

**Lee County Board Of County Commissioners**

**Agenda Item Summary**

**Blue Sheet No. 20050086**

**1. REQUESTED MOTION:**

**ACTION REQUESTED:** Authorize: 1) the Division of County Lands to make binding offers to property owners in the amount of \$600.00 each for Parcels 126, 140, 165, 172, 178 and 186, Gunnerly 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      *CBH*

**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 *KLF*

**7. BACKGROUND:**

**Negotiated for:** Department of Transportation  
**Interest to Acquire:** Six 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 \$200 - \$300 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<br>Department Director | B<br>Purchasing or Contracts | C<br>Human Resources | D<br>Other     | E<br>County Attorney | F<br>Budget Services |                      |                        | G<br>County Manager |
|--------------------------|------------------------------|----------------------|----------------|----------------------|----------------------|----------------------|------------------------|---------------------|
| <i>K. Forsyth</i>        |                              |                      | <i>2/17/05</i> |                      | OA<br><i>2/17/05</i> | OM<br><i>2/17/05</i> | Risk<br><i>2/17/05</i> | <i>[Signature]</i>  |

**10. COMMISSION ACTION:**  
 APPROVED  
 DENIED  
 DEFERRED  
 OTHER

Rec. by CoAtty  
 Date: *2/17/05*  
 Time: *11:20*  
 Forwarded To:

RECEIVED BY  
 COUNTY ADMIN: *[Signature]*  
*2/17/05*  
 COUNTY ADMIN  
 FORWARDED TO: *[Signature]*  
*2/17/05*

**Blue Sheet 20050086 Continued**

**Parcel 126**

**Owner:** Stephen King, as Trustee of Land  
Agreement dated March 29, 2004  
**Property Address:** 1505-1509 Gretchen Ave S  
**STRAP No.:** 04-45-26-05-00010.0030, .0040 &  
.0050  
**Purchase Price:** \$600.00  
**Estimated Closing Costs:** \$300.00

**Parcel 140**

**Owner:** Naples Investors Group, LLC  
**Property Address:** 1116-1120 Gunnery Road  
**STRAP No.:** 33-44-26-07-00017.0340, .0350 &  
.0360  
**Purchase Price:** \$600.00  
**Estimated Closing Costs:** \$300.00

**Parcel 165**

**Owner:** The Estate of Caridad Blanco  
**Property Address:** 342 Gunnery Road S  
**STRAP No.:** 33-44-26-07-00007.0440  
**Purchase Price:** \$600.00  
**Estimated Closing Costs:** \$300.00

**Parcel 172**

**Owner:** Lehigh Acres Fire Control and Rescue  
District  
**Property Address:** 308 Gunnery Road S  
**STRAP No.:** 33-44-26-07-00007.0270  
**Purchase Price:** \$600.00  
**Estimated Closing Costs:** \$300.00

**Parcel 178**

**Owner:** Made in Rio, Inc.  
**Property Address:** 124 Gunnery Road S  
**STRAP No.:** 33-44-26-07-00007.0130  
**Purchase Price:** \$600.00  
**Estimated Closing Costs:** \$300.00

**Parcel 186**

**Owner:** Delacruz Enterprise's, Inc.  
**Property Address:** 4400 Douglas Lane  
**STRAP No.:** 33-44-26-07-00001.0010  
**Purchase Price:** \$600.00  
**Estimated Closing Costs:** \$800.00 (parcel has  
a mortgage)

Parcel: 126  
Project: Gunnery Road 4 Lane (SR 82 – Lee Blvd.), Project No. 4055  
STRAP No.: 04-45-26-05-00010.0030; .0040; & .0050

**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 **STEPHEN KING, as Trustee of Land Agreement dated March 29, 2004**, whose address is 2035 Swainsons Run, Naples, FL 34105, 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 \$600.00; 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:**

**STEPHEN KING, as Trustee of Land Agreement  
dated March 29, 2004**

\_\_\_\_\_  
1<sup>st</sup> 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: 126  
Project: Gunnery Road 4 Lane (SR 82 – Lee Blvd.), Project No. 4055  
STRAP No.: 04-45-26-05-00010.0030; .0040; & .0050

**SLOPE/RESTORATION EASEMENT**

This INDENTURE, made and entered into this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_,  
between **STEPHEN KING, as Trustee of Land Agreement dated March 29, 2004**, whose  
address is 2035 Swainsons Run, Naples, FL 34105, (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, 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 "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

\_\_\_\_\_  
Printed name of 1st Witness

\_\_\_\_\_  
2nd Witness Signature

\_\_\_\_\_  
Printed name of 2nd Witness

\_\_\_\_\_  
**STEPHEN KING, GRANTOR**  
**as Trustee of Land Agreement dated**  
**March 29, 2004**

**STATE OF**

**COUNTY OF**

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by **STEPHEN KING, as Trustee of Land Agreement dated March 29, 2004.** 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  
 PL = 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

PARCEL NO. I26C (PERPETUAL EASEMENT)  
 PROPERTY OWNER: FRANK D'ALESSANDRO, INC (TRUSTEE)  
 STRAP NO. 04-45-26-05-00010.0030  
 STRAP NO. 04-45-26-05-00010.0040  
 STRAP NO. 04-45-26-05-00010.0050  
 AREA OF PARENT TRACT: 26,241 S.F., M.O.L.  
 AREA OF TAKE: 300 S.F., M.O.L.

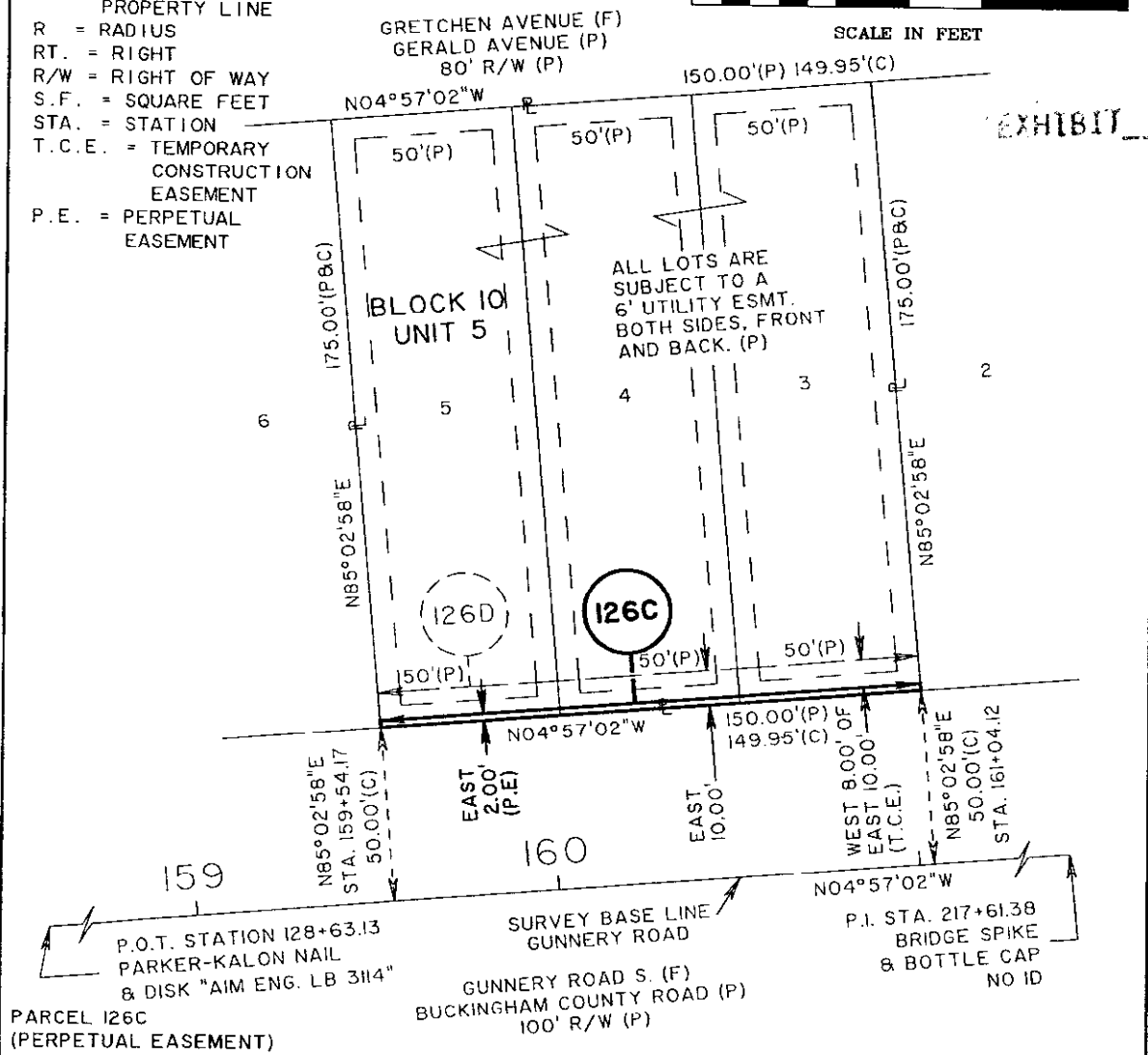
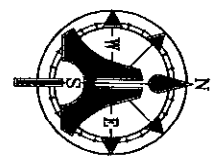


