

Lee County Board Of County Commissioners

Agenda Item Summary

Blue Sheet No. 20050098

1. **REQUESTED MOTION:**

ACTION REQUESTED: Authorize: 1) the Division of County Lands to make binding offers to property owners in the amount of \$500.00 each for Parcels 174 and 182, Gunnery Road Widening Project No. 4055, pursuant to the Purchase Agreements; 2) the Division of County Lands to handle and accept all documentation necessary to complete transaction.

WHY ACTION IS NECESSARY: The Board must authorize the making of a binding offer to a property owner prior to initiation of condemnation proceedings.

WHAT ACTION ACCOMPLISHES: Makes binding offers to property owner.

2. **DEPARTMENTAL CATEGORY:**

06

COMMISSION DISTRICT #

3

C6c

3. **MEETING DATE:**

02-22-2005

4. **AGENDA:**

- CONSENT ADMINISTRATIVE
- APPEALS
- PUBLIC
- WALK ON
- TIME REQUIRED:

5. **REQUIREMENT/PURPOSE:**
(Specify)

- STATUTE 73 & 125
- ORDINANCE
- ADMIN. CODE
- OTHER

6. **REQUESTOR OF INFORMATION:**

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

7. **BACKGROUND:**

Negotiated for: Department of Transportation

Interest to Acquire: Two separate Slope/Restoration Easements

Property Details:

See attached

Purchase Details:

See attached

Appraisal Information:

Company: Carlson Norris & Associates, Inc.
Appraised Value: Salient appraisal data attached

Staff Recommendation: Staff is of the opinion that the purchase price increases of approximately \$300 - \$400 each, above the appraised values, can be justified considering the costs associated with condemnation proceedings, estimated between \$2,000 and \$3,000 each. Staff recommends the Board approve the Requested Motion.

Account: 20405518803.506110

Attachments: Purchase and Sale Agreement, In-House Title Search, Appraisal Letter

8. **MANAGEMENT RECOMMENDATIONS:**

9. **RECOMMENDED APPROVAL:**

A Department Director	B Purchasing or Contracts	C Human Resources	D Other	E County Attorney	F Budget Services			G County Manager
<i>K. Forsyth</i>			<i>[Signature]</i>	<i>[Signature]</i>	<i>GC</i>	<i>Risk</i>	<i>GC</i>	<i>[Signature]</i>

10. **COMMISSION ACTION:**

- APPROVED
- DENIED
- DEFERRED
- OTHER

Rec. by CoAtty
Date: *2/17/05*
Time: *11:00*
Forwarded To: *[Signature]*

RECEIVED BY
COUNTY ADMIN: *[Signature]*
COUNTY ADMIN
FORWARDED TO: *[Signature]*

Blue Sheet 20050098 Continued

Parcel 174

Owner: Geoffrey Scowden

Property Address: 142 Gunnery Road S

STRAP No.: 33-44-26-07-00007.0220

Purchase Price: \$500.00

Estimated Closing Costs: \$800.00 (parcel has a mortgage)

Parcel 182

Owner: Sylvester and Eleanor White

Property Address: 114 Gunnery Road S

STRAP No.: 33-44-26-07-00017.0080

Purchase Price: \$500.00

Estimated Closing Costs: \$300.00

Parcel: 174
Project: Gunnery Road 4 Lane (SR 82 – Lee Blvd.), Project No. 4055
STRAP No.: 33-44-26-07-00007.0220

**BOARD OF COUNTY COMMISSIONERS
LEE COUNTY
EASEMENT PURCHASE AGREEMENT
IN LIEU OF CONDEMNATION PROCEEDINGS**

This Agreement made and entered into this ____ day of _____, 20 ____, by and between **GEOFFREY SCOWDEN, a/k/a Geoffrey E. Scowden**, whose address is RR 1, Box 106, Immokalee, FL 34142, 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 Slope/Restoration Easement, located and described as set forth in Exhibit "C" attached to Exhibit "A". All Exhibits are attached hereto and made a part hereof by reference, in conjunction with the Gunnery Road Widening Project #4055.

- a) Owner will grant said easement to Purchaser for the sum of \$500.00; Purchaser to pay recording costs, documentary stamps and title insurance.
- b) Owner agrees that said easement will be granted to Purchaser by execution of the Non-exclusive Slope/Restoration Easement in form and substance set forth in Exhibit "A".
- 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 Slope/Restoration Easement instrument by Purchaser.
- d) Owner agrees that Purchaser, his successors and assigns will be allowed to use said easement areas, called "the Property", as described in Exhibit "A".
- e) Purchaser agrees to complete construction within the easement area in a timely manner.
- f) The land in Exhibit "C" is not and has never been the homestead of the Owner, nor is it contiguous to the homestead of the Owner.
- g) Owner will provide either a release, satisfaction of mortgage or subordination agreement for all mortgages that encumber the property. Purchaser will pay reasonable associated costs; if any.

