

**Lee County Board of County Commissioners
Agenda Item Summary**

Blue Sheet No. 20021011

1. REQUESTED MOTION:

Authorize the Division of County Lands to make a binding offer to the property owners in the amount of \$3,000.00 for Parcel 150/151, Pondella Road Widening, from east of McNeill Road to Del Pine Drive, Project No. 4656, pursuant to the terms and conditions set forth in the Purchase Agreement; authorize Chairman on behalf of the BoCC to execute Purchase Agreement if offer is accepted by Seller; authorize the Division of County Lands to handle and accept all documentation necessary to complete this transaction and payment of all recording fees.

WHY ACTION IS NECESSARY: The Board must formally authorize the making of a binding offer to a property owner pursuant to F.S. §73.015 prior to initiation of condemnation proceedings.

WHAT ACTION ACCOMPLISHES: Makes binding offer to property owner as required by F.S. §73.015, as amended.

2. DEPARTMENTAL CATEGORY: 06
COMMISSION DISTRICT #: 4

C6C

3. MEETING DATE:
09-24-2002

4. AGENDA:

- CONSENT ADMINISTRATIVE
- APPEALS
- PUBLIC
- WALK ON

TIME REQUIRED:

5. REQUIREMENT/PURPOSE:

- (Specify)
- STATUTE 73.125
 - ORDINANCE
 - ADMIN.
 - OTHER Resolution of Necessity
Blue Sheet No. 20020239

6. REQUESTOR OF INFORMATION

- A. COMMISSIONER
- B. DEPARTMENT Independent Division
- C. DIVISION County Lands *AC 9302*
- BY: *Karen L.W. Forsyth, Director* *KRAF*

7. BACKGROUND:

The Division of County Lands has been requested by the Department of Transportation to acquire property that is necessary for the Pondella Road Widening, from east of McNeill Road to Del Pine Drive, Project No. 4656.

This acquisition consists of a slope easement (+/-3,533 sq. ft.) from vacant property located at 1012 and 1020 Pondella Road, North Ft. Myers, further identified as STRAP Numbers 04-44-24-00-00069.0000 and .0020.

F.S. §73.015, as amended, requires the County to submit a binding offer to the property owner prior to the initiation of condemnation proceedings. The County obtained an appraisal dated August 16, 2002, performed by Stephen A. Cunningham MAI, SRA, indicating a value of \$2,000.00. The binding offer to the property owners, Henry Schlichte and Edith E. Schlichte, husband and wife, is for \$3,000.00. Should the property owner agree to accept this offer, condemnation proceedings will not be required. If the property owners elect not to accept this offer, then condemnation proceedings may be commenced.

Staff is of the opinion that the purchase price increase of \$1,000.00 above the appraised value can be justified considering the costs associated with condemnation proceedings estimated to be between \$1,500 - \$3,000, excluding land value increases and attorney fees.

Staff recommends the Board approve the Requested Motion.

Funds are available in Account No. 20465618805.506110
20 - Capital Projects
4656 - Pondella Road Widening
18805 - Impact Fees
50.6110 - Land

ATTACHMENTS:
Purchase and Sale Agreement
Title Search
Appraisal Data
Sales History

8. MANAGEMENT RECOMMENDATIONS:

9. RECOMMENDED APPROVAL:

A Department Director	B Purchasing or Contracts	C Human Resources	D Other DOT	E County Attorney	F Budget Services				G County Manager
					OA	ADM	RISK	GC	
<i>K. Forsyth</i>	<i>N/A</i>	<i>N/A</i>	<i>BAD and</i>	<i>Handwritten</i>	<i>Handwritten</i>	<i>Handwritten</i>	<i>Handwritten</i>	<i>Handwritten</i>	<i>Handwritten</i>

10. COMMISSION ACTION:

- APPROVED
- DENIED
- DEFERRED
- OTHER

Parcel: 150/151
Project: Pondella Road Widening, Phase III, No. 4656
STRAP No.: 04-44-24-00-00069.0000 and .0020 _____

EASEMENT PURCHASE AGREEMENT

This Agreement made and entered into this ____ day of _____, 20 ____, by and between HENRY SCHLICHTE AND EDITH E. SCHLICHTE, husband and wife, whose address is 61 Mango Street, Fort Myers Beach, FL 33931, hereinafter referred to as Owner, and **LEE COUNTY**, a political subdivision of the State of Florida, for the use and benefit of said County, hereinafter referred to as Purchaser.

Whereas, Purchaser requires a perpetual easement located and described as set forth in Exhibit "A", attached hereto and made a part hereof by reference, for the construction and maintenance of a slope easement.

- a) Owner will grant said easement to Purchaser for the sum of \$3,000.00; Purchaser to pay recording costs, documentary stamps and title insurance.
- b) Owner agrees that said easement will be granted to Purchaser by execution of a perpetual easement in form and substance as provided by Purchaser.
- c) Purchaser will pay Owner the amount agreed upon in item (a) of this agreement by County Warrant within 60 days of the execution and acceptance of this Easement Purchase Agreement and the Perpetual Easement instrument by Purchaser.
- d) Owner agrees that Purchaser, his successors and assigns will be allowed to use said perpetual easement area as specified in the Perpetual Easement instrument.
- e) Purchaser agrees to complete construction within the easement area in a timely manner.

IN WITNESS WHEREOF, the parties have caused these presents to be executed in their respective names on the date first above written.

**SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:**

1st Witness Signature Henry Schlichte Owner

2nd Witness Signature

1st Witness Signature Edith Schlichte Owner

2nd Witness Signature

ATTEST:

CHARLIE GREEN, CLERK

LEE COUNTY, FLORIDA, BY ITS
BOARD OF COUNTY COMMISSIONERS

By: _____
Deputy Clerk

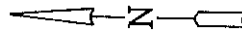
By: _____
Chairman or Vice-Chairman

APPROVED AS TO LEGAL FORM

Office of County Attorney

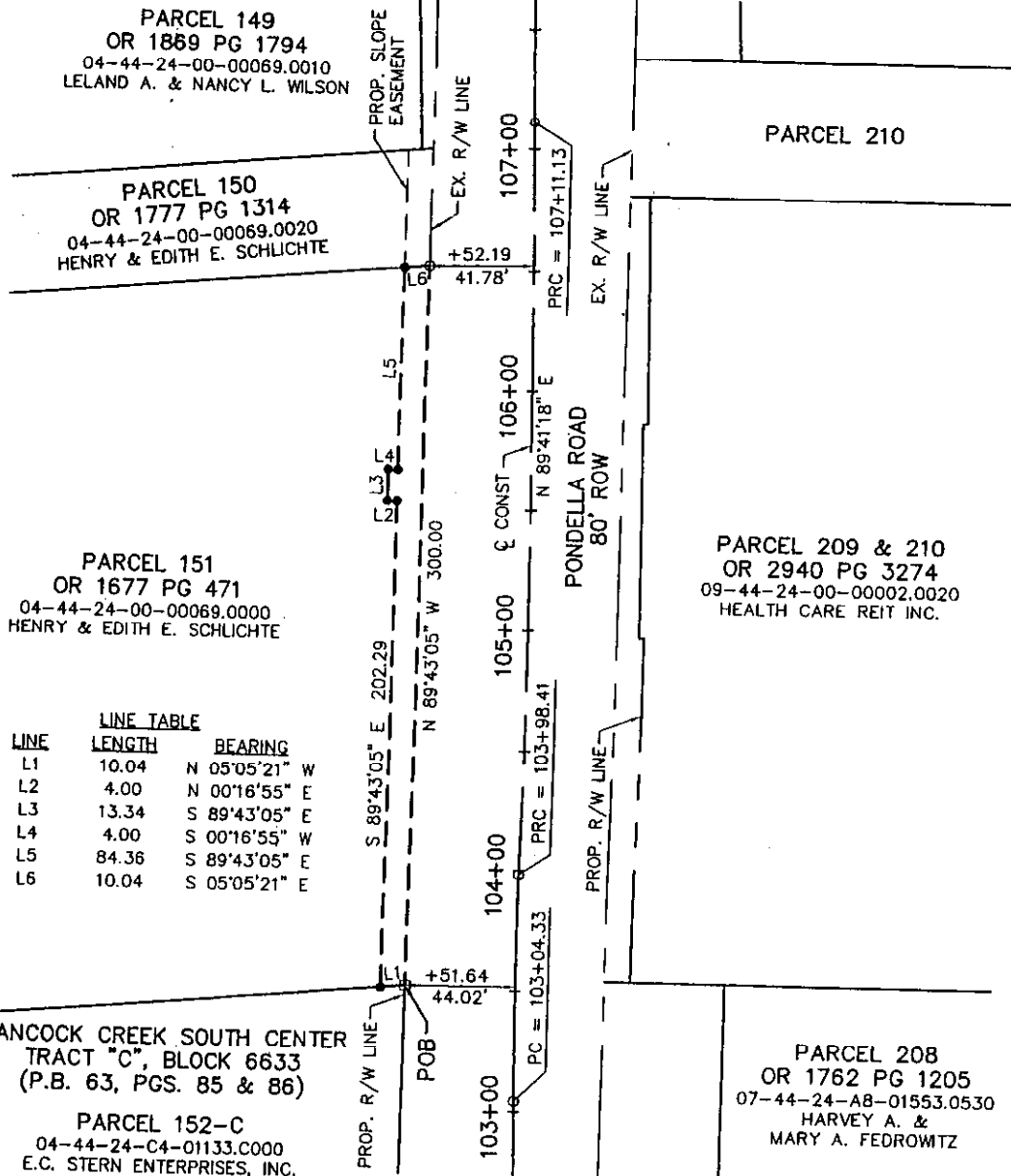
SECTION 4, TOWNSHIP 44 SOUTH, RANGE 24 EAST
LEE COUNTY, FLORIDA

PARCEL NO. 151
PROPERTY OWNER: HENRY AND EDITH E. SCHLICHTE
REFERENCE: O.R. 1677, PG 471
STRAP NO.: 04-44-24-00-00069.0020
AREA OF TAKE: 3053 SQ. FT.
AREA OF REMAINDER: 1.10 AC



SCALE: 1" = 60'

- - SET 5/8" IRON ROD & CAP STAMPED "LB 3664"
- - FOUND 1/2" IRON ROD & CAP STAMPED "PLS 2554"
- - FOUND 4"x4" CONCRETE MONUMENT



SLOPE EASEMENT SHEET 1 OF 2

AGNOLI BARBER & BRUNDAGE, INC.
Professional engineers, planners, & land surveyors
Collier County: Suite 206, 7400 Tamiami Trail, North Naples, FL 34108 (813) 997-3111
Lee County: Suite 101, 1828 Hendry Street, Fort Myers, FL 33901 (813) 937-3111
Certificate of Authorization Nos. LB 3884 and EB 3884 Fax: (813) 998-3203

DESCRIPTION: PARCEL 151 SLOPE EASEMENT	
CLIENT: LEE COUNTY D.O.T. & ENGINEERING	
REVISION:	
SCALE: 1" = 60'	DATE: FEB. 4, 2002
DRAWN BY: JAN	PROJECT NO.: 7904-3
ACAD NO: 8187-9	FILE NO: 8187

(COUNTY PROJECT NUMBER 4656)

DESCRIPTION OF SLOPE EASEMENT


ALL THAT PART OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORD BOOK 1677, PAGE 471, PUBLIC RECORDS OF LEE COUNTY, FLORIDA, LYING IN SECTION 4, TOWNSHIP 44 SOUTH, RANGE 24 EAST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF HANCOCK CREEK SOUTH CENTER AS RECORDED IN PLAT BOOK 63, PAGES 85 AND 86; THENCE SOUTH 89°43'05" EAST 300.00 FEET;
THENCE NORTH 05°05'21" WEST 10.04 FEET;
THENCE NORTH 89°43'05" WEST 84.36 FEET;
THENCE NORTH 00°16'55" EAST 4.00 FEET;
THENCE NORTH 89°43'05" WEST 13.34 FEET;
THENCE SOUTH 00°16'55" WEST 4.00 FEET;
THENCE NORTH 89°43'05" WEST 202.29 FEET;
THENCE SOUTH 05°05'21" EAST 10.04 FEET TO THE POINT OF BEGINNING OF THE EASEMENT HEREIN DESCRIBED;

CONTAINING 3053 SQUARE FEET OF LAND MORE OR LESS;
SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.

