# Lee County Board of County Commissioners Agenda Item Summary

Blue Sheet No. 20031436

I. REQUESTED MOTIO	۱(	C	ΤI	O.	MC	UESTED	١.
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ACTION REQUESTED: Approve Purchase Agreement for acquisition of Parcel 236, Three Oaks Parkway South Extension Project No. 4043, in the amount of \$82,500.00; authorize payment of costs to close and the Division of County Lands to handle all documentation necessary to complete transaction.

WHY ACTION IS NECESSARY: The Board must accept all real estate conveyances to Lee County.

WHAT ACTION ACCOMPLISHES: The Board avoids Eminent Domain.

2. DEPARTMENTAL CATE	GORY: 06	3. MEETING DATE:
COMMISSION DISTRICT	#: 3	C6H 01-06-2004
4. AGENDA:	5. REQUIREMENT/PURPOSE	6. REQUESTOR OF INFORMATION
X CONSENT ADMINISTRATIVE	(Specify) X STATUTE 125	A.
APPEALS PUBLIC	ORDINANCEADMIN.	B. DEPARTMENT Independent C. DIVISION County Lands duty 1/0
WALK ON TIME REQUIRED:	OTHER	BY Karen L. W. Forsvth. Director

#### 7.BACKGROUND:

Negotiated for: Department of Transportation

Interest to Acquire: Fee simple, improved with a single-family mobile home.

#### **Property Details**

Owner:

John F. Weeks

Address:

11104 Wagon Trail, Bonita Springs

STRAP No.: 25-47-25-B4-00201.0100

### Purchase Details

Purchase Price: \$82,500.00 (Price is inclusive of moving expenses.)

Costs to Close: Approximately \$2,500 (Costs are inclusive of attorney fees and costs in the amount of \$1,500. The seller is

responsible for real estate broker fees, if any.)

#### Appraisal Information

Company: Carlson, Norris & Associates, Inc.

Appraised Value: \$79,000.00

Staff Recommendation: County staff recommends that the Board approve the Requested Motion.

Account: 20404318808.506110

20 - CIP; 4043 - Three Oaks Parkway South Extension; 18808 - Road Impact Fees, Bonita; 506110 - Land

Attachments: Purchase Agreement; Appraisal (Location Map Included); Letter from City of Bonita Springs; Title Data;

5-Year Sales History

#### 8. MANAGEMENT RECOMMENDATIONS:

S:\POOL\3-OAKS 4043\236 WEEKS\236 BLUESHEET.DOC-pre (12/2/03)

		9.	RECO	MMENDED	APPROVAL:		
A Department Director	B Purchasing or Contracts	C Human Resources	D Other	E County Attorney	Budge (Aff)M	F t Services /2/23/03	G County Manager
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This document prepared by:

Lee County

County Lands Division

Project: Three Oaks Parkway South Extension, No. 4043

Parcel: 236/Weeks

STRAP No.: 25-47-25-B4-00201.0100

#### BOARD OF COUNTY COMMISSIONERS

#### LEE COUNTY

#### AGREEMENT FOR PURCHASE AND SALE OF REAL ESTATE

THIS	AGREEMENT	'for p	urchase	and sa	le of	real p	roperty	is ma	ade
this	day of			, 20	by	y and	between	JOHN	F.
WEEKS, a	married p	erson,	whose a	ddress	is 273	01 Dox	ctch Ave	e, Bon	ita
Springs,	Florida 3	34135,	Owner,	hereina	fter r	eferre	d to as	SELL	ER,
and LEE	COUNTY, a	polit	ical sub	divisio	n of t	the St	ate of	Flori	da,
hereinaft	ter referr	ed to	as BUYEF	₹.					