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:**

**Owner: GEOFFREY SCOWDEN
a/k/a Geoffrey E. Scowden**

1st Witness Signature

By: _____

2nd Witness Signature

ATTEST:

LEE COUNTY, FLORIDA, BY ITS
BOARD OF COUNTY COMMISSIONERS

CHARLIE GREEN, CLERK

By: _____
Deputy Clerk

By: _____
Chairman or Vice-Chairman

APPROVED AS TO LEGAL FORM

Office of County Attorney

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

EXHIBIT "A"

Parcel: 174
Project: Gunnery Road 4 Lane (SR 82 – Lee Blvd.), Project No. 4055
STRAP No.: 33-44-26-07-00007.0220

SLOPE/RESTORATION EASEMENT

This INDENTURE, made and entered into this _____ day of _____ 20____,
between **GEOFFREY SCOWDEN, a/k/a Geoffrey E. Scowden**, whose address is RR 1, Box
106, Immokalee, FL 34142, (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 "C" (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. **Except for trees**, these improvements may include the use of foliage.

4. Grantor may not construct or place any structures or foliage, **including trees**, within the Easement Parcel.

5. Title to the improvements constructed by the Grantee within the Easement Parcel will remain in the Grantee, its 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 "C", 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: Gunnery Road 4 Lane (SR 82 – Lee Blvd.), Project No. 4055

Page 2 of 2

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

GEOFFREY SCOWDEN, GRANTOR
a/k/a Geoffrey E. Scowden

Printed name of 1st Witness

2nd Witness Signature

Printed name of 2nd Witness

STATE OF

COUNTY OF

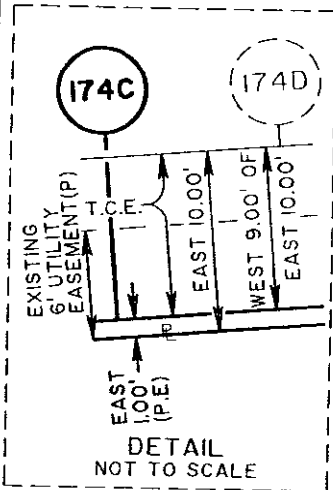
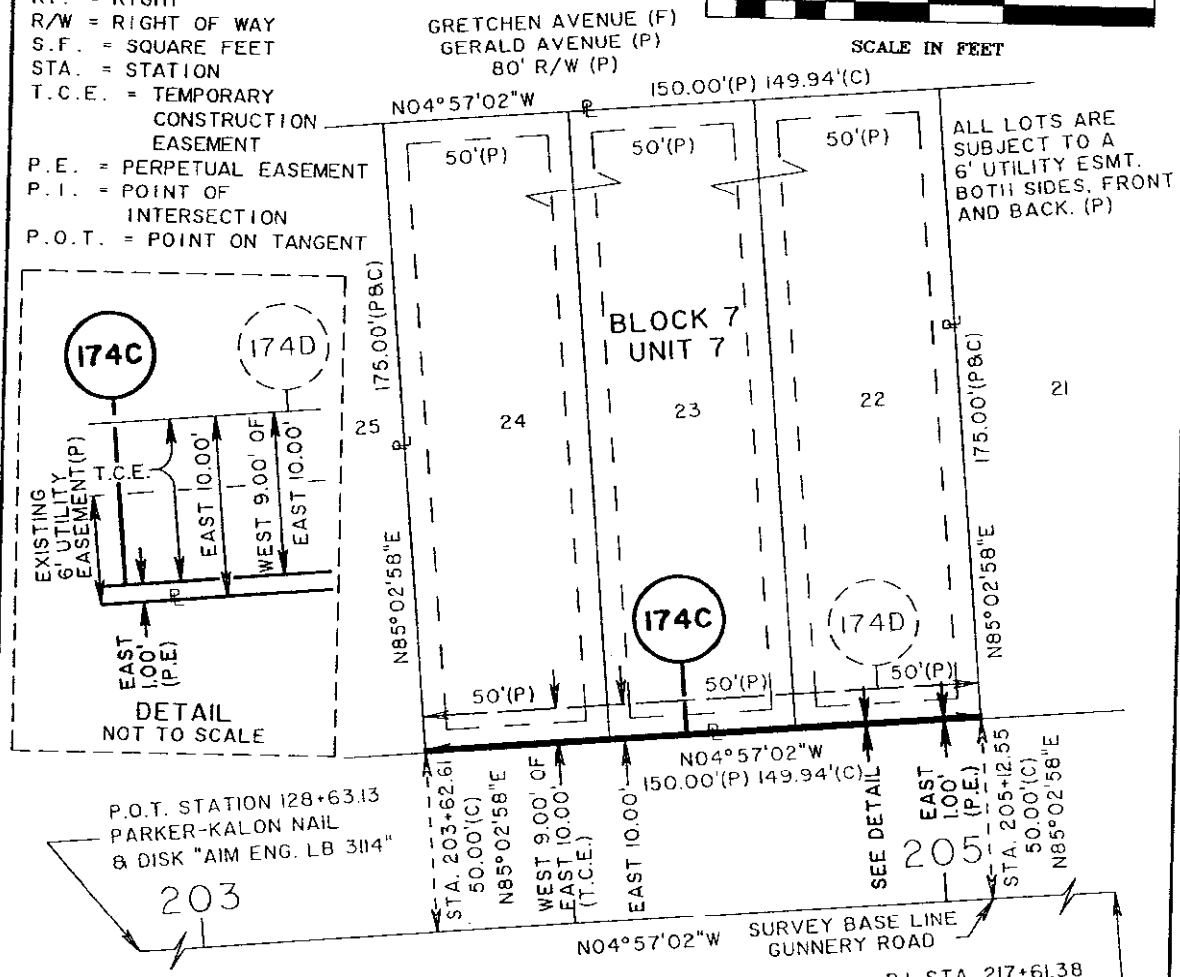
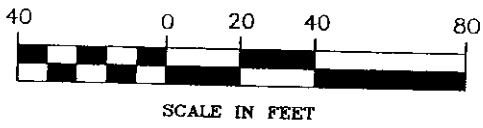
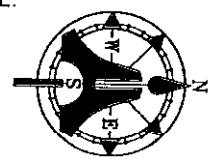
The foregoing instrument was acknowledged before me this ____ day of _____, 20____, by **GEOFFREY SCOWDEN, a/k/a Geoffrey E. Scowden**. He is personally known to me or who has produced _____ as identification.