EXHIBIT C

PARCEL I26C  
 (PERPETUAL EASEMENT)


A 2.00 FOOT WIDE TEMPORARY CONSTRUCTION EASEMENT BEING THE EAST 2.00 FEET OF LOTS 3, 4 AND 5, BLOCK 10, UNIT 5, LEHIGH ESTATES, A SUBDIVISION OF LEHIGH ACRES, SECTION 4, TOWNSHIP 45 SOUTH, RANGE 26 EAST, AS RECORDED IN PLAT BOOK 15 PAGE 85, 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 300 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.  
 BOB L. POTTER, P.S.M. DATE 6/9/04  
 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:<br>99-7504 | DESCRIPTION:<br>LEGAL AND SKETCH PARCEL 126C<br>GUNNERY ROAD FROM S.R. 82 TO LEE BOULEVARD |
| DRAWN BY:<br>LWC           | CLIENT:<br>LEE COUNTY  |
| DATE:<br>6/8/04            | SEC-TWP-RGE<br>4-45S-26E   |
|                            | FILE:<br>7504-126C   |
|                            | COUNTY:<br>LEE COUNTY  |

**Division of County Lands**

**Ownership and Easement Search**

Search No. 04-45-26-05-00010.0030; .0040; .0050  
Date: January 13, 2005  
Parcel: 126  
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: 04-45-26-05-00010.0030; .0040; .0050

Effective Date: December 14, 2004, at 5:00 p.m.

**Subject Property:** Lots 3, 4 and 5, Block 10, Unit 5, LEHIGH ESTATES, Section 4, Township 45 South, Range 26 East, Lehigh Acres, Florida, 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 85, Public Records of Lee County, Florida.

Title to the subject property is vested in the following:

***Stephen King, as trustee of land agreement dated March 29, 2004.***

By that certain instrument dated March 31, 2004, recorded April 23, 2004, in Official Record Book 4268, Page 727, Public Records of Lee County, Florida.

**Easements:**

1. Subject to Sewer and Water Covenants and Restrictions, recorded in Official Record Book 10, Page 695 and amended by Official Record Book 41, Page 264, Public Records of Lee County, Florida.
2. Subject to a court order extending district boundaries of the East County Water Control District, recorded in Official Record Book 67, Page 673, Public Records of Lee County, Florida.
3. Subject to a Declaration of Restrictions, recorded in Official Record Book 84, Page 310, Public Records of Lee County, Florida.
4. Subject to an Agreement for Water and Sewer Easements, recorded in Official Record Book 327, Page 119, Public Records of Lee County, Florida.
5. Subject to a Declaration of Restrictions, recorded in Official Record Book 527, Page 29, Public Records of Lee County, Florida.
6. Each lot subject to a 6 foot Utility Easement both sides front and back, as recited on the plat of "Lehigh Estates, Unit 5" recorded in Plat Book 15, Page 85, Public Records of Lee County, Florida.

**Division of County Lands**

**Ownership and Easement Search**

Search No. 04-45-26-05-00010.0030; .0040; .0050

Date: January 13, 2005

Parcel: 126

Project: Gunnery Road Widening, Project 4055

NOTE (1): 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.

**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 nor warranty as to its accuracy.**



**APPRAISAL REPORT GUNNERY ROAD PROJECT 4055**

**Parcel Identification**

**Project Parcel Number:** 126  
**Owner Name/Address:** King, Stephen Trust, 1505 Gretchen Avenue S  
**Lee County STRAP Number:** 04-45-26-05-00010.0030-.0050  
**Legal Description:** Lots 3-5, Block 10, Unit 5, Lehigh Estates, PB 15, PG 85  
**History of Ownership:** March 2004, \$105,000  
**Interest Appraised:** Fee Simple ( ) Partial (X)  
**Assessed Value:** \$51,180  
**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 300 square feet  
Sidewalk ( )  
Drainage ( )  
Fill/Slope (X)  
**Parcel Remainder Size:** 25,950 sf unencumbered, 300 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 (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: Site improvements within the take area will be re-installed by the condemning authority.

Value Estimates: (See summary chart below)

**SUMMARY OF ANALYSIS**

Gunnery Road Project  
 Parcel 126

|   |                 |  |                 |
|---|-----------------|--|-----------------|
| Market Value of Fee Simple Interest in Parent Parcel  | 26,250 sf       |  |                 |
|   | x \$5.75 per sf |  |                 |
|   | \$150,938       |  | \$150,938       |
| <br>  |                 |  |                 |
| less: Market Value of Remainder - Fee Unencumbered  |                 |  |                 |
| *26250 sf - 300 sf proposed easement area unencumbered fee value per square foot unencumbered fee value of remainder area | 25950 sf *      |  |                 |
|   | x \$5.75 per sf |  |                 |
|   | \$149,213       |  |                 |
| <br>  |                 |  |                 |
| 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                    | 300 sf*         |  |                 |
|   | x \$4.60 per sf |  |                 |
|   | \$1,380.00      |  |                 |
| <br>  |                 |  |                 |
| Total Market Value of Remainder (rounded)   |                 |  | \$150,593       |
| Market Value of Part Taken  |                 |  | \$345.00        |
| rounded to .....  |                 |  | <u>\$350.00</u> |

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 ..... (\$350.00)**

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



Parcel: 140  
Project: Gunnery Road 4 Lane (SR 82 – Lee Blvd.), Project No. 4055  
STRAP No.: 33-44-26-07-00017.0340, .0350, & .0360

**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 **NAPLES INVESTORS GROUP, LLC, a Florida limited liability company**, whose address is 784 10th Ave. North, Naples, FL 34108, 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 \$600.00; 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: NAPLES INVESTORS GROUP, LLC  
a Florida limited liability company**

\_\_\_\_\_  
1<sup>st</sup> Witness Signature

By: \_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
2nd Witness Signature

\_\_\_\_\_  
Printed Name and Title

**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: 140  
Project: Gunnery Road 4 Lane (SR 82 – Lee Blvd.), Project No. 4055  
STRAP No.: 33-44-26-07-00017.0340, .0350, & .0360

**SLOPE/RESTORATION EASEMENT**

This INDENTURE, made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, between **NAPLES INVESTORS GROUP, LLC, a Florida limited liability company**, whose address is 784 10th Ave. North, Naples, FL 34108, (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:** Gunnerly 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

\_\_\_\_\_  
Authorized Signature GRANTOR

\_\_\_\_\_  
Printed name of 1st Witness

\_\_\_\_\_  
Printed Name and Title

\_\_\_\_\_  
2nd Witness Signature

\_\_\_\_\_  
Printed name of 2nd Witness

**STATE OF**

**COUNTY OF**

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by \_\_\_\_\_, an authorized representative of Naples Investors Group, LLC. He/She is personally known to me or who has produced \_\_\_\_\_ as identification.