#### WITNESSETH:

- 1. AGREEMENT TO PURCHASE AND TO SELL: SELLER agrees to sell and BUYER agrees to purchase, subject to the terms and conditions set forth below, a parcel of land consisting of .186 acres more or less, and located at 11104 Wagon Trail, Bonita Springs, Florida 34135 and more particularly described as Lot 10, Block 1, LEITNER CREEK MANOR, Unit 2, a subdivision according to the plat or map thereof, recorded in Plat Book 30, Pages 79 and 80, of the Public Records of Lee County, Florida, hereinafter called "the Property." This property will be acquired for the Three Oaks Parkway South Extension Project, hereinafter called "the Project."
- 2. PURCHASE PRICE AND TIME OF PAYMENT: The total purchase price ("Purchase Price") will be Eighty-Two Thousand Five Hundred and No/100 (\$82,500.00), plus attorney fees and costs of Fifteen Hundred and No/100 Dollars (\$1,500.00), including appraisal costs, shall be payable to Gaylord, Merlin, Ludovici, Diaz & Bain Trust Account, as attorneys for John and Robin Weeks, payable at closing by County Warrant.

- 3. EVIDENCE OF TITLE: BUYER will obtain at BUYER'S expense an American Land Title Association Form B Title Commitment and provide title insurance Owner's Policy in the amount of the Purchase Price, from a title company acceptable to BUYER. The commitment will be accompanied by one copy of all documents that constitute exceptions to the title commitment. The commitment will also show title to be good and marketable with legal access, subject only to real estate taxes for the current year, zoning and use restrictions imposed by governmental authority, and restrictions and easements common to the area.
- 4. CONDITION OF PROPERTY; RISK OF LOSS: BUYER has inspected the Property and, except as is otherwise provided herein, accepts the Property in the condition inspected. Any loss and/or damage to the Property occurring between the date of this offer and the date of closing or date of possession by BUYER, whichever occurs first, will be at SELLER's sole risk and expense. However, BUYER may accept the damaged property and deduct from the purchase price any expenses required to repair the damage, or BUYER may cancel this Agreement without obligation.
  - 5. SELLER'S INSTRUMENTS AND EXPENSES: SELLER will execute:
    - (a) A statutory warranty deed, and an affidavit regarding liens, possession, and withholding under FIRPTA in a form sufficient to allow "gap" coverage by title insurance, to be provided by BUYER or BUYER'S agent;

Seller will pay for and provide:

- (a) documentary stamps on deed;
- (b) utility services up to, but not including the date of closing;
- (c) taxes or assessments for which a bill has been rendered on or before the date of closing;
- (d) payment of partial release of mortgage fees, if any;
- (e) SELLER's attorney fees and costs, if any.
- 6. BUYER'S INSTRUMENTS AND EXPENSES: BUYER will pay for:

AGREEMENT FOR PURCHASE AND SALE OF REAL ESTATE Page 3 of 7

- (a) Recording fee for deed;
- (b) survey, (if desired by BUYER).
- 7. TAXES: SELLER will be charged for Real Estate taxes and personal property taxes (if applicable) up to, but not including the date of closing.
- 8. DEFECTS IN TITLE AND LEGAL ACCESS: Prior to closing, BUYER will have a reasonable time to examine the title and documents establishing legal access to the property. If title or legal access is found to be defective, BUYER will notify SELLER in writing of the defects and SELLER will make a prompt and diligent effort to correct such defects. If SELLER fails to make corrections within 60 days after notice, BUYER may elect to accept the Property in its existing condition with an appropriate reduction to the purchase price, or may terminate this Agreement without obligation.
- 9. SURVEY: BUYER may order the Property surveyed at BUYER's expense. SELLER agrees to provide access to the Property for the survey to be performed. If the survey shows a discrepancy in the size or dimensions of the Property, or shows encroachments onto the Property or that improvements located on the Property encroach onto adjacent lands, or if the survey identifies violations of recorded covenants or covenants of this Agreement, upon notice to the SELLER, the BUYER may elect to treat those discrepancies, violations or encroachments as a title defect.
- 10. ENVIRONMENTAL AUDIT: BUYER may perform or have performed, at BUYER's expense, an environmental audit of the Property. If the audit identifies environmental problems unacceptable to the BUYER, BUYER may elect to accept the Property in its existing condition with an appropriate abatement to the purchase price or BUYER may terminate this Agreement without obligation.