(Signature of Notary Public)

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

LEGEND
 (C) = CALCULATED
 (F) = FIELD
 (P) = PLAT
 C.B. = CHORD BEARING
 CH = CHORD
 ESMT. = EASEMENT
 L = LENGTH
 M.O.L. = MORE OR LESS
 P.B. = PLAT BOOK
 PG. = PAGE
 R = RADIUS
 RT. = RIGHT
 R/W = RIGHT OF WAY
 S.F. = SQUARE FEET
 STA. = STATION
 T.C.E. = TEMPORARY
 CONSTRUCTION
 EASEMENT
 P.E. = PERPETUAL EASEMENT
 P.I. = POINT OF
 INTERSECTION
 P.O.T. = POINT ON TANGENT

PARCEL NO. 174C (PERPETUAL EASEMENT)
 PROPERTY OWNER: GEOFFREY SCOWDEN
 STRAP NO. 33-44-26-07-00007.0220
 AREA OF PARENT TRACT: 26,240 S.F., M.O.L.
 AREA OF TAKE: 150 S.F., M.O.L.



PARCEL 174C
 (PERPETUAL EASEMENT)

A 1.00 FOOT WIDE PERPETUAL EASEMENT BEING THE EAST 1.00 FEET OF LOTS 22, 23 AND 24, BLOCK 7, UNIT 7, LEHIGH ESTATES, A SUBDIVISION OF LEHIGH ACRES, SECTION 33, TOWNSHIP 44 SOUTH, RANGE 26 EAST, AS RECORDED IN PLAT BOOK 15 PAGE 87, OF THE PUBLIC RECORDS, LEE COUNTY, FLORIDA.


NOTE:
 BEARINGS SHOWN HEREON ARE BASED UPON THE SURVEY BASE LINE OF GUNNERY ROAD HAVING A BEARING OF N 04°57'02" W FROM P.O.T. STATION 128+63.13 BEING A PARKER-KALON NAIL AND DISK "AIM ENG. LB 3114" TO P.I. STATION 217+61.38 BEING A BRIDGE SPIKE AND BOTTLE CAP NO ID.

SAID LANDS CONTAIN 150 SQUARE FEET, MORE OR LESS.

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

PREPARED BY:
 AIM ENGINEERING & SURVEYING, INC.

[Signature] 7/6/04
 BOB L. POTTER, P.S.M.
 PROFESSIONAL SURVEYOR AND MAPPER
 FLORIDA CERTIFICATE NO. 5688

AIM Engineering & Surveying, Inc.

 5300 LEE BLVD.
 P.O. BOX 1235
 LEHIGH ACRES
 FLORIDA 33970
 239/332-4569
 FX:239/332-8734
 Licensed Business Number 3114

THIS IS NOT A SURVEY SHEET 1 OF 1

PROJECT NUMBER: 99-7504	DESCRIPTION: LEGAL AND SKETCH PARCEL 174C GUNNERY ROAD FROM S.R. 82 TO LEE BOULEVARD
DRAWN BY: LWC	CLIENT: LEE COUNTY
DATE: 7/1/04	SEC-TWP-RGE: 33-44S-26E
FILE: 7504-174C	COUNTY: LEE COUNTY

Division of County Lands**Updated Ownership and Easement Search**

Search No. 33-44-26-07-00007.0220

Date: January 20, 2005

Parcel: 174

Project: Gunnery Road Widening, Project 4055

To: Michael J. O'Hare, SR/WA
Property Acquisition AgentFrom: Shelia A. Bedwell, CLS
Property Acquisition Assistant

STRAP: 33-44-26-07-00007.0220

Effective Date: January 2, 2005, at 5:00 p.m.