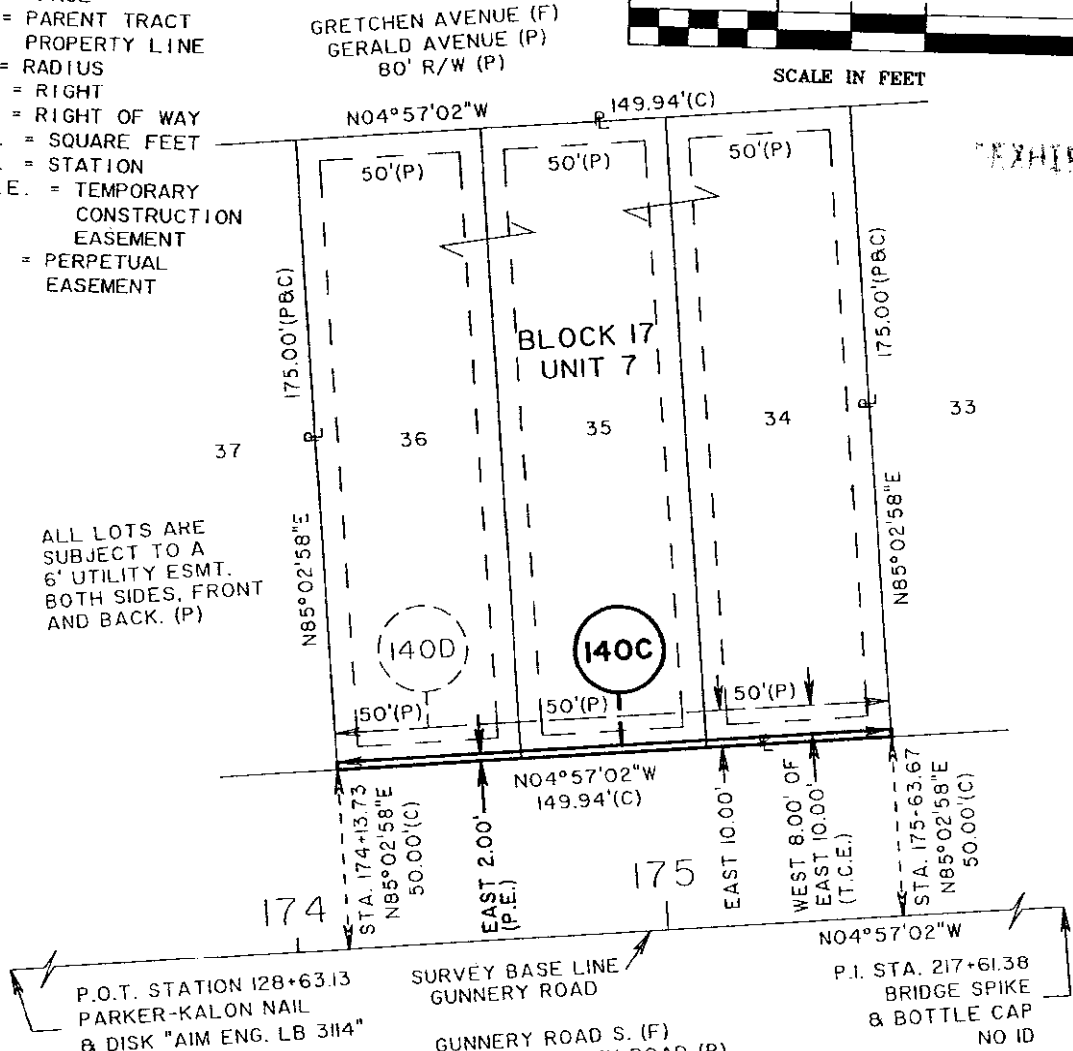
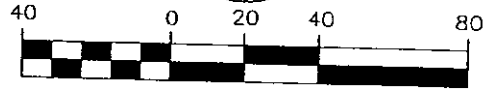
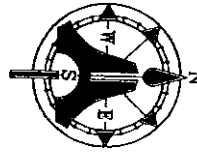
(type of identification)

\_\_\_\_\_  
(Signature of Notary Public)

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

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 = 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

PARCEL NO. 140C (PERPETUAL EASEMENT)  
 PROPERTY OWNER: NESTOR M. PANGILINAN AND DAISY M. PANGILINAN  
 STRAP NO. 33-44-26-07-00017.0340  
 STRAP NO. 33-44-26-07-00017.0350  
 STRAP NO. 33-44-26-07-00017.0360  
 AREA OF PARENT TRACT: 26,240 S.F., M.O.L.  
 AREA OF TAKE: 300 S.F., M.O.L.



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

PARCEL 140C (PERPETUAL EASEMENT)

A 2.00 FOOT WIDE PERPETUAL EASEMENT BEING THE EAST 2.00 FEET OF LOTS 34, 35 AND 36, BLOCK 17, 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.

SAID LANDS CONTAIN 300 SQUARE FEET, MORE OR LESS.

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.

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

PREPARED BY:  
 AIM ENGINEERING & SURVEYING, INC.

*Bob L. Potter* 6/14/04  
 BOB L. POTTER, P.S.M. DATE  
 PROFESSIONAL SURVEYOR AND MAPPER  
 FLORIDA CERTIFICATE NO. 5688

**ADM 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:<br>99-7504 | DESCRIPTION:<br>LEGAL AND SKETCH PARCEL 140C<br>GUNNERY ROAD FROM S.R. 82 TO LEE BOULEVARD |
| DRAWN BY:<br>LWC           | CLIENT:<br>LEE COUNTY  |
| DATE:<br>6/11/04           | SEC-TWP-RGE<br>33-44S-26E  |
| FILE:<br>7504-140C         | COUNTY:<br>LEE COUNTY  |

**Division of County Lands**

**Updated Ownership and Easement Search**

Search No. 33-44-26-07-00017.0340, .0350 and .0360

Date: January 14, 2005

Parcel: 140

Project: Gunnerly Road Widening Project 4055

To: Michael J. O'Hare, SRWA  
Property Acquisition Agent

From: Shelia A. Bedwell, CLS  
Property Acquisition Assistant

STRAP: 33-44-26-07-00017.0340, .0350 and .0360

Effective Date: December 14, 2004, at 5:00 p.m.

**Subject Property:** Lots 34, 35 and 36, Block 17, Lehigh Estates Unit 7, Section 33, Township 46 South, Range 26 East, 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:

***Naples Investors Group, LLC, a Florida limited liability company***

By that certain instrument dated February 10, 2004, recorded February 23, 2004, in Official Record Book 4285, Page 3336, Public Records of Lee County, Florida.

**Easements:**

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

**Tax Status: 2004 taxes are 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:** 140  
**Owner Name/Address:** Naples Investors Group, 1116-1120 Gunnery Road S  
**Lee County STRAP Number:** 33-44-26-07-00017.0340, .0350, .0360  
**Legal Description:** Lots 34-36, Block 17, Unit 7, Lehigh Estates, PB 15, PG 87  
**History of Ownership:** March 2004, \$100,000  
**Interest Appraised:** Fee Simple ( ) Partial (X)  
**Assessed Value:** \$51,380  
**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 300 square feet  
Sidewalk ( )  
Drainage ( )  
Fill/Slope (X)  
**Parcel Remainder Size:** 25,950 sf unencumbered, 300 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 (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 140**

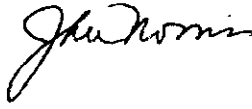
|   |                  |  |                        |
|---|------------------|--|------------------------|
| <b>Market Value of Fee Simple Interest in Parent Parcel</b> | 26,250 sf        |  |                        |
|   | x \$5.75 per sf  |  |                        |
|   | \$150,938        |  | \$150,938              |
| <b>less: Market Value of Remainder - Fee Unencumbered</b>   |                  |  |                        |
| *26250 sf - 300 sf proposed easement area                   | 25950 sf *       |  |                        |
| unencumbered fee value per square foot                      | x \$5.75 per sf  |  |                        |
| unencumbered fee value of remainder area                    | \$149,213        |  |                        |
| <b>less: *per county data Slope Easement-C Remainder</b>    |                  |  |                        |
| \$5.75 per sf times .80 (1- .20 percentage of impact)       | 300 sf           |  |                        |
| remainder value for land within proposed easement           | x \$4.60 per sf* |  |                        |
|   | \$1,380.00       |  |                        |
| <b>Total Market Value of Remainder (rounded)</b>            |                  |  | <u>\$150,593</u>       |
| <b>Market Value of Part Taken</b>                           |                  |  | <u>\$345.00</u>        |
| <b>rounded to .....</b>                                     |                  |  | <u><u>\$350.00</u></u> |

04-78-140sum

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 ..... (\$350.00)**

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



Parcel: 165  
Project: Gunnery Road 4 Lane (SR 82 – Lee Blvd.), Project No. 4055  
STRAP No.: 33-44-26-07-00007.0440

**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 **The Estate of Caridad Blanco, deceased**, whose address is 651 SW 71st Court, Miami, FL 33144, 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 \$600.00; 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:**

**The Estate of Caridad Blanco**

\_\_\_\_\_  
1<sup>st</sup> Witness Signature

By:

\_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
2nd Witness Signature

\_\_\_\_\_  
Printed Name and Title

**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: 165  
Project: Gunnery Road 4 Lane (SR 82 – Lee Blvd.), Project No. 4055  
STRAP No.: 33-44-26-07-00007.0440

