	Injury 362 Personal Injury -	385 Property Damage Product Liability	740 Railway Labor Act 751 Family and Medical	862 Black Lung (923) 863 DIWC/DIWW (405(g))	850 Securities/Commodities/ Exchange	
REAL PROPERTY	Medical Malpractice CIVIL RIGHTS	PRISONER PETITIONS	Leave Act 790 Other Labor Litigation	864 SSID Title XVI 865 RSI (405(g))	890 Other Statutory Actions 891 Agricultural Acts	
210 Land Condemnation	x 440 Other Civil Rights	Habeas Corpus:	791 Employee Retirement	805 K31 (405(g))	893 Environmental Matters	
220 Foreclosure 230 Rent Lease & Ejectment	441 Voting 442 Employment	463 Alien Detainee 510 Motions to Vacate	Income Security Act	FEDERAL TAX SUITS 870 Taxes (U.S. Plaintiff	895 Freedom of Information Act	
240 Torts to Land	443 Housing/	Sentence		or Defendant)	896 Arbitration	
245 Tort Product Liability 290 All Other Real Property	Accommodations  445 Amer. w/Disabilities -	530 General 535 Death Penalty	IMMIGRATION	871 IRS—Third Party 899 Administrative 26 USC 7609 Act/Review or		
	Employment	Other:	462 Naturalization Applicati		Agency Decision	
	446 Amer. w/Disabilities - Other	540 Mandamus & Other 550 Civil Rights	465 Other Immigration Actions		950 Constitutionality of State Statutes	
	448 Education	555 Prison Condition 560 Civil Detainee -				
		Conditions of				
V. ORIGIN (Place an "X" is	n One Roy Only)	Confinement			<u> </u>	
x 1 Original 2 Ren	moved from 3			ferred from 6 Multidistri		
Proceeding Sta		Appellate Court	(spec	V - /	- Litigation - Direct File	
	Title 18 US Code 241-		filing ( <i>Do not cite jurisdictional s</i> c: FTC Act: Acts of Treason from	<i>tatutes unless diversity)</i> : HR 5736 to Fraud land Transfers	s with timed Terrorism	
VI. CAUSE OF ACTION	Brief description of ca		Transfers to hide critical US Drin	king Water for 10 yrs and still atta	cking with EPALID Courte/ Judges	
VII. REQUESTED IN		IS A CLASS ACTION	DEMAND \$		cking with FRAUD Courts/Judges if demanded in complaint:	
COMPLAINT:	UNDER RULE 2		25million dollars	JURY DEMAND:		
VIII. RELATED CASI IF ANY	E(S) (See instructions):	JUDGE US Supren	ne Court -Gilberti v Pentagon et a	al DOCKET NUMBER do	ocketing now	
DATE		SIGNATURE OF ATTO	•		Servering flow	
August 22, 2023		2.5O.D OF ATTA				
FOR OFFICE USE ONLY						
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# UNITED STATES DISTRICT COURT FOR MIDDLE DISTRICT OF FLORIDA FORT MYERS, FLORIDA

Civ. No.

JOSEPH D. GILBERTI, JR., P.E., an Individual and Licensed Professional Engineer,

COMPLAINT
DEMAND FOR JURY TRIAL

Plaintiff,

v.

Judge Padar, Sheriff Carmine Marceno, Lexington Middle School, Gov Ron Desantis, Trump, Biden, Ryan Snyder, Esq., US Congressman Byron Donalds, 72 Partners LLC, Chris Shaw, Catisha Smith, Lee Pallardy, Thomas Howze, Kenneth Harrison, Laurence Hall, Sarasota County Board of County Commissioners, James Strickland, 2ndDCA of Florida, The Pentagon

Defendants.	

# FRAUDULENT LAND SALE TRANSFER, CONSPIRACY TO TAKE RIGHTS AND PERMANENT AND INJUCTIVE RELIEF

Plaintiff, Joseph D. Gilberti, P.E. for its complaint alleges:

- 1. The Plaintiff brings this action against Defendants **Governor Ron Desantis**, Attorney Ryan Snyder, 72 Partners, LLC, Thomas Howze, Lee Pallardy, Kenneth Harrison, Laurence Hall, Sarasota County Commission and James Strickland (collectively, the "Defendants") under Section 13(b) of the Federal Trade Commission Act ("FTC Act"), 15 U.S.C. § 53(b) to obtain preliminary and permanent injunctive relief, rescission or reformation of contracts, restitution, disgorgement of ill-gotten gains, and other equitable relief against Defendants for engaging in deceptive acts or practices in connection with the advertising, marketing, offering for sale, and sale of mortgage foreclosure rescue services in violation of Section 5(a) of the FTC Act, 15 U.S.C. § 45(a).
- 2. The Plaintiff brings this action against Defendants (the "Fraudulent Transfer Defendant") under the Federal Debt Collection Procedure Act, 28 U.S.C. §§ 3001 *et seq.*, to avoid the fraudulent transfer of real property from Defendant Ryan Snyder to the Fraudulent Transfer Defendants 72 Partners and their assigns of deeds. The avoidance of this transfer is necessary in the interests of justice to secure funds for redress or disgorgement.

#### JURISDICTION AND VENUE

- 3. This Court has subject matter jurisdiction pursuant to 15 U.S.C. §§45(a) and 53(b), and 28 U.S.C. §§ 1331, 1337(a), 1345, and §§ 3001 *et seq*.
- 4. Venue in the United States District Court for Middle District of Florida is proper under 15 U.S.C. § 53(b) and 28 U.S.C. § 1391(b) and (c).

#### **PLAINTIFF**

5. Plaintiff is a secured Creditor on the land who owns Sec 1 & 2 in Sarasota pursuant to the deeds obtained in 2013. And all mineral rights on the entire 2340acres advertised by the Defendants in late August 2020 in the Observer Newspaper shown in the Sworn Affidavit to Prosecute filed by Plaintiff and others.

#### **DEFENDANTS**

- 6. Defendant **Ryan Snyder** was the attorney of record during the fraudulent transfer by switching the legal description out from 2300acres to 95acres the Day of the sale on October 5, 2020 in Sarasota County Florida.
- 7. Defendant **72 Partners, LLC,** (Defendants) are the conveyors of fraud with Ryan Snyder including Kenny Harrison, Lee Pallardy, Thomas Howze and Laurence Hall all of which does business in the State of Florida
- 8. Defendant **Lee Pallardy** (Defendants) is a Florida resident and often manager of 72 Partners with its principal place of business in Tampa Florida via Pallardy Appraisal Services who performed a fraudulent transfer and is a resident of Manatee Florida who formulated, directed, controlled, or participated in the acts and practices of, including the acts and practices set forth in this Complaint.
- 9. Defendant **Thomas Howze** (Defendants) an individual, and managing member at times for 72 Partners who performed a fraudulent transfer and is a resident of Manatee Florida who formulated, directed, controlled, or participated in the acts and practices of, including the acts and practices set forth in this Complaint.

  California.
- 10. Defendant **Sarasota County Board of County Commissioners**, (Defendants) and County Commission who facilitated the fraudulent transaction with Circuit 13 and 2ndDCA Judges including the acts and practices set forth in this Complaint. This commission transacts or has transacted business in the Middle District of Florida
- 11. Defendant **Kenny Harrison** (Defendants) an individual, is the local neighbor acting alone or in concert with others, has formulated, directed, controlled, or participated in the acts and practices of 72 Partners and Sarasota Commissioners, Judges in Circuit 12 and Middle District, including the acts and practices set forth in this Complaint. Harrison transacts or has transacted business in the Middle District of Florida.

- 12. Defendants **James Strickland**, is a local rancher in west Florida using 50c13 grants with FDEP and Desantis to fraud a sale and get a land grab using tax dollars from both FDEP and State/Federal resources to hide clean water resources with Biden and Congress as shown in Gilberti vs Pentagon et al, and other cases that avoided all discovery while attacking civil rights.
- 13. Defendants, **The Florida Second District Court of Appeals** affirmed without any opinions of the fraudulent transfer and have timed their opinions collectively with the Fraud to hide the water resource and take civil and property rights from Plaintiff. They assisted and aided Ryan Snyder and Ron Desantis with Defendants to coherse tax base with a fraudulent transfer by ignoring all pleadings and blocking the Florida Supreme Court petitions with fraudulent affirmance.
- 14. Defendants, **Judge Padar**, **Sarasota Circuit 12 Judge**, who lost defendants in Jails for 4months while the illegal closings by other listed defendant based on a the Oct 5, 2020 fraud sale has conspired with Judges Walker, Ruhl, Williams, Wolfe, Goudie, Conrad, Dominquez, Scherer in courts across Florida to hide the PRIMARY WATER ACCESS KNOWLEDGE FROM AMERICANS AND HUMANITY for 2 full years tied to Gilberti v Pentagon service.
- 15. Defendant, **Chris Shaw** fabricated AR-15 emails and worked with Judge Padar, and Defendants to attempt a VOP while processing a Fraud Transfer with a coup of Judges, lawyers and Sheriffs all under investigation for Title 18 US Code 241-242 to hide PRIMARY WATER TO TAP playing a COVID19 game with speedy Trials timed with Desantis and Florida Senate laws imposed with a Fake Pandemic done with HR 5736 as an ACT of WAR against USA and Humanity.

#### FRAUDULENT TRANSFER DEFENDANTS

16. Fraudulent Transfer Defendants Judge Padar, Judge Walker, Judges in Circuit 12, 13, 17 and 20 tied to **Ryan Snyder is attorneys** of Defendant 72 Partners Ilc, Lee Pallardy, Thomas Howze, Kenny Harrison and Laurence Hall. He is the attorney of record during the fraudulent sale, in Sarasota County Florida on October 5, 2020. Fraudulent Transfer Defendants 72 Partners and Defendants listed received real property located in the southeast Myakka area of Sarasota Florida regarding the Daughtrey Ranch, see **Sarasota case 2011 CA 04209 NC**, where no trial was given with a barrage of Terrorism acts to attack Plaintiff timed with a unique underground River find for Water Supply at the Peace River Manasota Water Supply. ALL or MOST DEFENDANTS helped coherse the transfer due to the control over the state with Water Supply and past illegal spending after Hurricane Charlie for RV Griffin Reservoir at Peace River Manasota Water Supply.

#### COMMERCE

17. The acts and practices of Defendants, as alleged in this Complaint, are in or affecting commerce, as "commerce" is defined in Section 4 of the FTC Act, 15 U.S.C. § 44.

#### **DEFENDANTS' UNLAWFUL BUSINESS PRACTICES**

- 18. Defendants have advertised, marketed, offered for sale, and sold Property to hide a secret underground water resource with local Peace River Manasota Water Supply boards owned by Sarasota, Charlotte, Manatee and Desoto County commissioners who work with FDEP and others to pump treated water vs alkaline spring water.
- 19. Defendants have advertised and marketed land and switched out the legal description with lawyers and clerks on the day of the sale to steal over \$30million in land and 2300acres as shown in the Attachment for 'Sworn Affidavit to Prosecute.