11. ABSENCE OF ENVIRONMENTAL LIABILITIES: The SELLER hereby warrants and represents that the Property is free from hazardous materials and does not constitute an environmental hazard under any federal, state or local law or regulation. No hazardous, toxic or polluting substances have been released or disposed of on the Property in violation of any applicable law or regulation. SELLER further warrants that there is no evidence that hazardous, toxic or polluting substances are contained on or emitting from the property in violation of applicable law or regulation. There are no surface impoundments, waste piles, land fills, injection wells, underground storage areas, or other man-made facilities that have or may have accommodated hazardous materials. There is no proceeding or inquiry by any governmental agency with respect to production, disposal or storage on the property of any hazardous materials, or of any activity that could have produced hazardous materials or toxic effects on humans, flora or fauna. There are no buried, partially buried, or above-ground tanks, storage vessels, drums or containers located on the Property. There is no evidence of release of hazardous materials onto or into the Property.

The SELLER also warrants that there have been no requests from any governmental authority or other party for information, notices of claim, demand letters or other notification that there is any potential for responsibility with respect to any investigation or clean-up of hazardous substance releases on the property. All warranties described herein will survive the closing of this transaction.

In the event the SELLER breaches the warranties as to environmental liability, SELLER agrees to indemnify and hold the BUYER harmless from all fines, penalties, assessments, costs and reasonable attorneys' fees resulting from contamination and remediation of the property.

12. TIME AND BINDING AGREEMENT: Time is of the essence for closing this transaction. The BUYER's written acceptance of this offer will constitute an Agreement for the purchase and sale of the Property and will bind the parties, their successors and assigns. In the

AGREEMENT FOR PURCHASE AND SALE OF REAL ESTATE Page 5 of 7

event the BUYER abandons this project after execution of this Agreement, but before closing, BUYER may terminate this Agreement without obligation.

- 13. DATE AND LOCATION OF CLOSING: The closing of this transaction will be held at the office of the insuring title company on or before ninety (90) days from the date this Agreement is made. The time and location of closing may be changed by mutual agreement of the parties.
- 14. ATTORNEYS' FEES: The prevailing party in any litigation concerning this Agreement will be entitled to recover reasonable attorneys' fees and costs.
- 15. REAL ESTATE BROKERS: SELLER hereby agrees to indemnify and hold the BUYER harmless from and against any claims by a real estate broker claiming by or through SELLER.
- 16. POSSESSION: SELLER warrants that there are no parties in possession other than SELLER unless otherwise stated herein. SELLER agrees to deliver possession of Property to BUYER at time of closing unless otherwise stated herein.
- 17. TYPEWRITTEN/HANDWRITTEN PROVISIONS: Typewritten and handwritten provisions inserted herein or attached hereto as addenda, and initialed by all parties, will control all printed provisions in conflict therewith.
- 18. SPECIAL CONDITIONS: Any and all special conditions will be attached to this Agreement and signed by all parties to this Agreement.

AGREEMENT FOR PURCHASE AND SALI Page 6 of 7	E OF REAL ESTATE
WITNESSES!	SELLER:
Signature of Witness	JOHN F. WEEKS (DATE)
Print Name of Witness	<del>-</del>
Signature of Witness	-
Lindsey Tilson	
Print Name of Witness	-
	BUYER:
CHARLIE GREEN, CLERK	LEE COUNTY, FLORIDA, BY ITS BOARD OF COUNTY COMMISSIONERS
BY:	BY:
DEPUTY CLERK (DATE)	CHAIRMAN OR VICE CHAIRMAN
	APPROVED AS TO LEGAL FORM AND SUFFICIENCY
	COUNTY ATTORNEY (DATE)

