

IN THE CIRCUIT COURT OF THE
ELEVENTH JUDICIAL CIRCUIT, IN AND
FOR MIAMI-DADE COUNTY, FLORIDA

GENERAL JURISDICTION DIVISION

CASE NO. 07-43672 CA 09

STATE OF FLORIDA, OFFICE OF
FINANCIAL REGULATION

Plaintiff,

v.

BERMAN MROTGAGE
CORPORATION, a Florida corporation,
M.A.M.C. INCORPORATED, a Florida
corporation, DANA J. BERMAN, as
Owner and Managing Member,

Defendants.

and,

DB ATLANTA, LLC, a Florida Limited
Liability Company, et al.

Relief Defendants.

THE ORIGINAL FILED
ON MAR 01 2011
IN THE OFFICE OF
CIRCUIT COURT DADE CO. FL

REQUEST FOR JUDICIAL NOTICE

In anticipation of the evidentiary hearing set before the Court on March 3, 2011 on the [I] *Receiver's Motion for an Order Approving the Receiver's Execution of Sales Contracts for the Sale of Additional Condominium Units Owned by Relief Defendant, Oceanside Acquisitions, LLC;* and [II] *Receiver's Second Amended Motion for an Order Approving the Receiver's Execution of All Future Sales Contracts for Condominium Units Owned by Relief Defendant, Oceanside Acquisitions, LLC,* Michael I. Goldberg, as Receiver over the Defendants and Relief Defendant,

Oceanside Acquisitions, LLC by and through their undersigned counsel, and pursuant to Florida Statutes §§ 90.202 and 90.203, hereby requests this Court take judicial notice of the Pasco County, Florida Tax Collector public records attached as **Exhibits A, B and C** hereto as follows:

- A. Copy of Pasco County Tax Collector records showing the outstanding taxes due on 6035 Sea Ranch Drive, Hudson, FL 34667-1527, Unit #406 for years, 2006, 2007, 2008, 2009 and 2010;
- B. Copy of Pasco County Tax Collector records showing the outstanding taxes due on 6035 Sea Ranch Drive, Hudson, FL 34667-1527, Unit #510 for years, 2006, 2007, 2008, 2009 and 2010; and
- C. Copy of Pasco County Tax Collector records showing the outstanding taxes due on 6035 Sea Ranch Drive, Hudson, FL 34667-1527, Unit #803 for years, 2006, 2007, 2008, 2009 and 2010.

Section 90.202, Florida Statutes provides that a court may take judicial notice of the following matters:

- (11) Facts that are not subject to dispute because they are generally known within the territorial jurisdiction of the court.
- (12) Facts that are not subject to dispute because they are capable of accurate and ready determination by resort to sources whose accuracy cannot be questioned.

Judicial notice of a matter outlined in section 90.202 is compulsory upon a party's compliance with section 90.203 of the Florida Statutes. Section 90.203 provides that

“[a] court shall take judicial notice of any matter in s. 90.202 when a party requests it and (1) Gives each adverse party timely written notice of the request, proof of which is filed with the court, to enable the adverse party to prepare to meet the request; (2) Furnishes the court with sufficient information to enable it to take judicial notice of the matter.”

WHEREFORE, the Receiver, Michael I. Goldberg, as Receiver over Oceanside Acquisitions, LLC, requests this Court to take judicial notice of the above referenced matters.

WE HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by U.S. Mail on this 1st day of March, 2011, to the attached Service List.

Respectfully submitted,

BERGER SINGERMAN

Attorneys for Receiver, Michael Goldberg

1000 Wachovia Financial Center

200 South Biscayne Boulevard

Miami, Florida 33131

Phone: (305) 755-9500 / Fax: (305) 714-4340

By: 

