

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

**Blue Sheet No. 20050063**

**1. REQUESTED MOTION:**

**ACTION REQUESTED:** Authorize: 1) the Division of County Lands to make binding offers to property owners in the amount of \$500.00 each for Parcels 105, 106, 112, 130, 134, 151, 155, 164 and 176, Gunnery Road Widening Project No. 4055, pursuant to the Purchase Agreements; 2) the Division of County Lands to handle and accept all documentation necessary to complete transaction.

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

**WHAT ACTION ACCOMPLISHES:** Makes binding offers to property owner.

**2. DEPARTMENTAL CATEGORY:**  
**COMMISSION DISTRICT #**

06  
3

*C6A*

**3. MEETING DATE:**

*02-08-2005*

**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 *WFO*  
 BY: Karen L. W. Forsyth, Director *KLW*

**7. BACKGROUND:**

**Negotiated for:** Department of Transportation

**Interest to Acquire:** Nine separate Slope/Restoration Easements

**Property Details:**  
 See attached

**Purchase Details:**  
 See attached

**Appraisal Information:**

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









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

**Account:** 20405518803.506110

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

**8. MANAGEMENT RECOMMENDATIONS:**

**9. RECOMMENDED APPROVAL:**

A Department Director	B Purchasing or Contracts	C Human Resources	D Other	E County Attorney	F Budget Services				G County Manager
 R. Pruthi			 P. D. 11/15/05		OA  2/2/05	OM  1/2/05	Risk  1/2/05	GC  1/2/05	

**10. COMMISSION ACTION:**

☐ **APPROVED**  
☐ **DENIED**  
☐ **DEFERRED**  
☐ **OTHER**

Rec. by CoAtty

Date: *1/26/05*

Time: *11:00*

Forwarded To:

*H. [Signature]*  
*1/26/05 2:27 pm*

RECEIVED BY
COUNTY ADMIN: <i>[Signature]</i>
<i>1/26/05</i>
<i>3:00 pm</i>
COUNTY ADMIN
FORWARDED TO: <i>PL</i>
<i>1/26/05</i>
<i>4PM</i>

## Blue Sheet 20050063 Continued

### Parcel 105

**Owner:** Mildred V. Blough  
**Property Address:** 2311 Gretchen Ave S  
**STRAP No.:** 04-45-26-05-00023.0060  
**Purchase Price:** \$500.00  
**Estimated Closing Costs:** \$150.00

### Parcel 106

**Owner:** Joanne Hing Moy  
**Property Address:** 2309 Gretchen Ave S  
**STRAP No.:** 04-45-26-05-00023.0050  
**Purchase Price:** \$500.00  
**Estimated Closing Costs:** \$150.00

### Parcel 112

**Owner:** Paul and Patricia Lambertucci  
**Property Address:** 1573 Gretchen Ave S  
**STRAP No.:** 04-45-26-05-00010.0380  
**Purchase Price:** \$500.00  
**Estimated Closing Costs:** \$150.00

### Parcel 130

**Owner:** Kristen A. Salerno  
**Property Address:** 1150 Gunnery Road S  
**STRAP No.:** 33-44-26-07-00017.0510  
**Purchase Price:** \$500.00  
**Estimated Closing Costs:** \$150.00

### Parcel 134

**Owner:** Adele Segal, Trustee  
**Property Address:** 1142 Gunnery Road S  
**STRAP No.:** 33-44-26-07-00017.0460 AND .0470  
**Purchase Price:** \$500.00  
**Estimated Closing Costs:** \$150.00

### Parcel 151

**Owner:** Peter Koazk  
**Property Address:** 738 Gunnery Road S  
**STRAP No.:** 33-44-26-07-00017.0200  
**Purchase Price:** \$500.00  
**Estimated Closing Costs:** \$150.00

### Parcel 155

**Owner:** Ryan Dupraw and Jeff Howard  
**Property Address:** 730 Gunnery Road S  
**STRAP No.:** 33-44-26-07-00017.0160  
**Purchase Price:** \$500.00  
**Estimated Closing Costs:** \$150.00

### Parcel 164

**Owner:** Glenroy Henry & Donovan Parkes, M.D.  
**Property Address:** 348 Gunnery Road S  
**STRAP No.:** 33-44-26-07-00007.0450 & .0460  
**Purchase Price:** \$500.00  
**Estimated Closing Costs:** \$150.00

### Parcel 176

**Owner:** Lynn and Oscar Tannasee  
**Property Address:** 136 Gunnery Road S  
**STRAP No.:** 33-44-26-07-00007.0180 & .0190  
**Purchase Price:** \$500.00  
**Estimated Closing Costs:** \$150.00

Parcel: 105  
Project: Gunnery Road 4 Lane (SR 82 – Lee Blvd.), Project No. 4055  
STRAP No.: 04-45-26-05-00023.0060

**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 **MILDRED V. BLOUGH**,, surviving spouse of Merle D. Blough, deceased, whose address is 3117 Galemont Drive, Kingsport, TN 37660, hereinafter referred to as Owner, and **LEE COUNTY**, a political subdivision of the State of Florida, for the use and benefit of said County, hereinafter referred to as Purchaser.

Whereas, Purchaser requires a perpetual, nonexclusive Slope/Restoration Easement, located and described as set forth in Exhibit "C" attached to Exhibit "A". All Exhibits are attached hereto and made a part hereof by reference, in conjunction with the Gunnery Road Widening Project #4055.

- a) Owner will grant said easement to Purchaser for the sum of \$500.00; Purchaser to pay recording costs, documentary stamps and title insurance.
- b) Owner agrees that said easement will be granted to Purchaser by execution of the Non-exclusive Slope/Restoration Easement in form and substance set forth in Exhibit "A".
- c) Purchaser will pay Owner the amount agreed upon in item (a) of this agreement by County Warrant within 60 days of the execution and acceptance of this Easement Purchase Agreement and the Perpetual Slope/Restoration Easement instrument by Purchaser.
- d) Owner agrees that Purchaser, his successors and assigns will be allowed to use said easement areas, called "the Property", as described in Exhibit "C".
- e) Purchaser agrees to complete construction within the easement area in a timely manner.
- f) The land in Exhibit "C" is not and has never been the homestead of the Owner, nor is it contiguous to the homestead of the Owner.
- g) Owner will provide either a release, satisfaction of mortgage or subordination agreement for all mortgages that encumber the property. Purchaser will pay reasonable associated costs; if any.

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

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

**Owner: MILDRED V. BLOUGH**

\_\_\_\_\_  
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: 105

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

STRAP No.: 04-45-26-05-00023.0060

**SLOPE/RESTORATION EASEMENT**

This INDENTURE, made and entered into this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_, between **MILDRED V. BLOUGH**, surviving spouse of Merle D. Blough, deceased, whose address is 3117 Galemont Drive, Kingsport, TN 37660, (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:** Gunner 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

\_\_\_\_\_  
**MILDRED V. BLOUGH** GRANTOR

\_\_\_\_\_  
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 **Mildred V. Blough**. She is personally known to me or who has produced \_\_\_\_\_ as identification.