**SLOPE/RESTORATION EASEMENT**

This INDENTURE, made and entered into this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_,  
between **The Estate of Caridad Blanco, deceased**, whose address is 651 SW 71st Court,  
Miami, FL 33144, (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, 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 "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

\_\_\_\_\_  
**The Estate of Caridad Blanco**

\_\_\_\_\_  
Printed name of 1st Witness

\_\_\_\_\_  
Printed Name and Title

\_\_\_\_\_  
2nd Witness Signature

\_\_\_\_\_  
Printed name of 2nd Witness

**STATE OF**

**COUNTY OF**

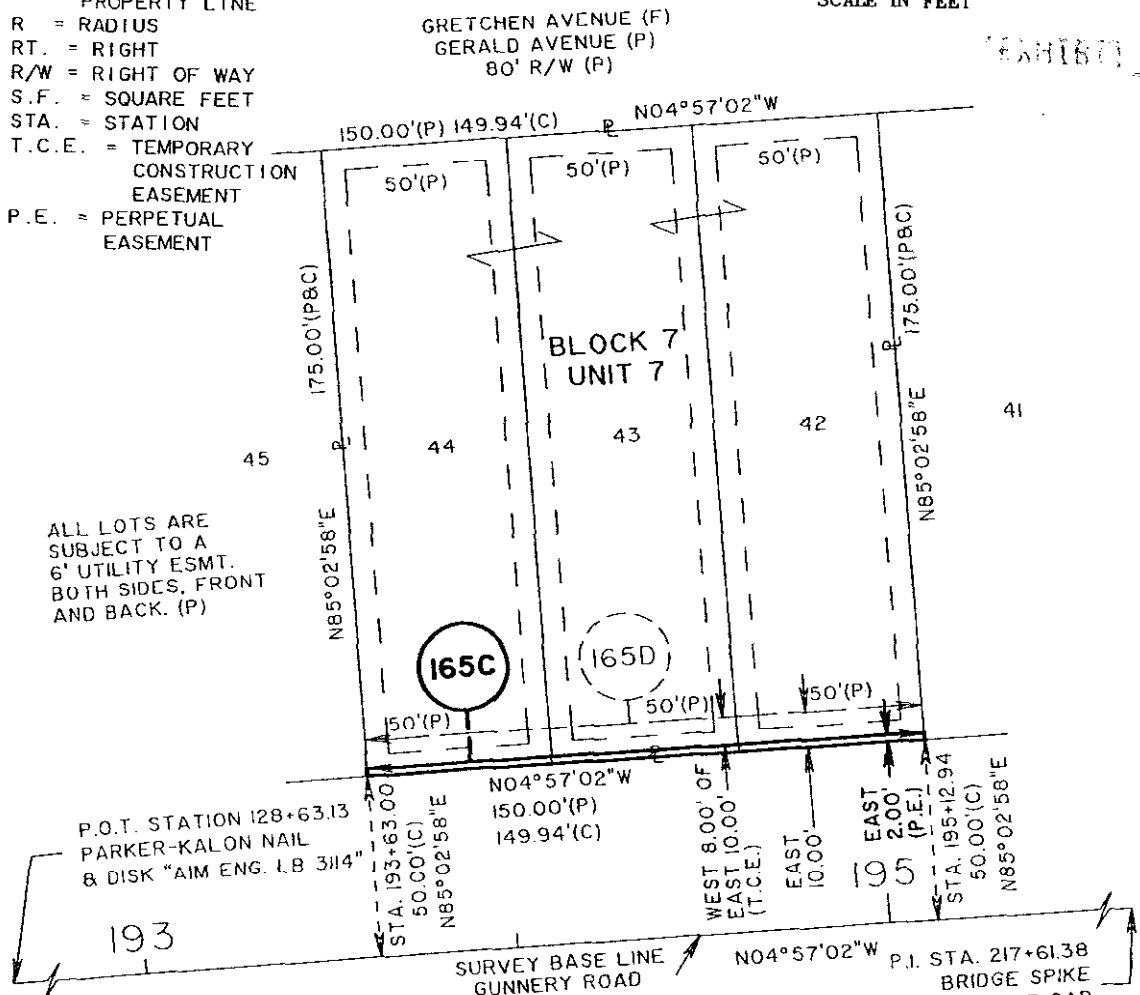
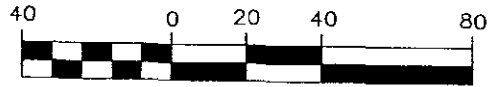
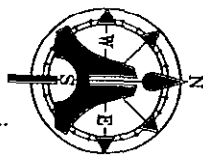
The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by \_\_\_\_\_. He/She is personally known to me or who has produced \_\_\_\_\_ as identification.  
(type of identification)

\_\_\_\_\_  
(Signature of Notary Public)

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

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 = 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

PARCEL NO. 165C (PERPETUAL EASEMENT)  
 PROPERTY OWNER: CARIDAD BLANCO  
 STRAP NO. 33-44-26-07-00007.0420  
 STRAP NO. 33-44-26-07-00007.0430  
 STRAP NO. 33-44-26-07-00007.0440  
 AREA OF PARENT TRACT: 26,240 S.F., M.O.L.  
 AREA OF TAKE: 300 S.F., M.O.L.



PARCEL 165C  
 (PERPETUAL EASEMENT)  
 A 2.00 FOOT WIDE PERPETUAL EASEMENT  
 BEING EAST 2.00 FEET OF LOTS 42, 43 AND  
 44, 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 300 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.  
 Bob L. Potter, P.S.M. DATE 6/17/04  
 PROFESSIONAL SURVEYOR AND MAPPER  
 FLORIDA CERTIFICATE NO. 5588

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:<br>99-7504 | DESCRIPTION:<br>LEGAL AND SKETCH PARCEL 165C<br>GUNNERY ROAD FROM S.R. 82 TO LEE BOULEVARD |
| DRAWN BY:<br>LWC           | CLIENT:<br>LEE COUNTY  |
| DATE:<br>6/15/04           | SEC-TWP-RGE<br>33-44S-26E  |
|                            | FILE:<br>7504-165C   |
|                            | COUNTY:<br>LEE COUNTY  |

**Division of County Lands**

**Ownership and Easement Search**

Search No. 33-44-26-07-00007.0440

Date: December 12, 2003

Parcel: 165

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: 33-44-26-07-00007.0440

Effective Date: <sup>12/26/04</sup>~~November 24, 2003~~, at 5:00 p.m.

**Subject Property:** Lot 44, Block 7, Lehigh Estates, Unit 7, Section 33, Township 44 South, Range 26 East, 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, of the Public Records of Lee County, Florida.

Title to the subject property is vested in the following:

*The Estate of* **Caridad Blanco**, *deceased*

By that certain instrument dated April 11, 2003, recorded May 28, 2003, in Official Record Book 3944, Page 2977, Public Records of Lee County, Florida.

**Easements:**

- 1. Six foot Utility Easement along both sides, front and back of subject property, as stated on recorded plat.

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): Deed recorded May 28, 2003 in Official Record Book 3944, Page 2977, Public Records of Lee County, Florida, has only one witness to the grantors' signatures. This must be addressed and resolved by the Title Company or Attorney that handles the transfer to the County.

*2004 taxes are paid in full*

**Tax Status:** ~~2003 taxes are now due and payable.~~

*(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:** 165  
**Owner Name/Address:** Blanco, Caridad, 338-342 Gunnery Road S  
**Lee County STRAP Number:** 33-44-26-07-00007.0420-.0440  
**Legal Description:** Lots 42-44, Block 7, Unit 7, Lehigh Estates, PB 15, PG 87  
**History of Ownership:** April, May 2003, \$80,000  
**Interest Appraised:** Fee Simple ( ) Partial (X)  
**Assessed Value:** \$78,750  
**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 300 square feet  
Sidewalk ( )  
Drainage ( )  
Fill/Slope (X)  
**Parcel Remainder Size:** 25,950 sf unencumbered, 300 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 (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  
 Parcels 165.**


|   |   |                             |            |                        |
|---|---|-----------------------------|------------|------------------------|
| Market Value of Fee Simple Interest in Parent Parcel  | x | 26,250 sf<br>\$5.75 per sf  | \$150,938  | \$150,938              |
| less: Market Value of Remainder - Fee Unencumbered  |   |                             |            |                        |
| *26250 sf - 300 sf proposed easement area unencumbered fee value per square foot                        | x | 25950 sf *<br>\$5.75 per sf | \$149,213  |                        |
| 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 | 300 sf<br>\$4.60 per sf*    | \$1,380.00 |                        |
| <b>Total Market Value of Remainder (rounded)</b>  |   |                             |            | <b>\$150,593</b>       |
| <b>Market Value of Part Taken</b>   |   |                             |            | <b>\$345.00</b>        |
| <b>rounded to .....</b>   |   |                             |            | <b><u>\$350.00</u></b> |

04-78-165sum

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 ..... (\$350.00)**

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



Parcel: 172  
Project: Gunnerly Road 4 Lane (SR 82 – Lee Blvd.), Project No. 4055  
STRAP No.: 33-44-26-07-00007.0270

**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 **Lehigh Acres Fire Control and Rescue District**, whose address is 1000 Joel Blvd., Lehigh Acres, FL 33936, 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 Gunnerly Road Widening Project #4055.