AGREEMENT FOR PURCHASE AND SALE OF REAL ESTATE Page 7 of 7

#### SPECIAL CONDITIONS

BUYER: Lee County SELLER: Weeks PARCEL NO.: 236

BUYER and SELLER hereby covenant that the payments recited in Paragraph 2 herein, except as noted below, includes payment for attorney and appraiser fees and costs, moving expenses, the manufactured home (Model 1985 Champion ID Number 5354593085), additions, improvements, shed(s), landscaping and for all fixtures, including but not limited to, built-in-appliances, air conditioning unit(s), hot water heater(s), ceiling fans, screen enclosure(s), windows, awnings, doors and floor covering, as of the date of the BUYER'S appraisal.

BUYER'S authorized agent will inspect the house and all other real property and improvements prior to closing. Removal of any fixture(s) by SELLER may cause a delay in closing and a reduction in the Purchase Price. All additional costs associated with any breach of this covenant will be paid by the SELLER. This covenant shall survive closing.

SELLER hereby agrees to deliver possession of the Property, absent of any resident(s) or tenant(s), to BUYER at the time of closing and further agrees that the purchase of the Property is NOT subject to any written or verbal lease agreement(s) of the SELLER.

Upon the BUYER'S written acceptance of this Agreement, SELLER hereby gives permission allowing entry to the premises by County Representatives, upon first receiving 48 hours prior notice, in order for the premises to be inspected to determine if asbestos is present in the improvements or if relocating any or all real estate improvements is feasible subsequent to closing and the County taking possession of the Property.

WITNESSES:	SELLERY / Woodh 11-24-0
Signature of Witness	JOHN F. WEEKS (DATE)
Print Name of Witness	
Signature of Witness	
Lindsey Tilson Print Name of Witness	
	BUYER:
CHARLIE GREEN, CLERK	LEE COUNTY, FLORIDA, BY ITS BOARD OF COUNTY COMMISSIONERS
BY: DEPUTY CLERK (DATE)	BY:CHAIRMAN OR VICE CHAIRMAN
	APPROVED AS TO LEGAL FORM AND SUFFICIENCY
	COUNTY ATTORNEY (DATE)