(type of identification)

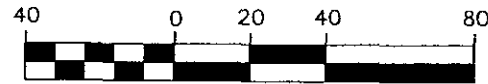
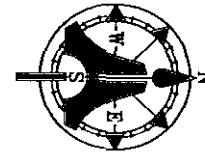
\_\_\_\_\_  
(Signature of Notary Public)

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

# LEGEND

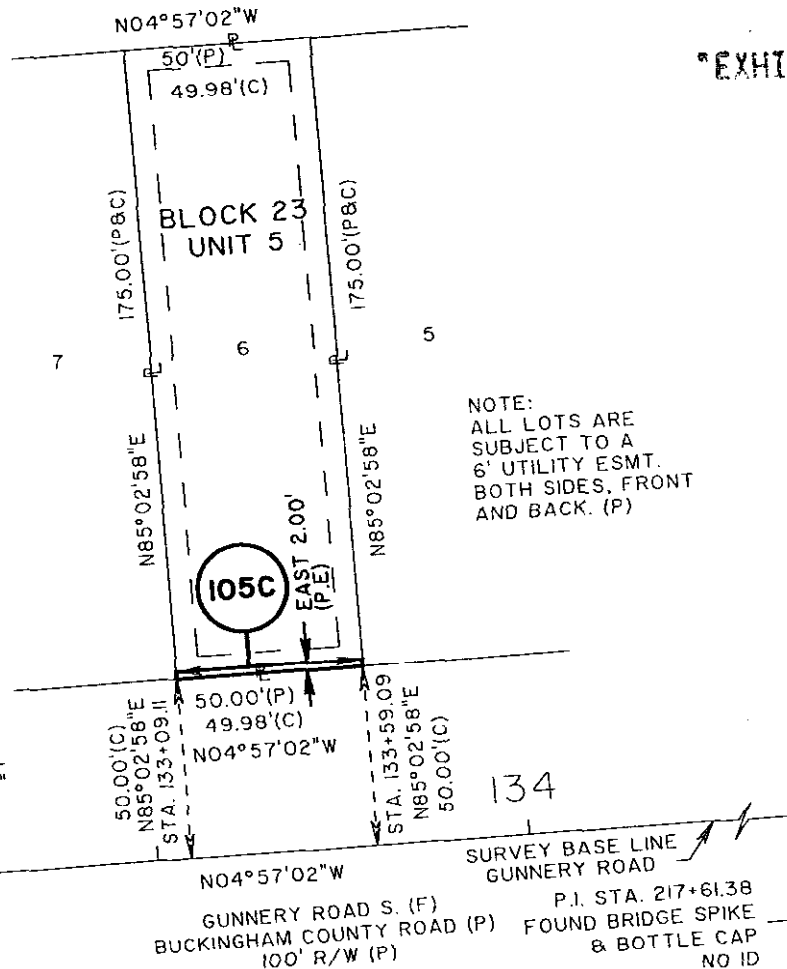
(C) = CALCULATED  
 (F) = FIELD  
 (P) = PLAT  
 C.B. = CHORD BEARING  
 CH = CHORD  
 ESMT. = EASEMENT  
 L = LENGTH  
 M.O.L. = MORE OR LESS  
 P.B. = PLAT BOOK  
 PG. = PAGE  
 R = RADIUS  
 RT. = RIGHT  
 R/W = RIGHT OF WAY  
 S.F. = SQUARE FEET  
 STA. = STATION  
 T.C.E. = TEMPORARY CONSTRUCTION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

PARCEL NO. 105C (PERPETUAL EASEMENT)  
 PROPERTY OWNER: MILDRED V. BLOUGH  
 STRAP NO. 04-45-26-05-00023.0060  
 AREA OF PARENT TRACT: 8,747 S.F., M.O.L.  
 AREA OF TAKE: 100 S.F., M.O.L.



SCALE IN FEET

GRETCHEN AVENUE (F)  
 GERALD AVENUE (P)  
 80' R/W (P)



\*EXHIBIT C

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

## PARCEL 105C (PERPETUAL EASEMENT)

A 2.00 FOOT WIDE PERPETUAL EASEMENT BEING THE EAST 2.00 FEET OF LOT 6, BLOCK 23, 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.

SAID LANDS CONTAIN 100 SQUARE FEET, MORE OR LESS.

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

9/23/04 REVISED 107C TO 105C AT TOP OF PAGE  
 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

## NOTE:

BEARINGS SHOWN HEREON ARE BASED UPON THE SURVEY BASE LINE OF GUNTERY 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.

PREPARED BY:  
 AIM ENGINEERING & SURVEYING, INC.

*James M. Condon* 9/23/04  
 JAMES M. CONDON, P.S.M.  
 PROFESSIONAL SURVEYOR AND MAPPER  
 FLORIDA CERTIFICATE NO. 6074

THIS IS NOT A SURVEY

SHEET 1 OF 1

PROJECT NUMBER: 99-7504	DESCRIPTION: LEGAL AND SKETCH PARCEL 105C GUNTERY ROAD FROM S.R. 82 TO LEE BOULEVARD
DRAWN BY: LWC	CLIENT: LEE COUNTY
DATE: 7/14/04	SEC-TWP-RGE 4-45S-26E
FILE: 7504-105C	COUNTY: LEE COUNTY

## Division of County Lands

## Ownership and Easement Search

Search No. 04-45-26-05-00023.0060

Date: January 11, 2005

Parcel: 105

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: 04-45-26-05-00023.0060

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

**Subject Property:** Lot 6, Block 23, Unit 5, Lehigh Estates, 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, Lee County, Florida.

Title to the subject property is vested in the following:

**Mildred V. Blough, surviving spouse of Merle D. Blough, deceased.**

By that certain instrument dated January 12, 1984, recorded February 16, 1984, in Official Record Book 1712, Page 526, Public Records of Lee County, Florida.