- a) Owner will grant said easement to Purchaser for the sum of \$600.00; 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: Lehigh Acres Fire Control and Rescue  
District**

\_\_\_\_\_  
1<sup>st</sup> Witness Signature

By: \_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
2nd Witness Signature

\_\_\_\_\_  
Printed Name and Title

**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: 172  
Project: Gunnery Road 4 Lane (SR 82 – Lee Blvd.), Project No. 4055  
STRAP No.: 33-44-26-07-00007.0270

**SLOPE/RESTORATION EASEMENT**

This INDENTURE, made and entered into this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_,  
between **Lehigh Acres Fire Control and Rescue District**, whose address is 1000 Joel Blvd.,  
Lehigh Acres, FL 33936, (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:

**Lehigh Acres Fire Control and Rescue District**

\_\_\_\_\_  
1st Witness Signature

\_\_\_\_\_  
Authorized Signature GRANTOR

\_\_\_\_\_  
Printed name of 1st Witness

\_\_\_\_\_  
Printed Name and Title

\_\_\_\_\_  
2nd Witness Signature

\_\_\_\_\_  
Printed name of 2nd Witness

**STATE OF**

**COUNTY OF**

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by \_\_\_\_\_, an authorized representative of **Lehigh Acres Fire Control and Rescue District**. He/She is personally known to me or who has produced \_\_\_\_\_ as identification.

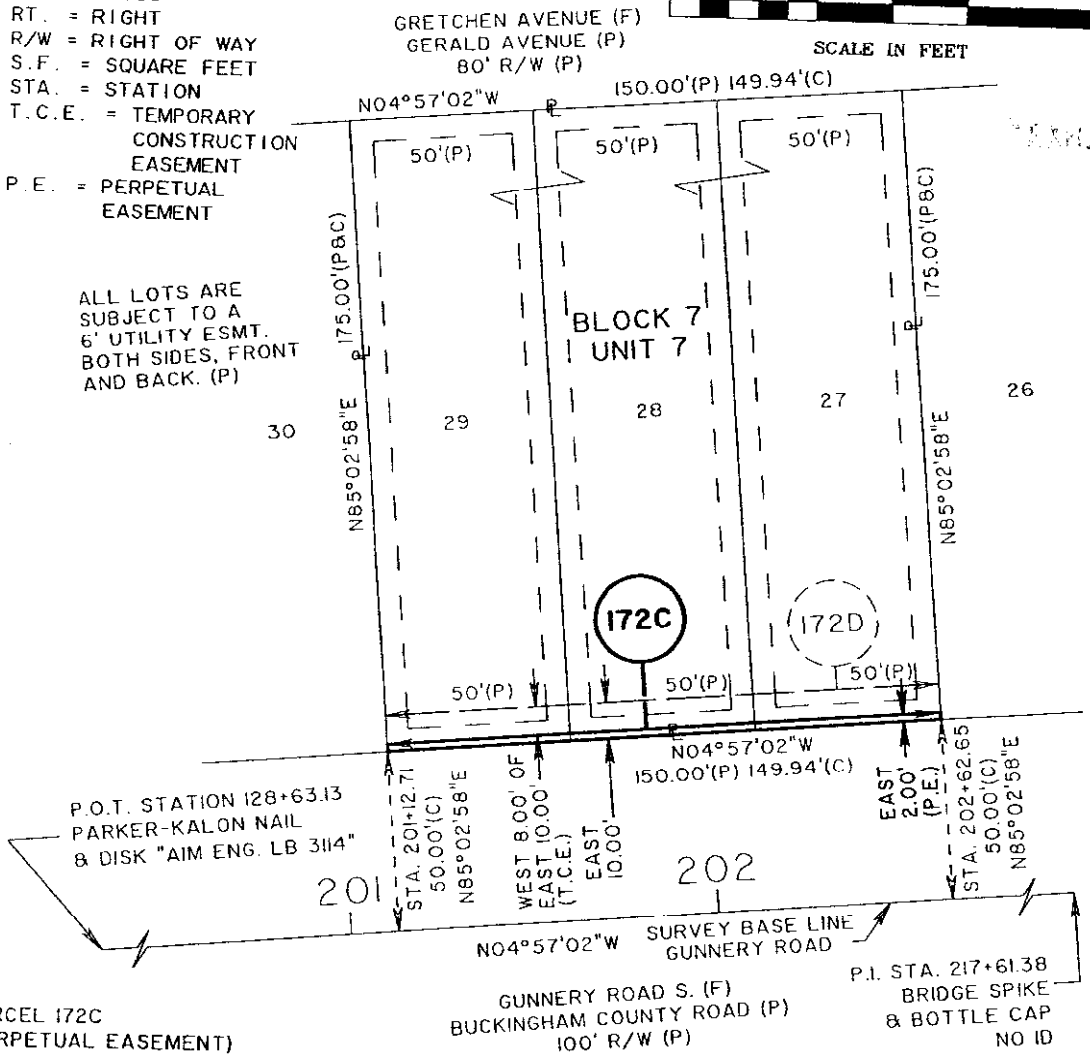
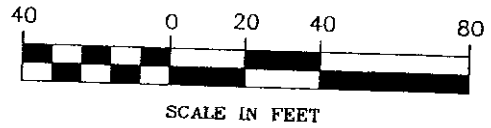
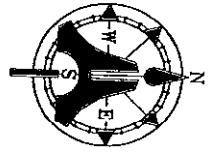
(type of identification)

\_\_\_\_\_  
(Signature of Notary Public)

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

**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  
 R/W = RIGHT OF WAY  
 S.F. = SQUARE FEET  
 STA. = STATION  
 T.C.E. = TEMPORARY CONSTRUCTION EASEMENT  
 P.E. = PERPETUAL EASEMENT

**PARCEL NO. 172C (PERPETUAL EASEMENT)**  
**PROPERTY OWNER: LEHIGH ACRES FIRE CONTROL AND RESCUE DISTRICT**  
**STRAP NO. 33-44-26-07-00007.0270**  
**AREA OF PARENT TRACT: 26,240 S.F., M.O.L.**  
**AREA OF TAKE: 300 S.F., M.O.L.**



**PARCEL 172C**  
**(PERPETUAL EASEMENT)**

A 2.00 FOOT WIDE PERPETUAL EASEMENT BEING THE EAST 2.00 FEET OF LOTS 27, 28 AND 29, 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 300 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.

BOB L. POTTER, P.S.M. DATE 6/17/04  
 PROFESSIONAL SURVEYOR AND MAPPER  
 FLORIDA CERTIFICATE NO. 5698

**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:<br>99-7504 | DESCRIPTION:<br>LEGAL AND SKETCH PARCEL 172C<br>GUNNERY ROAD FROM S.R. 82 TO LEE BOULEVARD |
| DRAWN BY:<br>LWC           | CLIENT:<br>LEE COUNTY  |
| DATE:<br>6/16/04           | SEC-TWP-RGE:<br>33-44S-26E   |
| FILE:<br>7504-172C         | COUNTY:<br>LEE COUNTY  |

**Division of County Lands**

**Ownership and Easement Search**

Search No. 33-44-26-07-00007.0270


Date: January 14, 2005

Parcel: 172

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: 33-44-26-07-00007.0270   
Effective Date: ~~December 29, 2003~~ <sup>2/26/2004</sup>, at 5:00 p.m.

**Subject Property:** Lots 27, 28 and 29, 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:

**Lehigh Acres Fire Control and Rescue District**

By these certain instruments dated July 16, 1984, recorded July 31, 1984 in Official Record Book 1739, Pages 1874, 1875 and 1876, 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. Resolution vacating interior easements, recorded in Official Record Book 1894, Page 728, Public Records of Lee County, Florida.

