

IN THE CIRCUIT COURT IN AND OF THE 17TH JUDICIAL CIRCUIT
IN AND FOR BROWARD COUNTY FLORIDA

Case No.: CACE 11-028447 (03)

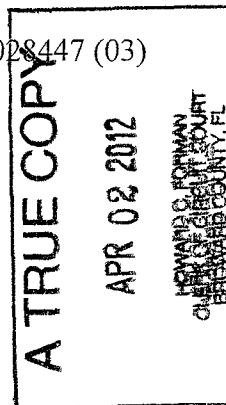
COMERICA BANK,
A Texas Banking Association,

Plaintiff,

vs.

OCEAN 4660, LLC., a Florida
limited liability company,
OCEANSIDE LAUDERDALE, INC.,
et. al.,

_____ /




NOTICE OF FILING

ROBERT CVETKOVSKY, files the following documents with the Court:

1. Federal Claim of Common Law Lien and Notice of Federal Common Law Lien,
Writ of Attachment on Real and Personal Property.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the foregoing has been hand delivered to the Court this 2nd day of April, 2012.

By: 
Robert Cvetkovsky

2310 East Atlantic Boulevard, Suite 206
Pompano Beach, Florida 33062
Tel: (914) 563-4510
Fax: (954) 657-8405

*FEDERAL CLAIM OF COMMON LAW LIEN
AND
NOTICE OF FEDERAL COMMON LAW LIEN
WRIT OF ATTACHMENT
ON REAL AND PERSONAL PROPERTY*

Date: April 02, 2012

NOTICE TO:

CLERK OF THE CIRCUIT COURT FOR THE 17TH. JUDICIAL CIRCUIT OF THE STATE OF FLORIDA IN AND FOR BROWARD COUNTY, CLERK OF THE COUNTY OF BROWARD, SHERIFF OF BROWARD COUNTY, FLORIDA; and COMERICA BANK, ALAN BLACKSTEIN, Vice President on behalf of COMERICA BANK, PLAINTIFF; and HOLLAND & KNIGHT, LLP, BRIAN K. HOLE, ESQ., Attorney for Plaintiff, and ALL TITLE COMPANIES; and ALL POTENTIAL PURCHASERS; and ALL ENTITIES WHO MAY CLAIM AN INTEREST NOW OR AT SOME TIME IN THE FUTURE; and ALL persons known and unknown who may be similarly situated and ALL other concerned parties.

YOU ARE HEREBY NOTIFIED that a *FEDERAL COMMON LAW LIEN WRIT OF ATTACHMENT ON REAL AND PERSONAL PROPERTY* is now in effect on a certain parcel of Real Estate now of record in the name of ROBERT CVETKOVSKY, the *LIENOR*, on property located in Broward County, Florida, and known as LAUDERDALE BEACHSIDE HOTEL, 4658-4660 North Ocean Boulevard, 4660 El Mar Drive, Lauderdale by the Sea, Florida 33308; and more specifically Legally described as:

PARCEL A

Land situated in the County of Broward, State of Florida, described as follows:

Lots 11, 12, 13, 14, 15, 16, 17, 18, and 19, in Block 10, and Lots 14, 15, 16 and 17, in Block 9 of LAUDERDALE BY THE SEA, according to the Plat thereof, recorded in Plat Book 6, Page 2 of the Public Records of Broward County, Florida; ALSO, all of that parcel of land, if any bounded on the East by the Atlantic Ocean, bounded on the North by the north line of lot 17 of said Block 9, bounded on the South by the south line of Lot 14 of said Block 9, extended easterly to the Atlantic Ocean, said land fronting on the Atlantic Ocean.

PARCEL B

Land situated in the County of Broward, State of Florida, described as follows:

Lots 20 and 21, in Block 10 of LAUDERDALE BY THE SEA, ACCORDING TO THE Plat thereof, recorded in Plat Book 6, Page 2, of the Public Records of Broward County, Florida.