### Easements:

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

## Division of County Lands

## Ownership and Easement Search

Search No. 04-45-26-05-00023.0060

Date: January 11, 2005

Parcel: 105

Project: Gunnery Road Widening, Project 4055

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

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

NOTE (3): Death Certificate for Merle David Blough recorded in Official Record Book 3178, Page 2003, 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:** 105  
**Owner Name/Address:** Blough, Mildred V, 2311 Gretchen Avenue S  
**Lee County STRAP Number:** 04-45-26-05-00023.0060  
**Legal Description:** Lot 6, Block 23, Unit 5, Lehigh Estates PB 15, PG 85  
**History of Ownership:** No recent sale in previous five years  
**Interest Appraised:**      **Fee Simple** ( )      **Partial** (X)  
**Assessed Value:** \$17,060  
**Effective Date of Appraisal:** December 9, 2004  
**Date of Report:** December 13, 2004

### Site Data

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

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

**Description of improvements within take area:** N/A

## 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 105

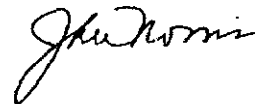
Market Value of Fee Simple Interest in Parent Parcel	x	8,750 sf \$5.75 per sf \$50,313	\$50,313
<b>less: Market Value of Remainder - Fee Unencumbered</b>			
* 8,750 sf - 100 sf proposed easement area		8650 sf *	
unencumbered fee value per square foot	x	\$5.75 per sf	
unencumbered fee value for remainder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

04-78-105sum

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

**TOTAL COMPENSATION DUE THE PROPERTY OWNER ..... (\$115.00)**

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



Parcel: 106  
Project: Gunnery Road 4 Lane (SR 82 – Lee Blvd.), Project No. 4055  
STRAP No.: 04-45-26-05-00023.0050

**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 **JOANNE HING MOY, a single person**, whose address is 2643 W. Winnemac Ave., Chicago, IL 60625, hereinafter referred to as Owner, and **LEE COUNTY**, a political subdivision of the State of Florida, for the use and benefit of said County, hereinafter referred to as Purchaser.

Whereas, Purchaser requires a perpetual, nonexclusive Slope/Restoration Easement, located and described as set forth in Exhibit "C" attached to Exhibit "A". All Exhibits are attached hereto and made a part hereof by reference, in conjunction with the Gunnery Road Widening Project #4055.

- a) Owner will grant said easement to Purchaser for the sum of \$500.00; Purchaser to pay recording costs, documentary stamps and title insurance.
- b) Owner agrees that said easement will be granted to Purchaser by execution of the Non-exclusive Slope/Restoration Easement in form and substance set forth in Exhibit "A".
- c) Purchaser will pay Owner the amount agreed upon in item (a) of this agreement by County Warrant within 60 days of the execution and acceptance of this Easement Purchase Agreement and the Perpetual Slope/Restoration Easement instrument by Purchaser.
- d) Owner agrees that Purchaser, his successors and assigns will be allowed to use said easement areas, called "the Property", as described in Exhibit "A".
- e) Purchaser agrees to complete construction within the easement area in a timely manner.
- f) The land in Exhibit "C" is not and has never been the homestead of the Owner, nor is it contiguous to the homestead of the Owner.
- g) Owner will provide either a release, satisfaction of mortgage or subordination agreement for all mortgages that encumber the property. Purchaser will pay reasonable associated costs; if any.

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

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

**Owner: JOANNE HING MOY**

\_\_\_\_\_  
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: 106  
Project: Gunnery Road 4 Lane (SR 82 – Lee Blvd.), Project No. 4055  
STRAP No.: 04-45-26-05-00023.0050

**SLOPE/RESTORATION EASEMENT**

This INDENTURE, made and entered into this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_, between **JOANNE HING MOY**, whose address is 2643 W. Winnemac Ave., Chicago, IL 60625, (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

\_\_\_\_\_  
**JOANNE HING MOY**

\_\_\_\_\_  
GRANTOR

\_\_\_\_\_  
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 **Joanne Hing Moy**. She is personally known to me or who has produced \_\_\_\_\_ as identification.

(type of identification)

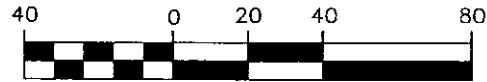
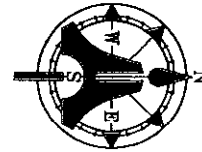
\_\_\_\_\_  
(Signature of Notary Public)

\_\_\_\_\_  
(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  
 P.O.T. = POINT OF  
 TANGENT  
 P.I. = POINT OF  
 INTERSECTION

PARCEL NO. 106C (PERPETUAL EASEMENT)  
 PROPERTY OWNER: JOANNE HING MOY  
 STRAP NO. 04-45-26-05-00023.0050  
 AREA OF PARENT TRACT: 8,747 S.F., M.O.L.  
 AREA OF TAKE: 150 S.F., M.O.L.