NOTE (1): Declarations of Easements 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 in Official Record Book 1936, Page 402, Public Records of Lee County, Florida.

<sup>2004</sup>  
**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 or warranties as to its accuracy.**

**APPRAISAL REPORT GUNNERY ROAD PROJECT 4055**

**Parcel Identification**

**Project Parcel Number:** 172  
**Owner Name/Address:** Lehigh Acres Fire Control, 308 Gunnery Road S  
**Lee County STRAP Number:** 33-44-26-07-00007.0270-.0290  
**Legal Description:** Lots 27-29 , 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:** \$320,760 including \$238,950 in improvements  
**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 300 square feet  
Sidewalk ( )  
Drainage ( )  
Fill/Slope (X)  
**Parcel Remainder Size:** 25,950 sf unencumbered, 300 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 with a fire station. Any improvements within the take area are to be replaced by the condemning authority. There are no severance damages to the remainder structure.

**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:** All improvements within the take are to be replaced by condemning authority. No impact on value of existing structure.

**Value Estimates:** (See summary chart below)

**SUMMARY OF ANALYSIS**  
**Gunnery Road Project**  
**Parcel 172**

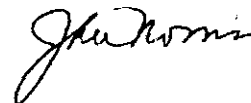
|   |                  |            |                        |
|---|------------------|------------|------------------------|
| <b>Market Value of Fee Simple Interest in Parent Parcel</b>   | 26,250 sf        |            |                        |
|   | x \$5.75 per sf  |            |                        |
|   |                  | \$150,938  | \$150,938              |
| <b>less: Market Value of Remainder - Fee Unencumbered</b>   |                  |            |                        |
| *26250 sf - 300 sf proposed easement area unencumbered fee value per square foot unencumbered fee value of remainder area | 25950 sf *       |            |                        |
|   | x \$5.75 per sf  |            |                        |
|   |                  | \$149,213  |                        |
| <b>less: *per county data Slope Easement-C Remainder</b>  |                  |            |                        |
| \$5.75 per sf times .80 (1- .20 percentage of impact) remainder value for land within proposed easement                   | 300 sf           |            |                        |
|   | x \$4.60 per sf* |            |                        |
|   |                  | \$1,380.00 |                        |
| <b>Total Market Value of Remainder (rounded)</b>  |                  |            | <u>\$150,593</u>       |
| <b>Market Value of Part Taken</b>   |                  |            | <u>\$345.00</u>        |
| <b>rounded to .....</b>   |                  |            | <u><u>\$350.00</u></u> |

04-78-172sum

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 ..... (\$350.00)**

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





Parcel: 178  
Project: Gunnery Road 4 Lane (SR 82 – Lee Blvd.), Project No. 4055  
STRAP No.: 33-44-26-07-00007.0130

**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 **MADE IN RIO INC., a Florida corporation**, whose address is 12734 Kenwood Lane, Suite 61, Fort Myers, FL 33907, 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 \$600.00; 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:**

**MADE IN RIO, INC.,  
a Florida Corporation**

\_\_\_\_\_  
1<sup>st</sup> Witness Signature

By: \_\_\_\_\_  
Giovani Papadopolos, President

\_\_\_\_\_  
2nd Witness Signature

LEE COUNTY, FLORIDA, BY ITS  
BOARD OF COUNTY COMMISSIONERS

**ATTEST:**

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: 178  
Project: Gunnery Road 4 Lane (SR 82 – Lee Blvd.), Project No. 4055  
STRAP No.: 33-44-26-07-00007.0130

**SLOPE/RESTORATION EASEMENT**

This INDENTURE, made and entered into this \_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_,  
between **MADE IN RIO INC., a Florida corporation**, whose address is 12734 Kenwood Lane,  
Suite 61, Fort Myers, FL 33907, (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:

**MADE IN RIO, INC., a Florida corporation**

\_\_\_\_\_  
1st Witness Signature

\_\_\_\_\_  
Giovani Papadopolos, President

\_\_\_\_\_  
Printed name of 1st Witness

\_\_\_\_\_  
2nd Witness Signature

\_\_\_\_\_  
Printed name of 2nd Witness

**STATE OF**

**COUNTY OF**

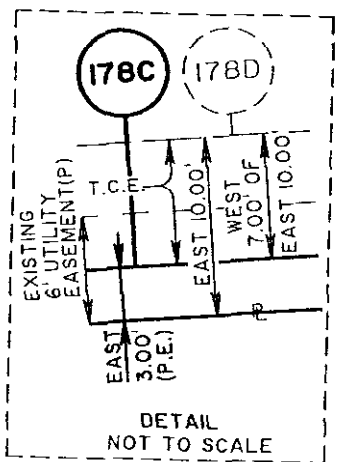
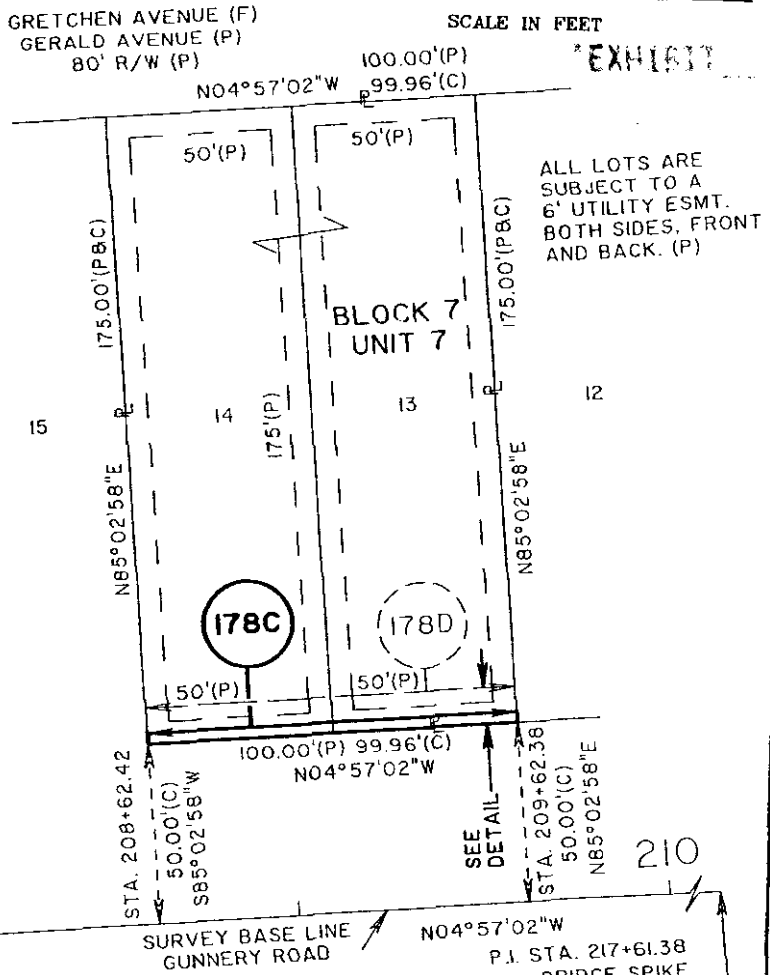
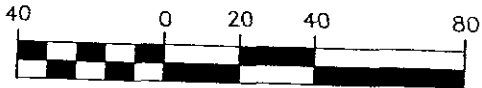
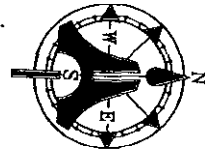
The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by Giovani Papadopolos, President of **MADE IN RIO, INC.** He is personally known to me or who has produced \_\_\_\_\_ as identification.

\_\_\_\_\_  
(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  
 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. 178C (PERPETUAL EASEMENT)  
 PROPERTY OWNER: MADE IN RIO, INC.  
 STRAP NO. 33-44-26-07-00007.0130  
 AREA OF PARENT TRACT: 17,493 S.F., M.O.L.  
 AREA OF TAKE: 300 S.F., M.O.L.



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

PARCEL 178C  
 (PERPETUAL EASEMENT)

A 3.00 FOOT WIDE PERPETUAL EASEMENT BEING THE EAST 3.00 FEET OF LOTS 13 AND 14, 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.

SAID LANDS CONTAIN 300 SQUARE FEET, MORE OR LESS.

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.