SURVEY DATE: NOVEMBER 20, 2001

AGNOLI, BARBER & BRUNDAGE, INC.
PROFESSIONAL ENGINEERS, PLANNERS & SURVEYORS AND MAPPERS

BY  _____
GUY P. ADAMS, P.S.M. NO. 4390


THIS BOUNDARY SURVEY IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER. ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTIES WITHOUT THE WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES IS PROHIBITED BY CHAPTER 61G17-6 (2)(E) FLORIDA ADMINISTRATIVE CODE.

ABSTRACT NOT REVIEWED

NOTES:

1. THIS SLOPE EASEMENT WAS BASED ON THE RIGHT-OF-WAY MAPS PREPARED BY INK ENGINEERING, INC.
2. AREAS WERE BASED ON INFORMATION FROM THE LEE COUNTY PROPERTY APPRAISER'S OFFICE.
3. IMPROVEMENTS WERE NOT LOCATED UNDER THE SCOPE OF THIS SURVEY.

SLOPE EASEMENT SHEET 2 OF 2

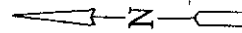
 <p>AGNOLI BARBER & BRUNDAGE, INC. Professional engineers, planners, & land surveyors Collier County: Suite 206, 7688 Tamiami Trail, North Naples, FL 34108 (941)897-3111 Lee County: Suite 101, 1852 Broadway Street, Fort Myers, FL 33901 (941)537-3111 Certificates of Authorization Nos. 12 3684 and 12 3784 Fax: (941)886-8208</p>	DESCRIPTION: PARCEL 151 SLOPE EASEMENT	
	CLIENT: LEE COUNTY D.O.T. & ENGINEERING	
	REVISION:	
	SCALE: <u>N.T.S.</u>	DATE: <u>FEB. 4, 2002</u>
DRAWN BY: <u>JAN</u>	PROJECT NO.: <u>7904-3</u>	
ACAD NO: <u>8187-9</u>	FILE NO: <u>8187</u>	

SECTION 4, TOWNSHIP 44 SOUTH, RANGE 24 EAST
LEE COUNTY, FLORIDA

Exhibit "A"