Jenty Descriptio	Apprai	sai Rep	ort UN	IFORM	RESID	ENTIAL	. APPR/	AISAL	REPOR	T Fit	Projec • No. 02-78-	t No. 4043
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			er Creek Ma		Blk 1, PB 3		<u> </u>			County Lee		
			B4-00201.0				(Year 2002	R.E. Ta	(es \$ 492.6)			15 \$ \$197/Yr
Borrower W Property right			ee Simple		ent Owner Jo				Occupar			
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Sale Price \$			Date of Sale			Decembries on		nce <u>25-47</u> -			nsus Tract 050	4.00
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Appraiser		enning, As	<del></del>				urtnev Driv	/e. Suite 1	4. Fort My		901	
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Property value		creasing	Stable	Declin		Tenant	100+	High 28		nlly	To:	
Demand/supp		- :	🔀 In balance	Over s	upply   🔯	Vacant (0-5%	) Pre	idominant 🖺	Comme	rcial	**Three C	aks Parkway
<u>Marketing tim</u>			<u> </u>	Over 6		Vac.(over 5%		15-2	O Vacant	. 0	Extension	n Project
Note: Race and the racial composition of the neighborhood are not appraisal factors.												
Neighborhood boundaries and characteristics: Bordered by South Carolina Drive (N), I-75 (E), US Business 41 (W), E. Terry Street (S). Maturely												
developed with predominately single family and manufactured homes.  Factors that affect the marketability of the properties in the neighborhood (proximity to employment and amenities, employment stability, appeal to market, etc.):												
Thors were	meci me m	arkerability or	me properties	in the heighbi	ornoca (praxir	nity to employ	ment and ame	inities, emple	oyment stabili	ly, appeal to r	narket, etc.):	
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and employ	vment ce	ntars) are	located nec	arhv Stah	la to incres	eina emple	yment and	ne marke	L. Service	raciilles (s	scricois, park	s, snopping,
and omploy	ymorii oc	ii(Ora) are	IOCALEGI 1160	airy. Stan	ie io iliciea	ang empic	yment and	property	varues are	prevalent.		
.Market conditi	tions in the	subject neigh	borhood (inclu	ding support t	for the above o	conclusions re	lated to the tre	and of prone	ty values der	nand/sunniv	and marketing th	ne
such as dat	ta on comp	etitive proper	ies for sale in t	the neighborh	ood, description	on of the prev	alence of sales	s and financh	ng concession	is, etc.):		
No unusua	l marketi	ng conces	sions are n	ecessary fo	or this mark	cet area. F	Resales are	sold with	convention	ıal financir	g and cash.	Fixed,
adjustable i	rate and	<u>purchase</u>	money mon	tgages are	avaliable.	Rates are	currently in	the 4.5%	to 6.5% ra	inge. Sup	ply & demand	d are in
balance, wi	ith typica	l marketin	g time 4-6 n	nonths, wit	h some sal	les taking r	nore or less	s time dep	ending on	seller moti	vation (pricin	g). Sales
concession	is are no	t prevalent							<u> </u>			
D. Institute		ID= AV II	113								<del>~~</del> ~~	
Project Inform											Yes	No N/A
Approximate to					N/A	A	pproximate tot	al number of	f units for sale	in the subjec	t project	N/A
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Electricity	X				Asphalt pa		🖂	["]	Driveway Su			<del></del>
Gas				Curb/gutter				Ħ		_	ndard Utility	
Water	⋈ •	Irrig.Well			None				1	ıl Flood Hazar		Yes 🛛 No
Sanitary sewer	r 🔯 _			Street lights	Pole lights		$\square$		FEMA Zone	Х	Map Date	07/20/1998