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SERVICE LIST

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<p>Charles W. Throckmorton, Esquire KOZYAK TROPIN THROCKMORTON, P.A. 2525 Ponce de Leon Boulevard, 9th Floor Coral Gables, FL 33134</p>	<p>Paul Huck, Esquire Dean C. Colson, Esquire COLSON HICKS EIDSON 255 Aragon Avenue, Second Floor Coral Gables, FL 33134</p>
<p>Jason S. Miller, Esquire ADORNO & YOSS, LLP 2525 Ponce de Leon Boulevard, Suite 400 Coral Gables, FL 33134</p>	<p>Maurice Baumgarten, Esquire ANANIA, BANDKLAYDER, BLACKWELL, BAUMGARTEN, TORRICELLA & STEIN Bank of America Tower – Suite 4300 100 SE 2nd Street Miami, FL 33131 (Courtesy Copy E-Mailed to Counsel)</p>
<p>Mark A. Basurto, Esquire Charles Evans Glausier, Esquire, BUSH ROSS, P.A. Post Office Box 3913 Tampa, Florida 33601-3913</p>	<p>Charles L. Neustein, Esquire CHARLES L. NEUSTEIN, P.A. 777 Arthur Godfrey Road, Second Floor Miami Beach, FL 33140</p>
<p>William Dufoe, Esquire Robert W. Lang, Esquire HOLLAND & KNIGHT, LLP 100 North Tampa Street, Suite 4100 Tampa, FL 33602</p>	<p>Deborah Poore Fitzgerald, Esquire WALTON LANTAFF SCHROEDER & CARSON, LLP Corporate Center, Suite 2000 100 East Broward Boulevard Fort Lauderdale, FL 33301</p>
<p>Peter Valori, Esquire DAMIAN & VALORI, LLP 1000 Brickell Avenue, Suite 1020 Miami, FL 33131</p>	<p>Christopher S. Linde, Esquire Burr Forman 450 S. Orange Avenue Suite 200 Orlando, Florida 32801</p>

cc: The Honorable Jerald Bagley (*via U.S. Mail*)
Michael Goldberg, Esq., as Receiver (*via e-mail*)
The Investor(s)/Lender(s) Group (*via e-mail*)
Posted to the Berman Mortgage Website
Jeannie Reporting (*via e-mail*)
3502355-1

Mike Olson TAX COLLECTOR PASCO COUNTY FLORIDA

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***** THE INFORMATION CONTAINED HEREIN DOES NOT CONSTITUTE A TITLE SEARCH AND SHOULD NOT BE RELIED ON AS SUCH. ADDITIONAL LIENS AND DELINQUENCIES MAY EXIST THAT ARE NOT INCLUDED BELOW. THE PASCO COUNTY TAX COLLECTOR ACCEPTS NO RESPONSIBILITY FOR THE ACCURACY OF THE INFORMATION PROVIDED. ALL FIGURES ARE SUBJECT TO CHANGE OR CORRECTION.(SEE FLORIDA STATUTE 197.122)**

Parcel ID	2010 Tax Year	
33 24 16 0360 00000	ASSESSED VALUE	147,228
4060	HMSTD EXEMPT	
Owner of Record	ADD'L HMSTD EX	
OCEANSIDE	OTHER EXEMPT	
ACQUISITIONS LLC	NON-SCH TAX VALUE	147,228
501 CONTINENTAL PLAZA	SCHOOL TAX VALUE	147,228
	AREA	6200
3250 MARY ST	MILLAGE	<u>16.32490</u>
COCONUT GROVE FL	GROSS TAX	
33133-5232	(INCLUDING SPECIAL	
Physical Address	DISTRICTS)	2,498.21
6035 SEA RANCH DR	Special Districts	
Legal Description (First 4 Lines)	SOLID WASTE	47.74
GULF ISLAND BEACH & TENNIS	PASCO COUNTY STREETLIGHT	
CLUB I A CONDOMINIUM	PASCO COUNTY STORMWATER	47.00
PER	Current Tax	
OR 1381 PG 932 &	AMOUNT DUE IF POSTMARKED BY	
OR 3300 PG 202 &	02/28/11 2,473.23	
Mail To Information	AMOUNT DUE IF POSTMARKED BY	
SAME AS ABOVE	03/31/11 2,498.21	
Escrow Code	DATE RECEIPT AMOUNT PAID	
NONE	Tax Lien (Homestead Denial)	
	NONE	

Unpaid Delinquent Taxes

TAX YEAR	MARCH GROSS TAX	CERTIFICATE NUMBER	BUYER NUMBER	IF RECEIVED BY:	
				02/28/11	03/31/11
2009	\$2,974.52	0910499	<u>993</u>	\$3,660.89	\$3,709.19
2008	\$3,614.83	0810446	<u>993</u>	\$5,151.10	\$5,209.78
2007	\$3,969.00	0709103	<u>842</u>	\$5,140.48	\$5,165.59
2006	\$4,232.69	0606203	<u>1077</u>	\$4,825.91	\$4,825.91

PLEASE REMIT PAYMENT BY MONEY ORDER, CASHIERS CHECK,

EXHIBIT
A

WITHDRAWAL CHECK OR OTHER OFFICIAL CHECK. PERSONAL AND BUSINESS CHECKS WILL BE RETURNED, WHICH MAY RESULT IN ADDITIONAL INTEREST. NOTE: BUSINESS CHECKS OF ATTORNEYS, BANKS, TITLE COMPANIES AND CLOSING AGENTS WILL CONTINUE TO BE ACCEPTED.