SCALE IN FEET

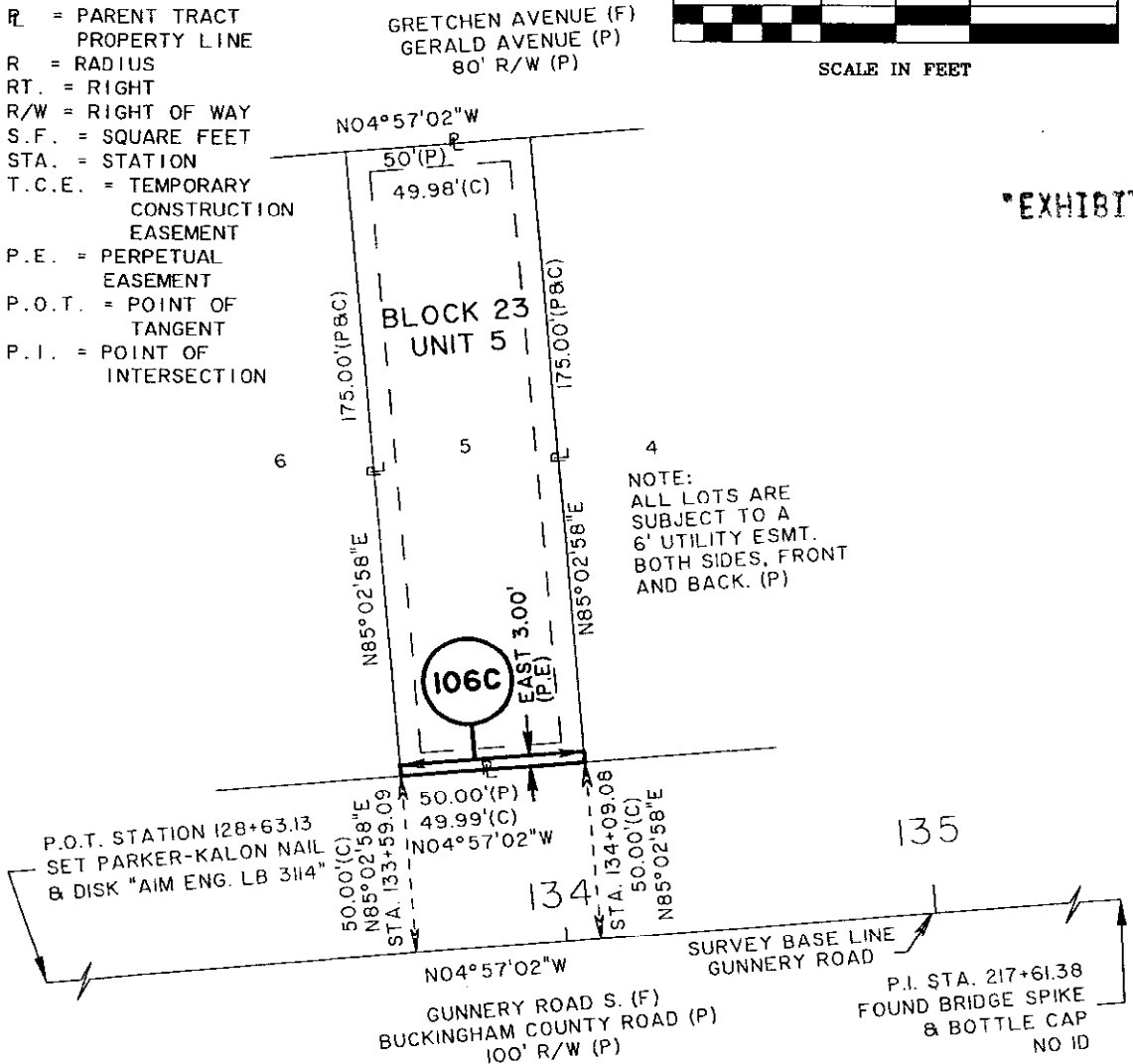


EXHIBIT C

## PARCEL 106C (PERPETUAL EASEMENT)

A 3.00 FOOT WIDE PERPETUAL EASEMENT BEING THE EAST 3.00 FEET OF LOT 5, BLOCK 23, 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.

SAID LANDS CONTAIN 150 SQUARE FEET, MORE OR LESS.

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

## NOTE:

BEARINGS SHOWN HEREON ARE BASED UPON THE SURVEY BASE LINE OF GUNTERY 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 10.

PREPARED BY:  
 AIM ENGINEERING & SURVEYING, INC.

*James M. Condon* 7/16/04  
 JAMES M. CONDON, P.S.M. DATE  
 PROFESSIONAL SURVEYOR AND MAPPER  
 FLORIDA CERTIFICATE NO. 6074

AIM Engineering & Surveying, Inc.



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

Licensed Business Number 3114

THIS IS NOT A SURVEY

SHEET 1 OF 1

PROJECT NUMBER: 99-7504	DESCRIPTION: LEGAL AND SKETCH PARCEL 106C GUNTERY ROAD FROM S.R. 82 TO LEE BOULEVARD
DRAWN BY: LWC	CLIENT: LEE COUNTY
DATE: 7/14/04	SEC-TWP-RGE 4-45S-26E
FILE: 7504-106C	COUNTY: LEE COUNTY

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

Search No. 04-45-26-05-00023.0050

Date: January 12, 2005

Parcel: 106

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: 04-45-26-05-00023.0050

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

**Subject Property:** Lot 5, Block 23, Unit 5, Lehigh Estates according to the plat thereof on file in the Office of the Clerk of the Circuit Court recorded in Plat Book 15, Page 85, Public Records, Lee County, Florida.

Title to the subject property is vested in the following:

**Joanne Hing Moy**

By that certain instrument dated January 25, 1984, recorded March 7, 1984, in Official Record Book 1715, Page 1872, Public Records of Lee County, Florida.

**Easements:**

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

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

## Division of County Lands

### Updated Ownership and Easement Search

Search No. 04-45-26-05-00023.0050

Date: January 12, 2005

Parcel: 106

Project: Gunnery Road Widening, Project 4055

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

NOTE (3): Death Certificate for Mee Loon Moy recorded in Official Record Book 2606, Page 2753, 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:** 106  
**Owner Name/Address:** Moy, Joanne Hing, 2309 Gretchen Avenue S  
**Lee County STRAP Number:** 04-45-26-05-00023.0050  
**Legal Description:** Lot 5, Block 23, Unit 5, Lehigh Estates PB 15, PG 85  
**History of Ownership:** No recent sale in previous five years  
**Interest Appraised:**            **Fee Simple ( )**            **Partial (X)**  
**Assessed Value:** \$17,060  
**Effective Date of Appraisal:** December 9, 2004  
**Date of Report:** December 13, 2004

### Site Data

**Parent Parcel - Overall Size:** 8,750 square feet  
**Frontage - Depth:** 50' X 175'  
**Acquisition Type:**    **Fee Take ( ) - A**  
                                 **Utility Easement ( ) - B**  
                                 **Perpetual Easement (X) - C** 150 square feet  
                                 **Sidewalk ( )**  
                                 **Drainage ( )**  
                                 **Fill/Slope (X)**  
**Parcel Remainder Size:** 8,600 square feet  
**Existing Easements:** **Utility (X)**    **Drainage ( )** **Road ( )**  
**Corner Parcel ( )**            **Interior Parcel (X)**  
**Topography - Level (X)**    **Irregular ( )**  
**Soil Conditions - Typical (X)**    **Require Correction ( )**  
**Flood Zone:** B            **Panel #:** 125124 0375 B  
**Utilities Available:**    **Electricity (X)**  
                                 **Telephone (X)**  
                                 **Water ( )**  
                                 **Sewer ( )**  
**Zoning/Land Use:** C2/Central Urban  
**Adverse Conditions:** None  
**Supporting Services:** Lee County Sheriff and Fire  
**Miscellaneous:** None  
**Marketing Time:** Less than 1 year  
**Highest and Best Use:** Commercial    **Requires Zoning Change ( )**  
Used in connection with adjoining property

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

**Description of improvements within take area:** N/A

## 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 106

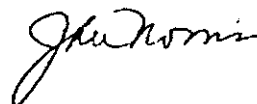
Market Value of Fee Simple Interest in Parent Parcel	x	8,750 sf \$5.75 per sf \$50,313	\$50,313
<b>less: Market Value of Remainder - Fee Unencumbered</b>			
* 8,750 sf - 150 sf proposed easement area unencumbered fee value per square foot unencumbered fee value of remainder area	x	8600 sf * \$5.75 per sf \$49,450	
<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	x	150 sf \$4.60 per sf* \$690.00	
<b>Total Market Value of Remainder (rounded)</b>			\$50,140
<b>Market Value of Part Taken</b>			\$172.50
<b>rounded to .....</b>			<u>\$175.00</u>

04-78-106sum

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

**TOTAL COMPENSATION DUE THE PROPERTY OWNER ..... (\$175.00)**

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



Parcel: 112  
Project: Gunnery Road 4 Lane (SR 82 – Lee Blvd.), Project No. 4055  
STRAP No.: 04-45-26-05-00010.0380

**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 **PAUL AND PATRICIA LAMBERTUCCI, husband and wife**, whose address is 18 Clayton Ave., 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 Gunnery Road Widening Project #4055.

- a) Owner will grant said easement to Purchaser for the sum of \$500.00; Purchaser to pay recording costs, documentary stamps and title insurance.
- b) Owner agrees that said easement will be granted to Purchaser by execution of the Non-exclusive Slope/Restoration Easement in form and substance set forth in Exhibit "A".
- c) Purchaser will pay Owner the amount agreed upon in item (a) of this agreement by County Warrant within 60 days of the execution and acceptance of this Easement Purchase Agreement and the Perpetual Slope/Restoration Easement instrument by Purchaser.
- d) Owner agrees that Purchaser, his successors and assigns will be allowed to use said easement areas, called "the Property", as described in Exhibit "C".
- e) Purchaser agrees to complete construction within the easement area in a timely manner.
- f) The land in Exhibit "C" is not and has never been the homestead of the Owner, nor is it contiguous to the homestead of the Owner.
- g) Owner will provide either a release, satisfaction of mortgage or subordination agreement for all mortgages that encumber the property. Purchaser will pay reasonable associated costs; if any.