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

PREPARED BY:  
 AIM ENGINEERING & SURVEYING, INC.  
 Bob L. Potter, P.S.M.  
 PROFESSIONAL SURVEYOR AND MAPPER  
 FLORIDA CERTIFICATE NO. 5688  
 DATE: 7/6/04

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:<br>99-7504 | DESCRIPTION:<br>LEGAL AND SKETCH-PARCEL 178C<br>GUNNERY ROAD FROM S.R. 82 TO LEE BOULEVARD |
| DRAWN BY:<br>LWC           | CLIENT:<br>LEE COUNTY  |
| DATE:<br>7/1/04            | SEC-TWP-RGE:<br>33-44S-26E   |
| FILE:<br>7504-178C         | COUNTY:<br>LEE COUNTY  |

**Division of County Lands**

**Ownership and Easement Search**

Search No. 33-44-26-07-00007.0130

Date: January 14, 2005

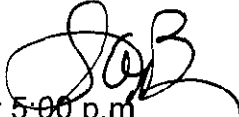
Parcel: 178

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: 33-44-26-07-00007.0130



Effective Date: ~~December 20, 2003~~, at 5:00 p.m.  
<sup>12/26/2004</sup>

**Subject Property:** Lots 13-14, 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:

***Made in Rio, Inc., a Florida corporation***

By that certain instrument dated September 16, 1998, recorded September 22, 1998, in Official Record Book 3015, Page 367, Public Records of Lee County, Florida.

**Easements:**

1. Six foot utility easement along both sides, front and rear 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.

*2004*

**Tax Status:** ~~2003~~ taxes are now due and payable.  
(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:** 178  
**Owner Name/Address:** Made in Rio, Inc., 124 Gunnery Road S  
**Lee County STRAP Number:** 33-44-26-07-00007.0130  
**Legal Description:** Lot13, 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:** \$52,500  
**Effective Date of Appraisal:** December 9, 2004  
**Date of Report:** December 13, 2004

**Site Data**

**Parent Parcel - Overall Size:** 17,500 square feet  
**Frontage - Depth:** 150' X 175'  
**Acquisition Type:** Fee Take ( ) - A  
Utility Easement ( ) - B  
Perpetual Easement (X) - C 300 square feet  
Sidewalk ( )  
Drainage ( )  
Fill/Slope (X)  
**Parcel Remainder Size:** 17,200 sf unencumbered, 300 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 (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 178**

|   |   |                             |            |                        |
|---|---|-----------------------------|------------|------------------------|
| Market Value of Fee Simple Interest in Parent Parcel  | x | 17,500 sf<br>\$5.75 per sf  | \$100,625  | \$100,625              |
| less: Market Value of Remainder - Fee Unencumbered<br>*17500 sf - 300 sf proposed easement area<br>unencumbered fee value per square foot<br>unencumbered fee value of remainder area | x | 17200 sf *<br>\$5.75 per sf | \$98,900   |                        |
| less: *per county data Slope Easement-C Remainder<br>\$5.75 per sf times .80 (1- .20 percentage of impact)<br>remainder value for land within proposed easement                       | x | 300 sf<br>\$4.60 per sf*    | \$1,380.00 |                        |
| <b>Total Market Value of Remainder (rounded)</b>  |   |                             |            | <u>\$100,280</u>       |
| <b>Market Value of Part Taken</b>   |   |                             |            | <u>\$345.00</u>        |
| <b>rounded to .....</b>   |   |                             |            | <u><u>\$350.00</u></u> |

04-78-178sum

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 ..... (\$350.00)**

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



Parcel: 186  
Project: Gunnery Road 4 Lane (SR 82 – Lee Blvd.), Project No. 4055  
STRAP No.: 33-44-26-07-00001.0010

**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 **DELACRUZ ENTERPRISE'S, INC., a Florida corporation**, whose address is 322 Gunnery Road, Suite B, Lehigh Acres, FL 33971, 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 \$600.00; 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:**

**DELACRUZ ENTERPRISE'S, INC.  
a Florida Corporation**

\_\_\_\_\_  
1<sup>st</sup> Witness Signature

By: \_\_\_\_\_  
Guadalupe Delacruz, President

\_\_\_\_\_  
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: 186  
Project: Gunnery Road 4 Lane (SR 82 – Lee Blvd.), Project No. 4055  
STRAP No.: 33-44-26-07-00001.0010

**SLOPE/RESTORATION EASEMENT**

This INDENTURE, made and entered into this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_,  
between **DELACRUZ ENTERPRISE'S, INC., a Florida corporation**, whose address is 322  
Gunnery Road, Suite B, Lehigh Acres, FL 33971, (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:

**DELACRUZ ENTERPRISE'S, INC., a Florida corporation**

\_\_\_\_\_  
1st Witness Signature

\_\_\_\_\_  
Guadalupe Delacruz, President

\_\_\_\_\_  
Printed name of 1st Witness

\_\_\_\_\_  
2nd Witness Signature

\_\_\_\_\_  
Printed name of 2nd Witness

**STATE OF**

**COUNTY OF**

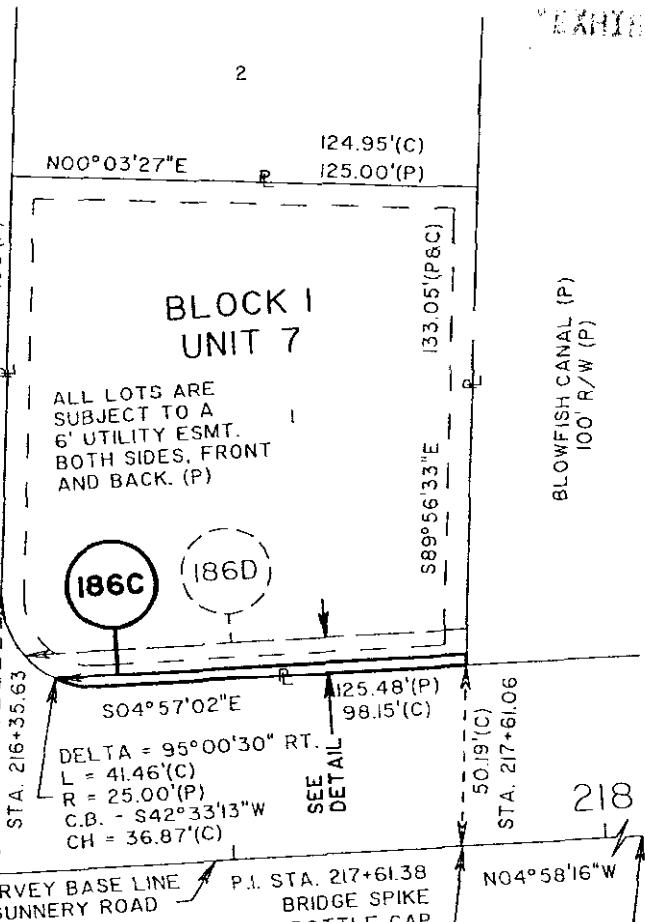
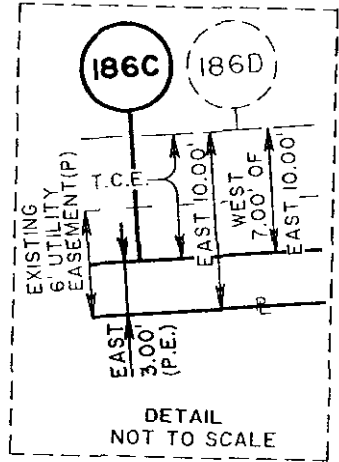
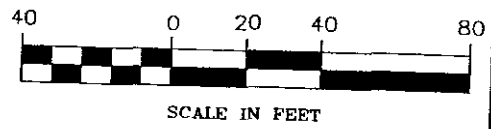
The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by Guadalupe Delacruz, President of **DELACRUZ ENTERPRISE'S, INC.** He is personally known to me or who has produced \_\_\_\_\_ as identification.

\_\_\_\_\_  
(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  
 P. = 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. 186C (PERPETUAL EASEMENT)  
 PROPERTY OWNER: DELACRUZ ENTERPRISE'S  
 STRAP NO. 33-44-26-07-00001.0010  
 AREA OF PARENT TRACT: 17,145 S.F., M.O.L.  
 AREA OF TAKE: 319 S.F., M.O.L.



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

DELTA = 95°00'30" RT.  
 L = 41.46'(C)  
 R = 25.00'(P)  
 C.B. = S42°33'13"W  
 CH = 36.87'(C)

PARCEL 186C  
 (PERPETUAL EASEMENT)

A 3.00 FOOT WIDE PERPETUAL EASEMENT  
 BEING THE EAST 3.00 FEET OF LOT 1, BLOCK 1,  
 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 319 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.

