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FIRST INSERTION

NOTICE TO CREDITORS  
IN THE CIRCUIT COURT FOR  
COLLIER COUNTY, FLORIDA  
PROBATE DIVISION  
File No. 2020-CP-000199  
IN RE: ESTATE OF  
ROBERT J. MCFADDEN  
Deceased.

The administration of the Estate of Robert J. McFadden, deceased, whose date of death was November 25, 2019, is pending in the Circuit Court for Collier County, Florida, Probate Division, the address of which is 3315 Tamiami Trail East, Suite 102, Naples, FL 34112. The names and addresses of the Personal Representative and the Personal Representative's attorney are set forth below.

All creditors of the decedent and other persons having claims or demands against decedent's estate on whom a copy of this notice is required to be served must file their claims with this Court ON OR BEFORE THE LATER OF 3 MONTHS AFTER THE TIME OF THE FIRST PUBLICATION OF THIS NOTICE OR 30 DAYS AFTER THE DATE OF SERVICE OF A COPY OF THIS NOTICE ON THEM.

All other creditors of the decedent and other persons having claims or demands against decedent's estate must file their claims with this Court WITHIN 3 MONTHS AFTER THE DATE OF THE FIRST PUBLICATION OF THIS NOTICE.

ALL CLAIMS NOT FILED WITHIN THE TIME PERIODS SET FORTH IN FLORIDA STATUTES SECTION 733.702 WILL BE FOREVER BARRED.

NOTWITHSTANDING THE TIME PERIODS SET FORTH ABOVE, ANY CLAIM FILED TWO (2) YEARS OR MORE AFTER THE DECEDENT'S DATE OF DEATH IS BARRED.

The date of first publication of this notice is March 20, 2020.

**Personal Representative:**

**John J. McFadden**  
661 Eldorado Blvd., Unit 611  
Broomfield, Colorado 80021  
Attorney for Personal Representative:  
Carol R. Sellers, Attorney  
Florida Bar Number: 893528  
3525 Bonita Beach Road, Suite 103  
Bonita Springs, Florida 34134  
Telephone: (239) 992-2031  
Fax: (239) 992-0723  
E-Mail:  
csellers@richardsonsellers.com  
March 20, 27, 2020 20-00662C

FIRST INSERTION

NOTICE TO CREDITORS  
IN THE CIRCUIT COURT FOR  
COLLIER COUNTY, FLORIDA  
PROBATE DIVISION  
File No. 20-CP-631  
Division: Probate  
IN RE: ESTATE OF  
DAVID J. AUBIN, JR.  
Deceased.

The administration of the estate of David J. Aubin, Jr., deceased, whose date of death was January 16, 2020, is pending in the Circuit Court for Collier County, Florida, Probate Division, the address of which is 3315 Tamiami Trail E., Suite 102, Naples, Florida 34112-5324. The names and addresses of the personal representative and the personal representative's attorney are set forth below.

All creditors of the decedent and other persons having claims or demands against decedent's estate on whom a copy of this notice is required to be served must file their claims with this court ON OR BEFORE THE LATER OF 3 MONTHS AFTER THE TIME OF THE FIRST PUBLICATION OF THIS NOTICE OR 30 DAYS AFTER THE DATE OF SERVICE OF A COPY OF THIS NOTICE ON THEM.

All other creditors of the decedent and other persons having claims or demands against decedent's estate must file their claims with this court WITHIN 3 MONTHS AFTER THE DATE OF THE FIRST PUBLICATION OF THIS NOTICE.

ALL CLAIMS NOT FILED WITHIN THE TIME PERIODS SET FORTH IN FLORIDA STATUTES SECTION 733.702 WILL BE FOREVER BARRED.

NOTWITHSTANDING THE TIME PERIODS SET FORTH ABOVE, ANY CLAIM FILED TWO (2) YEARS OR MORE AFTER THE DECEDENT'S DATE OF DEATH IS BARRED.

The date of first publication of this notice is March 20, 2020.

