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	N IS NECESSA tion proceeding		d must authori:	ze the making	of a binding o	offer to a pro	perty own	er prior to i	initiation
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7. BACKGR	OUND: or: Department		· · · · -						
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Parcel:	1003, 1004, and 1005
Project:	Veronica S. Shoemaker Blvd. Extension Project 4073
STRAP No.:	19-44-25-P3-00911.0010; .0230 and 00914.0010

#### EASEMENT PURCHASE AGREEMENT

This Agreement made and entered into this \_\_\_\_\_\_ day of \_\_\_\_\_\_, 20 \_\_\_\_, by and between SOUTHEAST EPISCOPAL DIOCESE OF THE WORD OF FAITH, INC., a Florida Non Profit Corporation whose address is 3810 N. 40<sup>th</sup> Street, Tampa, FL 33605, 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, nonexclusive utility 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 drainage improvements.

- a) Owner will grant said easement to Purchaser for the sum of \$1,000.00; Purchaser to pay recording costs 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.
- f) This voluntary sale and purchase is considered by Florida law to be exempt from the payment of Documentary Stamp Taxes because this transaction was made under the threat of an eminent domain proceeding by the BUYER.

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:

Southeast Episcopal Diocese of the Word of Faith, Inc.

1st Witness Signature

Chandra Tyson, President

2nd Witness Signature

1st Witness Signature

2nd Witness Signature

ATTEST:

CHARLIE GREEN, CLERK

By:\_\_\_\_

Deputy Clerk

LEE COUNTY, FLORIDA, BY ITS BOARD OF COUNTY COMMISSIONERS

By:\_\_\_\_

Chairman or Vice-Chairman

APPROVED AS TO LEGAL FORM

Office of County Attorney S:\POOL\PalmettoExt\Legal\1003-1005 Easement PA.wpd revised



January 15, 2003

#### **DESCRIPTION**

## DRAINAGE EASEMENT PART OF LOT 1, BLOCK 11 CITY VIEW PARK NO. 3 SECTION 19,TOWNSHIP 44 SOUTH, RANGE 25 EAST LEE COUNTY, FLORIDA

A tract or parcel of land being part of Lot 1, Block 11 as shown on the plat of City View Park No. 3 recorded in Plat Book 6 at Page 32 of the Public Records of Lee County, Florida and lying in Section 19, Township 44 South, Range 25 East, Lee County, Florida described as follows:

Beginning at the southeast corner of said Lot 1; thence run South  $88^{\circ} 47' 56''$  West along the south line of said lot for 10.00 feet; thence run North  $00^{\circ} 58' 24''$  West for 10.04; thence run North  $89^{\circ} 01' 36''$  East for 10.00 feet to an intersection with the east line of said Lot 1; thence run South  $00^{\circ} 58' 24''$  East, along the east line of said lot for 10.00 feet to the Point of Beginning.

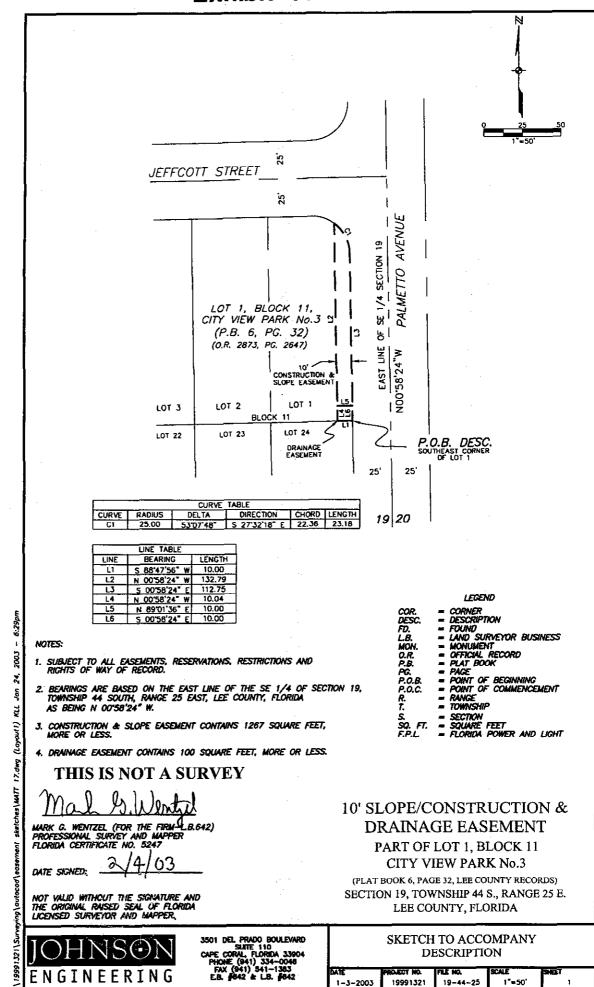
Parcel Contains 100 square feet, more or less.