Subject Property: Lots 22 - 24, Block 7, Unit 7, Lehigh Estates, Lehigh Acres, according to the map or plat thereof on file in the Office of the Clerk of the Circuit Court, recorded in Plat Book 15, Page 87, Public Records of Lee County, Florida.

Title to the subject property is vested in the following:

Geoffrey Scowden, also known as Geoffrey E. Scowden

by that certain instrument dated August 9, 1988, recorded August 15, 1988 in Official Record Book 2010, Page 560, and by that certain instrument dated August 15, 1988, recorded August 24, 1988 in Official Record Book 2011, Page 4578, Public Records of Lee County, Florida.

Easements:

1. Six foot utility easement along both sides, front and back of subject property, as recited on recorded plat of the subdivision.
2. Notice of vacating easements along the South side of Lots 22 and 23 and the North side of Lots 23 and 24, as recorded in Official Record Book 2120, Page 427, Public Records of Lee County, Florida.

NOTE (1): Declarations of Restrictions recorded in Official Record Book 84, Page 310 and Official Record Book 527, Page 29, Public Records of Lee County, Florida.

NOTE (2): Notice of Development Order recorded March 19, 1990 in Official Record Book 2135, Page 4493, Public Records of Lee County, Florida.

NOTE (3): Notice of Development Order recorded November 4, 1992 in Official Record Book 2338, Page 3775, Public Records of Lee County, Florida.

NOTE (4): Mortgage executed by Geoffrey E. Scowden and Sharon E. Scowden in favor of First Bank of Clewiston dated July 30, 2002, recorded September 17, 2002, in Official Record Book 3730, Page 726, as modified by instrument recorded in Official Record Book 4479, Page 1161, Public Records of Lee County, Florida.

Division of County Lands

Updated Ownership and Easement Search

Search No. 33-44-26-07-00007.0220

Date: January 20, 2005

Parcel: 174

Project: Gunnery Road Widening, Project 4055

Tax Status: 2004 taxes have been paid in full.

(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 or warranties as to its accuracy.

APPRAISAL REPORT GUNNERY ROAD PROJECT 4055

Parcel Identification

Project Parcel Number: 174
Owner Name/Address: Scowden, Geoffrey E, 142 Gunnery Road S
Lee County STRAP Number: 33-44-26-07-00007.0220-.0240
Legal Description: Lots 22-24 , Block 7, Unit 7, Lehigh Estates, PB 15, PG 87
History of Ownership: No sale in previous five years
Interest Appraised: Fee Simple () Partial (X)
Assessed Value: \$137,440 including \$55,790 in building
Effective Date of Appraisal: December 9, 2004
Date of Report: December 13, 2004

Site Data

Parent Parcel - Overall Size: 26,250 square feet
Frontage - Depth: 150' X 175'
Acquisition Type: Fee Take () - A
Utility Easement () - B
Perpetual Easement (X) - C 150 square feet
Sidewalk ()
Drainage ()
Fill/Slope (X)
Parcel Remainder Size: 26,100 sf unencumbered, 150 sf encumbered
Existing Easements: Utility (X) Drainage () Road ()
Corner Parcel () Interior Parcel (X)
Topography - Level (X) Irregular ()
Soil Conditions - Typical (X) Require Correction ()
Flood Zone: B **Panel #:** 125124 0375 B
Utilities Available: Electricity (X)
Telephone (X)
Water ()
Sewer ()
Zoning/Land Use: C2/Central Urban
Adverse Conditions: None
Supporting Services: Lee County Sheriff and Fire
Miscellaneous: None
Marketing Time: Less than 1 year
Highest and Best Use: Commercial Requires Zoning Change ()

Improvements None () Site (X) Structure (X)

Description of improvements within take area: This property is improved both with site improvements and building improvements. The improvements are a concrete block mini storage facility. Any improvements within the take area shall be replaced by the condemning authority.

Valuation

Approaches Used: Sales Comparison (X)
 Cost Approach ()
 Income Approach ()
Analysis Type: Complete (X) Limited ()
Report Type: Restricted () Summary (X) Self Contained ()

Sale Data: Range of Sales \$ per SF \$3.71 - \$6.29
 Time Adjusted Range \$ per SF \$3.95 - \$7.22
 Sale Date Range March 2004 - October 2004

Value of Improvements: Any improvements within the take area are to be replaced by the condemning authority.