#### DEFENDANTS FRAUDULENT TRANSFER

- 20. On or about August 31 2020, Defendants Ryan Snyder and members of 72 Partners and their assigns advertised 2300acres for sale. On the day of the sale the 2300acre legal was replaced with a 95acre parcel and land not included in the advertisement but actually Daughtrey Homestead, so the bids would be avoided by Plaintiff and public for bidding of the actual property. See Exhibit A.
  - 21. This transfer was made:
    - a. with an actual intent to hinder, delay, or defraud a creditor; or
    - b. with intent to fraud the sale by switching out the legal
    - c. Sarasota county then purchased a tax base easement with FDEP for over \$3.5million in Tax dollars.
    - d. See attached Sworn Affidavit to Prosecute with details and exhibits.

#### **VIOLATIONS OF SECTION 5 OF THE FTC ACT**

- 22. Section 5(a) of the FTC Act, 15 U.S.C. § 45(a), prohibits unfair or deceptive acts and practices in or affecting commerce.
- 23. Misrepresentations or omissions of material fact constitute deceptive acts or practices pursuant to Section 5(a) of the FTC Act.

#### Count 1

24. In numerous instances, Defendants have represented to consumers, expressly or by implication, that land was for auction for 2300 acres and switch out the legal so nobody else could bid except their fluffers which Circuit 12 Judges and local developers assisted in the Racketeering and fraud to hide the Water Supply resource with local agencies and Sarasota Commission who is trying to sell it to Mosaic Phosphate, Nestle, Coke, Pepsi and other water types, such as but not limited to Veolia, Suez and General Electric, which are false and misleading and constitute deceptive acts or practices in violation of Section 5(a) of the FTC Act, 15 U.S.C. § 45(a).

### VIOLATIONS OF THE FEDERAL DEBT COLLECTION PROCEDURE ACT

Count 2

- 23. Defendant Ryan Snyder transferred real property to Fraudulent Transfer Defendant 72 Partners, LLC and their members.
  - 24. This transfer was made:
    - a. with actual intent to hinder, delay, or defraud a creditor, in violation of Section § 3304(b)(1)(A) of the Federal Debt Collection Procedure Act ("FDCPA"); or

b. without receiving a reasonably equivalent value in exchange for this transfer and (i) Sarasota County Commission with Judge Walker and 2ndDCA of Florida engaged in unlawful acts of Treason.

#### **PLAINTIFF INJURY**

25. Plaintiff has suffered and continue to suffer substantial monetary loss as a result of Defendants' unlawful acts or practices. In addition, Defendants have been unjustly enriched as a result of the unlawful practices set forth in this Complaint. Absent injunctive relief from this Court, Defendants are likely to continue to injure consumers and harm the public interest.

#### THIS COURT'S POWER TO GRANT RELIEF

- 26. Section 13(b) of the FTC Act, 15 U.S.C. § 53(b), empowers this Court to grant injunctive and such other relief as the Court may deem appropriate to halt and redress violations of the FTC Act. The Court, in the exercise of its equitable jurisdiction, may award other ancillary relief, including, but not limited to, rescission of contracts and restitution, and the disgorgement of ill-gotten gains, to prevent and remedy injury caused by Defendants' law violations.
- 27. The FDCPA authorizes this Court to set aside fraudulent transfers, grant remedies against the assets transferred or other property of the transferee, or grant any other relief the circumstances may require. 28 U.S.C. § 3306(a).
- 28. Plaintiff aver that Defendant(s) attorney Ryan Snyder and Sarasota county attorneys were negligent and/or committed malpractice, breached his fiduciary duties to public and Plaintiff, in the following regard:
  - a. Fraud and Racketeering to coordinate an illegal land grab by replacing online land description links with Sarasota County foreclosure auctions sales, then aided 72 Partners to hide the underground US Water Supply and Medicine Resource from the Public, with an FDEP and local activist Environmental easement game, which demonstrates the defendants, a group of lawyers, who conspire with two or more persons

- to attack Plaintiff pursuant to Title 18 U.S. Code Section 242.
- b. Working with State of Florida State attorney's office as an advocate for 72 Partners, LLC.
- c. By holding himself out as an attorney for Plaintiff but not representing the best interest of the Plaintiff.
- d. By failing to provide Plaintiff with the minimum standards of care.
- e. Ryan Snyder and Edwardo Morrell conspired with 72 Partners, LLC, their councils, State and Federal Courts/Clerks, Sarasota Clerk of Court, Property appraiser's office, Public Defender Mark Adams. Sarasota County Commissioners and Peace River Manasota Water Supply Commissioners, local Sarasota engineering and planning staff, police and officials to steal Plaintiff's land, his clients land, rights and falsified documents, with fraud on the tax payers, land doc stamps and more.

#### Title 18 U.S. Code Section 241

If two or more persons conspire to injure, oppress, threaten, or intimidate any person in any State, Territory, Commonwealth, Possession, or District in the free exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States, or because of his having so exercised the same; or

If two or more persons go in disguise on the highway, or on the premises of another, with intent to prevent or hinder his free exercise or enjoyment of any right or privilege so secured—

They shall be fined under this title or imprisoned not more than ten years, or both; and if death results from the acts committed in violation of this section or if such acts include kidnapping or an attempt to kidnap, aggravated sexual abuse or an attempt to commit aggravated sexual abuse, or an attempt to kill, they shall be fined under this title or imprisoned for any term of years or for life, or both, or may be sentenced to death.

(June 25, 1948, ch. 645, <u>62 Stat. 696</u>; <u>Pub. L. 90–284, title I, § 103(a)</u>, Apr. 11, 1968, <u>82 Stat. 75</u>; <u>Pub. L. 100–690</u>, <u>title VII, § 7018(a)</u>, (b)(1), Nov. 18, 1988, <u>102 Stat. 4396</u>; <u>Pub. L. 103–322</u>, <u>title VI, § 60006(a)</u>, <u>title XXXII</u>, §§ 320103(a), 320201(a), <u>title XXXIII</u>, § 330016(1)(L), Sept. 13, 1994, <u>108 Stat. 1970</u>, 2109, 2113, 2147; <u>Pub. L. 104–294</u>, <u>title VI</u>, §§ 604(b)(14)(A), 607(a), Oct. 11, 1996, <u>110 Stat. 3507</u>, 3511.)

Whoever, under color of any law, statute, ordinance, regulation, or custom, willfully subjects any person in any State, Territory, Commonwealth, Possession, or District to the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States, or to different punishments, pains, or penalties, on account of such person being an alien, or by reason of his color, or race, than are prescribed for the punishment of citizens, shall be fined under this title or imprisoned not more than one year, or both; and if bodily injury results from the acts committed in violation of this section or if such acts include the use, attempted use, or threatened use of a dangerous weapon, explosives, or fire, shall be fined under this title or imprisoned not more than ten years, or both; and if death results from the acts committed in violation of this section or if such acts include kidnapping or an attempt to kidnap, aggravated sexual abuse, or an attempt to commit aggravated sexual abuse, or an attempt to kill, shall be fined under this title, or imprisoned for any term of years or for life, or both, or may be sentenced to death.

#### PRAYER FOR RELIEF

**WHEREFORE**, Plaintiff pursuant to Section 13(b) of the FTC Act, 15 U.S.C. § 53(b), the FDCPA, 28 U.S.C. §§ 3001- 3308, and the Court's own equitable powers, requests that the Court:

- 1. **Impose Title 18 US Code Sec 241 and 242** after all discovery is produced and Award Plaintiff such preliminary injunctive and ancillary relief as may be necessary to avert the likelihood of consumer injury during the pendency of this action, and to preserve the possibility of effective final relief;
- 2. Permanently enjoin Defendants from violating the FTC Act as alleged herein;
- 3. Award such relief as the Court finds necessary to redress injury to plaintiff and consumers who lost monies on lower water bills if this fraud was avoided with a invalid mortgage and a gang of bad courts hiding US Resources.
- 4. Award such relief against Fraudulent Transfer Defendants by returning all tax base easement funds used after the fraudulent transfer, sieze all assets of the defendants and return the property plaintiff and original owner Daughtrey who was railroaded for 10yrs by Defendants and Judges under investigation.
- 5. Detain lawyers and Judges with FBI and US Military and remove them from a Professional licensed status by reporting them with discovery information to the US Military for a Military tribunal for US Treason on Primary Water access using a fraudulent transfer and taking the Engineer of Records Civil Rights and trying to kill his kid and teachers at Lexington Middle School, see Gilberti vs Carmine Marceno, et al, timed with stopping the Gilberti vs Pentagon, et al, service on 4-1-21 with Judge Goudie, Padar, Krugg and Sheriff Hoffman, his

lawyers, Carmine Marceno using a Shooting drill attempt with a COVID19 quarantine game explained in discovery on this case and related cases.

As a direct and proximate result the defendant's negligence and/or malpractice and fraudulent inducements, acts, and racketeering, Plaintiff sustained actual damages in the amount exceeding \$25,000,000.00 US dollars.

Date: August 22, 2023 Respectfully submitted,

ISI JOE GILBERTI

Joseph D. Gilberti, Jr., PE Plaintiff 385 Donora Blvd Ft Myers Beach, FL 33931 813-470-6000 Gilberiwater@gmail.com www.gilbertibluegold.com

CC:\US SENATE, MEDIA, UNIVERSITIES, ENERGY CORPS, US ATTORNEY GENERALS IN 50 STATES

## EXHIBIT A

REQUEST TO PROSECUTE FOR FRAUDULENT TRANSFER
IN JUDGE PADAR POSSESSION FOR YEARS AND SHE HARBORS IT WITH FLORIDA AND USA
POLITICIANS ALL USING SMITH MUNDT ACTS OF TREASON PER HR 5736

#### **SWORN REQUEST FOR PROSECUTION BY COMPLAINTANT**

"I desire prosecution in this case and request the State Attorney's Office and attorney generals in Florida & Attorney General for the United States of America to review it for prosecution. I and many witnesses will be present for any required court dates should this case be prosecuted."