**Personal Representative:**

**Diane Aubin Olson**  
28257 Jeneva Way  
Bonita Springs, Florida 34135  
Attorney for Personal Representative:  
S. Dresden Brunner, Esq.  
Florida Bar Number: 121886  
S. Dresden Brunner, P.A.  
P.O. Box 111575  
Naples, Florida 34108  
Telephone: (239) 580-8104  
E-Mail:  
dbrunner@dresdenbrunnerlaw.com  
March 20, 27, 2020 20-00678C

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**Business  
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LV10161

FIRST INSERTION

NOTICE TO CREDITORS  
IN THE CIRCUIT COURT FOR  
COLLIER COUNTY, FLORIDA  
PROBATE DIVISION  
File No. 20-CP-720  
Division Probate  
IN RE: ESTATE OF  
ROCCO LACQUANITI  
Deceased.

The administration of the estate of Rocco Lacquaniti, deceased, whose date of death was February 26, 2020, is pending in the Circuit Court for Collier County, Florida, Probate Division, the address of which is 3315 Tamiami Trail E., Suite 102, Naples, FL 34112-5324. The names and addresses of the personal representative and the personal representative's attorney are set forth below.

All creditors of the decedent and other persons having claims or demands against decedent's estate on whom a copy of this notice is required to be served must file their claims with this court ON OR BEFORE THE LATER OF 3 MONTHS AFTER THE TIME OF THE FIRST PUBLICATION OF THIS NOTICE OR 30 DAYS AFTER THE DATE OF SERVICE OF A COPY OF THIS NOTICE ON THEM.

All other creditors of the decedent and other persons having claims or demands against decedent's estate must file their claims with this court WITHIN 3 MONTHS AFTER THE DATE OF THE FIRST PUBLICATION OF THIS NOTICE.

ALL CLAIMS NOT FILED WITHIN THE TIME PERIODS SET FORTH IN FLORIDA STATUTES SECTION 733.702 WILL BE FOREVER BARRED.

NOTWITHSTANDING THE TIME PERIODS SET FORTH ABOVE, ANY CLAIM FILED TWO (2) YEARS OR MORE AFTER THE DECEDENT'S DATE OF DEATH IS BARRED.

The date of first publication of this notice is March 20, 2020.

**Personal Representative:**

**Valeria Simpson**  
10090 Chesapeake Bay Dr.  
Fort Myers, Florida 33913  
Attorney for Personal Representative:  
Philip R. Maiorca, Attorney  
Florida Bar Number: 0848573  
2180 Immokalee Road,  
Suite 212  
Naples, FL 34110  
Telephone: (239) 596-3650  
Fax: (239) 596-0630  
E-Mail:  
pmaiorca@prmlegalservices.com  
Secondary E-Mail:  
pmaiorca@firstbostontitle.com  
March 20, 27, 2020 20-00659C



FIRST INSERTION

NOTICE OF SALE IN THE CIRCUIT COURT OF THE TWENTIETH JUDICIAL CIRCUIT IN AND FOR COLLIER COUNTY, FLORIDA... 2EE LLC, a Florida limited liability company, Plaintiff, v. PROMENADE ON FIFTH LLC, a Florida limited liability company...

All that part of Lots 1 and 2 of Beaumaris Subdivision according to the Plat thereof, as recorded in Plat Book 4, Page 63, Public Records of Collier County, Florida, LEE and EXCEPTING therefrom the following described parcel: Commencing at the Southwest corner of Lot 7 of Beaumaris Replat...

the South line of Lot 2 of said Beaumaris Subdivision; thence along said South line of Lot 2, North 58 degrees 18' 42" West, 408.84 feet to the Southwest corner of Lot 1 of said Beaumaris Subdivision...

15" East, 3.00 feet to the Point of Beginning. All being a part of Lots 1 and 2 of Beaumaris Subdivision (Plat Book 4, Page 63) Collier County, Florida. Any person claiming an interest in the surplus from the sale...

NOTICE OF RESCHEDULED SALE IN THE CIRCUIT COURT OF THE TWENTIETH JUDICIAL CIRCUIT IN AND FOR COLLIER COUNTY, FLORIDA... CIVIL ACTION CASE NO.: 2012-CA-004596 NATIONSTAR MORTGAGE LLC, Plaintiff, vs. ALMA A. GARZA, et al, Defendant(s).

RIGHT-OF-WAY. A/K/A 1660 O'QUINN ROAD, IMMOKALEE, FL 34142 Any person claiming an interest in the surplus from the sale...

FIRST INSERTION

NOTICE TO CREDITORS IN THE CIRCUIT COURT FOR COLLIER COUNTY, FLORIDA PROBATE DIVISION Case No.: 20-CP-600 IN RE: ESTATE OF BETTY MARIE SMOOT, Deceased.

