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 MORTGAGE** 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:

MAY 1 7 2011

IN THE OFFICE OF CIRCUIT COURT DADE CO., FL

## REQUEST FOR JUDICIAL NOTICE

In anticipation of the hearing set before the Court on June 8, 2011 on the 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, 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 as follows:

Case No.: 07-07524 CA 09

A. 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 attached hereto as Exhibit "A."

- B. 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 attached hereto as Exhibit "B."
- C. Copy of Pasco County Tax Collector records showing the outstanding taxes due on 6035 Sea Ranch Drive, Hudson, FL 34667-1527, Unit #804 for years, 2006, 2007, 2008, 2009 and 2010 attached hereto as Exhibit "C."

Section 90.202(6), Florida Statutes provides that a court may take judicial notice of the records of any court of this state or of any court of record of the United States or of any state, territory, or jurisdiction of the United States.

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) [glives 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) [flurnishes 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 records.

Respectfully submitted,

### BERGER SINGERMAN

Attorneys for Receiver, Michael Goldberg 1000 Wachovia Financial Center 200 South Biscayne Boulevard

Miami, Florida 33131

By:(

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

MONICA F. ROSSBACH Florida Bar No. 13641

E-Mail: mrossbach@bergersingerman.com

### **CERTIFICATE OF SERVICE**

WE HEREBY CERTIFY that a true and correct copy of the foregoing has been

furnished by U.S. Mail on this 17<sup>th</sup> day of May, 201<sub>0</sub>1, to the attached Service List.

Monica F. Rossbac

Cristina Saenz	Alan M. Sandler, Esquire
Assistant General Counsel	SANDLER & SANDLER
STATE OF FLORIDA	117 Aragon Avenue
OFFICE OF FINANCIAL REGULATION	Coral Gables, FL 33134
401 N.W. 2 <sup>nd</sup> Avenue, Suite N-708	
Miami, FL 33128	
Charles W. Throckmorton, Esquire	Paul Huck, Esquire
KOZYAK TROPIN THROCKMORTON, P.A.	Dean C. Colson, Esquire
2525 Ponce de Leon Boulevard, 9 <sup>th</sup> Floor	COLSON HICKS EIDSON
Coral Gables, FL 33134	255 Aragon Avenue, Second Floor
	Coral Gables, FL 33134
Jason S. Miller, Esquire	Maurice Baumgarten, Esquire
ADORNO & YOSS, LLP	Anania, Bandklayder, Blackwell,
2525 Ponce de Leon Boulevard, Suite 400	Baumgarten, Torricella & Stein
Coral Gables, FL 33134	Bank of America Tower – Suite 4300
	100 SE 2 <sup>nd</sup> Street
	Miami, FL 33131
	(Courtesy Copy E-Mailed to Counsel)
Mark A. Basurto, Esquire	Charles L. Neustein, Esquire
Charles Evans Glausier, Esquire,	CHARLES L. NEUSTEIN, P.A.
BUSH ROSS, P.A.	777 Arthur Godfrey Road, Second Floor
Post Office Box 3913	Miami Beach, FL 33140
Tampa, Florida 33601-3913	
William Dufoe, Esquire	Deborah Poore Fitzgerald, Esquire
Robert W. Lang, Esquire	WALTON LANTAFF SCHROEDER
HOLLAND & KNIGHT, LLP	& CARSON, LLP
100 North Tampa Street, Suite 4100	Corporate Center, Suite 2000
Tampa, FL 33602	100 East Broward Boulevard
	Fort Lauderdale, FL 33301
Peter Valori, Esquire	Christopher S. Linde, Esquire
Damian & Valori, LLP	Burr Forman
1000 Brickell Avenue, Suite 1020	450 S. Orange Avenue
Miami, FL 33131	Suite 200
	Orlando, Florida 32801

cc: The Honorable Jerald Bagley (via eCourtesy Copy)
Michael Goldberg, Esq., as Receiver (via e-mail)
The Investor(s)/Lender(s) Group (via e-mail)
Posted to the Berman Mortgage Website

RM000013

# PASCO COUNTY FLORIDA

# NOTICE OF AD VALOREM TAXES AND NON AD VALOREM ASSESSMENTS

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TOTAL AD VALOREM TAXES

16.32490 2438.73

LEVYING AUTHORITY

RATE/BASIS

TRUOMA

SOLID WASTE PASCO COUNTY STORMWATER

62.00 PER ERU 47.00 PER UNIT

11 . 工工 1964年的 151.