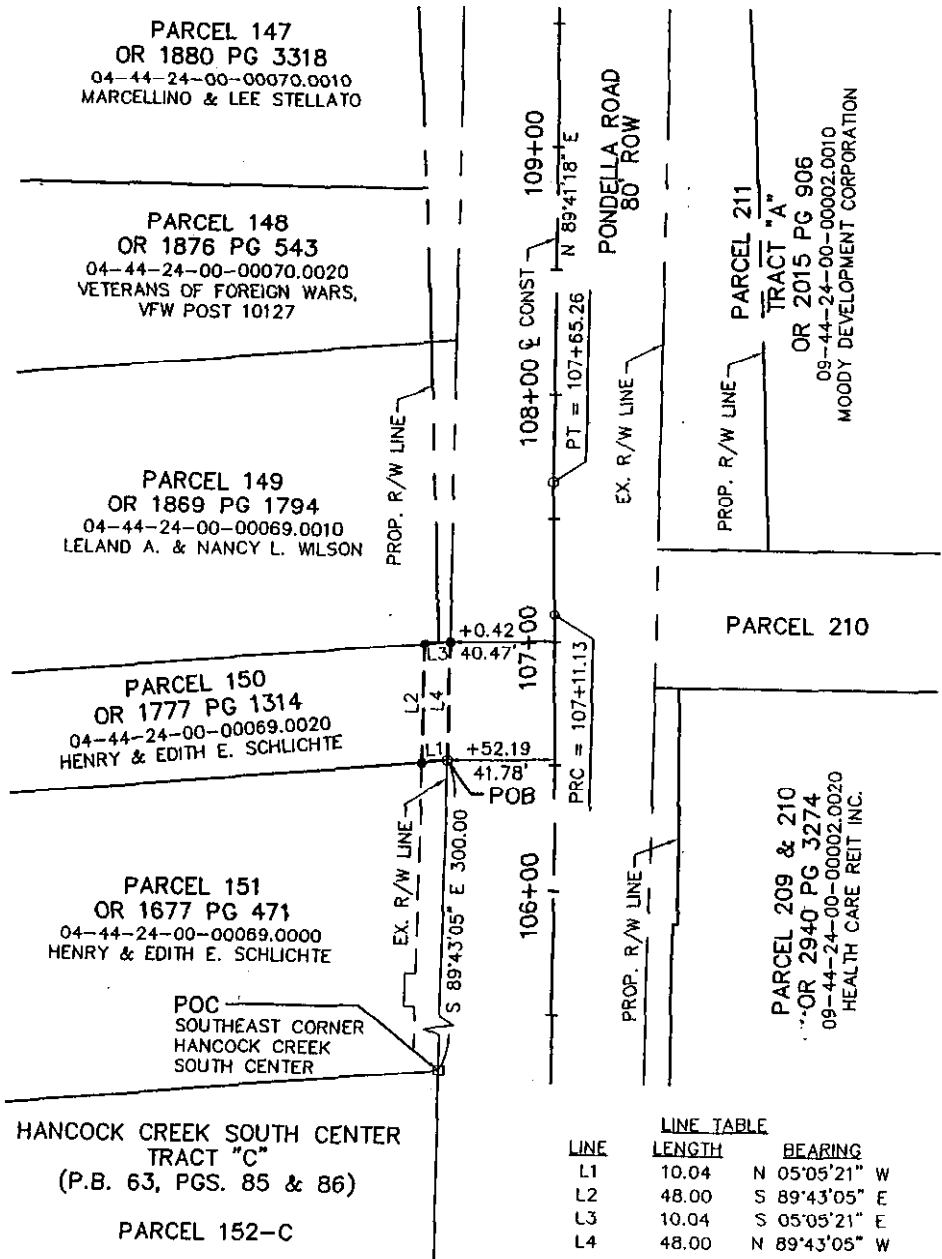
Page 3 of 4

PARCEL NO. 150
 PROPERTY OWNER: HENRY AND EDITH E. SCHLICHT
 REFERENCE: O.R. 1777, PG 1314
 STRAP NO.: 04-44-24-00-00069.0020
 AREA OF TAKE: 480 SQ. FT.
 AREA OF REMAINDER: 0.18 AC



SCALE: 1" = 60'

- - SET 5/8" IRON ROD & CAP STAMPED "LB 3664"
- - FOUND 1/2" IRON ROD & CAP STAMPED "PLS 2554"



LINE	LENGTH	BEARING
L1	10.04	N 05°05'21" W
L2	48.00	S 89°43'05" E
L3	10.04	S 05°05'21" E
L4	48.00	N 89°43'05" W

P.O.C. = POINT OF COMMENCEMENT
 P.O.B. = POINT OF BEGINNING
 R/W = RIGHT-OF-WAY

SLOPE EASEMENT SHEET 1 OF 2

AGNOLI BARBER & BRUNDAGE, INC.
 Professional engineers, planners, & land surveyors
 Collier County Suite 206, 7406 Tamiami Trail, North Naples, FL 34108 (941)597-8111
 Lee County Suite 101, 1425 Hendry Street, Fort Myers, FL 33901 (813)337-8111
 Certificate of Authorization Nos. LP 3894 and LP 3896 Fax (941)986-2203

DESCRIPTION: PARCEL 150 SLOPE EASEMENT
 CLIENT: LEE COUNTY D.O.T. & ENGINEERING
 REVISION:
 SCALE: 1" = 60' DATE: FEB. 4, 2002
 DRAWN BY: JAN PROJECT NO.: 7904-3
 ACAD NO: 8187-B FILE NO: 8187

(COUNTY PROJECT NUMBER 4656)

DESCRIPTION OF SLOPE EASEMENT

ALL THAT PART OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORD BOOK 1777, PAGE 1314, PUBLIC RECORDS OF LEE COUNTY, FLORIDA, LYING IN SECTION 4, TOWNSHIP 44 SOUTH, RANGE 24 EAST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF HANCOCK CREEK SOUTH CENTER AS RECORDED IN PLAT BOOK 63, PAGES 85 AND 86; THENCE SOUTH 89°43'05" EAST 300.00 FEET TO THE POINT OF BEGINNING OF THE EASEMENT HEREIN BEING DESCRIBED;

THENCE CONTINUE SOUTH 89°43'05" EAST 48.00 FEET;
THENCE NORTH 05°05'21" WEST 10.04 FEET;
THENCE NORTH 89°43'05" WEST 48.00 FEET;
THENCE SOUTH 05°05'21" EAST 10.04 FEET TO THE POINT OF BEGINNING OF THE EASEMENT HEREIN DESCRIBED;

CONTAINING 480 SQUARE FEET OF LAND MORE OR LESS;
SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.

SURVEY DATE: NOVEMBER 20, 2001

AGNOLI, BARBER & BRUNDAGE, INC.
PROFESSIONAL ENGINEERS, PLANNERS & SURVEYORS AND MAPPERS

BY [Signature]
GUY P. ADAMS, P.S.M. NO. 4390


THIS BOUNDARY SURVEY IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER. ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTIES WITHOUT THE WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES IS PROHIBITED BY CHAPTER 61G17-6 (2)(E) FLORIDA ADMINISTRATIVE CODE.

ABSTRACT NOT REVIEWED

NOTES:

1. THIS SLOPE EASEMENT WAS BASED ON THE RIGHT-OF-WAY MAPS PREPARED BY INK ENGINEERING, INC.
2. AREAS WERE BASED ON INFORMATION FROM THE LEE COUNTY PROPERTY APPRAISER'S OFFICE.
3. IMPROVEMENTS WERE NOT LOCATED UNDER THE SCOPE OF THIS SURVEY.

SLOPE EASEMENT SHEET 2 OF 2

 <p>AGNOLI BARBER & BRUNDAGE, INC. Professional engineers, planners, & land surveyors Collier County: Suite 200, 7400 Tamiami Trail, North Naples, FL 34108 (941)597-3111 Lee County: Suite 101, 1828 Hendry Street, Fort Myers, FL 33901 (941)337-3111 Certificate of Authorization Nos. LP 2004 and LP 2006 Fax: (941)598-2400</p>	DESCRIPTION: PARCEL 150 SLOPE EASEMENT	
	CLIENT: LEE COUNTY D.O.T. & ENGINEERING	
	REVISION:	SCALE: <u>N.T.S.</u> DATE: <u>FEB. 4, 2002</u>
		DRAWN BY: <u>JAN</u> PROJECT NO.: <u>7904-3</u>
	ACAD NO: <u>8187-8</u> FILE NO: <u>8187</u>	

This instrument prepared by:
Lee County
Division of County Lands
Post Office Box 398
Fort Myers, Florida 33902-0398

Parcel: 150 & 151
Project: Pondella Road Widening, No. 4656
STRAP No.: 04-44-24-00-00069.0000