Bearings hereinabove mentioned are based on the east line of the Southeast Quarter (SE-1/4) of Section 19, Township 44 South, Range 25 East to bear North 00° 58' 24" West.

Mark G. Wentzel (For The Firm/LB-642) Professional Land Surveyor Florida Certificate No. 5247

19991321/DE Parcel 13B 011503

Page \_/\_of \_6\_





SINCE 1946

1004

19-44-25-05-00011,0230

January 15, 2003

#### DESCRIPTION

## DRAINAGE EASEMENT PART OF LOT 24, BLOCK 11 CITY VIEW PARK NO. 3 SECTION 19,TOWNSHIP 44 SOUTH, RANGE 25 EAST LEE COUNTY, FLORIDA

A tract or parcel of land being part of Lot 24, Block 11 as shown on the plat of City View Park No. 3 recorded in Plat Book 6 at Page 32 of the Public Records of Lee County, Florida and lying in Section 19, Township 44 South, Range 25 East, Lee County, Florida described as follows:

Beginning at the northeast corner of said Lot 24; thence run South 00° 58' 24" East along the east line of said lot for 10.00 feet; thence run South 89° 01' 36" West for 10.00 feet; thence run North 00° 58' 24" West for 9.96 feet to an intersection with the north line of said lot; thence run North 88° 47' 56" East, along said north line for 10.00 feet to the Point of Beginning.

Parcel Contains 100 square feet, more or less.

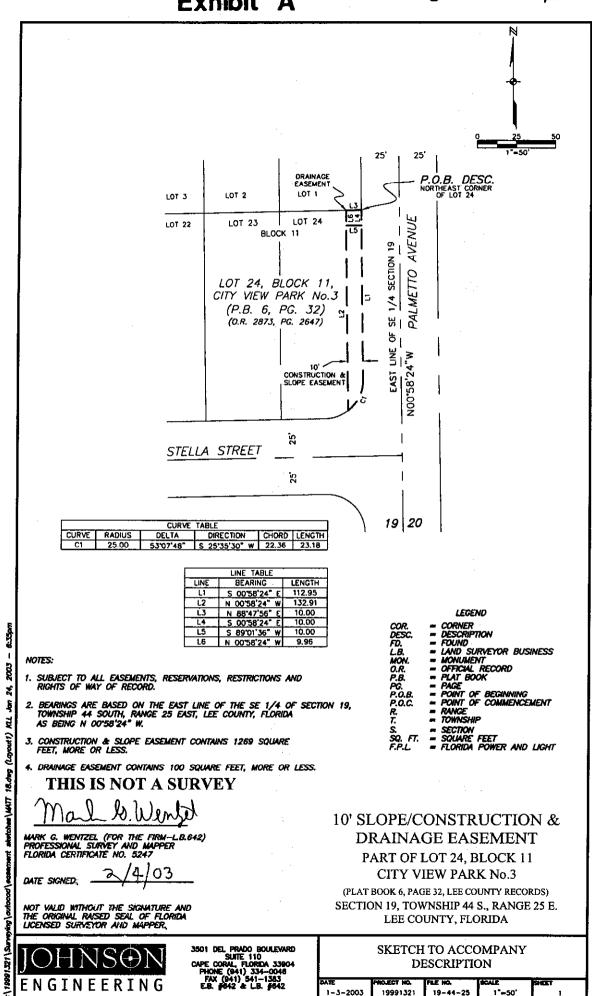
Bearings hereinabove mentioned are based on the east line of the Southeast Quarter (SE-1/4) of Section 19, Township 44 South, Range 25 East to bear North 00° 58' 24" West.