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

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

**Owner: PAUL LAMBERTUCCI**

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

By: \_\_\_\_\_

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

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

**Owner: PATRICIA LAMBERTUCCI**

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

By: \_\_\_\_\_

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

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

Page 2 of 2

**ATTEST:**

CHARLIE GREEN, CLERK

By: \_\_\_\_\_  
Deputy Clerk

LEE COUNTY, FLORIDA, BY ITS  
BOARD OF COUNTY COMMISSIONERS

By: \_\_\_\_\_  
Chairman or Vice-Chairman

APPROVED AS TO LEGAL FORM

\_\_\_\_\_  
Office of County Attorney

**This instrument prepared by:**

Lee County  
Division of County Lands  
Post Office Box 398  
Fort Myers, Florida 33902-0398

**EXHIBIT "A"**

Parcel: 112

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

STRAP No.: 04-45-26-05-00010.0380

**SLOPE/RESTORATION EASEMENT**

This INDENTURE, made and entered into this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_, between **PAUL AND PATRICIA LAMBERTUCCI, husband and wife**, whose address is 18 Clayton Ave., 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, 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 3**

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

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

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

**TWO SEPARATE WITNESSES:**

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

\_\_\_\_\_  
**PAUL LAMBERTUCCI** GRANTOR

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

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

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

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

\_\_\_\_\_  
**PATRICIA LAMBERTUCCI** GRANTOR

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

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

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

**Slope/Restoration Easement**

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

**Page 3 of 3**

**STATE OF**

**COUNTY OF**

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_,  
20\_\_\_\_, by **PAUL LAMBERTUCCI**. 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)

**STATE OF**

**COUNTY OF**

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_,  
20\_\_\_\_, by **PATRICIA LAMBERTUCCI**. She is personally known to me or who has  
produced \_\_\_\_\_ as identification.

(type of identification)

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

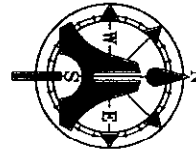
\_\_\_\_\_  
(Name typed, printed or stamped)  
(Title or Rank)  
(Serial Number, if any)

# LEGEND

(C) = CALCULATED  
(F) = FIELD  
(P) = PLAT  
C.B. = CHORD BEARING  
CH = CHORD  
ESMT. = EASEMENT  
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R<sub>L</sub> = PARENT TRACT  
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STA. = STATION  
T.C.E. = TEMPORARY  
CONSTRUCTION  
EASEMENT  
P.E. = PERPETUAL  
EASEMENT

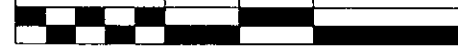
ALL LOTS ARE  
SUBJECT TO A  
6' UTILITY ESMT.  
BOTH SIDES, FRONT  
AND BACK. (P)

PARCEL NO. 112C (PERPETUAL EASEMENT)  
PROPERTY OWNER: PAUL LAMBERTUCCI AND PATRICIA LAMBERTUCCI  
STRAP NO. 04-45-26-05-00010.0380  
AREA OF PARENT TRACT: 17,495 S.F., M.O.L.  
AREA OF TAKE: 100 S.F., M.O.L.

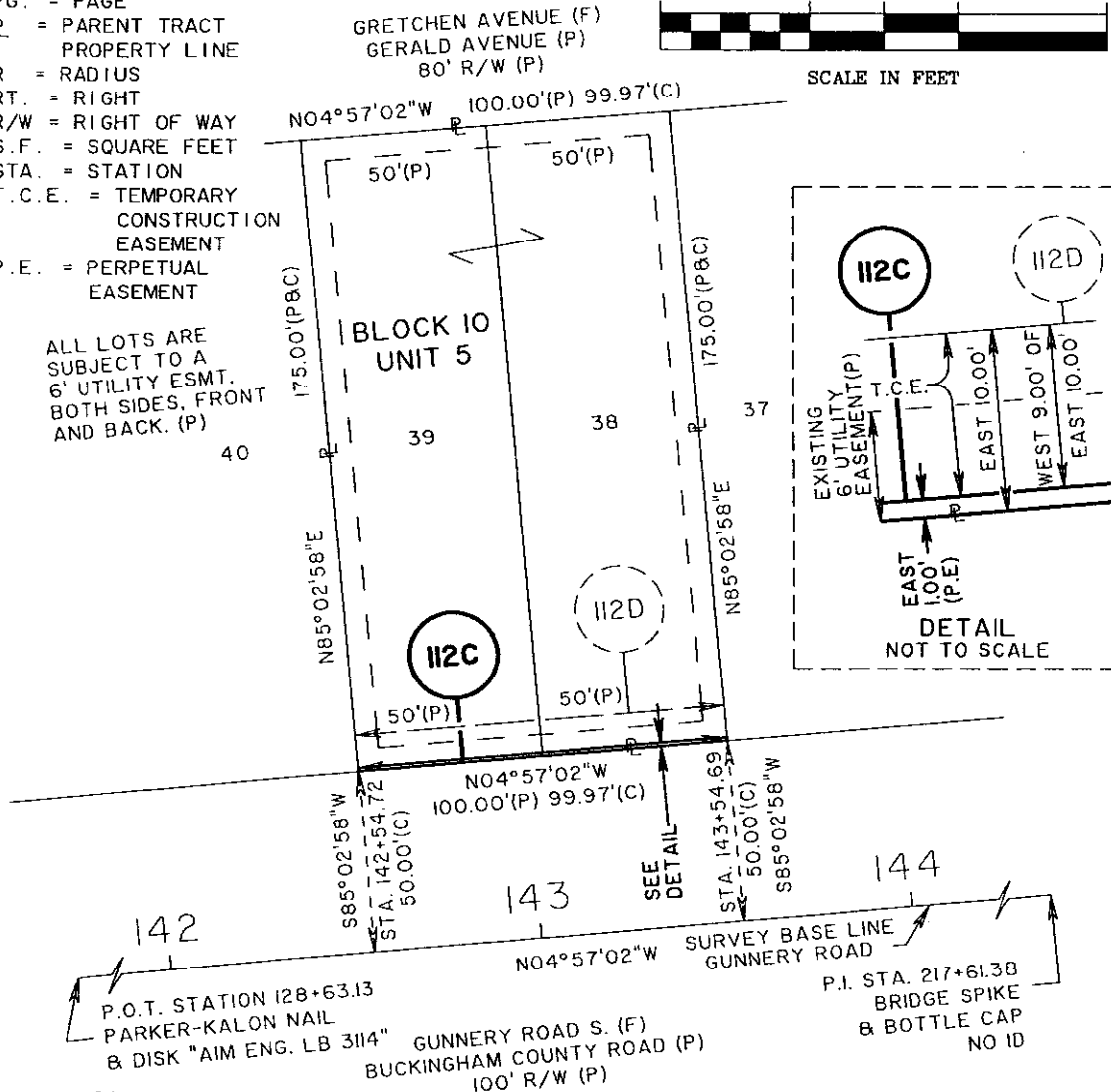


"EXHIBIT C"

40 0 20 40 80



SCALE IN FEET



PARCEL 112C  
(PERPETUAL EASEMENT)

A 100 FOOT WIDE PERPETUAL EASEMENT BEING THE EAST 100 FOOT OF LOTS 38 AND 39, 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 10.