SLOPE/RESTORATION EASEMENT

This INDENTURE, made and entered into this _____ day of _____ 20____,
between Henry Schlichte and Edith E. Schlichte, husband and wife, whose address is 61 Mango
Street, Fort Myers Beach, Florida 33931, (Grantor), and LEE COUNTY, a political subdivision of the
State of Florida, whose address is Post Office Box 398, Fort Myers, Florida 33902-0398, (Grantee):

WITNESSETH:

1. For good and valuable consideration, receipt of which is hereby acknowledged, Grantor grants to the Grantee, its successors and assigns, a slope/restoration easement situated in Lee County, Florida, and located and described as set forth in attached Exhibit "A" (Easement Parcel).
2. Grantee, its successors and assigns, are granted the right, privilege, and authority to construct, replace, repair, remove, extend, and maintain a slope/restoration easement on the Easement Parcel to support, reinforce, and stabilize the adjacent public roadway.
3. The improvements that may be placed within the Easement Parcel for roadway slope/restoration purposes are not limited to a particular type, style, material or design. These improvements may include the use of foliage.
4. Grantor may not construct or place any structures or foliage within the Easement Parcel.
5. Title to the improvements constructed by the Grantee within the Easement Parcel will remain in the Grantee, it's successors or assigns.
6. Subject to any existing easements for public highways or roads, railroads, laterals, ditches, pipelines and electrical transmission or distribution lines and telephone and cable television lines covering the land herein described, Grantors covenant they are lawfully seized and possessed of the real property described in Exhibit "A", have good and lawful right and power to convey it, and that the property is free and clear of all liens and encumbrances, except as herein stated, and accordingly, Grantor will forever warrant and defend the title and terms to this said easement and the quiet possession thereof against all claims and demands of all other entities.

Slope/Restoration Easement

Project:

Page 2 of 3

7. Grantee has a reasonable right of access across Grantor's property for the purposes of reaching the Easement Parcel on either paved or unpaved surfaces. Any damage to Grantor's property or permitted improvements thereon resulting from Grantee's use of this access right will be restored by the Grantee, to the condition in which it existed prior to the damage.

8. This easement runs with the land and is binding upon the parties, their successors and assigns.

IN WITNESS WHEREOF, _____, Grantor, has caused this document to be signed on the date first above written.

TWO SEPARATE WITNESSES:

1st Witness Signature

Henry Schlichte

GRANTOR

Printed name of 1st Witness

2nd Witness Signature

Printed name of 2nd Witness

1st Witness Signature

Edith E. Schlichte

GRANTOR

Printed name of 1st Witness

2nd Witness Signature

Printed name of 2nd Witness

**Slope/Restoration Easement
Project:
Page 3 of 3**

STATE OF _____

COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ day of _____,
20____, by _____

(name of person acknowledged)

He/she is personally known to me or who has produced _____

(type of identification)

_____ as identification.

(Signature of Notary Public)

(Name typed, printed or stamped)
(Title or Rank)
(Serial Number, if any)

1504151

FILE NO: TC-F11557
TITLE SEARCH LETTER

To the following described lands
lying and being in Lee County, Florida:

The West 300 feet of the South 210 feet of the Southeast Quarter (SE 1/4) of the Southwest Quarter (SW 1/4) of the Southwest Quarter (SW 1/4) of Section 4, Township 44 South, Range 24 East, Lee County, Florida. Less the Southerly 40 feet for right-of-way of Pondella Road (State Road 78A).

PREPARED BY
TRI COUNTY TITLE INSURANCE AGENCY, INC.
8660 College Parkway, Suite 200
Fort Myers, Florida 33919
(941) 437-3144
Fax (941) 437-3148

Our "TRI" stands for
TRUST, RELIABILITY AND INTEGRITY

November 9, 2001

TITLE SEARCH LETTER

FILE NUMBER: TC-F11557
YOUR FILE NO:

STRAP NUMBER: 04-44-24-00-00069,0000

TAX INFORMATION:

General and special taxes and assessments required to be paid in the year 2002 and subsequent years, which are not yet due and payable. Strap # 04-44-24-00-00069 0000 2001 taxes are due in the amount of \$1,273.14, if paid by November 30, 2001

Tri-County Title Insurance Agency, Inc. does hereby certify that it has searched the Public Records of Lee County, Florida, and that said Public Records appear as follows, to wit:

OWNER(S) OF RECORD: HENRY SCHLICHTER and EDITH E. SCHLICHTER, Husband and Wife

BY Warranty Deed, AS RECORDED IN Official Records Book 1677, Page 471, of the Public Records of Lee County, Florida.

MORTGAGES: NONE

LIENS: NONE

ASSESSMENTS: NONE

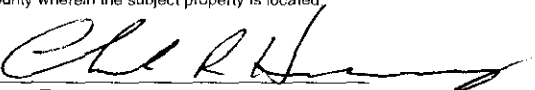
EASEMENTS & RESTRICTIONS:

Lee County Mandatory Garbage Collection Assessment Ordinance 86-14 recorded in Official Records Book 2189, Page 3281, and amended in Official Records Book 2189, Page 3334, of the Public Records of Lee County, Florida.

EFFECTIVE DATE: November 4, 2001

This report, while believed to be correct, is necessarily based upon information obtained through the Index of Documents maintained by the Clerk of the Circuit Court and therefore is subject to any errors in such index. This company does not offer any opinion with regard to the validity of any of the recorded documents or the marketability of the title to this property. This report is confined and limited to showing the apparent owner of record and any liens or encumbrances shown in the Public Records of the county wherein the subject property is located.

BY:



Dena E. Weygant/Charles R. Hannaway/Jeanette B. Goff
TRI-COUNTY TITLE INSURANCE AGENCY, INC.