Value Estimates: (See summary chart below)

SUMMARY OF ANALYSIS
Gunnery Road Project
Parcel 174

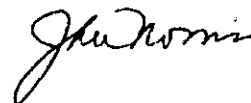
Market Value of Fee Simple Interest in Parent Parcel	26,250 sf		
	x \$5.75 per sf		
	\$150,938		\$150,938
less: Market Value of Remainder - Fee Unencumbered			
*26250 sf - 150 sf proposed easement area unencumbered fee value per square foot	26100 sf *		
unencumbered fee value of remainder area	x \$5.75 per sf		
	\$150,075		
less: *per county data Slope Easement-C Remainder			
\$5.75 per sf times .80 (1- .20 percentage of impact) remainder value for land within proposed easement	150 sf		
	x \$4.60 per sf*		
	\$690.00		
Total Market Value of Remainder (rounded)			<u>\$150,765</u>
Market Value of Part Taken			<u>\$172.50</u>
rounded to			<u><u>\$175.00</u></u>

04-78-174sum

Additional information required for analysis to meet USPAP standards is located within the text of the main body of the analysis including all limiting conditions and special assumptions.

TOTAL COMPENSATION DUE THE PROPERTY OWNER (\$175.00)

Appraiser: J. Lee Norris MAI, SRA
 State Certified General Appraiser
 RZ # 0000643



Parcel: 182
Project: Gunnery Road 4 Lane (SR 82 – Lee Blvd.), Project No. 4055
STRAP No.: 33-44-26-07-00007.0080

**BOARD OF COUNTY COMMISSIONERS
LEE COUNTY
EASEMENT PURCHASE AGREEMENT
IN LIEU OF CONDEMNATION PROCEEDINGS**

This Agreement made and entered into this _____ day of _____, 20____, by and between **SYLVESTER WHITE and ELEANOR WHITE, husband and wife**, whose address is 1405 Grant Ave., Lehigh Acres, FL 33972, 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 Slope/Restoration Easement, located and described as set forth in Exhibit "C" attached to Exhibit "A". All Exhibits are attached hereto and made a part hereof by reference, in conjunction with the Gunnery Road Widening Project #4055.

- a) Owner will grant said easement to Purchaser for the sum of \$500.00; Purchaser to pay recording costs, documentary stamps and title insurance.
- b) Owner agrees that said easement will be granted to Purchaser by execution of the Non-exclusive Slope/Restoration Easement in form and substance set forth in Exhibit "A".
- 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 Slope/Restoration Easement instrument by Purchaser.
- d) Owner agrees that Purchaser, his successors and assigns will be allowed to use said easement areas, called "the Property", as described in Exhibit "C".
- e) Purchaser agrees to complete construction within the easement area in a timely manner.
- f) The land in Exhibit "C" is not and has never been the homestead of the Owner, nor is it contiguous to the homestead of the Owner.
- g) Owner will provide either a release, satisfaction of mortgage or subordination agreement for all mortgages that encumber the property. Purchaser will pay reasonable associated costs; if any.

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:**

Owner: SYLVESTER WHITE

1st Witness Signature

By: _____

2nd Witness Signature

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

Owner: ELEANOR WHITE

1st Witness Signature

By: _____

2nd Witness Signature

**EASEMENT PURCHASE AGREEMENT
IN LIEU OF CONDEMNATION PROCEEDINGS**

Page 2 of 2

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

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

EXHIBIT "A"

Parcel: 182
Project: Gunnery Road 4 Lane (SR 82 – Lee Blvd.), Project No. 4055
STRAP No.: 33-44-26-07-00007.0080

SLOPE/RESTORATION EASEMENT

This INDENTURE, made and entered into this _____ day of _____ 20____,
between **SYLVESTER WHITE and ELEANOR WHITE, husband and wife**, whose address is
1405 Grant Ave., Lehigh Acres, FL 33972, (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 "C" (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. **Except for trees**, these improvements may include the use of foliage.

4. Grantor may not construct or place any structures or foliage, **including trees**, within the Easement Parcel.

5. Title to the improvements constructed by the Grantee within the Easement Parcel will remain in the Grantee, its 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 "C", 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: Gunnery Road 4 Lane (SR 82 – Lee Blvd.), Project No. 4055

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

SYLVESTER WHITE GRANTOR

Printed name of 1st Witness

2nd Witness Signature

Printed name of 2nd Witness

1st Witness Signature

ELEANOR WHITE GRANTOR

Printed name of 1st Witness

2nd Witness Signature

Printed name of 2nd Witness

Slope/Restoration Easement

Project: Gunnery Road 4 Lane (SR 82 – Lee Blvd.), Project No. 4055

Page 3 of 3

STATE OF

COUNTY OF

The foregoing instrument was acknowledged before me this ____ day of _____,
20____, by **ELEANOR WHITE**. She is personally known to me or who has produced
_____ as identification.

(type of identification)

(Signature of Notary Public)

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

STATE OF

COUNTY OF

The foregoing instrument was acknowledged before me this ____ day of _____,
20____, by **SYLVESTER WHITE**. He is personally known to me or who has produced
_____ as identification.