PARCEL C

Lots 9, 10, 22, 23, and 24, in Block 10, of LAUDERDALE BY THE SEA, according to the Plat thereof, recorded in Plat Book 6, page 2 of the Public Records of Broward County, Florida.

Tax identification Numbers: 19318-01-06100 and 19318-01-07000 (Parcel A)
 19381-01-07300 (Parcel B)
 19381-01-06800 and 19318-01-06820 (Parcel C)

Commonly known as 4660 N. Ocean Drive, Lauderdale by the Sea, Florida

The current legal description of the Subject Personal Property is:

Together with (a) all related easements, hereditaments, appurtenances, rights, licences and privileges; (b) all buildings and improvements situated under, upon or over any of the above described land; (c) all the rents, issues, profits, revenues, accounts and general intangibles arising from the above described land, or relating to any business conducted by the Mortgagor, Mortgagee, Tenants or other(s) on it, under present or future leases, licenses or otherwise; (d) all machinery, equipment, goods, fixtures, and articles of personal property of every kind and nature (other than Household Goods, as defined by 12 CFR 227.12, as amended from time to time, and other consumer goods, as defined in the Uniform Commercial Code, unless such goods were purchased by lienor), now or later located upon the above described land and useable in connection with any present or future operation on the land including, without limit, all lighting, heating, cooling, ventilating, air-conditioning, incinerating, refrigerating, plumbing, sprinkling, communication, and electrical systems, and all general intangibles, including without limit software, acquired or used in connection therewith, (e) all “ as extracted collateral”, and (f) all awards or payments, and interest on them, made with respect to the premises as a result of (i) any imminent domain proceeding, (ii) any street grade alteration, (iii) any loss or damage to any building or other improvement, (iv) any other injury to or decrease in the value of the premises, (v) any refund due on account of the payment of real estate taxes, assessments or other charges levied against the premises or (vi) any refund of utility deposits or right to any tenant deposit.

Copy of this **Federal Common Law Lien Writ of Attachment On Real and Personal Property** has also been filed in the following case file with the Clerk of the Circuit Court of Broward County, Florida:

Case No.: CACE 11-028447 (03)

COMERICA BANK.
A Texas banking association,

Plaintiff,

vs.

OCEAN 4660, LLC a Florida limited
liability company, OCEANSIDE
LAUDERDALE, INC., *et. al.*

Defendants.

Pursuant to a certain agreement that OCEAN 4660, LLC, the Owner of the property, and ROBERT CVETKOVSKY, the *LIENOR*, claims the attachment of the FEDERAL COMMON LAW LIEN WRIT OF ATTACHMENT ON REAL AND PERSONAL PROPERTY is in the AMOUNT of:

Ten Million Six Hundred Thousand Dollars (\$10,000,000.00)

MEMORANDUM OF LAW IN SUPPORT

Writ of Attachments are but another form of Federal Common Law Lien and supersede mortgages and equity liens, *Drummond Carriage v. Mills*, (1878) N.W. 99; *Hewitt v. Williams*, 47 La. Ann. 742, 17 So. 269; *Carr v. Dail*, 19 S.E. 235; *McMaham v. Ludin*, 58 N.H. 827, and may be satisfied only when paid and/or property is taken in lieu of the monetary value and fully satisfied by said taking of property.

The ruling of the U.S. Supreme Court in Rich v. Braxton, 158 U.S. 375, specifically forbids judges (Titles of Nobility) from invoking equity jurisdiction to remove common law liens or similar “ clouds of title. “ Furthermore, even if a preponderance of evidence displays the lien to be void or voidable, the equity court (and Title of Nobles) still may not proceed until the moving party asks for or comes “ to equity “ with “ clean hands “ based on the “ Clean Hands Doctrine” And “ Power Of Estoppel “, Trice v. Comstock, 57 C.C.A. 646; West v. Washington Sheriff, 153 App. Div. 460 138 N.Y. Supp. 230.