FILE NO: TC-F11558
TITLE SEARCH LETTER

To the following described lands
lying and being in Lee County, Florida:

The Easterly 48 feet of the following described real property:

The West 348 feet of the South 210 feet of the Southeast quarter (SE 1/4) of the Southwest quarter (SW 1/4) of the Southwest quarter (SW 1/4), of Section 4, Township 44 South, Range 24 East, Lee County, Florida. Less the Southerly 40 feet of right-of-way of Pondella Road (State Road 78A).

PREPARED BY
TRI COUNTY TITLE INSURANCE AGENCY, INC.
8660 College Parkway, Suite 200
Fort Myers, Florida 33919
(941) 437-3144
Fax (941) 437-3148

Our "TRI" stands for
TRUST, RELIABILITY AND INTEGRITY

November 8, 2001

TITLE SEARCH LETTER

FILE NUMBER: TC-F11558
YOUR FILE NO:

STRAP NUMBER: 04-44-24-00-00069.0020

TAX INFORMATION:

General and special taxes and assessments required to be paid in the year 2002 and subsequent years, which are not yet due and payable, Strap # 04-44-24-00-00069.0020. 2001 taxes are due in the amount of \$203.10, if paid by November 30, 2001.

Tri-County Title Insurance Agency, Inc. does hereby certify that it has searched the Public Records of Lee County, Florida, and that said Public Records appear as follows, to wit:

OWNER(S) OF RECORD: HENRY SCHLICHTE and EDITH E. SCHLICHTE, Husband and Wife

BY Warranty Deed, AS RECORDED IN Official Records Book 1777, Page 1314, of the Public Records of Lee County, Florida.

MORTGAGES: NONE

LIENS: NONE

ASSESSMENTS: NONE

EASEMENTS & RESTRICTIONS:

Lee County Mandatory Garbage Collection Assessment Ordinance 86-14 recorded in Official Records Book 2189, Page 3281, and amended in Official Records Book 2189, Page 3334, of the Public Records of Lee County, Florida

EFFECTIVE DATE: November 4, 2001 @ 8:00 am

This report, while believed to be correct, is necessarily based upon information obtained through the Index of Documents maintained by the Clerk of the Circuit Court and therefore is subject to any errors in such index. This company does not offer any opinion with regard to the validity of any of the recorded documents or the marketability of the title to this property. This report is confined and limited to showing the apparent owner of record and any liens or encumbrances shown in the Public Records of the county wherein the subject property is located.

BY: 

Dena E. Weygant/Charles R. Hannaway/Jeanette B. Goff
TRI-COUNTY TITLE INSURANCE AGENCY, INC.



Grubb & Ellis[®]
Property Solutions Worldwide

VIP
D'Alessandro

August 27, 2002

Mr. Robert G. Clemens, SR, WA
Acquisition Program Manager
Lee County Department of Public Works
Division of County Lands
Post Office Box 398
Fort Myers, Florida 33902-0398

Re: Parcel 150/151
Pondella Road Widening Project, Phase III
Slope Easement Located at 1012 and 1020
Pondella Road, North Fort Myers, Florida 33903
Property Owner: Henry Schlichte and Edith E.
Schlichte, husband and wife
Appraisal No.: 020302

Dear Mr. Clemens:

At your request, we have analyzed the proposed acquisition that will encumber the approximate south 10 feet of combined parent tract located at 1012 and 1020 Pondella Road, North Fort Myers, Florida 33903. The proposed acquisition is a slope easement as identified by the parcel sketches and legal descriptions provided to us prepared by Agnoli, Barber & Brundage, Inc., identified as File No. 8187, dated February 1, 2002. According to the parcel sketch and legal description, the acquisition that is to occur will be a partial take for the purpose of widening Pondella Road. In valuing a partial take, the market value of the real property and property rights sought to be acquired and damages or special benefits to the remaining real property and property rights are estimated. It is our understanding that the intended use of this market value estimate is for purchase negotiations between Lee County and the subject property owner for acquisition by Lee County.

The market value estimate reported herein is the result of a Complete Appraisal Process and is reported to you in the format requested by you, a Summary Appraisal Report Format. The Summary Appraisal Report Format is intended to comply with the reporting requirements set forth under Standards Rule 2-2(b) of the Uniform Standards of Professional Appraisal Practice for a Summary Appraisal Report. As such, it presents only summary discussions of the data, reasoning and analyses that were used in the appraisal process to develop the appraisers' opinion of value. Supporting documentation concerning the data, reasoning and analyses is retained in the appraiser's file. The depth of discussion contained in this report is specific to the needs of our client and is for the intended use stated herein. The appraisers are not responsible for unauthorized use of this report.

Specifically, the purpose of this appraisal is to (1) estimate the market value of the entire ownership; and (2)

estimate the market value of the remainder. The difference between the two values will then be analyzed as to the allocation of the value differential to the real property acquired and damages or special benefits to the remaining real property and property rights. The property rights involved in this acquisition consist of a "slope easement". The rights to be acquired within this easement will be described in detail later in this report.

In order to identify the parent tract it must satisfy three tests: (1) unity of title; (2) unity of use; and (3) contiguity. In applying these three tests, it is determined the parent tract is a combined parcel under the ownership of Henry Schlichte and Edith E. Schlichte, husband and wife. The reason this is described as a combined parcel is that Parcels 150 and 151 are located adjacent to each other and are under the same ownership. Parcel 150 will encumber STRAP #04-44-24-00-00069.0020. This STRAP is only 48 feet wide by a depth of 170 feet with a total area of 8,160 square feet. Parcel 151 will encumber STRAP # 04-44-24-00-00069.0000. This STRAP is 300 feet wide by the same depth. The first parcel that will be encumbered by Parcel 150 as a stand alone parcel has little to no economic value. However, combined with the second parcel that will be encumbered by Parcel 151, adds frontage and makes the over-all parcel more desirable. As such, the parent tract is considered to be the combination of the two previously referenced STRAP's, with a total frontage along Pondella Road of 348 feet and a total depth of 170 feet, and a total area of 59,160.00 square feet, or 1.36 acres. Both STRAP's are under the jurisdiction of Lee County, have a future land use of *Suburban*, and are zoned C-1.