Storm sewer				Alley	None			[]	FEMA Map N	o. <u>12068</u>	00510D	
Comments (ap	pparent advi	erse easemer	ts, encroachm	ents, special	assessments,	silde areas, ill	legal or legal n	onconformin	ıg zoning use,	etc.);	No a	idverse site
conditions of	<u>bserved</u>	, no site si	rvey provid	led. The s	ite is a typi	<u>cai building</u>	y lat. Site it	mproveme	ents: Fill/pr	ep/landsca	ping/sod \$2,	000, impact fe
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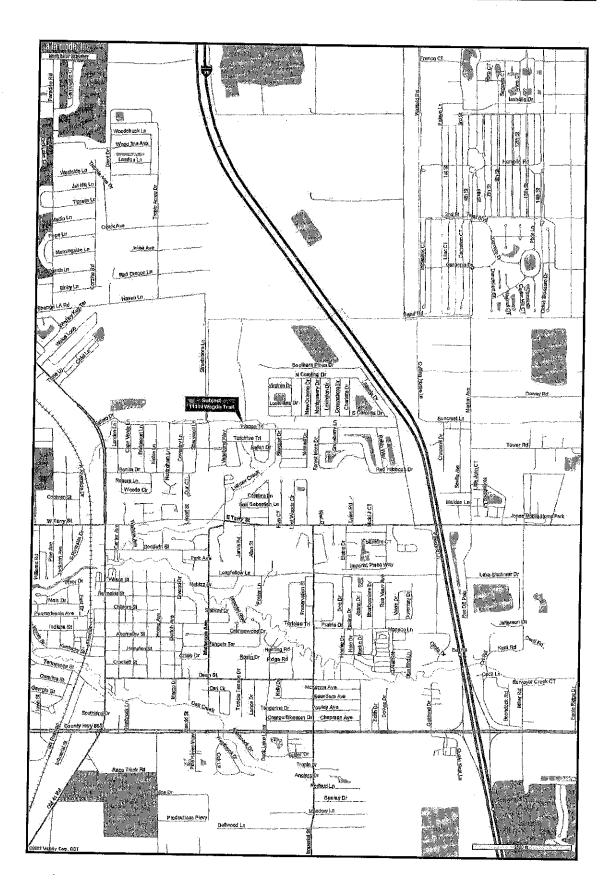
UNIFORM RESIDENTIAL APPRAISAL REPORT Valuation Section File No. 02-78-23 ESTIMATED SITE VALUE Unimproved site 18,000 | Comments on Cost Approach (such as, source of cost estimate, site value, ESTIMATED REPRODUCTION COST-NEW-OF IMPROVEMENTS: square foot calculation and for HUD, VA and FmHA, the estimated remaining 1,045 Sq. Ft. @\$ 50.00 = \$ 52,250 economic life of the property): See attached for floor plan and area Screened Porch, 408 Sq. Ft. @\$ 16.00 6,528 / calculations. Subject site is developed to its highest and best CBS Shed 324sf@\$22,00/sf, Deck124@\$4.00 = 7,624 / use. No apparent functional or locational obsolescence noted. Garage/Carport Sq. Ft. @\$ See attached for comments on land value. Costs are supported Total Estimated Cost New 66,402 / by local known builder's costs & completed appraisals Functional Less Physical External retained in the appraiser's office files. 14,940 Depreciation 14,940 Depreciated Value of Improvements 51,462 Depreciation - Economic Age/Life Method 'As-Is" Value of Site Improvements 10,500 Estimated remaining economic life = 31 years. INDICATED VALUE BY COST APPROACH 79.962 COMPARABLE NO. ITEM SUBJECT COMPARABLE NO. COMPARABLE NO. 3 11104 Wagon Trall 26788 Stardust Drive i. 26745 Token Court 11207 Torchfire Trail 25-47-25-B4-00201,0100 <u>25-47-25-B4-00211.01</u>60 Address 25-47-25-B4-00205.0090 25-47-25-B4-00209.0040 Proximity to Subject **"**" 0.33 mile southeast 0.19 mile southeast 0.25 mile southeast Sales Price Not a Sale 69,500 70.000 3 s the s 80,000 3 - A - S 80.76 中間 Price/Gross Living Area 87.09 中層 73.26 中[ Data and/or Inspection ORB 3768 PG 1453 V ORB 3672 PG 2661 ORB 3595 PG 3645 V Verification Source Pub.Records MLS/FARES/Lee County MLS/FARES/Lee County MLS/FARES/Lee County VALUE ADJUSTMENTS DESCRIPTION DESCRIPTION +(-)\$ Adjust. DESCRIPTION +(-)\$ Adjust. DESCRIPTION + (-)\$ Adjust. Sales or Financino Conventional FHA Concessions \$69,000 \$68,955 \$79,000 Date of Sale/Time 11/05/02 06/21/02 03/12/02 LeitnerCrkManor Location LeitnerCrkManor LeitnerCrkManor LeitnerCrkiManor Leasehold/Fee Simple Fee Fee Fee Fee 8.100sf 5,700sf +2,000 7,410sf +2,000 5,900sf View Residential Residential Residential Residential Design and Appeal Singlewide Doublewide Singlewide Doublewide Quality of Construction MH/Good MH/Good MH/Inferior +2.000 MH/Good Ade Eff=9, A=14 Eff=11, A=27 +1,600 Eff=10, A=15 +800 Eff=9, A=13 Condition Above Avg. Inferior +1,600 Inferior +800 Above Avg. Total Bdrms Baths Above Grade Total Bdrms Baths Total Bdrms Baths Total Bdrms Baths Z116 Room Count б 3 2 6 4 2 4 2 2 Gross Living Area 1,045 Sq. Ft. -3.4001,152 Sq. Ft. 798 Sq. Ft. +7,9001,092 Sq. Ft. -1.500 Basement & Finished None None None Noe Rooms Below Grade None