*Bob L. Potter* 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:<br>99-7504 | DESCRIPTION:<br>LEGAL AND SKETCH PARCEL 186C<br>GUNNERY ROAD FROM S.R. 82 TO LEE BOULEVARD |
| DRAWN BY:<br>LWC           | CLIENT:<br>LEE COUNTY  |
| DATE:<br>7/1/04            | SEC-TWP-RGE<br>33-44S-26E  |
|                            | FILE:<br>7504-186C   |
|                            | COUNTY:<br>LEE COUNTY  |

**Division of County Lands**

**Ownership and Easement Search**

Search No. 33-44-26-07-00001.0010

Date: January 14, 2005

Parcel: 186

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: 33-44-26-07-00001.0010

Effective Date: ~~December 6, 2003~~, at 5:00 p.m. *12/26/04* *SAB*

**Subject Property:** Lots 1, Block 1, 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:

***Delacruz Enterprise's, Inc., a Florida corporation***

By that certain instrument dated September 17, 2003, recorded October 13, 2003, in Official Record Book 4091, Page 1790, Public Records of Lee County, Florida.

**Easements:**

- 1. Six foot utility easement along both sides, front and rear 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.

*Mtg. to Bank of America 4286/3522 Med. 4368/3313, 4503/294, 4516/4029*  
*Assignment of Leases 4286/3543*  
*UCC 4286/3548*

**Tax Status:** <sup>2004</sup>~~2003~~ taxes are now due and payable.  
(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:** 186  
**Owner Name/Address:** Delacruz Enterprises, Inc., 4400 Douglas Lane  
**Lee County STRAP Number:** 33-44-26-07-00001.0010  
**Legal Description:** Lot 1, Block 1, Unit 7, Lehigh Estates, PB 15, PG 87  
**History of Ownership:** September 2003, \$4,500  
**Interest Appraised:**        **Fee Simple** ( )        **Partial** (X)  
**Assessed Value:** \$5,600 (as unimproved)  
**Effective Date of Appraisal:** December 9, 2004  
**Date of Report:** December 13, 2004

**Site Data**

**Parent Parcel - Overall Size:** 17,000 square feet  
**Frontage - Depth:** 144' X 125' X 133' X 125.48' +/-  
**Acquisition Type:**    **Fee Take** ( ) - **A**  
                                  **Utility Easement** ( ) - **B**  
                                  **Perpetual Easement** (X) - **C** 319 square feet  
                                  **Sidewalk** ( )  
                                  **Drainage** ( )  
                                  **Fill/Slope** (X)  
**Parcel Remainder Size:** 16,681 sf unencumbered, 319 sf encumbered  
**Existing Easements:**    **Utility** (X)    **Drainage** ( ) **Road** ( )  
**Corner Parcel** (X)        **Interior Parcel** ( )  
**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:** RM-2/Central Urban  
**Adverse Conditions:** None  
**Supporting Services:** Lee County Sheriff and Fire  
**Miscellaneous:** The property borders Douglas Lane, Gunnery Road and Bonefish Canal, a 100 foot drainage canal.  
**Marketing Time:** Less than 1 year  
**Highest and Best Use:** As Improved-Multi-family    **Requires Zoning Change** ( )

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

**Description of improvements within take area:** Fill and sod within the take area to be replaced by condemning authority. Improvements to the property consist of a newly developed duplex or newly developed multi-family-rental property.

**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:** No damages to the existing structure are measured. The 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 186**

|   |   |                             |            |                        |
|---|---|-----------------------------|------------|------------------------|
| <b>Market Value of Fee Simple Interest in Parent Parcel</b>   | x | 17,000 sf<br>\$5.25 per sf  | \$89,250   | \$89,250               |
| <b>less: Market Value of Remainder - Fee Unencumbered</b>   |   |                             |            |                        |
| *17000 sf - 319 sf proposed easement area unencumbered fee value per square foot unencumbered fee value of remainder area | x | 16681 sf *<br>\$5.25 per sf | \$87,575   |                        |
| <b>less: *per county data Slope Easement-C Remainder</b>  |   |                             |            |                        |
| \$5.25 per sf times .80 (1- .20 percentage of impact) remainder value for land within proposed easement                   | x | 319 sf<br>\$4.20 per sf*    | \$1,339.80 |                        |
| <b>Total Market Value of Remainder (rounded)</b>  |   |                             |            | <u>\$88,915</u>        |
| <b>Market Value of Part Taken</b>   |   |                             |            | <u>\$334.95</u>        |
| <b>rounded to .....</b>   |   |                             |            | <u><u>\$335.00</u></u> |

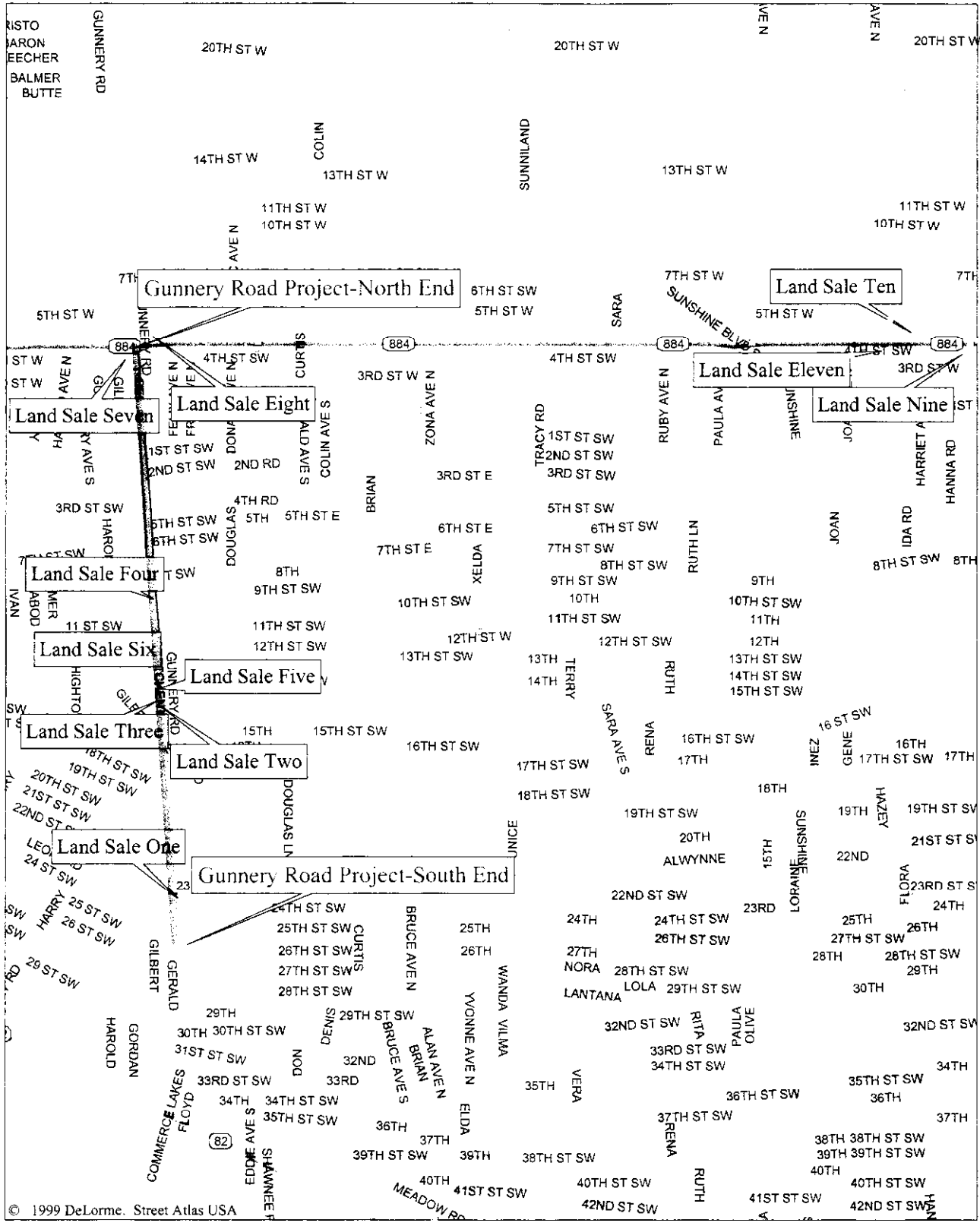
04-78186sum

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 ..... (\$335.00)**

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





### LOCATION MAP