47.74\* 47.00\*

\* MARCH GROSS AMOUNT

2533.47

\* ASSESSMENT INCLUDED IN STATEMENT BELOW. PAY AMOUNT UNDER APPROPRIATE MONTH.

PLEASE DETACH HERE AND RETURN BOTTOM PART WITH PAYMENT

# PROPERTY TAX NOTICE • PASCO COUNTY FLORIDA

2010 REAL ESTATE TOTAL AMOUNT DUE IF PAID BY: P&L 12790-04-1

PARCEL 33-24-16-0360-00000-5100 \*DELINQUENT APR 1

2609.47

PAYABLE TO: MIKE OLSON, TAX COLLECTOR (CHECKS ON U.S. BANKS) P.O. BOX 276, DADE CITY FL 33526-0276 ASSESSED VALUE 149388 GULF ISLAND BEACH & TENNI SCHOOL THE EXEMPT SCHOOL TAX VALUE 149388 SCHOOL TAX VALUE 149388 MISC B MLCD 6200 \*\*WARNING\*\* BACK TAXES OWED NOT INCLUDED IN TOTAL ABOVE

OCEANSIDE ACQUISITIONS LLC C/O AKERMAN SENTERFITT 350 E LAS OLAS BLVD #1600 FT LAUDERDALE FL 33301-4247

0910400025334780000000000127900416

03/31/11

P/A

EXHIBIT

# MIKE OISON TAX COLLECTOR PASCO COUNTY FLORIDA

HOME | Real Estate Search | Tangibla Search | Business Tax Receipt Search

Tax | Driver License | Motor Vehicle | Boat | Business Tax Receipt | Fishing/Hunting License

### **OFFICE CLOSURE**

Our Zephyrhills office is closed due to water damage caused by roof failure from the March 31st storm.

2011 Pasco County Tax Certificate Sale Information

### **Real Estate Property Search Results**

· CURRENT AS OF: 05/06/2011 19:10:19 ·

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2008	\$3,615.22 \$3,970.63	0810449 0709106	<u>993</u> 10488	\$5,327.74	\$5,386,43
2007	\$4,234.47	0606205	10488 1077	\$5,217,96 \$4,827,93	\$5,243.08 \$4,827,93
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PAY REAL ESTATE TAXES

### Search Again

### PAYMENT HISTORY NO.

Appraiser's Information Appraiser's Map Delinquent Map Delinquent Map Information

(Venture)

HOME | Real Estate Search | Tangible Search | Business Tax Receipt Search

Tax | Driver License | Motor Vehicle | Boot | Business Tax Receipt | Fishing/Hunting License

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MAY-05-11 01:02 PM PASCO COUNTY PROP APPR
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      I Unit 510
                                                                                                           P. 10
05/05/11
                            PASCO COUNTY PROPERTY APPRAISAL PRINTOUT
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LAND DATA

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                                                     PREVIOUS OWNER:
OWNER NAME & ADDRESS:
OWNER NAME & ADDRESS:
OCEANSIDE ACQUISITIONS LLC
C/O AKERMAN SENTERFITT
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C/O AKERMAN SENTERFITT
350 E LAS OLAS BLVD #1600
FORT LAUDERDALE FL 33301-4247
LEGAL DESCRIPTION:
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# PASCO COUNTY FLORIDA NOTICE OF AD VALOREM TAXES AND NON-AD VALOREM ASSESSMENTS

-						
Author.	2010 REAL ESTATE P	&L 12792-11-7	PARCEL	33-24-16-0	360-0000	0-8030
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LEVYING AUTHORITY RATE/BASIS AMOUNT SOLID WASTE PASCO COUNTY STORMWATER 62.00 PER ERU 47.00 PER UNIT 47.74\* 47.00\*

\* ASSESSMENT INCLUDED IN STATEMENT BELOW. PAY AMOUNT UNDER APPROPRIATE MONTH.