The proposed acquisition is described as a "slope easement" and will encumber the southerly portion of the parent tract. The previously referenced site sketches indicates the easement will contain a total area of 3,533 square feet. Dimensions are as follows: 10.04' x 48.00' + 84.36' x 4.00' x 13.34' x 4.00' x 202.29' x 10.04' x 300.00' + 48.00'. A slope easement gives the easement owner the "right, privilege and authority to construct, replace, repair, remove, extend, and maintain a slope/restoration easement on the Easement Parcel to support, reinforce, and stabilize the adjacent public roadway." There are no improvements of any value located within the proposed acquisition.

The effective date of valuation for this parcel is considered to be August 16, 2002. This represents the date of a complete and thorough inspection of the parcel by Stephen A Cunningham, MAI, SRA, State-Certified General Real Estate Appraiser, Certificate Number 0000300.

This appraisal is not based upon a minimum valuation, a specific valuation or the approval of a loan. The appraisal report has been prepared in conformity with the requirements of the Code of Professional Ethics and the Standards of Professional Appraisal Practice of the Appraisal Institute, and this report adheres to the Uniform Standards of Professional Appraisal Practice adopted by the Appraisal Standards Board of the Appraisal Foundation. Mr. Stephen A Cunningham, MAI, SRA has complied with the Uniform Standards of Professional Appraisal Practice, Competency Provision. The attached Summary Appraisal Report contains the data, analyses, limiting conditions, and conclusions of value. The subject property is assumed to be free and clear of all liens and encumbrances except typical mortgage financing for properties similar to the subject property, at market rates. Mr. Stephen A Cunningham, MAI, SRA, certifies that, during the completion of this assignment, a thorough inspection of the subject property was undertaken. We certify that we have no past, present, or future interest in the real estate, and, to the best of our knowledge, the facts contained herein are true and correct.


Therefore, based upon the following summarized sections of the report, it is our opinion that the total estimated just compensation due to the property owner, as of August 16, 2002, can be summarized as follows.

Value of the Take Area	\$2,000.00
Value of Improvements within the Take Area	\$0.00
Plus Severance Damages	\$0.00
Plus Cost to Cure	\$0.00
TOTAL COMPENSATION DUE PROPERTY OWNER	\$2,000.00

We appreciate the opportunity to be of service to you in this matter.

Respectfully submitted,

GRUBB & ELLIS|VIP-D'ALESSANDRO
Division of Valuation and Research


Stephen A. Cunningham, MAI, SRA
State-Certified General Real Estate Appraiser
Certificate Number 0000300

SUMMARIZED SECTIONS OF THE REPORT DOCUMENT (continued)

MARKET VALUE OF THE TAKE AREA
3,533 square feet @ \$2.30 per sf x 25% = \$2,031.48
Rounded to \$2,000.00

The allocation between the value of the part taken and the value of the remainder as part of the whole can be accomplished as follows:

Total Market Value of the Parent Tract:	59,160 sf @ \$2.30 per square foot	\$136,000.00
Value of Part Taken as a Part of the Whole:	3,533 sq. ft. @ \$2.30 per sq. ft. x 25%	\$2,000.00
Value of Remainder as a Part of the Whole:		\$134,000.00

DESCRIPTION AND VALUATION OF THE REMAINDER PROPERTY, AS SEVERED

DESCRIPTION OF THE ACQUISITION

The proposed acquisition is described as a "slope easement" and will encumber the southerly portion of the parent tract. The previously referenced site sketches indicates the easement will contain a total area of 3,533 square feet. Dimensions are as follows: 10.04' x 48.00' + 84.36' x 4.00' x 13.34' x 4.00' x 202.29' x 10.04' x 300.00' + 48.00'. A slope easement gives the easement owner the "right, privilege and authority to construct, replace, repair, remove, extend, and maintain a slope/restoration easement on the Easement Parcel to support, reinforce, and stabilize the adjacent public roadway." There are no improvements of any value located within the proposed acquisition. We have been provided with a parcel sketches and legal descriptions of the acquisition areas for Parcels 150 and 151; copies of which are included in this Addenda.

PROJECT DESCRIPTION

The propose acquisition is a public one, with the intended purpose of widening the remaining two-lane portion of Pondella Road to five lanes. We have been provided with Construction Plans for Pondella Road Widening from 19th Place to West of Henkel Drive as well as right of way drawings. Parcel 150/151 is located at Stations 104, 105, 106 and 107. The road widening project will result in a grade change as well as increasing the width of the right-of-way. Copies of all relevant sheets can be found in the addendum of this report.

DESCRIPTION OF THE REMAINDER PROPERTY, AS SEVERED

The remainder parcel as severed will be the parent tract encumbered with the previously referenced slope easement. In essence, the parent tract will still contain 59,160 square feet, yet will be encumbered with a 3,533 square foot slope easement, about 10' wide, along the southerly property boundary.

HIGHEST AND BEST USE ANALYSIS OF THE REMAINDER, AS SEVERED

Highest and Best Use as though Vacant

In analyzing the highest and best use of the site as vacant and as severed, the same four criterial must be analyzed: *legally permissible, physically possible, financially feasible, and maximally productive*. In applying these tests to the parent tract, it was concluded that the highest and best use was for future commercial development. The remainder parcel as severed will not be reduced in size, it will be encumbered with a 3,533 square foot slope easement along the south boundary. This easement is well within front setbacks. The effect of the acquisition is nominal

SUMMARY OF ANALYSIS AND VALUATION - REMAINDER PARCEL, AS SEVERED

To value the remainder parcel, as severed, the same land sales and listings utilized in the valuation of the parent tract were analyzed. The conclusion is that the remainder property will have an estimated market value, as severed equal to the market value as part of the whole, \$134,000.00.

