

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF FLORIDA
PANAMA CITY DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

CASE NO. 5:09-cv-105/RS-EMT

HUBERT E. STEELEY, URSULA E.
STEELEY, JOHN A. BALDWIN,
BAY POINT IMPROVEMENT
ASSOCIATION, INC. d/b/a BAY POINT
COMMUNITY ASSOCIATION, and
BEN LANIER, as Trustee for the
LAVERNOR LAVEON LANIER, JR.
a/k/a L.L. LANIER AND MARTHA T.
LANIER FAMILY TRUST,

Defendants.

ORDER OF JUDICIAL SALE

Pursuant to the ruling on Plaintiff's motion for summary judgment (Doc. 68), **IT IS**

ORDERED:

1. The United States Marshal shall advertise the sale of the following real property in accordance with Title 28, United States Code, Sections 2001 and 2002, after giving proper notice, and conduct the sale of the properties at the front door of the Bay County Courthouse in Panama City, Florida:
 - a. The real property located in Gulf County at 9115 Highway 98, Port St. Joe Beach, Florida, more fully described as follows:

Commence at an iron pipe marking the Southwest Corner of Block 6, Fryer Plat of Beacon Hill as per plat recorded in Plat Book 1, Page 7, of Public Records of Gulf County, Florida, and thence go North 43 degrees 46 minutes 46 seconds West along the Northerly right of way line of Gulf View Street (as monumented) for a distance of 160.90 feet; thence go South 47 degrees 47 minutes 13 seconds West for 30.00 feet to an iron

pipe on the Southerly right of way line of Gulf View Street; thence go North 44 degrees 06 minutes 47 seconds West for a distance of 50.14 feet to an iron pipe; thence go South 48 degrees 00 minutes 00 seconds West for a distance of 137.80 feet to a concrete monument on the Southerly right of way line of U.S. Highway No. 98 (State Road No. 30); thence go Southeasterly along said right of way line along the arc of a curve to the right which has a radius of 17,155.63 feet and a central angle of 00 degrees 10 minutes 01 seconds for an arc distance of 50.00 feet (Chord bearing South 44 degrees 38 minutes 46 seconds East for a distance of 50.00 feet) for the POINT OF BEGINNING. From said POINT OF BEGINNING continue Southeasterly along said right of way line along the arc of a curve to the right which has a radius of 17,155.63 feet and a central angle of 00 degrees 18 minutes 34 seconds for an arc distance of 92.65 feet (Chord bearing South 42 degrees 42 minutes 56 seconds East for a distance of 72.65 feet); thence departing said right of way line go South 147 degrees 21 minutes 19 seconds West for a distance of 221.80 feet, more or less, to the approximate mean high water line of the Gulf of Mexico; thence go Northwesterly along said approximate mean high water line to apoint which is South 48 degrees 00 minutes 00 seconds West and 223.36 feet more or less, from Point of Beginning; thence departing said approximate mean high water line go North 48 degrees 00 minutes 00 seconds East for a distance of 223.36 feet, more or less, to the point of Beginning. Said parcel of land being in Fractional Section 31, Township 6 South, Range 11 West, Gulf County, Florida.

b. The real property located in Bay County at 4305 Bay Point Road, Panama City Beach, Florida, and more fully described as follows:

Condominium Parcel: Unit No. 455, of Bay Point Golf Villas II, according to the Declaration of Condominium thereof recorded in Official Records Book 462, Page 589 et seq., as provided for by the Condominium Act of the Statutes of the State of Florida (Chapter 711, et seq., 1965) said description includes, but is not limited to, all appurtenances to the Condominium parcel above described, including the limited common element assigned hereto, and including the undivided interest in the common elements of said Condominium.

2. After the properties are sold and the sale is confirmed by this Court, the Defendants and all persons claiming under or against them since the date of the notice by the Marshal are foreclosed of all estate or claim in the properties and the purchasers at the sale shall be let into possession of the properties.

3. After the sales are made, and if there are no objections to the sales within ten days, then the Marshal is directed to make a report and accounting of the proceeds realized from the sales, the bidder, or bidders, at such sale and report the amount of the sales for confirmation. Upon the sales being made the Marshal shall retain the proceeds thereof until confirmation and order of disbursement is made.

ORDERED on May 13, 2010.

/s/ Richard Smoak
RICHARD SMOAK
UNITED STATES DISTRICT JUDGE