Mark G. Wentzel (For The Firm LB-642) Professional Land Surveyor Florida Certificate No. 5247

19991321/DE Parcel 14B 011503

Page 3 of 6

Page 4 of 6



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January 15, 2003

#### **DESCRIPTION**

## DRAINAGE EASEMENT PART OF LOTS 1 & 24, BLOCK 14 CITY VIEW PARK NO. 3 SECTION 19,TOWNSHIP 44 SOUTH, RANGE 25 EAST LEE COUNTY, FLORIDA

A tract or parcel of land being part of Lots 1 and 24, Block 14 as shown on the plat of City View Park No. 3 recorded in Plat Book 6 at Page 32 of the Public Records of Lee County, Florida and lying in Section 19, Township 44 South, Range 25 East, Lee County, Florida described as follows:

Beginning at the northeast corner of said Lot 24; thence run South  $00^{\circ} 58' 24''$  East along the east line of said Lot 24 for 10.00 feet; thence run South 89° 01' 36'' West for 10.00 feet; thence run North 00° 58' 24'' West for 20.00; thence run North 89° 01' 36'' East for 10.00 feet; thence run South  $00^{\circ} 58' 24''$  East along the east line of said Lot 1 for 10.00 feet to the Point of Beginning.

Parcel Contains 200 square feet, more or less.

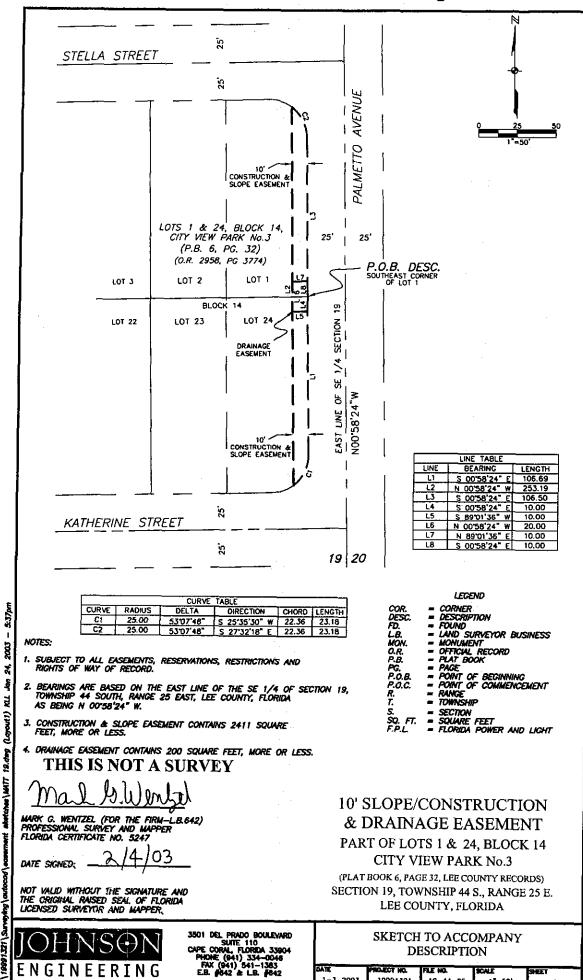
Bearings hereinabove mentioned are based on the east line of the Southeast Quarter (SE-1/4) of Section 19, Township 44 South, Range 25 East to bear North 00° 58' 24" West.

Mark G. Wentzel (For The Firm LB-642) Professional Land Surveyor Florida Certificate No. 5247

19991321/DE Parcel 15B 011503

Page 5 of 6

Page 6 of 6



1-3-2003

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19991321

19-44-25

1"=50"

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**Division of County Lands** 

Page 1 of 1

**Ownership and Easement Search** Search No. 22440 Date: April 21, 2003 Parcel: 1003 SE Project: Palmetto Extension Project #4073 15 mg

To: Michele S McNeill, SR/WA

Kenneth Pitt From:

Property Acquisition Agent

Real Estate Title Examiner

STRAP: 19-44-25-05-00011.0010

Effective Date: March 6, 2003, at 5:00 p.m.

Subject Property: PARCEL ONE: Lots 1 and 2, Block 11, CITY VIEW PARK No. 3, according to the map or plat thereof recorded in Plat Book 6, Page 32, of the Public Records of Lee County, Florida.

Title to the subject property is vested in the following:

Southeast Episcopal Diocese of the Word of Faith, elac. a Horida Non-Profit Corp. Word of Truth Ministries, Inc. (a Florida Corporation not for profit)-

January 3,2004 2,2003 by that certain instrument dated September 30, 1997, recorded October 2, 1997, in Official Record Book 2873, Page 2647, Public Records of Lee County, Florida.

4163 383

Easements: None found of record.