### **COMPLAINANT INFORMATION:**

COMPLAINANT'S NAME: <u>JOSEPH D. GILBERTI, P.E.</u>

ADDRESS: 385 DONORA BLVD, FORT MYERS BEACH, FLORIDA 33931

CELL PHONE: <u>813-470-6000</u> HOME PHONE: <u>N/A</u>

EMAIL ADDRESS: gilbertiwater@gmail.com

EMPLOYER: LANDTECH DESIGN GROUP, INC. WORK PHONE: 813-470-6000

#### **SUSPECT INFORMATION:**

SUSPECT'S NAME: RYAN SNYDER

RACE: WHITE SEX: MALE DATE OF BIRTH (IF KNOWN): APPROXIMATELY 40YRS OF AGE

ADDRESS (IF KNOWN): \_\_\_\_\_

RELATIONSHIP TO COMPLAINANT: NONE

LENGTH OF TIME KNOWN SUSPECT: Known of Mr. Snyder as attorney for 72 Partners LLC which includes suspects as well who are members, Lee Pallardy, Thomas Howze, Kenny

Harrison, Laurence Hall and Matt Harrison

#### **ADDITIONAL SUSPECTS (IF ANY):**

Suspect's Name (2): Thomas Howze, partner of 72 Partners llc

Race: white Sex: male Date of Birth (If Known): approximately 85yrs of age

Address (If Known): Myakka City, Florida

Relationship to Complainant: none

Length of Time Known Suspect: approximately 10yrs from litigations

Suspect's Name (3): Lee Pallardy, partner of 72 Partners llc

Race: white Sex: male Date of Birth (If Known): approximately 85yrs of age

Address (If Known): Myakka City, Florida

Relationship to Complainant: <u>none</u>

Length of Time Known Suspect: approximately 10yrs from litigations

Suspect's Name (3): Sarasota County Board of County Commissioners

Race: varies Sex: varies Date of Birth (If Known): varies

Address (If Known): Sarasota County Commission Chambers and abroad

Relationship to Complainant: none

Length of Time Known Suspect: <u>approximately 10yrs from Water supply presentations and file</u> RICO cases, water supply infrastructure permits submitted, etc.

#### **POLICE REPORT INFORMATION:**

#### **DID COMPLAINANT CALL LAW ENFORCEMENT?** YES

What agency responded - PHONE CALLS TO SARASOTA COUNTY, LEE
COUNTY, CAPITOL POLICE AND FBI - also Cecil and Patty Daughtrey filed in
November 2021 with Sam Esber PLS a professional land surveyor. It was filed on cattleman Branch in Sarasota County.
Who was the reporting officer? not sure, but these witnesses are available
If complainant did not contact law enforcement, please explain why: n/a

Police Report (CCR) Number: No copies were provided but witnesses who filed are available.

Date of Incident (Or date range): October 5, 2020

Location of Incident: Online foreclosure sale in Sarasota – 72 Partners vs Cecil Daughtrey Case 2011 CA 04209 NC

#### **Crime Noted on Police Report:**

- 1. 817.29 Cheating
- 2. 817.535 Unlawful filing of false documents or records against real or personal property.
- 3. 817.545 Mortgage fraud
- 4. 817.540 Obtaining of mortgage, mortgage note, promissory note, etc., by false representation

#### **CRIME INFORMATION:**

Was the Suspect Using Alcohol or Drugs? <u>Unknown</u>

Was the Complainant Using Alcohol or Drugs? No

Please list all witnesses who observed any part of the criminal offense, including their phone number, home address, and email address (if known):

- 1. Cecil Daughtrey 9438 Daughtrey Road, Sarasota Florida 34266. 863-244-8972 Buckdaughtrey58@gmail.com
- Patricia Daughtrey 9438 Daughtrey Road, Sarasota Florida 34266 863-441-3387
   Mrs.pattyd@yahoo.com
- 3. Robert Flint 2442 Northwest Flint Road, Arcadia, Florida 34266 863-990-0932

Flintfarms5277@yahoo.com

4. Sam Esber, P.LS. - 5914 Palmer Blvd., Sarasota FL 34232 941-379-8831

Asepls4349@gmail.com

#### Was there property damage? Yes

What property was damaged? Years of damage blocking use of the property with RICO gang of locals tied to multiple racketeering cases, including Gilberti vs Pentagon, et al.
What is the approximate value of the damaged property? Over \$50million
Do you have documentation of the property loss? (Receipts, repair estimates, repair bills? Available upon request.

Do you have any other photographs or materials related to the incident (Ex.: text messages, emails, voicemails, surveillance video, etc.)? Please describe or attach any relevant documentation:

See Attached documentation with more detail available upon request.

- THE CRIME -

Please give a brief recitation of the facts. (attach an additional page, if necessary):

Ryan Snyder and suspects set a foreclosure sale through advertisement for over 2300 acres and 6 separate parcels of land late August 2020 and SWITCHED OUT THE LEGAL DESCRIPTION, per the Clerk, the DAY OF THE SALE on OCTOBER 5, 2020.

Ryan Snyder and suspects replaced the legal with a 96acre homestead parcel where Daughtrey was reserved in Bankruptcy Court, so it only bid to \$185,001.00 dollars for a massive advertisement of over 2300 acres and six parcels.

Sarasota Commissioners and Environmental Staff with FDEP coordinated stealing \$3.5mil in Environmental easement funds, buying a 1000acre easement in the process when they simple could have PURCHASED THE WHOLE PROPERTY for \$185,002.00 dollars? Demonstrating the RACKETEERING with Tallahassee Water Supply funding and easements being played to pump polluted rivers from Desoto INTO Sarasota Taps for another 20yrs knowing this underground river existed showing WHITE COLLAR CRIMES involving Commissioners, Cops and Judges in region.

A copy of the LIES and they suspects on the stand in Hillsborough County in front of Judge Lynne Goudie on January 28, 2022 is shown below in link and is Public record for Hillsborough Case, State vs Gilberti – Case 16-CF-10976-A.

THIS VIDEO IS FULL PROOF OF SUSPECTS TESTIFYING TO THE FRAUD ON STAND BLAMING EACH OTHER AND THE COUNTY STATE ATTORNEYS OFFICE IN SARASOTA!! ED BRODSKI AND CHRIS HALLET WITH MARK ADAMS, ESQ.

https://drive.google.com/file/d/18Ni8ffvpTDwVmBsWgcwIvX97Q1LDZbMZ/view?usp=drive web.

This video zoom hearing is public record at Hillsborough County Clerk of Court to the public if link is not available for case 16-CF-10976-A, where Judge Mark Wolfe, Public Defender Chris Shaw, and State Attorneys April Johnson, Andrew Warrens office and more fabricated emails with Pam Bondi and Mark Ober to subdue Defendant illegally timed with lien cases, record terrorism acts based on emails or engineering submittals to FDEP, as shown in Gilberti vs Desantis, et. al, docketing at the US Supreme Court with Sarasota county commissioners, just like this many Sarasota related RICO cases have shown.

This was the only online sale for Sarasota that day with the Sheriff and County comptroller and online auction system.

This sale was from a Sarasota foreclosure in dispute, that involves a unique hidden US Resource for Water Supply, a gang of FDEP and EPA agencies and local developers have been hiding, giving him a Motive to do so,

What is your desired outcome for the case? To have suspects arrested for crimes and land returned to the proper owners and to move all their cows off the property immediately that could be damaging a critical US Water Supply resource with their actions and crimes against Humanity documented as related to hiding and doing this Land Grab with Sheriff Hoffman and Det Wyche of Sarasota County.

I swear and affirm the information on this form is true and correct.

Complainant's Signature Joe Gilberti, PE

Date: August 9, 2022 Joseph Gilberti, P.E.

#### FLORIDA LAWS RELATED TO COMPLAINT AND CRIMES BY SUSPECTS

**817.29 Cheating.**—Whoever is convicted of any gross fraud or cheat at common law shall be guilty of a felony of the third degree, punishable as provided in s. <u>775.082</u>, s. <u>775.083</u>, or s. <u>775.084</u>.

History.—s. 54, ch. 1637, 1868; RS 2475; GS 3344; RGS 5187; CGL 7290; s. 860, ch. 71-136.

#### 817.535 Unlawful filing of false documents or records against real or personal property.—

- (2)(a)A person who files or directs a filer to file, with the intent to defraud or harass another, any instrument containing a materially false, fictitious, or fraudulent statement or representation that purports to affect an owner's interest in the property described in the instrument commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.
- (b)A person who violates paragraph (a) a second or subsequent time commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.
- (3)If a person is convicted of violating subsection (2) and the owner of the property subject to the false instrument is a public officer or employee, the offense shall be reclassified as follows:
- (a)In the case of a felony of the third degree, to a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.
- (b)In the case of a felony of the second degree, to a felony of the first degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.
- (4)(a)If a person is convicted of violating subsection (2) and the person committed the offense while incarcerated in a jail or correctional institution or while participating in a pretrial diversion program under any form of pretrial release or bond, on probation or parole, or under any post release supervision, the offense shall be reclassified as follows:
- 1.In the case of a felony of the third degree, to a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.
- 2.In the case of a felony of the second degree, to a felony of the first degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.
- (b)If a person's offense has been reclassified pursuant to this subsection, the sentencing court shall issue a written finding that the offense occurred while incarcerated in a jail or correctional institution and direct that a copy of the written finding and judgment of conviction be forwarded to the appropriate state institution or county facility for consideration of disciplinary action and forfeiture of all gain-time or any early release credits accumulated up to the date of the violation.
- (5)If the person is convicted of violating subsection (2) and the owner of the property covered by the false instrument incurs financial loss as a result of the instrument being recorded in the official record, including costs and attorney fees incurred in correcting, sealing, or removing the false instrument from the official record as described herein, the offense shall be reclassified as follows:

- (a)In the case of a felony of the third degree, to a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.
- (b)In the case of a felony of the second degree, to a felony of the first degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.
- (6)A person who fraudulently records a claim of lien in the official records pursuant to part I of chapter 713 is subject to the fraud provisions of s. 713.31 and not this section.
- (7)If a person is convicted of violating this section, the sentencing court shall issue an order declaring the instrument forming the basis of the conviction null and void and may enjoin the person from filing any instrument in an official record absent prior review and approval for filing by a circuit or county court judge. The sentencing court may also order the instrument forming the basis of the conviction sealed from the official record and removed from any applicable electronic database used for recording instruments in the official record.
- (8)(a)Any person adversely affected by an instrument filed in the official record which contains a materially false, fictitious, or fraudulent statement or representation has a civil cause of action under this section without regard to whether criminal charges are pursued under subsection (2). A notice of lis pendens in accord with s. 48.23 shall be filed which specifically describes the instrument under challenge and the real or personal property affected by the instrument.
- (b)Upon a finding that the instrument contains a materially false, fictitious, or fraudulent statement or representation such that the instrument does not establish a legitimate property or lien interest in favor of another person:
- 1. The court shall determine whether the entire instrument or certain parts thereof are null and void ab initio. If the court finds the instrument void in its entirety, it may order the instrument sealed from the official record and removed from any electronic database used for indexing or locating instruments in the official record. The court may also, permanently or for a period of time, enjoin the defendant who filed the instrument or who directed the filer to file the instrument from filing or directing a person to file an instrument in the official records without prior review and approval for filing by a circuit or county court judge, provided that as to third parties who may have given value for an interest described or granted by any instrument filed in violation of the injunction, the instrument shall be deemed validly filed and provides constructive notice, notwithstanding any failure to comply with the terms of the injunction.
- 2.Upon a finding of intent to defraud or harass, the court or jury shall award actual damages and punitive damages, subject to the criteria in s. 768.72, to the person adversely affected by the instrument. The court may also levy a civil penalty of \$2,500 for each instrument determined to be in violation of subsection (2).
- 3. The court may grant such other relief or remedy that the court determines is just and proper within its sound judicial discretion.
  - (c) The prevailing party in such a suit is entitled to recover costs and reasonable attorney fees.

