

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No.:8:19-cv-908-T-02AEP

ASSETS IDENTIFIED IN  
PARAGRAPH ONE OF  
VERIFIED COMPLAINT

Defendants.

**VERIFIED CLAIM**

Sailboat Square Condominium Association, Inc. (“Association”) hereby files its verified claim to certain assets subject to this civil forfeiture action and says in support of its claim:

1. Association is a Florida corporate entity designated with enforcing rules and making and collecting assessments for Sailboat Square Condominium. Association was delegated these obligations under that Declaration of Condominium of Sailboat Square (“Declaration”) recorded on or about March 4, 1998 at OR Book 3075, Page 826 of the Public Records of Sarasota County, Florida.
2. The real property subject to the Amended Complaint, 444 Gulf of Mexico Drive, Longboat Key, Florida (“Property”) is subject to and bound by the Declaration.
3. The Association, in the ordinary course of its business, and pursuant to the Declaration has made regular and special assessments against the Property and its owners in the amount of \$2,832 that remains unpaid.<sup>1</sup> In addition the Property is liable for future regular and special assessments and charges made by the Association, as well as interest

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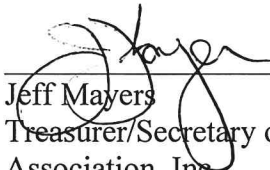
<sup>1</sup> This is the amount of the unpaid condo fee from April 2019, as shown on the spreadsheet attached as **Exhibit 1**.

accruing on all unpaid assessments, legal fees and costs, plus interest thereon incurred in enforcing the Associations rights in this and any other actions.<sup>2</sup> ( All amounts due the Association described in this Paragraph are collectively referred to herein as “Assessments”).

4. The Association has a valid, good faith and legally recognizable interest in the Property, which is a first priority lien, which lien secures the Assessments, by virtue of the Declaration and applicable Florida law.
5. Under Fla. Stat. 718.116(5)(a), the Association’s lien for the Assessments and all future assessments is paramount to any lien or rights of the United States asserted in the Amended Complaint.
6. The Association has no insurance or other sources of recovery to pay the Assessments and future assessments and is able to enforce its rights by foreclosure and by being paid from foreclosure sale proceeds or taking title to the Property.

WHEREFORE, the Association hereby requests that the Court enter an order directing that, from the first proceeds available from the sale of the Property by the United States Marshal or such other procedure ordered by this Court, all amounts due the Association be paid and satisfied in full.

Pursuant to 28 USC § 1746, I declare under penalty of perjury that the foregoing is true and correct.

  
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Jeff Mayers  
Treasurer/Secretary of Sailboat Square Condominium  
Association, Inc.

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<sup>2</sup> The July 2019 condo fee of \$2,382 will be billed shortly, as will a \$6,233 special assessment for replacement of parking lot lights. Another condo fee of \$2,382 is due in October 2019. See **Exhibit 1**.

Sailboat Square Condo Assoc																		
Income Statement		Actual	Actual	Actual	Actual	Actual	Forecast	Forecast	Forecast	Forecast	Forecast	Forecast	Forecast	Forecast	Budget			
For Year Ending	12/31/2019	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19	Jul-19	Aug-19	Sep-19	Oct-19	Nov-19	Dec-19	Total	2019	Var	Var %	
<b>INCOME</b>																		
Dues			8,973		2,832	2,832		4,764			4,764			24,165	31,761	(7,596)	-23.9%	
Other Revenue														0	0	0	#DIV/0!	
<b>TOTAL</b>		<b>0</b>	<b>8,973</b>	<b>0</b>	<b>2,832</b>	<b>2,832</b>	<b>0</b>	<b>4,764</b>	<b>0</b>	<b>0</b>	<b>4,764</b>	<b>0</b>	<b>0</b>	<b>24,165</b>	<b>31,761</b>	<b>(7,596)</b>	<b>-23.9%</b>	
<b>EXPENSES</b>																		
Bank Service Charge														0	204	(204)	-100.0%	
Dock Lease					882									882	850	32	3.8%	
Insurance-Liability														0	500	(500)	-100.0%	
Landscape Services														0	2,706	(2,706)	-100.0%	
Maintenance Contract-Landscape		660	660	660	660	660	1,800	660	660	660	660	660	900	9,300	10,740	(1,440)	-13.4%	
Management Fee													6,000	6,000	6,000	0	0.0%	
Professional Fees		0				60								60	60	0	0.0%	
Recycle														0	2,040	(2,040)	-100.0%	
Repairs & Maintenance			1,520											1,520	2,400	(880)	-36.7%	
Tax Preparation					240									240	200	40	20.0%	
Taxes & Licenses			61											61	61	(0)	-0.4%	
Trash Removal		969	965	967	1,064	1,067	975	975	975	975	975	975	975	11,857	6,000	5,857	97.6%	
<b>TOTAL</b>		<b>1,629</b>	<b>3,206</b>	<b>1,627</b>	<b>2,846</b>	<b>1,787</b>	<b>2,775</b>	<b>1,635</b>	<b>1,635</b>	<b>1,635</b>	<b>1,635</b>	<b>1,635</b>	<b>1,635</b>	<b>7,875</b>	<b>29,920</b>	<b>31,761</b>	<b>(1,841)</b>	<b>-5.8%</b>
<b>INCOME(LOSS)</b>		<b>(1,629)</b>	<b>5,767</b>	<b>(1,627)</b>	<b>(14)</b>	<b>1,045</b>	<b>(2,775)</b>	<b>3,129</b>	<b>(1,635)</b>	<b>(1,635)</b>	<b>3,129</b>	<b>(1,635)</b>	<b>(7,875)</b>	<b>(5,755)</b>	<b>(0)</b>	<b>(5,755)</b>	<b>2301900.0%</b>	
														(5,755)				
444 GOM Condo Fees Outstanding					2,832			2,382			2,382			7,596				
Special Assessment (parking lot lights)								18,700										
444 GOM Share								6,233										