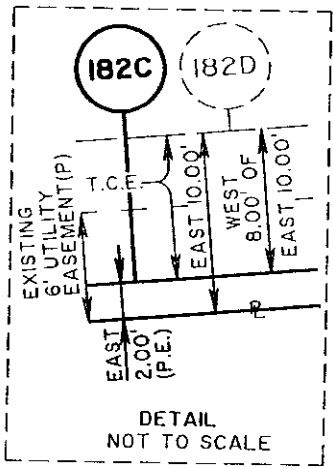
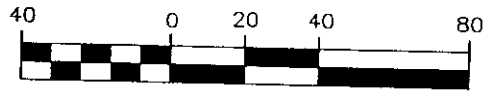
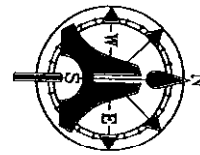
(type of identification)

(Signature of Notary Public)

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

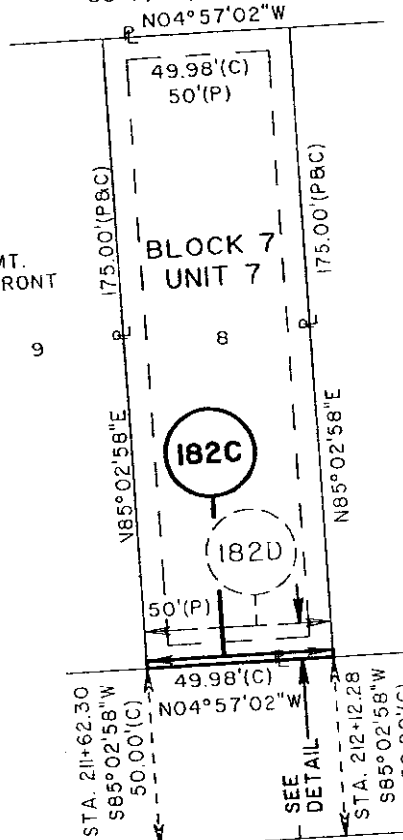
LEGEND
 (C) = CALCULATED
 (F) = FIELD
 (P) = PLAT
 C.B. = CHORD BEARING
 CH = CHORD
 ESMT. = EASEMENT
 L = LENGTH
 M.O.L. = MORE OR LESS
 P.B. = PLAT BOOK
 PG. = PAGE
 P.L. = PARENT TRACT
 PROPERTY LINE
 R = RADIUS
 RT. = RIGHT
 R/W = RIGHT OF WAY
 S.F. = SQUARE FEET
 STA. = STATION
 T.C.E. = TEMPORARY
 CONSTRUCTION
 EASEMENT
 P.E. = PERPETUAL EASEMENT
 P.I. = POINT OF INTERSECTION
 P.O.T. = POINT ON TANGENT

PARCEL NO. 182C (PERPETUAL EASEMENT)
 PROPERTY OWNER: SYLVESTER WHITE AND ELEANOR WHITE
 STRAP NO. 33-44-26-07-00007.0080
 AREA OF PARENT TRACT: 8,747 S.F., M.O.L.
 AREA OF TAKE: 100 S.F., M.O.L.

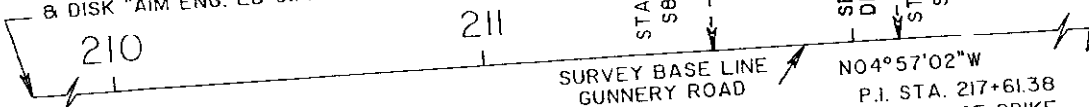


ALL LOTS ARE SUBJECT TO A 6' UTILITY ESMT. BOTH SIDES, FRONT AND BACK. (P)

GRETCHEN AVENUE (F)
 GERALD AVENUE (P)
 80' R/W (P)
 N04°57'02"W



P.O.T. STATION 128+63.13
 PARKER-KALON NAIL
 & DISK "AIM ENG. LB 3114"



PARCEL 182C
 (PERPETUAL EASEMENT)

A 2.00 FOOT WIDE PERPETUAL EASEMENT BEING THE EAST 2.00 FEET OF LOT 8, BLOCK 7, UNIT 7, LEHIGH ESTATES, A SUBDIVISION OF LEHIGH ACRES, SECTION 33, TOWNSHIP 44 SOUTH, RANGE 26 EAST, AS RECORDED IN PLAT BOOK 15 PAGE 87, OF THE PUBLIC RECORDS, LEE COUNTY, FLORIDA.

NOTE:
 BEARINGS SHOWN HEREON ARE BASED UPON THE SURVEY BASE LINE OF GUNNERY ROAD HAVING A BEARING OF N 04°57'02" W FROM P.O.T. STATION 128+63.13 BEING A PARKER-KALON NAIL AND DISK "AIM ENG. LB 3114" TO P.I. STATION 217+61.38 BEING A BRIDGE SPIKE AND BOTTLE CAP NO ID.