- (d)The custodian of any official record shall, upon payment of appropriate fees, provide a certified copy of the sealed instrument to the party seeking relief under this section for use in subsequent court proceedings; in addressing or correcting adverse effects upon the person's credit or property rights, or reporting the matter for investigation and prosecution; or in response to a subpoena seeking the instrument for criminal investigative or prosecution purposes.
- (e)Upon request, the custodian of any official record shall, upon payment of appropriate fees, provide a certified copy of the sealed instrument to any federal, state, or local law enforcement agency.
- (f)If feasible, the custodian of the official record where the instrument is recorded shall record any court order finding that the instrument is null and void in its entirety or in certain parts thereof.
- (g)An instrument removed from an electronic database used for recording instruments in the public record pursuant to this section shall be maintained in a manner in which the instrument can be reduced to paper form.
- (9)A government agency may provide legal representation to a public officer or employee if the instrument at issue appears to have been filed to defraud or harass the public officer or employee in his or her official capacity. If the public officer or employee is the prevailing party, the award of reasonable attorney fees shall be paid to the government agency that provided the legal representation.
- (10) This section does not apply to the procedures for sealing or expunging criminal history records as provided in chapter 943.

History.—s. 1, ch. 2013-228.

817.54 Obtaining of mortgage, mortgage note, promissory note, etc., by false representation.— Any person who, with intent to defraud, obtains any mortgage, mortgage note, promissory note or other instrument evidencing a debt from any person or obtains the signature of any person to any mortgage, mortgage note, promissory note or other instrument evidencing a debt by color or aid of fraudulent or false representation or pretenses, or obtains the signature of any person to a mortgage, mortgage note, promissory note, or other instrument evidencing a debt, the false making whereof would be punishable as forgery, shall be guilty of a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

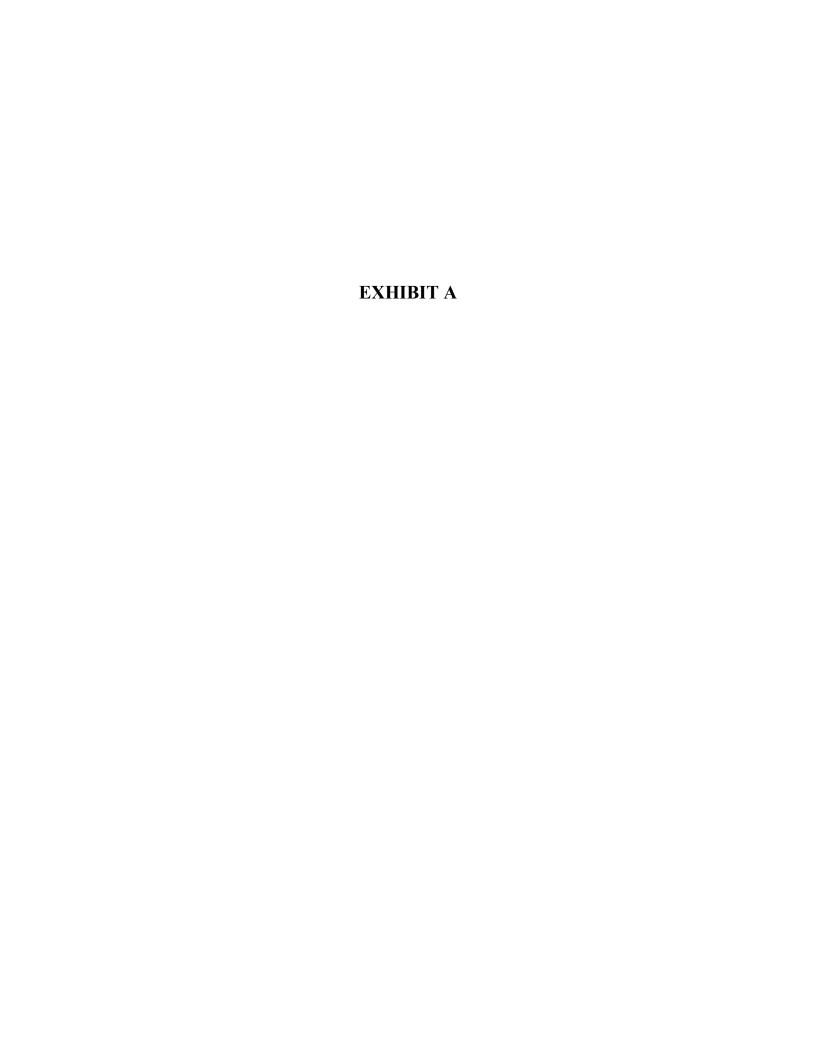
History.—s. 1, ch. 63-142; s. 880, ch. 71-136.

#### 817.545 Mortgage fraud.—

- (2)A person commits the offense of mortgage fraud if, with the intent to defraud, the person knowingly:
- (a)Makes any material misstatement, misrepresentation, or omission during the mortgage lending process with the intention that the misstatement, misrepresentation, or omission will be relied on by a mortgage lender, borrower, or any other person or entity involved in the mortgage lending process; however, omissions on a loan application regarding employment, income, or assets for a loan which does not require this information are not considered a material omission for purposes of this subsection.

- (b)Uses or facilitates the use of any material misstatement, misrepresentation, or omission during the mortgage lending process with the intention that the material misstatement, misrepresentation, or omission will be relied on by a mortgage lender, borrower, or any other person or entity involved in the mortgage lending process; however, omissions on a loan application regarding employment, income, or assets for a loan which does not require this information are not considered a material omission for purposes of this subsection.
- (c)Receives any proceeds or any other funds in connection with the mortgage lending process that the person knew resulted from a violation of paragraph (a) or paragraph (b).
- (d)Files or causes to be filed with the clerk of the circuit court for any county of this state a document involved in the mortgage lending process which contains a material misstatement, misrepresentation, or omission.
- (3)An offense of mortgage fraud may not be predicated solely upon information lawfully disclosed under federal disclosure laws, regulations, or interpretations related to the mortgage lending process.
- (4)For the purpose of venue under this section, any violation of this section is considered to have been committed:
  - (a)In the county in which the real property is located; or
  - (b)In any county in which a material act was performed in furtherance of the violation.
- (5)(a)Any person who violates subsection (2) commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.
- (b)Any person who violates subsection (2), and the loan value stated on documents used in the mortgage lending process exceeds \$100,000, commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

History.—s. 13, ch. 2007-182; s. 2, ch. 2008-80.





#### Monday October 5, 2020

< < Previous Auction Current Next Auction > >

Pursuant to new legislation effective July 1, 2008, F. S. 45.031(10), and F. S. 197.542 (4)(a),(b) the Clerk may conduct the sale of real or personal property under an order or judgment by electronic means, and tax deed sales in lieu of public outcry.

#### **Running Auctions**

There are no cases currently being auctioned.

#### **Auctions Closed or Canceled**

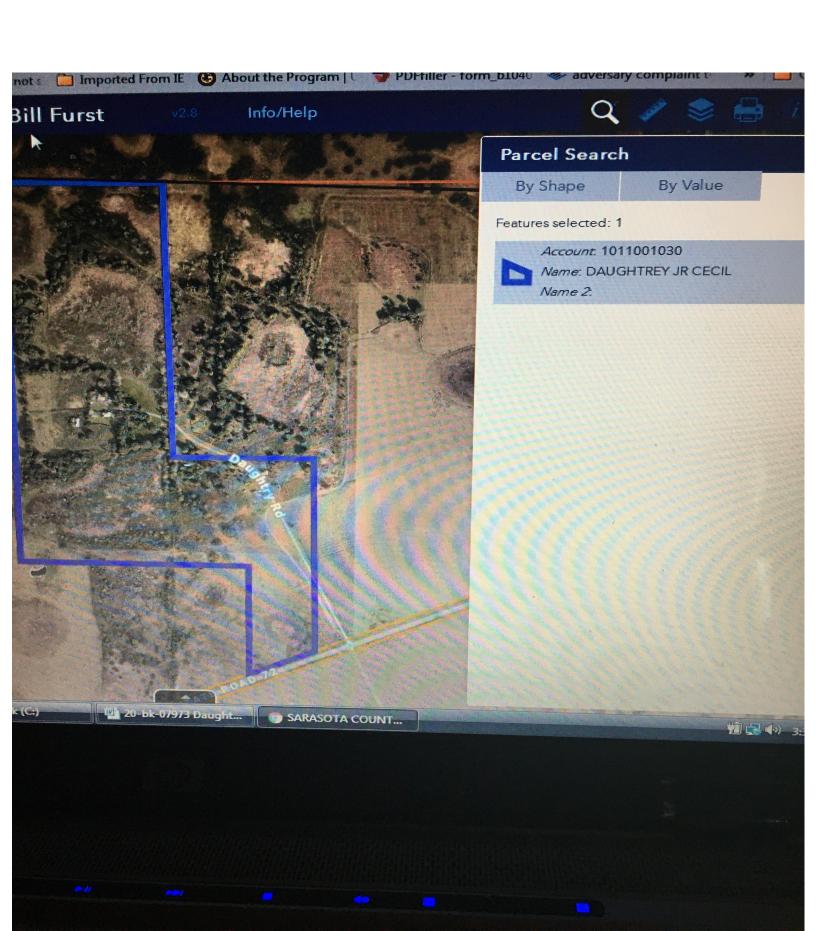
Amount

Sold To

Plaintiff

**FORECLOSURE Auction Type:** Auction Sold Case #: 2011 CA 004209 NC 10/05/2020 09:08 AM ET Fina Judgment Amount: \$8,479,618.47 Parcel ID: 1011001030 **Property Address:** 9438 DAUGHTRY RD \$185,003.00 **SIDELL, 34266** Assessed Value: \$87,487.00 **Plaintiff Max Bid:** Hidden

page 1



# Sarasota County Receipt of Transaction Receipt # 2020078211

Karen Rushing Clerk of the Circuit Court and County Comptroller Sarasota County, Florida www.SarasotaClerk.com

Received From:

Ryan Snyder 2025 Lakewood Ranch Blvd. Suite 102 Bradenton, FL 34211

On Behalf Of:

On: 10/5/20 10:57 am By: realauction

Transaction # 101027408

CaseNumber 2011 CA 004209 NC						
Fee Description	Fee	Prior Paid	Waived	Due	Paid	Balance
(SUMCIRE) SUMMONS CIRCUIT EFILED - REQUEST	10.00	10.00	0.00	0.00	0.00	0.00
(CPLFCL3) COMPLAINT FORECLSE >\$250,000	1905.00	1905.00	0.00	0.00	0.00	0.00
(SUMCIRE) SUMMONS CIRCUIT EFILED - REQUEST	10.00	10.00	0.00	0.00	0.00	0.00
(SUMALICIRE) SUMMONS ALIAS CIRCUIT EFILED-RE	10.00	10.00	0.00	0.00	0.00	0.00
(SUMCIRE) SUMMONS CIRCUIT EFILED - REQUEST	10.00	10.00	0.00	0.00	0.00	0.00
(FCLDOCSTP) FORECLOSURE DOCUMENTARY STA	1295.70	0.00	0.00	1295.70	1295.70	0.00
- Total:	3240.70	1945.00	0.00	1295.70	1295.70	0.00

Grand Total: 3240.70 1945.00 0.00 1295.70 1295.70 0.00

PAYMENTS

Payment Type	Reference		Amount	Refund	Overage	Change	Net Amount
Real Auction		OK	1295.70	0.00	0.00	0.00	1295.70
		– Payments Total:	1295.70	0.00	0.00	0.00	1295.70

### Sarasota County Clerk of Courts FORECLOSURE SALE BID LOG

72 PARTNERS LLC A FLORIDA LIMITED LIABILITY COMPANY

Plaintiff Sale Date: 10/05/2020

Case Number: 2011 CA 004209 NC

Vs.