The Administration of the Estate of Betty Marie Smoot, deceased, whose date of death was February 20, 2020 Case No.: 20-CP-600, is pending in the Circuit Court for Collier County, Florida, Probate Division...

FIRST INSERTION

NOTICE TO CREDITORS IN THE CIRCUIT COURT FOR COLLIER COUNTY, FLORIDA PROBATE DIVISION File No.: 20-CP-0577 Division Probate IN RE: ESTATE OF PETER C. PENTZ Deceased.

The administration of the estate of Peter C. Pentz, deceased, whose date of death was January 29, 2020, is pending in the Circuit Court for Collier County, Florida, Probate Division...

FIRST INSERTION

NOTICE TO CREDITORS (Summary Administration) IN THE CIRCUIT COURT OF THE TWENTIETH JUDICIAL CIRCUIT IN AND FOR COLLIER COUNTY, FL PROBATE DIVISION FILE NO. 2020-CP-000718 JUDGE: KRIER IN RE: ESTATE OF FRANCES MCCRANEY STRAW, DECEASED.

TO ALL PERSONS HAVING CLAIMS OR DEMANDS AGAINST THE ABOVE ESTATE: You are hereby notified that an Order of Summary Administration has been entered in the estate of FRANCES MCCRANEY STRAW...

FIRST INSERTION

ALL INTERESTED PERSONS ARE NOTIFIED THAT: All creditors of the estate of the Decedent and persons having claims or demands against the estate...

The date of first publication of this notice is: March 20, 2020. Person Giving Notice: JOHN ALLEN P.O. Box 430 Saxonburg, PA 16056

FIRST INSERTION

NOTICE OF SALE IN THE COUNTY COURT OF THE 20TH JUDICIAL CIRCUIT, IN AND FOR COLLIER COUNTY, FLORIDA CIVIL DIVISION CASE NO.: 11-2019-CC-001728-0001-XX MAPLE RIDGE AT AVE MARIA HOMEOWNERS ASSOCIATION, INC., A FLORIDA NOT FOR PROFIT CORPORATION, Plaintiff, vs. DANIEL MEDINA; ANY AND ALL UNKNOWN PARTIES CLAIMING BY, THROUGH, UNDER AND AGAINST THE HEREIN NAMED DEFENDANT(S) WHO ARE NOT KNOWN TO BE DEAD OR ALIVE, WHETHER SAID UNKNOWN PARTIES MAY CLAIM AN INTEREST AS SPOUSES, HEIRS DEVISEES, GRANTEEES OR OTHER CLAIMANTS; JOHN DOE AND JANE DOE AS UNKNOWN TENANTS IN POSSESSION; AND ALL OTHERS IN POSSESSION, Defendant(s).

NOTICE IS HEREBY given pursuant to Final Summary Judgment of Foreclosure dated February 27, 2020 and entered in CASE NO. 11-2019-CC-001728-0001-XX of the Circuit Court of the 20th Judicial Circuit in and for COLLIER County, Florida...

FIRST INSERTION

HOMEOWNERS ASSOCIATION, INC. is the Plaintiff and DANIEL MEDINA is the Defendant, I will sell to the highest and best bidder for cash at the Lobby in the 3rd Floor of the Collier Courthouse Annex...

Lot 104, COQUINA AT MAPLE RIDGE PHASE 1, a subdivision according to the plat thereof AS recorded at Plat Book 57, Pages 55 through 57, in the Public Records of COLLIER County, Florida...

SAVE TIME E-mail your Legal Notice legal@businessobserverfl.com

NOTICE TO CREDITORS IN THE CIRCUIT COURT FOR COLLIER COUNTY, FLORIDA PROBATE DIVISION FILE NO. 2019-CP-000406 Division Probate IN RE: ESTATE OF PETER H. EDWARDS, Deceased.

TAMIAMI TRAIL EAST, NAPLES, FLORIDA, 34112 AT 11:00 A.M. on April 6, 2020, the following described property as set forth in said Final Judgment, to-wit: LOT 75, BLOCK A, UNIT 1, ROYAL PALM GOLF ESTATES, AS RECORDED IN PLAT BOOK 12, PAGE 13, OF THE PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA.