PLEASE DETACH HERE AND RETURN BOTTOM PART WITH PAYMENT

# PROPERTY TAX NOTICE • PASCO COUNTY FLORIDA

2010 REAL ESTATE TOTAL AMOUNT DUE	IF PAID BY:	P&L 12792-11-7	PARCEL	. 33-24-16-0360- *DELING	-00000-8030 QUENT APR 1
				*APR 30 2721.17	
PAYABLE TO: MIKE OLS	ON, TAX COLLEC	TOR (CHECKS ON U.	S. BANKS) P.O.	BOX 276, DADE CITY	FL 33526-0276
ASSESSED VALUE HMSTD EXEMPT	156030 GU	LF ÍSLAND BEACH CLUB Í Á CÓNDON	I & TENNI	MISC B	MLCD 6200
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OCEANSIDE ACQUISITIONS LLC C/O AKERMAN SENTERFITT 350 E LAS OLAS BLVD #1600 FT LAUDERDALE FL 33301-4247

0910400026419190000000000127921170

03/31/11

\* MARCH GROSS AMOUNT

**EXHIBIT** 

# MIKE DISON TAX COLLECTOR PASCO COUNTY FLORIDA

HOME | Real Estate Search | Tangible Search | Business Tax Receipt Search

Tax | Driver License | Mator Vehicle | Boat | Business Tax Receipt | Fishing/Hunting License

### **OFFICE CLOSURE**

Our Zephyrhilis office is closed due to water damage caused by roof failure from the March 31st storm.

2011 Pasco County Tax Certificate Sale Information

### **Real Estate Property Search Results**

· CURRENT AS OF: 05/06/2011 19:10:19 ·

Parcel II		RECTION (SEE FLO 2010 Tax Yea	r	10111111	······································
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	AND BEACH & TENNIS		ECIAL DISTRICT	S)	2,641.9
	CONDOMINIUM PER	Special District SOLID WASTE	ts		47.7
	PG 932 &	PASCO COUNTY	STREETLIGHT		47.7
	PG 202 &		PASCO COUNTY STORMWATER		
	information	<b>Current Tax</b>			
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TAX	ORIGINAL	CERTIFICATE	BUYER		EIVED BY:
YEAR	GROSS TAX	NUMBER	NUMBER	05/31/11	06/30/1:
2009	\$2,974.52	0910505	993	\$3,805.79	\$3,854.0
2008	\$3,929.85	0810452	993	\$5,790.52	\$5,854.3
2007 2006	\$4,363.43	0709109	842	\$5,731.97	\$5,759.5
	\$4,659.97	0606209	1077	\$5.311.12	\$5,311,1

### PAY REAL ESTATE TAXES

### Search Again

### PAYMENT HISTORY (80)

Appraiser's Information Appraiser's Map Delinquent Map Delinquent Map Information

HOME | Real Estate Search | Taugible Search | Business Tax Receipt Search
Tex | Oriver: License | Motor Vehicle | Boat | Business Tax Receipt | Fishing/Hunting License

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MAY-85-11 61:03 PM PASCO COUNTY PROP APPR
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      - Unit 803
                                                                                                        P. 12
                           PASCO COUNTY PROPERTY APPRAISAL PRINTOUT
SC TP RG SUBD BLOCK LOT MAF SYSTEM 33 24 16 0360 00000(8030 CARD 1 OF 1
                                                                                                       12:20:26
USE MODEL DESCRIPTION
                                   TAX AREA DLA ON-LINE DLA BATCH UCN NAL CLASS: 04 6200 050211 010111 4
SPECIAL COND NUM UNITS CODE; %: 00
                                         6200 050211 010111 4
APPR DATE APPR BY VALUATION BY MARKET
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                                                                           EXEMPTION(S):
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                   NOTES:
LAND VAL CD
  4GIS STH FLOOR TYPICAL
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                     2/2 MARCO
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                                                                TOTAL AG VAL (CARD) 0
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TOTAL MKT VAL (PARCEL) 110598
                   BP LL0890 1984
FEMA CD:
FEMA PANEL: 120230 0180 B
TRACK: 0302021 MA: 01
                          LAND DATA (-Smm 153851)

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OMF1 1.00 38999.000 UT 1 100 38999.000 38999