SUMMARIZED SECTIONS OF THE REPORT DOCUMENT (continued)

ESTIMATION OF SEVERANCE DAMAGES

Severance damages are the diminution of the market value of the remainder area, in the case of a partial taking, which arises (a) by reason of the taking (severance), and/or (b) the construction of the improvement in the manner proposed. As mentioned previously, the taking will not result in a loss in value to the remainder as severed compared to its value as part of the whole. The construction of the road project will also not result in a loss in value. As such, there is no form of compensable severance damages indicated.

VALUE CONCLUSIONS AND RECONCILIATION

The purpose of this appraisal is to estimate the market value of a 3,533 square foot slope easement that is to be located along the southerly 10.00 feet of a parent tract located at 1012 and 1020 Pondella Road. This parent tract contains a total of 59,160 square feet and is located within the *Suburban* Land Use Category, and is zoned C-1. The parcel is vacant and available for development. The proposed acquisition is described as a "slope easement" and will encumber the southerly portion of the parent tract. The previously referenced site sketches indicates the easement will contain a total area of 3,533 square feet. Dimensions are as follows: 10.04' x 48.00' + 84.36' x 4.00' x 13.34' x 4.00' x 202.29' x 10.04' x 300.00' + 48.00'. A slope easement gives the easement owner the "right, privilege and authority to construct, replace, repair, remove, extend, and maintain a slope/restoration easement on the Easement Parcel to support, reinforce, and stabilize the adjacent public roadway." There are no improvements of any value located within the proposed acquisition.

Based upon the preceding as well as data, analysis, and conclusions retained in our files, it is our opinion that the total estimated compensation due to the property owner as of August 16, 2002, can be summarized as follows:

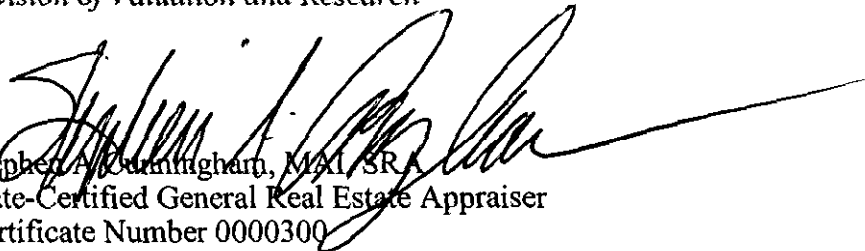
Summary of Total Compensation

Value of Part Taken	
Land	\$2,000.00
Improvements	\$0.00
Plus Severance Damages	\$0.00
Plus Cost to Cure	\$0.00
TOTAL COMPENSATION DUE TO THE PROPERTY OWNER	\$2,000.00

Thank you for allowing our firm the opportunity to be of service to you in this matter.

Respectfully submitted,

GRUBB & ELLIS|VIP-D'ALESSANDRO
Division of Valuation and Research


Stephen A. Cunningham, MAI, SRA
State-Certified General Real Estate Appraiser
Certificate Number 0000300

COMPARABLE SALES GRID

	Subject	Sale 1	Sale 2	Sale 3	Sale 4	Sale 5
OR Book/Page		3585/2110	3267/3712	3443/1646	3379/0720	3628/2988
Sales Price		\$85,000.00	\$47,500.00	\$85,000.00	\$26,600.00	\$125,000.00
Sale Terms						
Financing		Cash Indicated	Cash Indicated	Cash Indicated	Mtg. \$21,430	Mtg. \$62,000.00
Adjustment		-0-	-0-	-0-	-0-	-0-
Motivation		Arm's Length	Arm's Length	Arm's Length	Arm's Length	Arm's Length
Adjustment		-0-	-0-	-0-	-0-	-0-
Other		None	None	None	None	None
Adjustment		-0-	-0-	-0-	-0-	-0-
Cash Equivalent Sale Price		\$85,000.00	\$47,500.00	\$85,000.00	\$26,600.00	\$125,000.00
Sale Date		2/25/02	06/14/00	07/02/01	03/14/01	04/15/02
Adjustment		-0-	-0-	-0-	-0-	-0-
Time Adj. \$ Equiv. Sale Price		\$85,000.00	\$47,500.00	\$85,000.00	\$26,600.00	\$125,000.00
Site Characteristics						
Improved	No	Yes-Old house	No-Vacant	No-Vacant	No-Vacant	No-Vacant
Shape	Rectangular	Typical	Typical	Typical	Irregular	Typical
Total Site Size (sf)	59,160	41,027	19,080	33,105.6	13,215	59,888
Sales Price per SF	-	\$2.07	\$2.49	\$2.57	\$2.01	\$2.09
Location	Interior	Interior	Corner	Corner	Corner	Corner
Main Arterial	Pondella	Pondella	Pine Island Road	Bayshore Road	Bayshore Road	Pine Island Road
Zoning	C-1	RS-1	CC	CC	C-1A	CN-2
Land Use District	Suburban	Central Urban	Central Urban	Central Urban	Central Urban	Central Urban
Overlay District	N/A	N/A	N/A	N/A	N/A	N/A
Adjustments						
Shape	Typical	Typical	Typical	Typical	Irregular	Typical
Adjustment		-0-	-0-	-0-	10%	-0-
Location	Pondella	Pondella	Pine Island Road	Bayshore Road	Bayshore Road	Pine Island Road
Adjustment		-0-	-0-	-0-	-0-	-0-
Size	Good	Good	Good	Good	Inferior	Equal
Adjustment		-0-	-0-	-0-	10%	-0-
Net Adjustments		-0-	-0-	-0-	20%	-0-
Adjusted Price		\$2.07	\$2.49	\$2.57	\$2.41	\$2.09

5-Year Sales History

Parcel No. 150/151

Pondella Road Widening, Project No. 4656

Grantor	Grantee	Sale Date	Purchase Price	Arms Length Y/N
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NO SALE IN THE LAST FIVE YEARS