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				Boat		Business Tax Receipt
						Fishing/Hunting License

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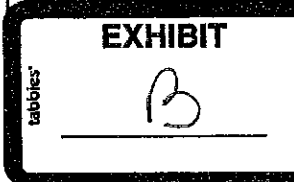
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Parcel ID	2010 Tax Year	
33 24 16 0360 00000	ASSESSED VALUE	149,388
5100	HMSTD EXEMPT	
Owner of Record	ADD'L HMSTD EX	
OCEANSIDE	OTHER EXEMPT	
ACQUISITIONS LLC	NON-SCH TAX VALUE	149,388
2401 DOUGLAS RD	SCHOOL TAX VALUE	149,388
MIAMI FL 33145-3045	AREA	6200
Physical Address	MILLAGE	<u>16.32490</u>
6035 SEA RANCH DR	GROSS TAX	
Legal Description (First 4 Lines)	(INCLUDING SPECIAL DISTRICTS)	2,533.47
GULF ISLAND BEACH & TENNIS	Special Districts	
CLUB I A CONDOMINIUM PER	SOLID WASTE	47.74
OR 1381 PG 932 & OR 3300 PG 202 &	PASCO COUNTY STREETLIGHT	
Mail To Information	PASCO COUNTY STORMWATER	47.00
SAME AS ABOVE	Current Tax	
Escrow Code	AMOUNT DUE IF POSTMARKED BY	
NONE	02/28/11 2,508.14	
	AMOUNT DUE IF POSTMARKED BY	
	03/31/11 2,533.47	
	DATE RECEIPT AMOUNT PAID	
	Tax Lien (Homestead Denial)	
	NONE	

Unpaid Delinquent Taxes

TAX YEAR	MARCH GROSS TAX	CERTIFICATE NUMBER	BUYER NUMBER	IF RECEIVED BY:	
				02/28/11	03/31/11
2009	\$2,974.52	0910502	<u>993</u>	\$3,660.89	\$3,709.19
2008	\$3,615.22	0810449	<u>993</u>	\$5,151.66	\$5,210.35
2007	\$3,970.63	0709106	<u>10488</u>	\$5,142.59	\$5,167.71
2006	\$4,234.47	0606205	<u>1077</u>	\$4,827.93	\$4,827.93

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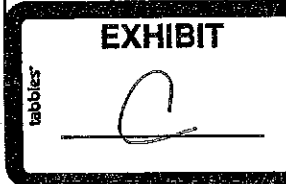
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Parcel ID	2010 Tax Year	
33 24 16 0360 00000	ASSESSED VALUE	156,030
8030	HMSTD EXEMPT	
Owner of Record	ADD'L HMSTD EX	
OCEANSIDE	OTHER EXEMPT	
ACQUISITIONS LLC	NON-SCH TAX VALUE	156,030
501 CONTINENTAL PLAZA	SCHOOL TAX VALUE	156,030
	AREA	6200
3250 MARY ST	MILLAGE	<u>16.32490</u>
COCONUT GROVE FL	GROSS TAX	
33133-5232	(INCLUDING SPECIAL	2,641.91
Physical Address	DISTRICTS)	
6035 SEA RANCH DR	Special Districts	
Legal Description (First 4 Lines)	SOLID WASTE	47.74
GULF ISLAND BEACH & TENNIS	PASCO COUNTY STREETLIGHT	
CLUB I A CONDOMINIUM	PASCO COUNTY STORMWATER	47.00
PER	Current Tax	
OR 1381 PG 932 &	AMOUNT DUE IF POSTMARKED BY	
OR 3300 PG 202 &	02/28/11 2,615.49	
Mail To Information	AMOUNT DUE IF POSTMARKED BY	
SAME AS ABOVE	03/31/11 2,641.91	
Escrow Code	DATE RECEIPT AMOUNT PAID	
NONE	Tax Lien (Homestead Denial)	
	NONE	

Unpaid Delinquent Taxes					
TAX YEAR	MARCH GROSS TAX	CERTIFICATE NUMBER	BUYER NUMBER	IF RECEIVED BY:	
2009	\$2,974.52	0910505	<u>993</u>	02/28/11 \$3,660.89	03/31/11 \$3,709.19
2008	\$3,929.85	0810452	<u>993</u>	\$5,599.13	\$5,662.93
2007	\$4,363.43	0709109	<u>842</u>	\$5,649.17	\$5,676.77
2006	\$4,659.97	0606209	<u>1077</u>	\$5,311.12	\$5,311.12

PLEASE REMIT PAYMENT BY MONEY ORDER, CASHIERS CHECK,



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