CECIL DAUGHTREY JR; ET AL.

Defendant

<u>Presale Bids</u>						
Bidder ID	Bidder Name	Bid	Date/Time	<b>IP Address</b>		
5787	STEVE BARNHARDT	\$100,000.00	09/24/2020 11:53:58 AM	73.255.145.178		
9313	Benjie Sperling	\$69,000.00	10/03/2020 07:47:10 AM	66.176.239.221		
30559	AMILCAR JIMENEZ**	\$1.00	10/04/2020 12:55:15 AM	174.48.179.124		
28589	Vernon Borntreger	\$10.00	10/05/2020 08:49:42 AM	107.77.216.92		
26719	sevim tavlan	\$1,000.00	10/05/2020 08:58:02 AM	47.200.97.166		

<u>Auction</u>				
	<b>Auction Open</b>		10/05/2020 09:00:00 AM	
8700	Plaintiff	*\$100,001.00		
9313	Benjie Sperling	* \$100,002.00	10/05/2020 09:01:31 AM	66.176.239.221
8700	Plaintiff	*\$100,003.00		
28589	Vernon Borntreger	* \$105,000.00	10/05/2020 09:01:38 AM	107.77.216.92
8700	Plaintiff	*\$105,001.00		
28589	Vernon Borntreger	* \$110,000.00	10/05/2020 09:01:54 AM	107.77.216.92
8700	Plaintiff	*\$110,001.00		
28589	Vernon Borntreger	* \$115,000.00	10/05/2020 09:02:07 AM	107.77.216.92
8700	Plaintiff	*\$115,001.00		
28589	Vernon Borntreger	* \$120,002.00	10/05/2020 09:02:31 AM	107.77.216.92
8700	Plaintiff	*\$120,003.00		
28589	Vernon Borntreger	* \$122,006.00	10/05/2020 09:03:03 AM	107.77.216.92
8700	Plaintiff	*\$122,007.00		
28589	Vernon Borntreger	* \$128,000.00	10/05/2020 09:03:15 AM	107.77.216.92
8700	Plaintiff	*\$128,001.00		
28589	Vernon Borntreger	* \$135,000.00	10/05/2020 09:03:33 AM	107.77.216.92
8700	Plaintiff	*\$135,001.00		
9313	Benjie Sperling	* \$135,002.00	10/05/2020 09:03:41 AM	66.176.239.221
8700	Plaintiff	*\$135,003.00		

28589	Vernon Borntreger	* \$139,000.00	10/05/2020 09:03:44 AM	107.77.216.92
8700	Plaintiff	*\$139,001.00		
28589	Vernon Borntreger	* \$148,000.00	10/05/2020 09:03:56 AM	107.77.216.92
8700	Plaintiff	*\$148,001.00		
28589	Vernon Borntreger	* \$150,000.00	10/05/2020 09:04:10 AM	107.77.216.92
8700	Plaintiff	*\$150,001.00		
9313	Benjie Sperling	* \$168,900.00	10/05/2020 09:04:19 AM	66.176.239.221
8700	Plaintiff	*\$168,901.00		
9313	Benjie Sperling	* \$168,999.00	10/05/2020 09:04:48 AM	66.176.239.221
8700	Plaintiff	*\$169,000.00		
9313	Benjie Sperling	* \$175,000.00	10/05/2020 09:05:44 AM	66.176.239.221
8700	Plaintiff	*\$175,001.00		
9313	Benjie Sperling	* \$184,999.00	10/05/2020 09:06:18 AM	66.176.239.221
8700	Plaintiff	*\$185,000.00		
9313	Benjie Sperling	* \$185,002.00	10/05/2020 09:06:52 AM	66.176.239.221
8700	Plaintiff	*\$185,003.00		
	<b>Auction Closed</b>		10/05/2020 09:08:00 AM	

The final bid was made by: 72 PARTNERS LLC In the total amount of: \$185,003.00

Final Bid Amount: \$185,003.00

Clerk Fees: \$0.00 **Doc Stamps:** \$1,295.70 **Total Due:** \$1,295.70

\* = Bid via Proxy \*\* = Not Enough Deposit

Filing # 113228332 E-Filed 09/11/2020 01:24:47 PM

Serial Number 20-01736S



Published Weekly Sarasota, Sarasota County, Florida

COUNTY OF SARASOTA

2011-CA-004209 NC

STATE OF FLORIDA

Before the undersigned authority personally appeared <u>Karen Ovadia</u> who on oath says that he/she is Publisher's Representative of the Business Observer a weekly newspaper published at Sarasota, Sarasota County, Florida; that the attached copy of advertisement,

being a Notice of Sale

in the matter of 72 Partners LLC vs. Cecil Daughtrey Jr et al

in the Circuit Court, was published in said newspaper in the

issues of 9/4/2020, 9/11/2020

Affiant further says that the said Business Observer is a newspaper published at Sarasota, Sarasota County, Florida, and that said newspaper has heretofore been continuously published and has been entered as periodicals matter at the Post Office in Sarasota in said Sarasota County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he/she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in said newspaper.

\*This Notice was placed on the newspaper's website and floridapublicnotices.com on the same day the notice appeared in the newspaper.

Karen Ovadia

Sworn to and subscribed, and personally appeared by physical presence before me,

11th day of September, 2020 A.D.

by Karen Ovadia who is personally known to me.

Notary Public, State of Florida

(SEAL)

Commission # GG311446
Expires: March 13, 2023
Bonded Thru Aeron Notary

See Attached

NOTICE OF SALE
IN THE CIRCUIT COURT OF THE
TWELFTH JUDICIAL CIRCUIT
IN AND FOR SARASOTA COUNTY,
FLORIDA

Case No.: 2011-CA-004209 NC 72 PARTNERS, LLC, Plaintiff, v. CECIL DAUGHTREY JR., et. al., Defendants

Notice is hereby given pursuant to the Final Judgment entered in the above noted case, that Karen E. Rushing, Clerk of the Circuit Court, will sell the following property situated in Sarasota County, Florida, described as:

All that part of Section 1, Township 38 South, Range 22 East, lying North of State Road 72, All Section 2, Township 38 South, Range 22 East, LESS right of way for State Road 72, All Section 11. Township 38 South. Range 22 East, The North 1/2 and the West 1/4 of the South 1/2 of Section 14, Township 38 South, Range 22 East, All of Section 15, Township 38 South, Range 22 East, LESS railroad right of way, The West 1/2 of Section 16, Township 38 South, Range 22 East, LESS a parcel of land in Sections 2, 11, 14 and 15, lying within the following described parcel: Begin at the NW corner of said Section 11; thence South 01 degrees 59'53" West, 5340.95 feet to the SW corner of said Section 11, thence North 88 degrees 22'46" West, 5377.94 feet to the NW corner of said Section 15; thence South 02 degrees 00'10" West, 1320 feet; thence South 88 degrees 22'46" East, 6698.08 feet; thence North 01 degrees 59'53" East, 7240.95 feet to the South Right-of-Way line of State Road 72; thence South 66 degrees 13'13" West, 1042.16 feet along said South Right-of-Way of State Road 72; thence along said South Right-of-Way of State Road 72, Southwesterly along a curve to the right 400.45 feet to the West line of said Section 2; thence South 02 degrees 14'29" West, 18.87 feet to the Point of Beginning, LESS Oil and Mineral Right, all lying and being in Sarasota County, Florida LESS AND EXCEPT THE FOL-LOWING:

A part of Section 1 and Section 2, Township 38 South, Range 22 East, Sarasota County, Florida lying North of the North maintained right-of-way of State Road No. 72 described as follows: Begin at the Northwest corner of said Section 1, for POINT OF BEGINNING thence S 89°24'17" E along the North line of said Section 1, 90.00 feet: thence S 00°43'39" W and parallel to the West line of said Section 1, 640,90 feet; thence N 89°24'17" W and parallel to the North line of said Section 1, 90.00 feet to a point on the East line of said Section 2; thence N 89°24'07" W, 1680.43 feet; thence S 00°43'39" W and parallel to the East line of said Section 2, 2829.88 feet to a point on the North maintained right-of-way of said State Road No. 72; thence along said North maintained right-of-way the following two courses: thence S 64°41'55" W, 8.24 feet; thence S 64°51'18" W. 489.76 feet: thence N 00°43'39" E and parallel to the East line of said Section 2; 916.00 feet; thence N 89°24'07" W, 1527.00 feet; thence N 00°43'39" E and parallel to the East line of said Section 2, 2771.11 feet to a point on the North line of said Section 2; thence S 89°24'07" E along the North line of said Section 2, 3655.50 feet to the POINT OF BEGINNING.

at public sale, to the highest and best bidder for cash, via the internet at www. sarasota.realforeclose.com, at 9:00 a.m. on October 5, 2020. The highest bidder shall immediately post with the Clerk, a deposit equal to 5% of the final bid. The deposit must be cash or cashier's check payable to the Clerk of the Circuit Court. Final payment must be made on or before 4:00 p.m. of the date of the sale by cash or cashier's check.

IF YOU ARE A PERSON CLAIMING A RIGHT TO FUNDS REMAINING AFTER THE SALE, YOU MUST FILE A CLAIM WITH THE CLERK NO LATER THAN 60 DAYS AFTER THE SALE. IF YOU FAIL TO FILE A CLAIM, YOU WILL NOT BE ENTITLED TO ANY REMAINING FUNDS. AFTER 60 DAYS, ONLY THE OWNER OF RECORD AS OF THE DATE OF THE LIS PENDENS MAY CLAIM THE SURPLUS.