MKT: 38999
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1 FOP 189.00 8.53 1.50 1984 B 60
2 CONDO 1.00 215500.00 1.00 1984 B 60
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OWNER NAME & ADDRESS: PREVIOUS OWNER:
OCEANSIDE ACQUISITIONS LLC GULF OF MEXICO ENTERPRISES INC
C/O AKERMAN SENTERFITT
350 E LAS OLAS BLVD #1600
FORT LAUDERDALE FL 33301-4247
                                                      LAST SALE:
LEGAL DESCRIPTION:
GULF ISLAND BEACH & TENNIS
CLUB I A CONDOMINIUM PER
OR 1381 PG 932 &
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2003 02 5247 1815 MS WD 2 0
STRUCTURAL ELEMENTS
STORIES:
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ROOF-STRUC 09 RIGID FRAME W/BAR ROOF-COVER 04 BUILD UP TAR AND G
EXT-WALL-1
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AIR COND 02 CENTRAL
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BATHROOMS:
QUAL ADJ: 03
SIZE ADJ: 00
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SIZE ADJ: 00 -R T O T: 106
ORIG PCT COND: 100 NORM DEPR: 54.00 EOBS: .0000 TOTAL PTS: 106
FOBS: .0000 TOTAL DEPR: 54.00 PCT COND: 46.00 QUAL ADJ: 1.00
AYB: 1984 EYB: 1984 BASE RATE: 64.00 ADJ BRATE: 67.84 QUAL-INDEX: 106
S U B A R E A I N F O R M A T I O N
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Data Cur	rent as	Of:			Weekly Archive - Saturday, May 07, 2011							
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Additional Land Information												
Acres	0.00		Tax Area	ľ	6200	FEM	A Co	de	Resi	dent	ial Code	4GIS
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A/C		Cent				Baths			2,0			****
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2				<u>9C</u>				189			\$0	
			70007 #44 i i i i i i i i i i i i i i i i i i	a Fe	eatures (		001	of 001	<u> </u>	·		
Line		]	Description	_ _	Ye				Units			alue
11			FOP		19				189			484
2			CONDO		19			****	1		\$7	1,115
				7	Sales I				700 P			
	Previous	Own	<del></del>						ICO ENTER			
Year 2003			Month 02		······································	Book/				pe	_ An	nount #0
2003			10	_  -		5247 /			<u>{</u>	D	<del> </del>	\$0 *0
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L 1930			ro	!		700T \	1010			<u>C</u>		\$0

RM000015

# PASCO COUNTY FLORIDA

## NOTICE OF AD VALOREM TAXES AND NON-AD VALOREM ASSESSMENTS

T.A.	OHOLOH IID VIALORIJI LIMAES III	VID INCIPE	A.A. 4 V.B.A.			ATTACK WAY
Accounts	2010 REAL ESTATE P&L 12792-	12-6	PARCEL".	33-24-16-	0360-0000	0-8040
فيسترجينها	ASSESSED TO OCEANSIDE ACQUISITIONS LL	c :	SCHOOL	TAXABLE V	ALUE	156030
1	ASSESSED VALUE 156030 EXEMPTIONS	†	NON-SCH	TAXABLE	VALUE	156030
<u> </u>				palarens to an artist to be too	na din magazina an an an antara di sa	angles and the Angles and Angles
ļ		TAXABLE V	XI HE	MILLAGE		LEVIED
1	TAXING AUTHORITY	TAXABLE V	ALUE	MILLAGE	IAXES	CEATED
and make the contractions	COUNTY COMMISSION - OPERATING COUNTY SCHOOL OPERATING ST LAW COUNTY SCHOOL - CAPITAL OUTLAY COUNTY MUN SERVICE FIRE DIST	15 15	6030 6030 6030 6030	6.36680 6.26700 1.50000 1.42670		993.41 977.84 234.05 222.61
and the same of the same of	SW FLA WATER MANAGEMENT DIST COASTAL RIVERS BASIN PASCO COUNTY MOSQUITO CONTROL	15 15	6030 6030 6030	.37700 .18850 .19890		58.82 29.41 31.03

TOTAL AD VALOREN TAXES

16.32490
2547.17

LEVYING AUTHORITY

RATE/BASIS

AMOUNT

SOLID WASTE
PASCO COUNTY STORMWATER

62.00 PER ERU
47.74\*
47.00\*

\* MARCH GROSS AMOUNT

2641.91

\* ASSESSMENT INCLUDED IN STATEMENT BELOW. PAY AMOUNT UNDER APPROPRIATE MONTH.