- NOTE(1): Subject property is not encumbered by a mortgage.
- Property subject to Lee County Ordinance No. 86-14 relating to Garbage and Solid NOTE(2): 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 Resolution by the Lee County Board of Commissioners relating to East NOTE(3): Lee County Sewer Assessments, recorded in Official Record Book 1669 Page 3414, Public Records of Lee County, Florida. Release 3979-4651

Tax Status: Zero tax.

(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.



Page 1 of 1

**Ownership and Easement Search** Search No. 22441 Date: April 18, 2003 Parcel: 1004 DE & SE **Project: Palmetto Extension Project** #4073

Real Estate Title Examiner

cap

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To: Michele S. McNeill, SR/WA

Kenneth Pitt From:

Property Acquisition Agent

STRAP: 19-44-25-05-00011.0230

Effective Date: March 6, 2003, at 5:00 p.m.

Subject Property: Parcel Two: Lots 23 and 24, Block 11, CITY VIEW PARK No. 3, according to the map or plat thereof recorded in Plat Book 6. Page 32 of the Public Records of Lee County, Florida.

Title to the subject property is vested in the following:

Southeast Episcopal Diocese of the Word of Faith, eluc., a Word of Truth Ministries, Inc. (a Florida Corporation-not for profit) Horida Non-Profit Corp. 2 2003 January 5. 2004

by that certain instrument dated September 30, 1997, recorded October 2, 1997, in Official Record Book 2873, Page 2647, Public Records of Lee County, Florida.

383 4163

Easements: None found of record.

Subject property is not encumbered by a mortgage. **NOTE(1)**:

- Property subject to Lee County Ordinance No. 86-14 relating to Garbage and Solid NOTE(2): 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 Resolution by the Lee County Board of Commissioners relating to East **NOTE(3)**: Lee County Sewer Assessments, recorded in Official Record Book 1669 Page 3414, Public Records of Lee County, Florida. release DR 3979-4651

Tax Status: Zero tax.

(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.

S:\POOL\PalmettoExt\Title\22441o&e.wpd(fs 4/17/03)

Page 1 of 2

## Division of County Lands Search

## **Updated Ownership and Easement**

Search No. 21882/B Date: May 5, 2003 Parcel: 1005 SE Project: Palmetto Extension, No. 4073 K

To: Michele S. McNeill, SR/WA

From: Kenneth Pitt

Property Acquisition Agent

Real Estate Title Examiner

STRAP: 19-44-25-05-00014.0010

Effective Date: March 6, 2003, at 5:00 p.m.

**Subject Property:** Lots 1, 2, 23 and 24, Block 14, City View Park, No. 3 according to the map or plat thereof recorded in Plat Book 6, Page 32, of the Public Records of Lee County, Florida.

Title to the subject property is vested in the following:

Southeast Episcopal Diocese of the Word of Faith, clac. a Florida Nos-Profit Corp.

by that certain instrument dated May 6, 1998, recorded May 12, 1998, in Official Record Book 2958, Page 3774, Public Records of Lee County, Florida. 383

## Easements:

None of record.

NOTE 1: Subject property is not encumbered by a mortgage.

NOTE 2: Subject to a resolution by the Lee County Board of County Commissioners for East Lee County Sewer Assessment recorded in Official Record Book 1669, Page 3414, Public Records of Lee County, Florida.

NOTE 3: 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.

release 3979-4651

Tax Status: Zero tax.

(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.

# **EXECUTIVE SUMMARY**

PROJECT NAME: Veronica S. Shoemaker Blvd. PARCEL NUMBERS: 1003 & 1004 (Formerly Palmetto Avenue Extension)

OWNER OF RECORD: Southeast Episcopal Diocese of the Word of Faith, Inc.

LOCATION: East of Highlands Avenue and north of Canal Street in the Fort Myers market area, Lee County, Florida.

LAND AREA: 28,354 square feet or 0.65 acres.