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the Sarasota County Jury Office, P.O. Box 3079, Sarasota, Florida 34230-3079, (941)861-7400, at least seven (7) days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than seven (7) days; if you are hearing or voice impaired, call 711.Personal Representative:

/s/ Ryan L. Snyder Ryan L. Snyder Florida Bar No. 0010849 Attorney for Plaintiff SNYDER LAW GROUP, P.A. 2025 Lakewood Ranch Blvd., Suite 102

Bradenton, FL 34211 Telephone: (941) 747-3456 Facsimile: (941) 747-6789

E-mail: ryan@snyderlawgroup.com September 4, 11, 2020 20-01736S

IN THE CIRCUIT COURT OF THE TWELFTH JUDICIAL CIRCUIT IN AND FOR SARASOTA COUNTY, FLORIDA			
☐ IN THE COUNTY COURT IN AND FOR SARASOTA CO	UNTY, FLORIDA		
DIVISION:	CASE NUMBER:		
CIVIL	2011 CA 004209 NC		
72 PARTNERS LLC A FLORIDA LIMITED LIABILIT <b>PLAINTIFF(s)</b>	Y COMPANY		
vs.			
CECIL DAUGHTREY JR; ET AL.  DEFENDANT(s)			
CERTIFICATE OF SALE			
The undersigned Clerk of the Circuit Court certifies that notice of public sale of the property described in the Order or Final Judgment was published in the Business Observer, a newspaper circulated in Sarasota County, Florida, in the manner shown by the Proof of Publication attached, and on October 05, 2020, the property was offered for public sale to the highest and best bidder for cash. The highest and best bid received for the property in the amount of \$185,003.00 was submitted by: 72 PARTNERS LLC to whom the property was sold. The proceeds of the sale are retained for distribution in accordance with the Order or Final Judgment.			
WITNESS my hand and the seal of said Court on <u>October 05, 2020</u> .			
KAREN E. RUSHING CLERK OF THE CIRCUIT COURT  BY: DATE: October 05, 2020 Deputy Clerk			

Filing # 113228332 E-Filed 09/11/2020 01:24:47 PM

Serial Number 20-01736S



Published Weekly Sarasota, Sarasota County, Florida

COUNTY OF SARASOTA

2011-CA-004209 NC

STATE OF FLORIDA

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in the Circuit Court, was published in said newspaper in the

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Affiant further says that the said Business Observer is a newspaper published at Sarasota, Sarasota County, Florida, and that said newspaper has heretofore been continuously published and has been entered as periodicals matter at the Post Office in Sarasota in said Sarasota County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he/she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in said newspaper.

\*This Notice was placed on the newspaper's website and floridapublicnotices.com on the same day the notice appeared in the newspaper.

Karen Ovadia

Sworn to and subscribed, and personally appeared by physical presence before me,

11th day of September, 2020 A.D.

by Karen Ovadia who is personally known to me.

Notary Public, State of Florida (SEAL)

Ted Hong Commission # 69311446 Expires: Merch 13, 2023 Bonded Thru Aeron Notary See Attached

NOTICE OF SALE
IN THE CIRCUIT COURT OF THE
TWELFTH JUDICIAL CIRCUIT
IN AND FOR SARASOTA COUNTY,
FLORIDA

Case No.: 2011-CA-004209 NC 72 PARTNERS, LLC, Plaintiff, v. CECIL DAUGHTREY JR., et. al., Defendants

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/s/ Ryan L. Snyder Ryan L. Snyder Florida Bar No. 0010849 Attorney for Plaintiff SNYDER LAW GROUP, P.A. 2025 Lakewood Ranch Blvd., Suite 102

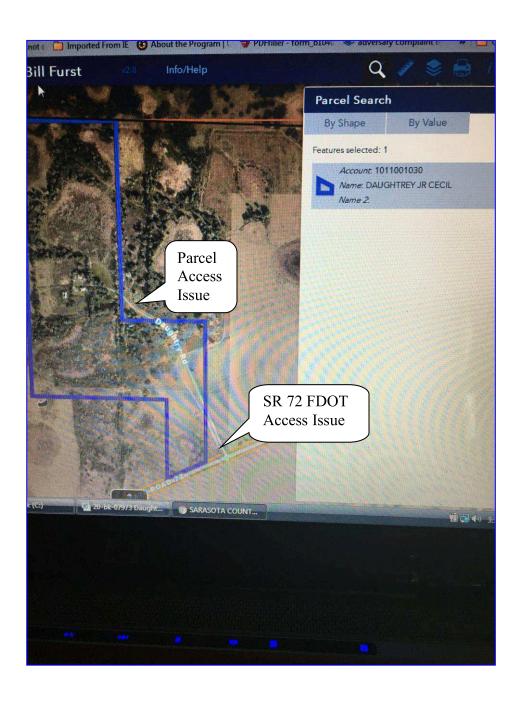
Bradenton, FL 34211 Telephone: (941) 747-3456 Facsimile: (941) 747-6789

E-mail: ryan@snyderlawgroup.com September 4, 11, 2020 20-01736S

#### **EXHIBIT A**

Homestead parcel with access issues from S.R. 72 Needs evidentiary hearing with survey expert work as no established FDOT Right of Way at State Recorded

Professional Surveyor Affidavit on Parcels and Bankruptcy deeds.



#### **AFFIDAVIT**

#### STATE OF FLORIDA

#### COUNTY OF LEE

BEFORE ME, the undersigned authority, personally appeared, ALEX S. ESBER, who was sworn and says, under penalty of perjury that the following allegations are true and correct and made on personal knowledge and that the Affiant is over the age of eighteen (18) and is competent to testify to the matters stated:

- 1. Affiant's name is Alex S. Esber.
- 2. Affiant's address is 3712 75<sup>th</sup> Drive East, Sarasota Florida 34243.
- Affiant is a Professional Surveyor and Mapper, State of Florida License No. 4349.
- 4. Affiant has been a licensed professional surveyor and mapper in the State of Florida for over 34 years.
- 5. Affiant's responsibilities include preparing, reviewing, tracing, and plotting legal descriptions, also ownerships and property rights in addition to preparing and certifying surveys of the same.
- 6. Affiant was engaged by Cecil Daughtrey, Jr., to review the legal descriptions language attached to the mortgage as Exhibit "A," recorded in the official records of Sarasota County, Instrument # 2010072083, the same legal is also attached to "Subordination, Non-disturbance and Attornment Agreement" recorded in the official records of Sarasota County, Instrument # 2010072085; several legal descriptions attached to or included in Court Case 2011 CA 004209 NC; legal description from Sarasota County Property Appraiser Website, Parcel No. 1011-00-1030, reflecting an acreage of said parcel as 96 acres, relative to the property ownership of Cecil Daughtrey.
- 7. Affiant certifies that he did review the legal description language attached to the mortgage as Exhibit "A," recorded in the official records of Sarasota County, Instrument # 2010072083; said legal also attached to "Subordination, Non-disturbance and Attornment Agreement" recorded in the official records

- of Sarasota County, Instrument # 2010072085; several legal descriptions attached to or included in Court Case 2011 CA 004209 NC and, (a) said legal descriptions are defective; (b) said legal descriptions do not definitively describe the property of Cecil Daughtrey, Jr. and Patricia A. Daughtrey; (c) said legal description does not encompass the property of Cecil Daughtrey, Jr. and Patricia A. Daughtrey.
- 8. Affiant also certifies that he did review the legal description language attached to Sarasota County Property Appraiser Website, Parcel No. 1011-00-1030, reflecting an acreage of said parcel as 96 acres and said legal description attached thereto does not properly describe the 160 acre parcel represented in United States Bankruptcy Court Case 9:13-BK-14831-FMD.

FURTHER AFFIANT SAYETH NAUGHT.

Date: 02/17/202)

Alex S. Ésber, PLS

State of Florida

County of Sarascha

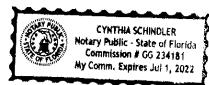
Sworn to and subscribed before me this 17 day of Fear uar 4 2021, by Alex S. Esber, who did take an oath and who is personally known to me or he/she produced FIDL & 216-017 - for identification.

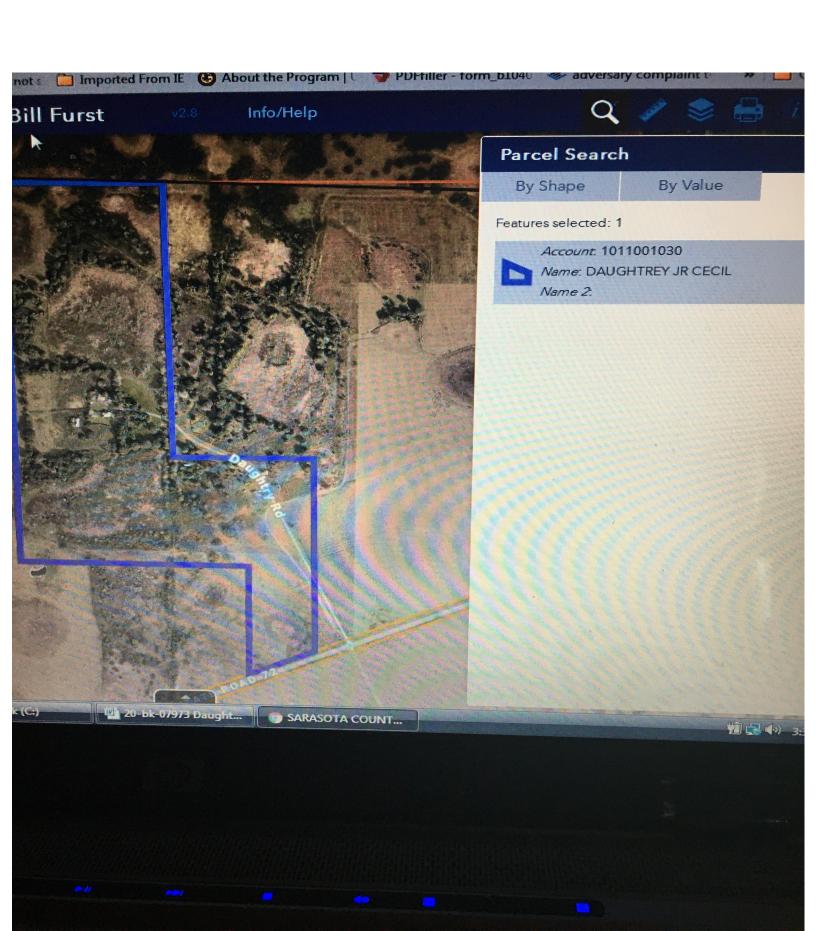
54 -2220

Cunthia 5 China W Signature of Notary Public

Cunthia Schindle

Print, Type, or stamp Commissioned Name of Notary Public







Done

19 of 21

## 9438 Daughtry Rd Sidell, Arcadia, FL 34266

Auction Date: 06/22/20 ·

Status: Canceled · Land,

4,200,881 sqft of Land



Map

Satellite









November 22, 2021

To Whom it May Concern:

RE: CLOSER TO THE HEART

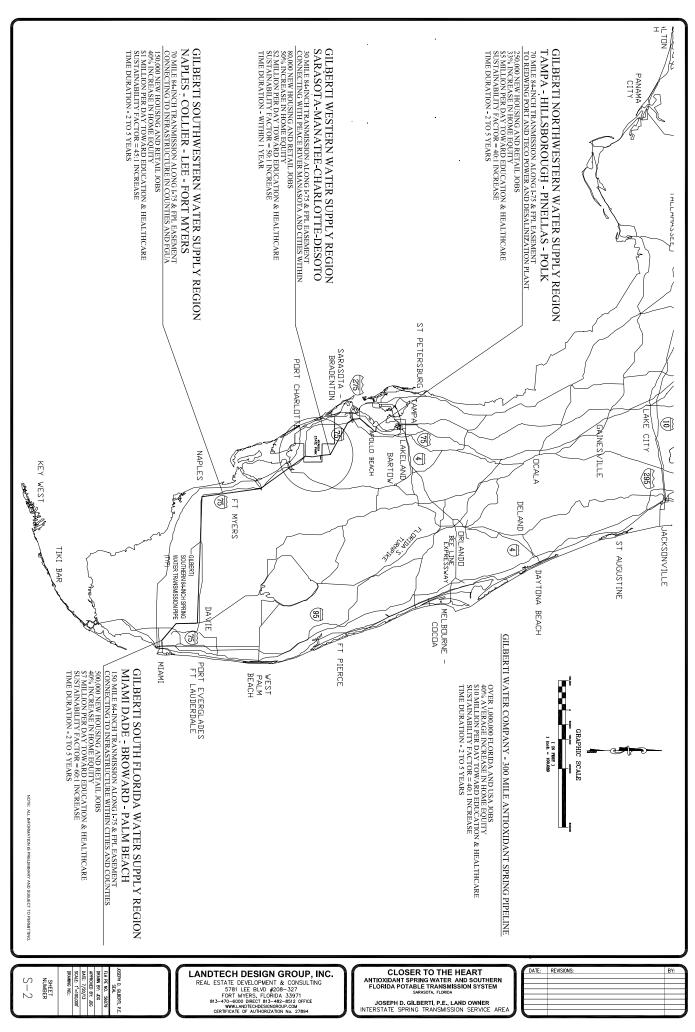
Over the past 13 years I have supervised & used downhole video units and water quality logging trucks in a variety of areas including Closer to the Heart. Based on the results obtained during our pull back zone testing, water quality is extremely good for both the area and depth, the pH values during zone testing ranged from 7.8 to 11

If you have any questions about the above information or if we may be of any further assistance please don't hesitate to call. Thank you.

Sincerely,

Jim Murray

Jim Murray President





#### THIS INSTRUMENT PREPARED BY

Joseph D. Gilberti, Jr., President
LandTech Design Group, Inc.

3148 Beaver Pond Trail 385 Dewake Ave
Valrico, Florida 33596 Ff Mycrs, FL 33931

(813) 470 6000 813-482-8512

## Property Appraisers Tax Folio Numbers: 1009-00-1000 and 1011-00-1010

RECORDED IN OFFICIAL RECORDS
INSTRUMENT # 2014067954 3 PG(S)
June 10, 2014 12:11:17 PM
KAREN E. RUSHING
CLERK OF THE CIRCUIT COURT
SARASOTA COUNTY, FL



#### **WARRANTY DEED**

THIS INDENTURE, made this day of July, A.D. 2013 between Cecil Daughtrey, Jr. joined by his spouse Patricia Ann Daughtrey, whose address is 9438 Daughtrey Road, Sidell, Florida 34266, grantor\*, and Joseph D. Gilberti, Jr. whose address is 3148 Beaver Pond Trail, Valrico, Florida 33596, grantee\*

\*"Grantor" and "Grantee" are used for singular and plural, as context requires.

WITNESSETH that said grantor, for the consideration of the sum of Ten Dollars (\$10.00) and other good and valuable considerations to said grantor I hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in Sarasota County, Florida, to wit:

All that part of Section 1 lying North of State Road No. 72 and all that part of the East 1675.00 feet of Section 2 lying North of State Road No. 72 and the North 2068.04 feet of the West 924.27 feet of the East 2,599.27 feet of said Section 2, all in Township 38 South, Range 22 East, Sarasota County, Florida.

Subject to reservations, restrictions and easements of record (360 +/- Acres)

**TOGETHER WITH:** All tenements, hereditaments, and appurtenances thereto belonging or in anywise appertaining, with all oil, gas and mineral rights held by grantor and by Predecessors in title.

## THE ABOVE-DESCRIBED REAL PROPERTY IS NOT THE HOMESTEAD OF THE GRANTOR

And the said grantor of the first part does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

**IN WITNESS WHEREOF**, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

Signature of first witness to both

Cecil Dau

CARL Musselvinite

Printed name of first witness

Sonathar forman

Signature of second witness to both

Jonathan Forman

Printed name of second witness

#### STATE OF FLORIDA

#### **COUNTY OF DESOTO**

The foregoing instrument was acknowledged before me this  $26^{\frac{1}{2}}$  day of July, 2013, by Cecil Daughtrey, Jr. joined by his spouse Patricia Ann Daughtrey, husband and wife, who are each [2] personally known to me or who have each produced [3] a Florida driver's license as identification, and who did/did not take an oath.

Notary Pensic State of Florida Books of Filaman My Johnnesson DD907737 Expires 99/27 2013 Notary Public, State of Florida

Bobbi Jo Forman
Print Notary Name

My Commission Expires:

9/27/13

Commission Number

#### SKETCH AND DESCRIPTION

THAT PART OF SECTION 1, TOWNSHIP 38 SOUTH, RANGE 22 EAST, LYING NORTH OF STATE ROAD 72, CONTAINING 208.5 ACRES,

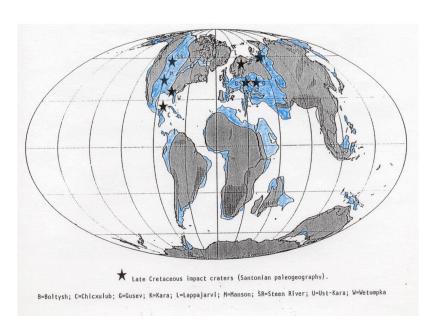
ALSO THAT PART OF THE EAST 1675 FEET OF SECTION 2, TOWNSHIP 38 SOUTH, PANGE 22 EAST, LYING NORTH OF STATE ROAD 72, AND THE NORTH 2688.04 FEET OF THE WEST 924.27 FEET OF THE EAST 2599.27 FEET OF SAID SECTION 2, TOWNSHIP 38, PANGE 22 EAST, CONTAINING 157 ACRES, MORE OR LESS.

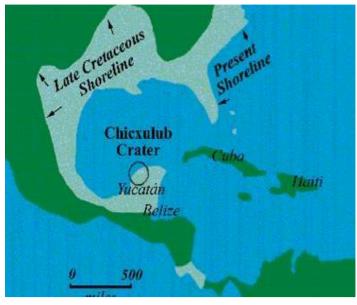
#### MANATEE COUNTY SECTION: 34-37-22 SECTION DE = 37 - 22 SECTION 31-37-23 SECTION 36-37-12 SARASOTA DESOTO PID# 1009-00-1000 COUNTY PID# 1011~00~1010 PID# 1011-00-1606 COUNTY 157 ACRES 4/-466 ACRES 4/-Gilberti Ranch HOMESTEAD PARCEL STATE ROAD 12 SECTION 3-38-22 SECTION 2-38-22 SECTION 1 -38-22 SSCT/ON 6-38-23 SECTION 10-38-22 9ECTION 12-38-22 SECTION 11-33-22 CERTIFICATION I HEREBY CERTIFY THAT THIS SKETCH OF DESCRIPTION TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA SURVEYORS NOTE LAND SURVEYORS IN CHAPTER STG17-8, FLORIDA ADMIT PURSUANT TO SECTION 472.027, FLORIDA STATUTES. THIS DRAWING IS A DESCRIPTION SHEECH ONLY ESBEP & ASSOCIATES, Inc. CEPTIFICATE OF AUTHORIZATION NO. LP 6854 AND DOES NOT PEPRESENT A FIELD SURVEY OF PARCEL DESCRISED THEORYATION SHOWN HERSON WAS TAKEN FROM PUBLIC RECORDS This copy has been adacted pursuant to law this day of 2. THE APEAS OF THE TRACTS SHOWN HEPFON ARE APPROXIMATED SASED ON REPORMSTION FROM RAPASSOCA COUNTY OR SITE AND HAVE NOT BEEN VERIFIED BY ESBER PROFESSIONAL SCHMOOP FLORIDA CEPHINOATE \$4549 NOT VALID WITHOUT THE SUMMFIRE VID THE GRADUAL PAIRED SEAL OF A FLORIDA LICENSED SURJINGS AND MAPPER

Collegistration	PROPERTY NORTH OF SR 72 SECTIONS 1 & 2, TWP. J8 S. ENG. 22 E.	SKETCH AN	ND DESCRIPTION   trav Ranch	ESBER & ASSOCIATES	
of a contract	g 1937. Oct. 75., \$511134. 32.4. 34.	PZ0014		Professional Surveyors	
Address Co.		Estant Sec. 498	DATE: 04/11, 60	1370 Myakka Road · Sarasota, FL 34840	
400		CHESSARD BY ASE	ACAD DECAMES OUR	(041)479-8831 · Pax (941)422-9038	

# A Sustainable Water Supply for South Florida

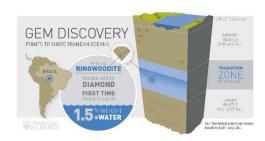
Revitalizing the Environment, Economy, & Health

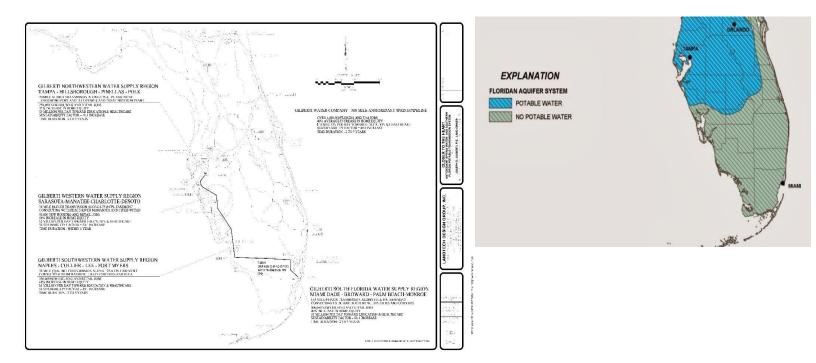




# GILBERTI KT HYPOTHESIS - ENDLESS CLEAN WATER, FOOD PROVIDES WORLD PEACE.

KT Event Impact kills Dinosaurs and tilts Florida Platforms giving access to Oceans Beneath the Earth 400miles below, hidden 40yrs for Cancer Profits & Natural Resource Wars.