**PUBLIC NOTICES**

# An American Tradition

Public notice is an important tool in assuring an informed citizenry. Notices are mandated by legislatures to make sure there is a public window into the activities of governments, officers of the court and others holding a public trust. There are four key elements to a valid public notice. It should be executed by an entity outside the one mandated to provide notice, so proper checks and balances are in place.

A public notice informs citizens of government or government-related activities that affect citizens' everyday lives. A public notice typically has four elements:

- **Independent:** A public notice is published in a forum independent of the government, typically in a local newspaper.
- **Archivable:** A public notice is archived in a secure and publicly available format.
- **Accessible:** A public notice is capable of being accessed by all segments of society.
- **Verifiable:** The public and the source of the notice are able to verify that the notice was published, usually by an affidavit provided by the publisher.

*(Adapted from the Public Resource Notice Center)*

**Types of Public Notices**

There are three standard types:

• **Citizen participation notices** inform the public about proposed government action and allow the public time to react to such proposals.

One such example is a public hearing notice.

• **Business and commerce notices**

relate to government contracts and purchases. Notices of contract bids allow citizens to ensure that the government is operating in accordance with principles of equal opportunity and is acting responsibly in spending taxpayer money.

• **Court notices** are required of many non-governmental entities that

use public powers or institutions in some way. Examples include notices of home mortgage foreclosures, which can provide a public alert of widespread credit problems, fraud in underwriting and a basis for analyses of housing trends.

This notice allows the public to object to an appointment based on any conflict of interest.

**The history of public notices**

Public notices existed long before the emergence of newspapers. The concept itself began when early civilizations posted notices in public squares. This crude method was eventually refined with the publication of the first English language newspaper in 1665 — a court newspaper called the Oxford Gazette. After being renamed The London Gazette, this official newspaper carried notices from the King's Court, London

officials and outlying regions.

The American system is modeled after the British system. State governments published public notices before America's founding, and the newly-created federal government followed suit. In 1789, the Acts of the First Congress required the Secretary of State to publish all bills, orders, resolutions and congressional votes in at least three publicly available newspapers.

An important premise both in federal

and local governments of the United States, as well as in many republics around the world, is that information about government activities must be accessible for the electorate to make well-informed decisions.

Public notices in newspapers still provide this accessibility to citizens who want to know more about government activities. Public notice laws serve to outline the most effective method of reaching the public.

**Public notice supports due process**

Public notices are integral to democratic governance and stem from the right to "due process of law" guaranteed by the federal and state constitutions. Due process of law protects Americans' rights from arbitrary or wrongful violations. This concept has two parts: substantive due process and procedural due process.

Substantive due process refers to the

types of rights that are protected. Procedural due process refers to the means of protecting those rights.

Substantive due process ensures that certain basic rights are not violated, while procedural due process may require suitable notice and a hearing before a government or court-appointed body can act in a way that may affect those basic rights.

Public notices play a vital role in

substantive and procedural due process because they provide a window into government actions and also afford notice to citizens of actions about to take place so they may exercise their constitutional right to be heard. Notification not only informs the individual or entity most directly affected, but it also informs the public, which has an interest in knowing how public powers are being used.

## WHY NEWSPAPERS?

**Newspapers are the primary source**

Newspapers, founded on the constitutional right of free press, have been serving the public's right to know in America since pre-colonial times and on the European continent since the 17th century. Because of their traditional information role in society and their long-established independence, newspapers remain the primary source for publishing public notices.

Upholding the public's right to know is essential to our country's way of life. Our government governs with the consent of the people, and this consent must be informed. Local newspapers keep the public informed about the inner workings of their respective state and local governments, thereby allowing citizens to participate more fully in the democratic process. Without this participation, the potential for misguided policies increases.

**Newspaper tradition**

Newspapers allow the government to notify the public of government actions. The government has a fundamental responsibility to ensure adequate notification to the public of its actions. Therefore, the government has a duty to make sure the methods used in satisfying this responsibility are the most effective.

Newspapers provide neutrality from government and credible distance from political pressures or partisan disagreements. Local and community newspapers serve as third-party reporters to the public, publishing information that can be beneficial or sometimes detrimental to the government's public image. They provide an environment for notices that the

public traditionally has regarded as neutral. Public notices in this print environment gain credibility because of the long history of trust in the local newspaper.

Placing notices on government Web sites undermines this neutral interest and removes a critical check and balance. While it may seem appealing on the surface in an age of ever-more sophisticated government Web sites, the potential for mishandling is great.