SAID LANDS CONTAIN 100 SQUARE FEET, MORE OR LESS.

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

PREPARED BY:  
AIM ENGINEERING & SURVEYING, INC.

BOB L. POTTER, P.S.M.  
PROFESSIONAL SURVEYOR AND MAPPER  
FLORIDA CERTIFICATE NO. 5688  
DATE 6/3/04

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: 99-7504	DESCRIPTION: LEGAL AND SKETCH PARCEL 112C GUNNERY ROAD FROM S.R. 82 TO LEE BOULEVARD
DRAWN BY: LWC	CLIENT: LEE COUNTY
DATE: 6/3/04	SEC-TWP-RGE 4-45S-26E
FILE: 7504-112C	COUNTY: LEE COUNTY



## Division of County Lands

## Updated Ownership and Easement Search

Search No. 04-45-26-05-00010.0380

Date: January 13, 2005

Parcel: 112

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: 04-45-26-05-00010.0380

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

**Subject Property:** Lots 38 and 39, Block 10, Unit 5, Lehigh Estates, 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:

***Paul Lambertucci and Patricia Lambertucci, husband and wife.***

By that certain instrument dated March 3, 1998, recorded March 11, 1998 in Official Record Book 2930, Page 3788 and that certain instrument dated February 28, 2002, recorded March 25, 2002 in Official Record Book 3607, Page 2832, in Public Records of Lee County, Florida.

### Easements:

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

## Division of County Lands

### Updated Ownership and Easement Search

Search No. 04-45-26-05-00010.0380

Date: January 13, 2005

Parcel: 112

Project: Gunnery Road Widening, Project 4055

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

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

**Tax Status: 2004 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:** 112  
**Owner Name/Address:** Lambertucci, Paul & Patricia, 1573 Gretchen Avenue S  
**Lee County STRAP Number:** 04-45-26-05-00010.0380  
**Legal Description:** Lots 38 & 39, Block 10, Unit 5, Lehigh Estates, PB 15, PG 85  
**History of Ownership:** February 2002 \$7,500  
**Interest Appraised:** Fee Simple ( ) Partial (X)  
**Assessed Value:** \$34,130  
**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:** 100' X 175'  
**Acquisition Type:** Fee Take ( ) - A  
Utility Easement ( ) - B  
Perpetual Easement (X) - C 100 square feet  
Sidewalk ( )  
Drainage ( )  
Fill/Slope (X)  
**Parcel Remainder Size:** 17,400 sf unencumbered, 100 sf encumbered  
**Existing Easements:** Utility (X) Drainage ( ) Road ( )  
**Corner Parcel ( )** Interior Parcel (X)  
**Topography - Level (X)** Irregular ( )  
**Soil Conditions - Typical (X)** Require Correction ( )  
**Flood Zone:** B **Panel #:** 125124 0375 B  
**Utilities Available:** Electricity (X)  
Telephone (X)  
Water ( )  
Sewer ( )  
**Zoning/Land Use:** C2/Central Urban  
**Adverse Conditions:** None  
**Supporting Services:** Lee County Sheriff and Fire  
**Miscellaneous:** None  
**Marketing Time:** Less than 1 year  
**Highest and Best Use:** Commercial Requires Zoning Change ( )

**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 112

Market Value of Fee Simple Interest in Parent Parcel	17,500 sf	
	x \$5.75 per sf	
	\$100,625	\$100,625

**less: Market Value of Remainder - Fee Unencumbered**

* 17500 sf - 100 sf proposed easement area	17400 sf *	
unencumbered fee value per square foot	x \$5.75 per sf	
unencumbered fee value of remainder area	\$100,050	

**less: \*per county data Slope Easement-C Remainder**

\$5.75 per sf times .80 ( 1-.20 percentage of impact)	100 sf	
remainder value for land within proposed easement	x \$4.60 per sf*	
	\$460.00	

**Total Market Value of Remainder (rounded)**

\$100,510

**Market Value of Part Taken**

\$ 115.00

rounded to .....

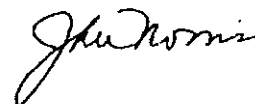
\$115.00

04-78-112sum

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

**TOTAL COMPENSATION DUE THE PROPERTY OWNER ..... (\$115.00)**

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



Parcel: 130  
Project: Gunnery Road 4 Lane (SR 82 – Lee Blvd.), Project No. 4055  
STRAP No.: 33-44-26-07-00017.0510

**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 **KRISTEN A. SALERNO, Trustee of the Lehigh Acres Land Trust dated June 15, 2003**, whose address is 17823 Green Willow Drive, Tampa, FL 33647, hereinafter referred to as Owner, and **LEE COUNTY**, a political subdivision of the State of Florida, for the use and benefit of said County, hereinafter referred to as Purchaser.

Whereas, Purchaser requires a perpetual, nonexclusive Slope/Restoration Easement, located and described as set forth in Exhibit "C" attached to Exhibit "A". All Exhibits are attached hereto and made a part hereof by reference, in conjunction with the Gunnery Road Widening Project #4055.

- a) Owner will grant said easement to Purchaser for the sum of \$500.00; Purchaser to pay recording costs, documentary stamps and title insurance.
- b) Owner agrees that said easement will be granted to Purchaser by execution of the Non-exclusive Slope/Restoration Easement in form and substance set forth in Exhibit "A".
- c) Purchaser will pay Owner the amount agreed upon in item (a) of this agreement by County Warrant within 60 days of the execution and acceptance of this Easement Purchase Agreement and the Perpetual Slope/Restoration Easement instrument by Purchaser.
- d) Owner agrees that Purchaser, his successors and assigns will be allowed to use said easement areas, called "the Property", as described in Exhibit "C".
- e) Purchaser agrees to complete construction within the easement area in a timely manner.
- f) The land in Exhibit "C" is not and has never been the homestead of the Owner, nor is it contiguous to the homestead of the Owner.
- g) Owner will provide either a release, satisfaction of mortgage or subordination agreement for all mortgages that encumber the property. Purchaser will pay reasonable associated costs; if any.