PLEASE DETACH HERE AND RETURN BOTTOM PART WITH PAYMENT

# PROPERTY TAX NOTICE • PASCO COUNTY FLORIDA

2010 REAL ESTATE TOTAL AMOUNT DUE IF PAID BY:

P&L 12792-12-6

PARCEL 33-24-16-0360-00000-8040 \*DELINQUENT APR 1

\*APR 30 2721.17

PAYABLE TO: MIKE OLSON, TAX COLLECTOR (CHECKS ON U.S. BANKS) P.O. BOX 276, DADE CITY FL 33526-0276

ASSESSED VALUE 156030 GULF ISLAND BEACH & TENNI MISC B MLCD 6200 \*SCLUB I A CONDOMINIUM PE SCLUB I A CONDOMINIUM PE ROR 1381 PG 932 & \*\*WARNING\*\* BACK TAXES OWED OTHER EXEMPT (FULL DESC ON TAX ROLL) NOT INCLUDED IN TOTAL ABOVE SCHOOL TAX VALUE 156030

OCEANSIDE ACQUISITIONS LLC C/O AKERMAN SENTERFITT 350 E LAS DLAS BLVD #1600 FT LAUDERDALE FL 33301-4247

0910400026419190000000000127921268

# **NIKE OISON** TAX COLLECTOR PASCO COUNTY FLORIDA

HOME | Real Estate Search | Tangible Search ; Business Tax Receipt Search
Tax | Driver License | Motor Vehicle | Boat | Business Tax Receipt | Fishing/Hunting License

### **OFFICE CLOSURE**

Our Zephyrhills office is closed due to water damage caused by roof failure from the March 31st storm.

2011 Pasco County Tax Certificate Sale Information

### **Real Estate Property Search Results**

· CURRENT AS OF: 05/10/2011 19:01:35 ·

Parcel II		RECTION.(SEE FLC 2010 Tax Yea		13/.122)		
	, 0360 00000 8040	ASSESSED VAL	•		156,03	
33 24 10 Owner o		HMSTD EXEMPT			130,03	
	DE ACOUISITIONS LLC	ADD'L HMSTD E	:X			
	MAN SENTERFITT	OTHER EXEMPT				
350 E LAS	OLAS BLVD #1600	NON-SCH TAX			156,03	
	RDALE FL 33301-4247		ALUE		156,03	
Physical	Address	AREA MILLAGE			620	
	RANCH DR	GROSS TAX			<u>16.3249</u>	
	scription (First 4 Lines)	(INCLUDING SE	ECIAL DISTRICT	S)	2,641,9	
	AND BEACH & TENNIS	Special Distric		٠,	2,041,9	
CLUB I A OR 1381	CONDOMINIUM PER	SOLID WASTE	SOLID WASTE			
OR 3300			PASCO COUNTY STREETLIGHT			
	nformation		PASCO COUNTY STORMWATER			
SAME AS		Current Tax				
SAME AS Escrow (	r ( 1 m		AMOUNT DUE IF RECEIVED BY 05/16/11			
NONE	avue	DATE	RE	CEIPT	AMOUNT PAI	
IAOIAT			restead Denial)	<b>.</b>		
		NONE				
		npaid Delinquent T				
TAX	ORIGINAL	CERTIFICATE	BUYER		EIVED BY:	
YEAR	GROSS TAX	NUMBER	NUMBER	05/31/11	06/30/1	
2009	\$2,974.52	0910506	<u>993</u>	\$3,805.79	\$3,854.0	
2008	\$3,929.85	0810453	<u>993</u>	\$5,790.52	\$5,854,3	
2007 2006	\$4,363.43	0709110	<u> 10494</u>	\$5,731,97	\$5,759.5	
7411385	54.659.97	0606210	1077	\$5,311.12	\$5,311,1	

PAY REAL ESTATE TAXES

### Search Again

### PAYMENT HISTORY 1898

Appraiser's Information

Appraiser's Map

Delinquent Map

Veligianter

**Delinquent Map Information** 

HOME | Real Estate Search | Tangible Search | Business Tax Receipt Search
Tax | Driver License | Motor Vehicle | Boat | Business Tax Receipt | Fishing/Hunting License