On the other hand, public notices in independent newspapers increase government transparency by opening up the decision-making process to the public's eyes. Without this oversight, local governments could enact controversial policies without input from the public.

Newspapers serve as effective monitors of governments and ensure that they publish information as required by law. Public notices are typically required by a statute or a regulation. The independent press can provide a valuable civic role by helping to monitor that the notices were published when required. If governments were responsible for publishing their own notices, no neutral and independent entity would have the incentive and the means to track public-notice publication.

**Newspapers: The best medium for public notices**

Newspapers, for the most of the republic's history, have been the accepted medium for public notices. This is exactly where the public, even infrequent readers, expects to find them. In addition, specialized publications, such as legal newspapers, are well known for

providing public notices to the population through legal communities. Other general interest newspapers, such as county seat weeklies, are the forum where county citizens expect to locate notices of important public business. Furthermore, the vast majority of these notices arrive at citizens' homes in a context that compels readership (amid local news, sports features and other content).

Another reason for the effectiveness of newspapers is that newspapers provide valid evidence of readership.

Legislatures are rightly concerned about web-only notices, given the digital divide between rich and poor, rural and urban residents. The Internet is either too costly or simply geographically unavailable to large segments of society.

**Notices become historical records**

The newspaper as paper of record is an important factor in the public policy of notices. Government Web sites cannot provide a secure archival history the way newspapers can. Electronic records lack permanence and can easily be intentionally or accidentally erased. Even the Library of Congress has recognized this shortcoming and has embarked upon a major project to attempt to archive digital records that are in danger of being "forever lost" due to Internet impermanence.

Despite these problems, the federal courts unwisely approved a rule change to the Federal Rules of Civil Procedure recently that would

move notices of federal asset forfeitures out of newspapers and onto a Web site administered by the Department of Justice. Yet, the courts have little research to show that the Justice Department's Web site will produce viable, accessible, archivable notices.

While Internet web pages pose serious archiving challenges, newspapers, on the other hand, become historical documents. They are oriented and published with a date on every page. They cannot be deceptively altered after printing as a web page could. Historians, judges, lawyers, genealogists and researchers, to name only a few, use newspapers and public notices in particular as sources for records.

**Newspaper notices protect due process**

Procedural due process, as granted by the U.S. Constitution and interpreted

by courts, generally requires an individual to receive notice and a hearing before he or she is deprived of certain rights or property. For example, before a person's home is sold by a county sheriff at a foreclosure sale, he or she must receive notice of the foreclosure sale and an opportunity to save the house from foreclosure. If the owner does not receive the notice, he may challenge the sale in court. The court may then void the sale or prevent the sale from happening to protect due process.

Newspapers are generally paid to run public notices, which recognizes that their publication creates a cost in paper, ink and delivery.

**THE RISKS OF NOTICES ONLY ON THE INTERNET**

Although it has been part of American society for a quarter-century as a network for scholars and government agencies, the Internet has been widely used by citizens for about 15 years.

Because of its structure with computer clients and servers, information packets and open-network codes, the Internet remains vulnerable and sometimes unstable. Power surges, corrupted software and downed servers can disrupt access. Government agencies cannot ensure that information located on a server is secure.

Even a highly technological site like that of the Pentagon's has been affected. In June 2007, the Pentagon was forced to take about 1,500 computers off-line because of a cyber-attack. Then-Defense Department Secretary Robert Gates stated that the Pentagon sees hundreds of attacks every day.

Public notices guard our constitutional right to due process of law by informing citizens of government action and providing proof of publication via notarized affidavits of publication. Unlike the time-tested and trusted local newspapers that citizens have come to rely on for public notices, the Internet is an unstable medium for information. While it is a valuable tool in disseminating information, it has not yet reached a level of sophistication and technological stability that would justify its supplanting newspapers as the primary venue for public notices.

It is still uncertain how a "Net" affidavit could show proof of a public notice publication when constant technological change makes any attempt at archiving and accessing such a document online for any significant time dubious.

No less problematic for the Internet is its reach. Those who live in rural areas where broadband does not exist and others who simply cannot afford the Internet cannot access web public notices. In situations where foreclosures are on the rise due, in part, to predatory mortgage lending, more, not less, access to public notices is needed to better inform citizens about their rights and their choices.

It is difficult to justify, then, moving public notices from newspapers only to public-notice Web sites administered either by already over-burdened state governments or by third-party vendors who lack the experience and long-term viability newspapers have proven in publishing notices.