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

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

**KRISTEN A. SALERNO, Trustee of the Lehigh  
Acres Land Trust dated June 15, 2003**

\_\_\_\_\_  
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: 130  
Project: Gunnery Road 4 Lane (SR 82 – Lee Blvd.), Project No. 4055  
STRAP No.: 33-44-26-07-00017.0510

**SLOPE/RESTORATION EASEMENT**

This INDENTURE, made and entered into this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_, between **KRISTEN A. SALERNO, Trustee of the Lehigh Acres Land Trust dated June 15, 2003**, whose address is 17823 Green Willow Drive, Tampa, FL 33647, (Grantor), and LEE COUNTY, a political subdivision of the State of Florida, whose address is Post Office Box 398, Fort Myers, Florida 33902-0398, (Grantee):

**WITNESSETH:**

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

**Slope/Restoration Easement**

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

**Page 2 of 2**

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

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

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

TWO SEPARATE WITNESSES:

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

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

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

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

\_\_\_\_\_  
**KRISTEN A. SALERNO, GRANTOR**  
**Trustee of the Lehigh Acres Land**  
**Trust dated June 15, 2003**

**STATE OF**

**COUNTY OF**

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by **KRISTEN A. SALERNO, Trustee as the Lehigh Acres Land Trust dated June 15, 2003.** 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)





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

Search No. 33-44-26-07-00017.0510

Date: January 14, 2005

Parcel: 130

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: 33-44-26-07-00017.0510

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

**Subject Property:** Lot 51, Block 17, 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:

***Kristen A. Salerno, as Trustee of The Lehigh Acres Land Trust dated June 15, 2003***

By that certain instrument dated February 5, 2004, recorded April 7, 2004, in Official Record Book 4250, Page 2045, Public Records of Lee County, Florida.

**Easements:**

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

**Division of County Lands**

**Updated Ownership and Easement Search**

Search No. 33-44-26-07-00017.0510

Date: January 14, 2005

Parcel: 130

Project: Gunnery Road Widening, Project 4055

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

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

**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:** 130

**Owner Name/Address:** Salerno, Kristena Trustee, 1150 Gunnery Road S

**Lee County STRAP Number:** 33-44-26-07-00017.0510

**Legal Description:** Lot 51, Block 17, Unit 7, Lehigh Estates, PB 15, PG 87

**History of Ownership:** February 2004, \$18,500

**Interest Appraised:** Fee Simple ( ) Partial (X)

**Assessed Value:** \$17,060

**Effective Date of Appraisal:** December 9, 2004

**Date of Report:** December 13, 2004

### Site Data

**Parent Parcel - Overall Size:** 8,750 square feet

**Frontage - Depth:** 58.5' X 175.42' X 44.06' X 175'

**Acquisition Type:** Fee Take ( ) - A

Utility Easement ( ) - B

Perpetual Easement (X) - C 118 square feet

Sidewalk ( )

Drainage ( )

Fill/Slope (X)

**Parcel Remainder Size:** 8,632 sf unencumbered, 118 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:** C2/Central Urban

**Adverse Conditions:** None

**Supporting Services:** Lee County Sheriff and Fire

**Miscellaneous:** None

**Marketing Time:** Less than 1 year

**Highest and Best Use:** Commercial **Requires Zoning Change ( )**

Used in connection with adjoining property

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

**Description of improvements within take area:** None

## Valuation

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

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

**Value of Improvements:** N/A

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

### SUMMARY OF ANALYSIS

Gunnery Road Project  
Parcel 130

**Market Value of Fee Simple Interest in  
Parent Parcel**

8,750 sf  
x \$5.75 per sf  
\$50,313 \$50,313

**less: Market Value of Remainder - Fee Unencumbered**

\*8750 sf -118 sf proposed easement area  
unencumbered fee value per square foot  
unencumbered fee value of remainder area

8632 sf \*  
x \$5.75 per sf  
\$49,634

**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

118 sf  
x \$4.60 per sf\*  
\$542.80

**Total Market Value of Remainder (rounded)**

\$50,177

**Market Value of Part Taken**

\$135.70

**rounded to .....**

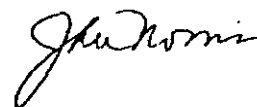
\$140.00

04-78-130sum

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 ..... (\$140.00)**

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



Parcel: 134  
Project: Gunnery Road 4 Lane (SR 82 – Lee Blvd.), Project No. 4055  
STRAP No.: 33-44-26-07-00017.0460 AND .0470

**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 **ADELE SEGAL, Trustee U/A/D May 15, 1997**, whose address is 2006 Granada Drive, Apt K2, Coconut Creek, FL 33066, hereinafter referred to as Owner, and **LEE COUNTY**, a political subdivision of the State of Florida, for the use and benefit of said County, hereinafter referred to as Purchaser.

Whereas, Purchaser requires a perpetual, nonexclusive Slope/Restoration Easement, located and described as set forth in Exhibit "C" attached to Exhibit "A". All Exhibits are attached hereto and made a part hereof by reference, in conjunction with the Gunnery Road Widening Project #4055.

- a) Owner will grant said easement to Purchaser for the sum of \$500.00; Purchaser to pay recording costs, documentary stamps and title insurance.
- b) Owner agrees that said easement will be granted to Purchaser by execution of the Non-exclusive Slope/Restoration Easement in form and substance set forth in Exhibit "A".
- c) Purchaser will pay Owner the amount agreed upon in item (a) of this agreement by County Warrant within 60 days of the execution and acceptance of this Easement Purchase Agreement and the Perpetual Slope/Restoration Easement instrument by Purchaser.
- d) Owner agrees that Purchaser, his successors and assigns will be allowed to use said easement areas, called "the Property", as described in Exhibit "C".
- e) Purchaser agrees to complete construction within the easement area in a timely manner.
- f) The land in Exhibit "C" is not and has never been the homestead of the Owner, nor is it contiguous to the homestead of the Owner.
- g) Owner will provide either a release, satisfaction of mortgage or subordination agreement for all mortgages that encumber the property. Purchaser will pay reasonable associated costs; if any.

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

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

**ADELE SEGAL, Trustee U/A/D May 15, 1997**

\_\_\_\_\_  
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: 134  
Project: Gunnery Road 4 Lane (SR 82 – Lee Blvd.), Project No. 4055  
STRAP No.: 33-44-26-07-00017.0460 AND .0470

**SLOPE/RESTORATION EASEMENT**

This INDENTURE, made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, between **ADELE SEGAL, Trustee U/A/D May 15, 1997**, whose address is 2006 Granada Drive, Apt K2, Coconut Creek, FL 33066, (Grantor), and LEE COUNTY, a political subdivision of the State of Florida, whose address is Post Office Box 398, Fort Myers, Florida 33902-0398, (Grantee):

**WITNESSETH:**

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

**Slope/Restoration Easement**

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

**Page 2 of 2**

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

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

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

**TWO SEPARATE WITNESSES:**

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

\_\_\_\_\_  
**ADELE SEGAL, Trustee** GRANTOR  
**U/A/D May 15, 1997**

\_\_\_\_\_  
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 **ADELE SEGAL, Trustee U/A/D May 15, 1997**. She is personally known to me or who has produced \_\_\_\_\_ as identification.  
(type of identification)