SAID LANDS CONTAIN 100 SQUARE FEET, MORE OR LESS.

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

PREPARED BY:
 AIM ENGINEERING & SURVEYING, INC.

[Signature] 7/6/04
 BOB L. POTTER, P.S.M. DATE
 PROFESSIONAL SURVEYOR AND MAPPER
 FLORIDA CERTIFICATE NO. 5688

AIM Engineering & Surveying, Inc.
 5300 LEE BLVD.
 P.O. BOX 1235
 LEHIGH ACRES
 FLORIDA 33970
 239/332-4569
 FX:239/332-8734
 Licensed Business Number 3114

THIS IS NOT A SURVEY SHEET 1 OF 1

PROJECT NUMBER: 99-7504	DESCRIPTION: LEGAL AND SKETCH PARCEL 182C GUNNERY ROAD FROM S.R. 82 TO LEE BOULEVARD
DRAWN BY: LWC	CLIENT: LEE COUNTY
DATE: 7/1/04	SEC-TWP-RGE: 33-44S-26E
	FILE: 7504-182C
	COUNTY: LEE COUNTY

Division of County Lands

Ownership and Easement Search

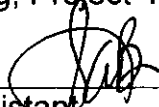
Search No. 33-44-26-07-00007.0080

Date: January 13, 2004

Parcel: 182

Project: Gunnery Road Widening, Project 4055

To: Michael J. O'Hare, SR/WA
Property Acquisition Agent

From: Shelia A. Bedwell, CLS
Property Acquisition Assistant 

STRAP: 33-44-26-07-00007.0080

Effective Date: December 20, 2003, at 5:00 p.m.

Subject Property: Lot 8, Block 7, Unit 7, LEHIGH ESTATES, Lehigh Acres, according to the map or plat thereof on file in the Office of the Clerk of the Circuit Court, recorded in Plat Book 15, Page 87, Public Records of Lee County, Florida.

Title to the subject property is vested in the following:

Sylvester White and Eleanor White, Husband and Wife

By that certain instrument dated September 8, 1980, recorded October 6, 1980, in Official Record Book 1457, Page 1620, Public Records of Lee County, Florida.

Easements:

1. Six foot utility easement along both sides, front and back of subject property, as recited on recorded plat of the subdivision.

NOTE(1): Declarations of Restrictions recorded in Official Record Book 84, Page 310 and Official Record Book 527, Page 29, Public Records of Lee County, Florida.

Tax Status: 2003 taxes have been paid in full.

(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.

APPRAISAL REPORT GUNNERY ROAD PROJECT 4055

Parcel Identification

Project Parcel Number: 182
Owner Name/Address: Alberto, Luis & Daisy, 114 Gunnery Road S
Lee County STRAP Number: 33-44-26-07-00007.0080
Legal Description: Lot 8, Block 7, Unit 7, Lehigh Estates, PB 15, PG 87
History of Ownership: June 2004, \$30,000
Interest Appraised: Fee Simple () Partial (X)
Assessed Value: \$26,250
Effective Date of Appraisal: December 9, 2004
Date of Report: December 13, 2004

Site Data

Parent Parcel - Overall Size: 8,750 square feet
Frontage - Depth: 50' X 175'
Acquisition Type: Fee Take () - A
Utility Easement () - B
Perpetual Easement (X) - C 100 square feet
Sidewalk ()
Drainage ()
Fill/Slope (X)
Parcel Remainder Size: 8,650 sf unencumbered, 100 sf encumbered
Existing Easements: Utility (X) Drainage () Road ()
Corner Parcel () Interior Parcel (X)
Topography - Level (X) Irregular ()
Soil Conditions - Typical (X) Require Correction ()
Flood Zone: B **Panel #:** 125124 0375 B
Utilities Available: Electricity (X)
Telephone (X)
Water ()
Sewer ()
Zoning/Land Use: C2/Central Urban
Adverse Conditions: None
Supporting Services: Lee County Sheriff and Fire
Miscellaneous: None
Marketing Time: Less than 1 year
Highest and Best Use: Commercial **Requires Zoning Change ()**
Used in connection with adjoining property

Improvements None (X) Site () Structure ()

Description of improvements within take area: None

Valuation

Approaches Used: Sales Comparison (X)
Cost Approach ()
Income Approach ()
Analysis Type: Complete (X) Limited ()
Report Type: Restricted () Summary (X) Self Contained ()

Sale Data: Range of Sales \$ per SF \$3.71 - \$6.29
Time Adjusted Range \$ per SF \$3.95 - \$7.22
Sale Date Range March 2004 - October 2004

Value of Improvements: N/A

Value Estimates: (See summary chart below)