N/A None None **Functional Littlity** Adequate Adequate Adequate Adequate Heating/Cooling Central Central Central Central Energy Efficient Items Typical Typical Typical Typical Garage/Carport Driveway. Driveway 2 Carport -4,000 4,000 2 Carport 408sf Scr.Porch Porch, Patio, Deck. None +3,300 297sfEncl.Porch -1,200 132sf Scr.Porch +2,200 Fireplace(s), etc. 324sf CBS Shed None +3,600\_ 80sf Shed +2.700 +3,600 None Fence, Pool, etc. 1 Side Fence Fenced -1,600 231sf Slab None Indicated +400 Other Feratures 124sf Deck None +200 108sf Att.Utility -600 156sf\_Att.Utility -1,000 Net Adj. (total) 7.300 8,400  $\times$  + 1.700 Adjusted Sales Price Net) of Comparable 4 Gross 24 表常 \$ 77,300 Comments on Sales Comparison (including the subject property's compatibility to the neighborhood, etc.): See attached comments. Sales recorded over 6 months prior to the appraisal date are among the most recent sales of adequately priced manufactured homes in Leitner Creek Manor. ITEM SUBJECT COMPARABLE NO. 1 COMPARABLE NO. 2 COMPARABLE NO. 8 Date, Price and Data No sale in the No prior sale noted No prior sale noted No prior sale noted Source, for prior sales last 12 mos. other than above in other than above in other than above in within year of appraisal per Lee Co. past twelve months past twelve months past twelve months Analysis of any current agreement of sale, option, or listing of subject property and analysis of any prior sales of subject and comparables within one year of the date of appraisal: The subject property is not listed in the regional MLS. INDICATED VALUE BY SALES COMPARISON APPROACH 79,000 INDICATED VALUE BY INCOME APPROACH (If Applicable) Estimated Market Rent N/A /Mo. x Gross Rent Multiplier This appraisal is made 🔀 "as is" 🔲 subject to the repairs, afterations, inspections or conditions listed below subject to completion per plans & specifications. Conditions of Appraisal: No special comments or conditions affect this appraisal. THIS IS A SUMMARY APPRAISAL REPORT. See attached Special Limiting Conditions. Final Reconciliation: The Sales Comparison Anaysis typically best reflects the actions and attitudes of participants in the marketplace. The Cost Approach is supportive. Insufficient market data is available for a reliable GRM. The purpose of this appraisal is to estimate the market value of the real property that is the subject of this report, based on the above conditions and the certification, contingent and limiting conditions, and market value definition that are stated in the attached Freddie Mac Form 439/FNMA form 1004B (Revised I (WE) ESTIMATE THE MARKET VALUE, AS DEFINED, OF THE REAL PROPERTY THAT IS THE SUBJECT OF THIS REPORT, AS OF January 20, 2003 (WHICH IS THE DATE OF INSPECTION AND THE EFFECTIVE DATE OF THIS REPORT) TO BE 79,000 APPRAISER: Phil Barlging, Associate, SUPERVISORY PRAISER(ONLY IF REQUIRED): J. Lee Norris, MAI, SRA Signature Signature ☐ Did 🖂 Did Not Name Phil Benning, Associate Name J. Les Norris, MAI, SRA Inspect Property Date Report Signed January 27, 2003 Signed January 27, 2003 State Certification # 0001220 St. Cert.Res. REA State FL State Certification # 0000643 St. Cert. Gen. REA State FL Or State License # Or State License # State Freddie Mac Form 70 6/93