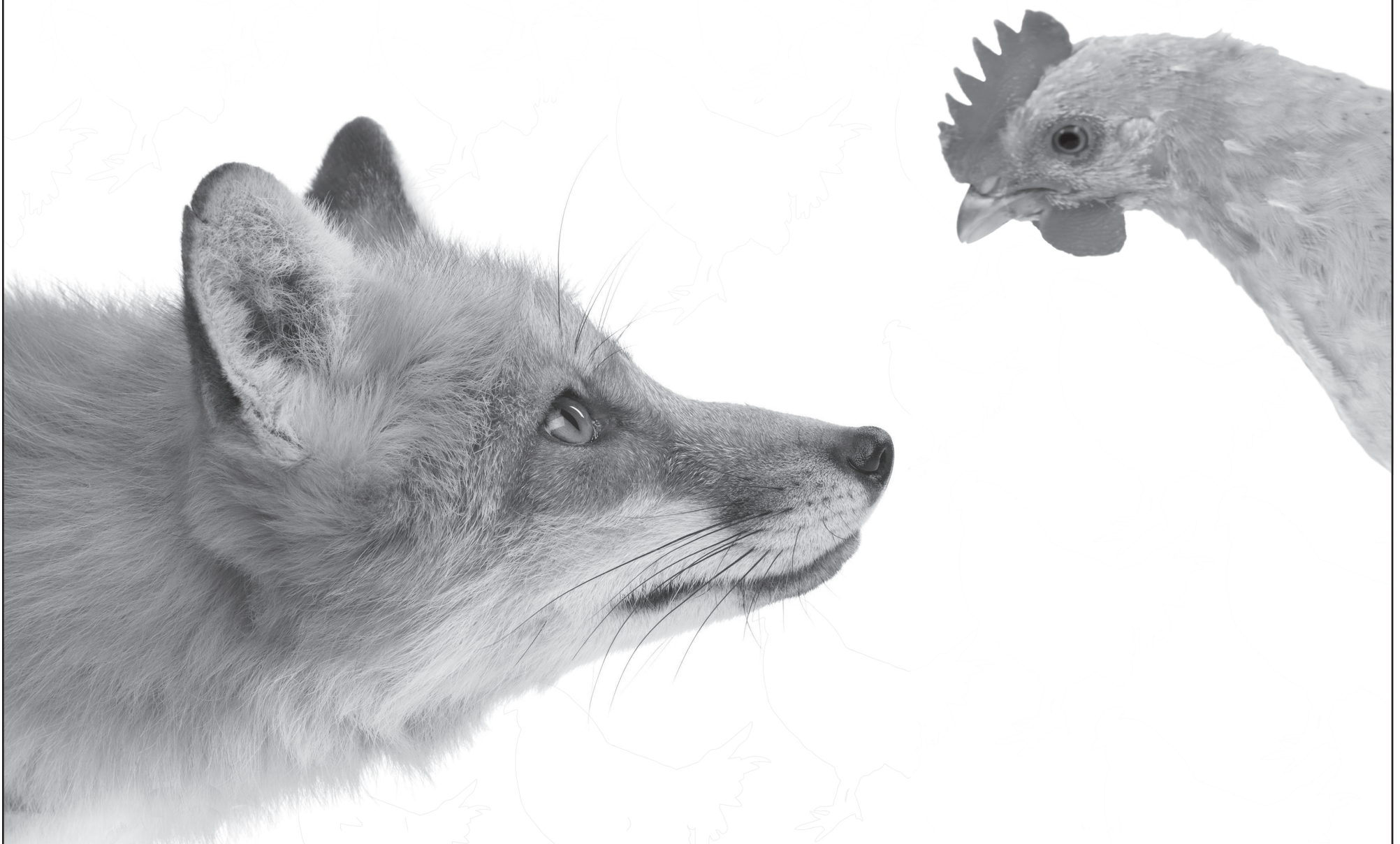
So far in the Internet age, newspapers remain the most trusted and primary method for providing citizens access to public notices.



# WHEN PUBLIC NOTICES REACH THE PUBLIC, EVERYONE BENEFITS.

Some officials want to move notices from newspapers to government-run websites, where they may not be easily found.

This is like putting the fox in charge of the hen house.



Keep Public Notices in Newspapers