SUMMARY OF ANALYSIS
Gunnery Road Project
Parcel 182

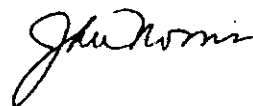
Market Value of Fee Simple Interest in Parent Parcel	x	8,750 sf \$5.75 per sf	\$50,313
less: Market Value of Remainder - Fee Unencumbered			
*8750 sf - 100 sf proposed easement area unencumbered fee value per square foot unencumbered fee value of remainder area	x	8650 sf * \$5.75 per sf	\$49,738
less: *per county data Slope Easement-C Remainder			
\$5.75 per sf times .80 (1- .20 percentage of impact) remainder value for land within proposed easement	x	100 sf \$4.60 per sf*	\$460.00
Total Market Value of Remainder (rounded)			\$50,198
Market Value of Part Taken rounded to			\$115.00
			<u>\$115.00</u>

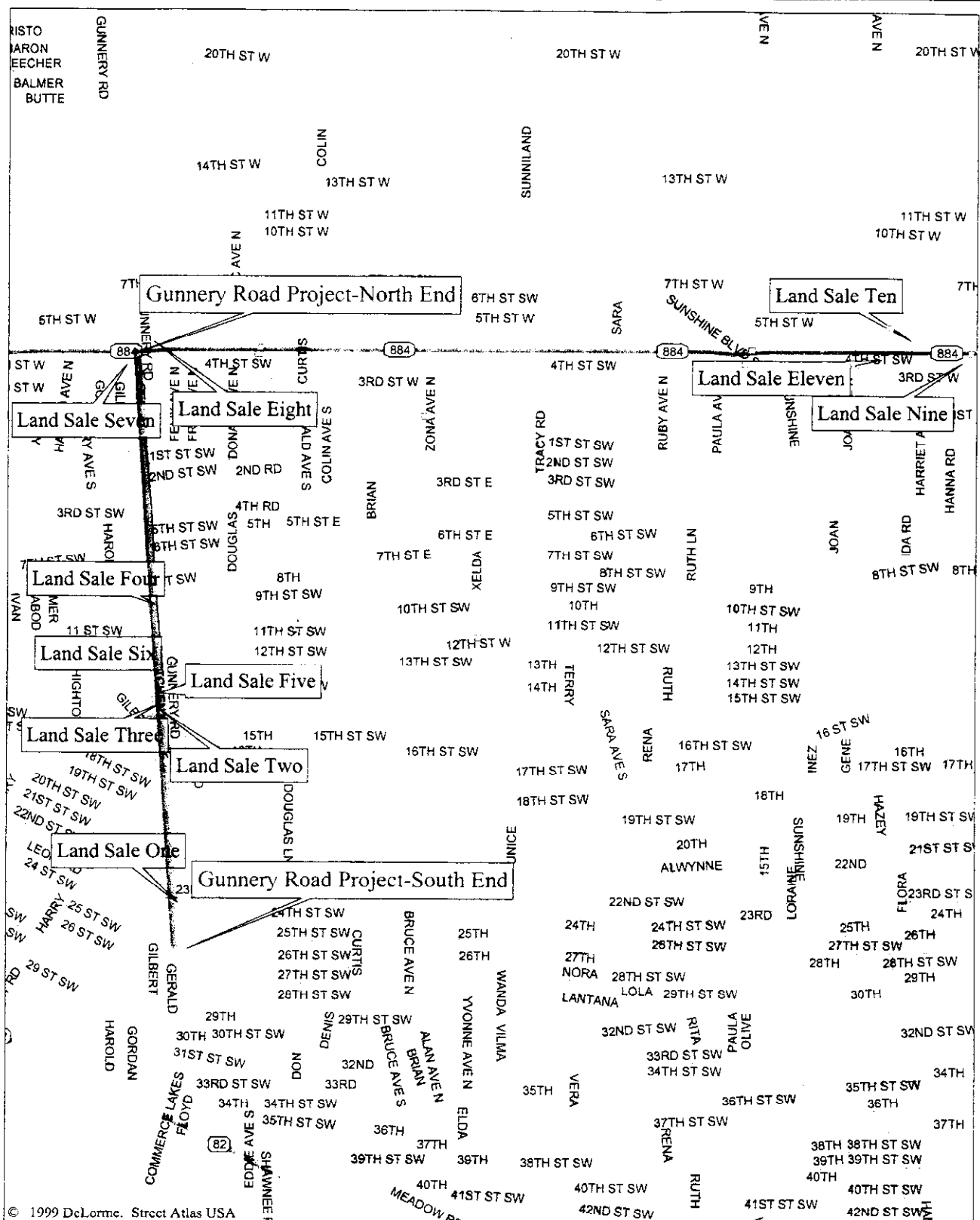
04-78-182sum

Additional information required for analysis to meet USPAP standards is located within the text of the main body of the analysis including all limiting conditions and special assumptions.

TOTAL COMPENSATION DUE THE PROPERTY OWNER (\$115.00)

Appraiser: J. Lee Norris MAI, SRA
State Certified General Appraiser
RZ # 0000643





LOCATION MAP