Project No. 4043

Fannie Mae Form 1004 6-93

### **Location Map**

Borrower/Client WEEKS, John F.			
Property Address 11104 Wagon Trail			
City Bonita Springs	County Lee	State FL	Zip Code 34135-5367
Lender Lee County - County Lands		3,410	ZIP COUR 34 133-3367





## City of Bonita Springs

9220 BONITA BEACH ROAD SUITE 111 BONITA SPRINGS, FL 34135 Tel.: (239) 390-1000 FAX: (239) 390-1004 www.cityofbonitasprings.org

Paul D. Pass Mayor

Wayne P. Edsall Councilman District One

Jay Arend Councilman District Two

R. Robert Wagner Councilman District Three

John C. Warfield Councilman District Four

David T. Piper, Jr. Councilman District Five

Ben L. Nelson, Jr. Councilman District Six

 $\sim$ 

Gary A. Price City Manager

Audrey E. Vance City Attorney December 2, 2003

Mr. J. Keith Gomez Property Acquisition Agent Lee County PO Box 398 Fort Myers, FL 33902

RE: Purchase Agreement – Three Oaks Parkway Extension Project No. 4043 Parcel 236/Weeks

Dear Mr. Gomez:

The agreed upon purchase conditions for the aforementioned parcel are reasonable and purchase is recommended by my office.

If you need further authorization, feel free to contact me.

Respectfully,

Gary A Price City Manager

GAP/kw

# **Division of County Lands**

## Ownership and Easement Search

Search No. 25-47-25-B4-00201.0100

Date: November 14, 2003

Parcel: 236

Project: Three Oaks Pkwy. South Extension. Project #4043 (E. Terry St. to N. Leitner Creek)

To: J. Keith Gomez

Property Acquisition Agent

From:

Kenneth Pitt

Real Estate Title Examiner

STRAP: 25-47-25-B4-00201.0100

Effective Date: October 14, 2003, at 5:00 p.m.

Subject Property: Lot 10, in Block 1, Leitner Creek Manor, Unit 2, as recorded in Plat Book 30,

Page 79, Public Records of Lee County, Florida.

Title to the subject property is vested in the following:

#### John F. Weeks

By that certain instrument dated October 31, 1995, recorded December 19, 1995, in Official Record Book 2660, Page 3778, Public Records of Lee County, Florida.

#### Easements:

- 1. Subject to Deed Restrictions, recorded in Official Record Book 575, Page 808, which rights were assigned in Official Record Book 2603, Page 3024, Public Records of Lee County, Florida.
- 2. Subject to a 60 foot rear setback line as shown on the plat of Leitner Creek Manor, Unit 2, Plat Book 30, Page 79, Public Records of Lee County, Florida.
- 3. Subject to a 6 foot utility easement along the rear lot line, as dedicated on the plat of "Leitner Creek Manor, Unit 2" recorded in Plat Book 30, Page 79, Public Records of Lee County. Florida.

Subject to a mortgage in the original sum of \$52,284.87, recorded in Official Record NOTE (1): Book 3350, Page 1221, Public Records of Lee County, Florida.

NOTE (2): Subject to Lee County Ordinance No. 86-14 relating to garbage and solid waste collection, recorded in Official Record Book 2189, Page 3281 and amended by Official Record Book 2189, Page 3334, Public Records of Lee County, Florida.

Subject to a Judgment vs. John D. Weeks in the sum of \$110.00, recorded in Official NOTE (3): Record Book 2354, Page 1025, Public Records of Lee County, Florida.

# Asion of County Lands

## Ownership and Easement Search

Search No. 25-47-25-B4-00201.0100

Date: November 14, 2003

Parcel: 236

Project: Three Oaks Pkwy. South Extension. Project #4043 (E. Terry St. to N. Leitner Creek)

NOTE (4): Subject to a Judgment vs. Johnny M. Weeks in the sum of \$6,988.40, recorded in Official Record Book 2877, Page 1824 and re-recorded in Official Record Book 2886, Page 843, Public Records of Lee County, Florida.

NOTE (5): Subject to a Utility Service Lien (wastewater) in the sum of \$26.33 a month for 300 months, recorded in Official Record Book 3568, Page 153, Public Records of Lee County, Florida.

Tax Status: \$551.00 paid on May 11, 2003 for tax year 2002. (The end user of this report is responsible for verifying tax and/or assessment information.)

The Division of County Lands has made a diligent search of the Public Record. However, this report contains no guarantees nor warranty as to its accuracy.

# 5-Year Sales History

Parcel No. 236

Three Oaks Parkway South Extension Project No. 4043

**NO SALES in PAST 5 YEARS**