- Eliminate Sea Water Intrusion on Water Supply replacing Tap with Spring Water
   Pipeline Port Export of Medicine Water pays US Health, Soc Security & Education!
- Reduce Local Withdrawal from Constrained Upper Aquifer & End Florida Water Wars
- Reduce Toxic Waste Disposal in Lower Local Aquifer
- Reduce Carbon Footprint and Mitigate Climate Change & Sea Level Rise
- Make Funds Available for Environmental Conservation, Preservation and Remediation

## **Environmental Benefits**

ETR Environmental Testing & Research Laboratories

Report #: 11712156 Date: 11/7/2012 P.O.Number: 102 Ck

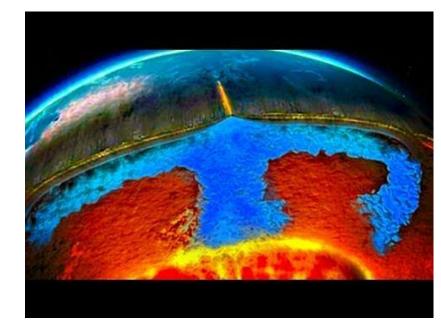
Matrix: Well Water Client: Cecil Daughtrey Jr. Sample 9438 Daughtrey Rd Location Sidell FL 34266 (813) 470-6000

This sample taken by Joe Gilberti, P.E. at 3:00:00 PM on 10/24/2012. . Point of collection: Well #2

	Results		Public Drinking Water EPA Limits
General Bacteria			
Total Coliform	Absent	Animal or Vegetational Bacteria	0
Fecal/E. Coli	Absent	Animal Bacteria	0
MicroAnalysis .			
MicroAnalysis	See Attached		
General Chemistry			
Sodium	74.05 mg/L	20.0 mg/L is Mass. DEP Guideline	250.0 mg/L
Potassium	4.11 mg/L	A Component of Salt	No Limit
Copper	Not Detected	Indicates Plumbing Corrosion	1.30 mg/L
Iron	0.64 mg/L	Brown Stains, Bitter Taste	0.30 mg/L
Manganese	Not Detected	May Cause Laundry Staining	0.05 mg/L
Magnesium	71.90 mg/L	A Component of Hardness	No Limit
Calcium	118.20 mg/L	A Component of Hardness	No Limit
Arsenic	Not Detected	A Toxic Metal	0.010 mg/L
Lead	Not Detected	A Toxic Metal	0.015 mg/L
Zinc.	Not Detected	A Toxic Metal	5.0 mg/L
pH	7.49 SU	Acid/Basic Determination	6.5 - 8.5 SU
Turbidity	0.49 N.T.U.	Presence of Particles	No Limit
Color	Not Detected	Clarity (0), Discoloration (15)	15.0 C.U.
Odor	Not Detected	Odor due to Contamination	3.0 T.O.N.
Conductivity	1771.0 umhos	Electrical Resistance (umhos/cm)	No Limit
T.D.S.	1,062.6 mg/L	<b>Total Dissolved Minerals Present</b>	500.0 mg/L
Sediment	Absent	Undissolved Solids	Present
Alkalinity	170.0 mg/L	Ability to Neutralize acid	No Limit
Chlorine	Not Detected	A Disinfectant	4.0 mg/L
Chloride	206.13 mg/L	A component of salt	250.0 mg/L
Hardness	591.2 mg/L	0 - 75 is considered soft	No Limit
Nitrate as Nitrogen	0.29 mg/L	Indicator of Biological Waste	10.0 mg/L
Nitrite as Nitrogen	Not Detected	Indicator of Waste	1.0 mg/L
Ammonia as Nitrogen	0.497 mg/L	Indicator of Waste	No Limit
Sulfate	851.40 mg/L	A Mineral, Can Cause Odor	250.0 mg/L
Radiochemistry			
Radon in Water	Not Detected	Massachusetts D.E.P. Guideline	10,000 pCi/L

The integrity of the sample and results are dependent on the quality of sampling. The results apply only to the actual sample tested Environmental Testing and Research Laboratories shall be held harmless from any liability arising out of the use of such results

60 Elm Hill Ave. Leominster MA 01453-4864 (978) 840-2941 (800) 344-9977 Page 1 of 3



- Reestablish Real Estate Values with Alkaline Cancer preventing homes!
- Permit Increased Production
- **Create Housing & Science Jobs**
- **Reduce Energy & Water Costs**
- **Reduce Future Capital Costs**

# **Economic Benefits**

- Magnesium sulfate helps prevent eclampsia
- Magnesium sulfate decreases maternal mortality.
- Magnesium sulfate has been demonstrated to prevent preterm labors
- High-calcium water is beneficial to bone density
- Calcium & Magnesium improves digestive health
- Calcium & Magnesium reduces gastric, esophageal & ovarian cancer
- Calcium & Magnesium reduce heart disease
- High pH reduces cancer
- "Many renowned scientists have considered hard water as a boon as it has some fantastic health benefits that seem to encourage longer life expectancy and improved health." (Int J Prev Med. Aug 2013; 4(8): 866–875. PMCID: PMC3775162,
   Potential Health Impacts of Hard Water, Pallav Sengupta)

## Health Benefits





Gilberti's Engineer Tech Rob Stampe Doing Business with Gov Scott in 2013.

Rothschild World Bank owns United States Federal Reserve and worth \$500 Trillion is willing to pay down entire FEDERAL DEBT in 1-Day if America allows them to fund BLUE GOLD PIPELINES & help PROTECT Israel and other Nations around the World with Gilberti Blue Gold Science to locate more access points for World Peace!

### ROTHSCHILD WORLD BANK HELPS AMERICA GROW



Same as Client

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Location Sidell FL 34266

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#### **Health Scan Report**

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Fecal/E. Coli	Absent	Animal Bacteria	0
<u>MicroAnalysis</u>			
MicroAnalysis	See Attached		
General Chemistry			
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Radon in Water	Not Detected	Massachusetts D.E.P. Guideline	10,000 pCi/L

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60 Elm Hill Ave. Leominster MA 01453-4864 (978) 840-2941 (800) 344-9977 Page 1 of 3 info@etrlabs.com www.etrlabs.com



Same as Client

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P.O.Number: 102 Ck

Matrix: Well Water

Client: Cecil Daughtrey Jr.
Sample 9438 Daughtrey Rd

Location Sidell FL 34266

**Phone** (813) 470-6000

This sample taken by Joe Gilberti, P.E. at 3:00:00 PM

on 10/24/2012. Point of collection: Well #2

#### **Health Scan Report**

	Results	Public Drinking Water EPA Limits
Organic Analysis		
Benzene	<b>Not Detected</b>	5.0 ug/L
Bromobenzene	<b>Not Detected</b>	No Limit
Bromochloromethane	<b>Not Detected</b>	No Limit
Bromodichloromethane	<b>Not Detected</b>	No Limit
Bromoform	<b>Not Detected</b>	No Limit
Bromomethane	<b>Not Detected</b>	No Limit
n-Butylbenzene	<b>Not Detected</b>	No Limit
sec-Butylbenzene	<b>Not Detected</b>	No Limit
tert-Butylbenzene	<b>Not Detected</b>	No Limit
Carbon-Tetrachloride	<b>Not Detected</b>	5.0 ug/L
Chlorodibromomethane	<b>Not Detected</b>	No Limit
Chloroethane	Not Detected	No Limit
Chloroform	<b>Not Detected</b>	No Limit
Chloromethane	<b>Not Detected</b>	No Limit
1,2-Chlorotoluene	<b>Not Detected</b>	No Limit
1,4-Chlorotoluene	<b>Not Detected</b>	No Limit
1,2-Dibromo-3-chloropropane	<b>Not Detected</b>	No Limit
Dibromomethane	<b>Not Detected</b>	No Limit
1,2-Dibromomethane	<b>Not Detected</b>	No Limit
1,3-Dichlorobenzene	<b>Not Detected</b>	No Limit
1,2-Dichlorobenzene	<b>Not Detected</b>	600.0 ug/L
1,4-Dichlorobenzene	<b>Not Detected</b>	5.0 ug/L
Dichlorodifluoromethane	<b>Not Detected</b>	No Limit
1,1-Dichloroethane	<b>Not Detected</b>	No Limit
1,2-Dichloroethane	<b>Not Detected</b>	5.0 ug/L
1,1-Dichloroethylene	<b>Not Detected</b>	7.0 ug/L
cis-1,2-Dichloroethene	<b>Not Detected</b>	70.0 ug/L
trans-1,2-dichloroethene	<b>Not Detected</b>	100.0 ug/L
1,2-Dichloropropane	<b>Not Detected</b>	5.0 ug/L
1,3-Dichloropropane	<b>Not Detected</b>	No Limit
2,2-Dichloropropane	<b>Not Detected</b>	No Limit
1,1-Dichloropropene	<b>Not Detected</b>	No Limit
1,3-Dichloropropene	<b>Not Detected</b>	No Limit
trans-1,3-Dichloropropene	<b>Not Detected</b>	No Limit
Ethylbenzene	<b>Not Detected</b>	700.0 ug/L
Fluorotrichloromethane	Not Detected	No Limit

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Page 2 of 3



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on 10/24/2012. . Point of collection: Well #2

#### **Health Scan Report**

	Results		Public Drinking Water <u>EPA Limits</u>
Hexachlorobutadiene	Not Detected		No Limit
Isopropylbenzene	Not Detected		No Limit
Methyl-t-Butyl Ether (MTBE)	Not Detected	Massachusetts DEP Limit	70.0 ug/L
p-lsopropyltoluene	Not Detected		No Limit
Methylene Chloride	Not Detected		5.0 ug/L
Monochlorobenzene	Not Detected		100.0 ug/L
Napthalene	Not Detected		No Limit
n-Propylbenzene	Not Detected		No Limit
Styrene	Not Detected		100.0 ug/L
1,1,1,2-Tetrachloroethane	Not Detected		No Limit
1,1,2,2-Tetrachloroethane	Not Detected		No Limit
Tetrachloroethylene	Not Detected		5.0 ug/L
Toluene	Not Detected		1000.0 ug/L
1,2,3-Trichlorobenzene	Not Detected		No Limit
1,2,4-Trichlorobenzene	Not Detected		70.0 ug/L
1,1,1-Trichloroethane	Not Detected		200.0 ug/L
1,1,2-Trichloroethane	Not Detected		5.0 ug/L
Trichloroethylene	Not Detected		5.0 ug/L
1,2,3-Trichloropropane	Not Detected		No Limit
1,2,4-Trimethylbenzene	Not Detected		No Limit
1,3,5-Trimethylbenzene	Not Detected		No Limit
Vinyl Chloride	Not Detected		2.0 ug/L
o-Xylene	Not Detected		T. Xylenes 10K ug/
m+p Xylenes	Not Detected		T. Xylenes 10K ug/

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