ANY OFFICIAL WHO ATTEMPTS TO MODIFY OR REMOVE THIS COMMON LAW LIEN IN THE FORM OF WRIT OF ATTACHMENT IS FULLY LIABLE FOR DAMAGES AT LAW PURSUANT TO THE MANDATORY RULINGS OF THE U.S. SUPREME COURT IN BUTZ v. ECOHOMU, 438 U.S. 494, 98 S.Ct. 2894; BELL v HOOD, 327 U.S. 678, and BIVENS v. UNKNOWN AGENTS, 499 U.S. 388.

This Federal At Law Lien in the form of a Writ of Attachment(s) shall be valid, notwithstanding any other provisions or statute or rule regarding the form or content of a “ notice of lien “, nor shall it be dischargeable for One Hundred (100) Years, nor extinguishable due to lienor’s death whether accidental or purposely, nor dischargeable by lienor’s heirs, assigns, or executors.

CAVEAT

Whoever attempts to modify, circumvent and/or negate this Federal Common Law Lien in the form of Writ Of Attachment, shall be deemed outlaws and/or felons and shall be prosecuted pursuant to Title 42, United States Code Section 1983, 1985, and 1986, and punishable under the penalties of common law at law and applicable sections of Title 18, United States Code.

Demand is made upon all public officials under penalty of Title 42 U.S.C. section 1986 not to modify or remove this lien in any manner.

JUDICIAL NOTICE

WE HEREBY NOTICE this all parties and this Court that pursuant to U.S. Supreme Court case Hafer v. Melo, No. 90-681, November 1991, any judicial actions which violate the constitutional rights of individuals may be sued as a cause of action in civil litigation against those performing said acts, without any form of immunity.

CIVIL RIGHTS - Immunity: State officials sued in their individual capacities are "persons" subject to suit for damages under 42 U.S.C. 1983; Eleventh Amendment does not bar such suits in federal court. (Hafer v. Melo, No. 90-681), page 4001.

Respectfully submitted in the Name of Justice on this 2nd Day of April, 2012.

By: 

Robert Cvetkovsky, *Lienor*

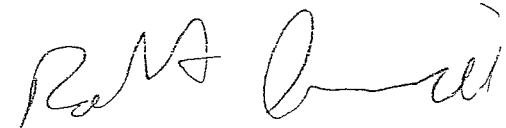
2310 East Atlantic Boulevard, Suite 206
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Fax: (954) 657-8405

AFFIDAVIT

STATE OF FLORIDA
COUNTY OF BROWARD

BEFORE ME, the undersigned authority, on this 2nd day of April, 2012, did personally appear ROBERT CVETKOVSKY, the *LIENOR*, the foregoing Federal Common Law Lien Writ Of Attachment was acknowledged before me this day of April 2, 2012, by ROBERT CVETKOVSKY, who is personally known to me or who has produced his identification and who did take an oath and acknowledge that he did execute same.

Further Affiant sayeth not.



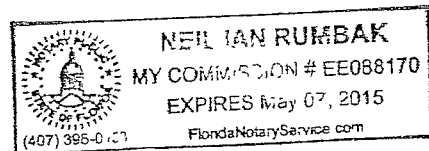
Robert Cvetkovsky, *Lienor*



Notary

Notary Public State of Florida

My Commission Expires: 05/07/2015



Type or Title of Document:

FEDERAL COMMON LAW LIEN
AND
WRIT OF ATTACHMENT ON REAL AND PERSONAL PROPERTY

Date of document: April 02, 2012.

Number of Pages: 6

TO THE CLERK OF BROWARD COUNTY:

YOU ARE DIRECTED TO RECORD THIS LIEN AND WRIT OF ATTACHMENT
AGAINST THE FOLLOWING NAMES:

OCEAN 4660, LLC, REMO POLSELLI, HANNA KARCHO, COMERICA BANK,
NORTH POINTE INVESTMENTS, LLC., LITTLE ITALY OCEANSIDE
INVESTMENTS, LLC., TROPIC RANCH, INC., WALNUT & VINE PROPERTIES II,
MADISON AVENUE INVESTMENT ADVISORS, LLC.