**IMPROVEMENTS:** None

ZONING/LAND USE: TFC-2 (Two Family Conservation), Central Urban

HIGHEST AND BEST USE: Future Residential Development

ESTIMATE OF VALUE - COST APPROACH: N/A

ESTIMATE OF PARENT TRACT VALUE – MARKET APPROACH: \$14,200 ESTIMATE OF VALUE – INCOME APPROACH: N/A

FINAL VALUE ESTIMATE: N/A

**INTEREST APPRAISED:** Fee Simple in the parent tract before and after the proposed acquisitions.

DATE OF VALUATION: October 14, 2004

APPRAISERS: Woodward S. Hanson, MAI, CRE, CCIM and Andrew D. Anderson

SPECIAL ASSUMPTIONS: None

## AMOUNT DUE OWNER:

Value of Property Rights Taken:		
Parcel 1003 (Drainage Easement):	\$100	
Parcel 1004 (Drainage Easement):	<u>100</u>	
Sub Total (Property Rights Taken):		\$200
Incurable Severance Damages:		<u>-0-</u>
Total Amount Due Owner:		\$200

# **EXECUTIVE SUMMARY**

PROJECT NAME: Veronica S. Shoemaker Blvd. PARCEL NUMBER: 1005 (Formerly Palmetto Avenue Extension)

**OWNER OF RECORD:** Southeast Episcopal Diocese of the Word of Faith, Inc.

LOCATION: East of Highlands Avenue and north of Canal Street in the Fort Myers market area, Lee County, Florida.

LAND AREA: 27,663 square feet or 0.64 acres.

**IMPROVEMENTS:** None

ZONING/LAND USE: TFC-2 (Two Family Conservation), Intensive Development

HIGHEST AND BEST USE: Future Residential Development

ESTIMATE OF VALUE – COST APPROACH: N/A

ESTIMATE OF PARENT TRACT VALUE – MARKET APPROACH: \$13,900 ESTIMATE OF VALUE – INCOME APPROACH: N/A

FINAL VALUE ESTIMATE: N/A

**INTEREST APPRAISED:** Fee Simple in the parent tract before and after the proposed acquisitions.

DATE OF VALUATION: October 14, 2004

APPRAISERS: Woodward S. Hanson, MAI, CRE, CCIM and Andrew D. Anderson

SPECIAL ASSUMPTIONS: None

#### AMOUNT DUE OWNER:

Value of Property Rights Taken:	
Parcel 1005 (Drainage Easement):	\$100
Sub Total (Property Rights Taken):	\$100
Incurable Severance Damages:	0-
Total Amount Due Owner:	\$100

# **5-Year Sales History**

Parcel No. 1003, 1004 and 1005

# Veronica S. Shoemaker Blvd. Extension Project, No. 4073

Grantor	Grantee	Price	Date	Arms Length Y/N
Word of Truth Ministries, Inc. a Florida Non-Profit Corporation	Southeast Episcopal Diocese of the Word of Faith, Inc., a Florida Non- Profit Corporation	\$400,000	9/2/03	Y

# NOTE: Sale(s) relate to "parent tract" of the subject parcel.

S:\POOL\LANDDFRM\03 MISCELLANEOUS FORMS\HISTRY.WPD



#### BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number:

239.479.8505 239.479.8381 FAX

Boo Janea District Cree VIA FAX TO 332-6604

Douglas 9. 8. Carry Diselar Two October 25, 2004

Ray Judah Disrict Tives

Andrew W. GoySaeed Kazemi. P.E. City EngineerDistrict FourCity of Fort MyersJohn E. AlbionP.O. Box 2217District FiveFort Myers, FL 33902-2217

Donald D. Siliweli County Manager

R5: PARCEL 1003, 1004, AND 1005, VERONICA S. SHOEMAKER BLVD. EXTENSION PROJECT Request for review and sign-off on acquisition proposal

James G. Ya**ug**or County Astomay

Dear Saeed:

Olana M. Parker County Hearing Examinar

The appraisals for parcels 1003, 1004 and 1005 have been reviewed and approved by County Staff and we are preparing to request Board approval to make a binding offer. Below is the relevant data for this parcel. Please review and approve on behalf of the City as well as confirm that funds are available. Thank you.

Sincerely,

Michele S. McNeill, SR/WA Property Acquisition Agent

Parcel 1003, 1004, 1005

Property Owner: Southeast Episcopal Diocese of the Word of Faith, Inc. a Florida Non-Profit Corporation Appraiser: Hanson Real Estate Advisors, Inc. (W.S. Hanson, MAI, CCIM, CRE) Appraisal Date: October 14, 2004 Appraised Amount: \$300 Binding Offer Amount: \$1,000

Binding Offer Approved: Saed/Kazemi, P.E City Engineer, City of Fort Myers

Funds are available in account:

S. POOL Palmetto Ext Correspondence 106 City Engineer Approval wpd

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