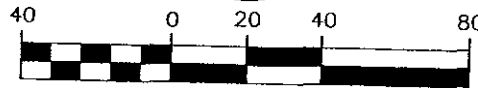
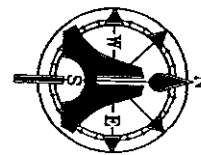
\_\_\_\_\_  
(Signature of Notary Public)

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

# LEGEND

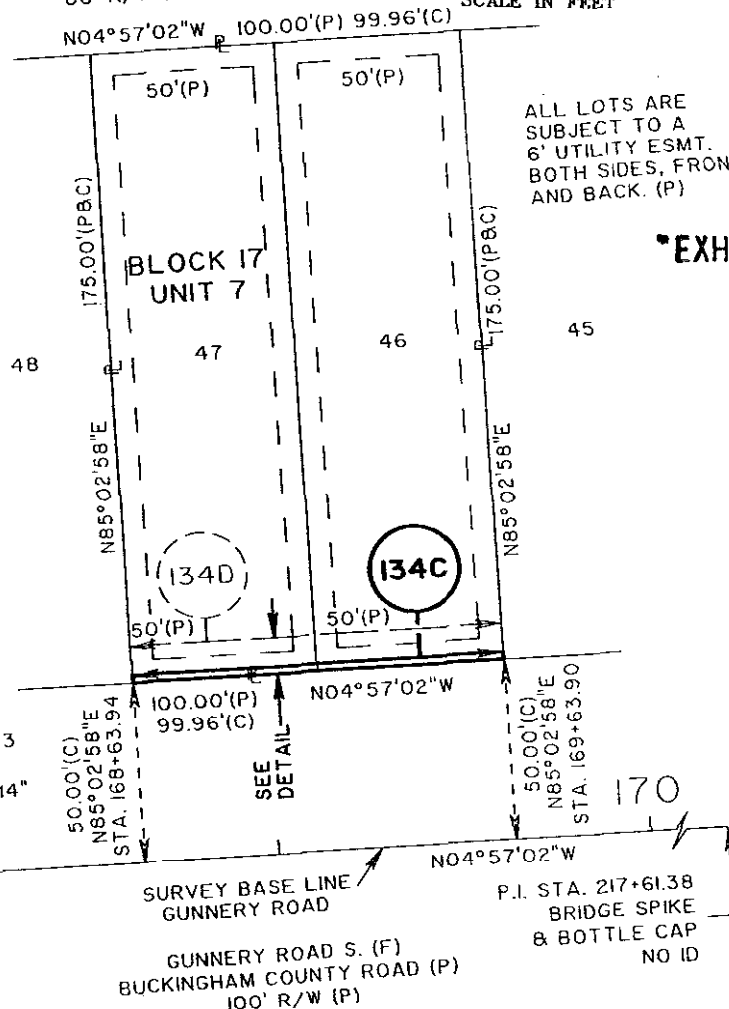
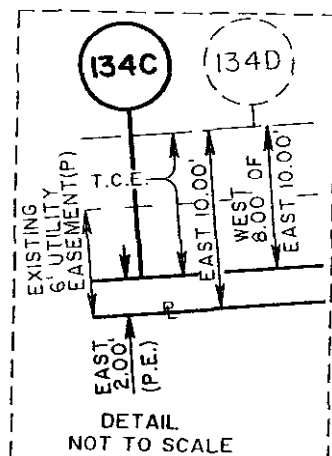
(C) = CALCULATED  
 (F) = FIELD  
 (P) = PLAT  
 C.B. = CHORD BEARING  
 CH = CHORD  
 ESMT. = EASEMENT  
 L = LENGTH  
 M.O.L. = MORE OR LESS  
 P.B. = PLAT BOOK  
 PG. = PAGE  
 P.L. = PARENT TRACT  
 PROPERTY LINE  
 R = RADIUS  
 RT. = RIGHT  
 R/W = RIGHT OF WAY  
 S.F. = SQUARE FEET  
 STA. = STATION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

PARCEL NO. 134C (PERPETUAL EASEMENT)  
 PROPERTY OWNER: ADELE SEGAL (TRUSTEE)  
 STRAP NO. 33-44-26-07-00017.0460  
 STRAP NO. 33-44-26-07-00017.0470  
 AREA OF PARENT TRACT: 17,493 S.F., M.O.L.  
 AREA OF TAKE: 200 S.F., M.O.L.



GRETCHEN AVENUE (F)  
 GERALD AVENUE (P)  
 80' R/W (P)

SCALE IN FEET



## PARCEL 134C (PERPETUAL EASEMENT)

A 2.00 FOOT WIDE PERPETUAL EASEMENT BEING THE EAST 2.00 FEET OF LOTS 46 AND 47, 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 200 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  
 6/14/04

THIS IS NOT A SURVEY

SHEET 1 OF 1

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

PROJECT NUMBER: 99-7504	DESCRIPTION: LEGAL AND SKETCH PARCEL 134C GUNNERY ROAD FROM S.R. 82 TO LEE BOULEVARD
DRAWN BY: LWC	CLIENT: LEE COUNTY
DATE: 6/11/04	SEC-TWP-RGE 33-44S-26E
	FILE: 7504-134C
	COUNTY: LEE COUNTY



## Division of County Lands

## Updated Ownership and Easement Search

Search No. 33-44-26-07-00017.0460 and .0470

Date: January 13, 2005

Parcel: 134

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: 33-44-26-07-00017.0460 and .0470

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

**Subject Property:** Lots 46 and 47, Block 17, 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:

***Adele Segal, Trustee U/A/D May 15, 1997***

By that certain instrument dated August 7, 1997, recorded September 25, 1997, in Official Record Book 2870, Page 2120, 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.

NOTE (2): Deed recorded September 25, 1997, in Official Record Book 2870, Page 2120, Public Records of Lee County, Florida, does not contain marital status of the grantor(s), joinder by spouse, or statement regarding homestead status of subject property. This must be addressed and resolved by the Title Company or Attorney that handles the transfer to the County.

**Tax Status:** 2004 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:** 134

**Owner Name/Address:** Segal, Adele, Trustee, 1140-1142 Gunnery Road S

**Lee County STRAP Number:** 33-44-26-07-00017.0460-.0470

**Legal Description:** Lots 46 & 47, Block 17, 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:** \$34,120

**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:** 100' X 175'

**Acquisition Type:**    **Fee Take** ( ) - A

**Utility Easement** ( ) - B

**Perpetual Easement** (X) - C    200 square feet

**Sidewalk** ( )

**Drainage** ( )

**Fill/Slope** (X)

**Parcel Remainder Size:** 17,300 sf unencumbered, 200 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 134

Market Value of Fee Simple Interest in Parent Parcel	17,500 sf x \$5.75 per sf \$100,625	\$100,625
less: Market Value of Remainder - Fee Unencumbered *17500 sf - 200 sf proposed easement area unencumbered fee value per square foot unencumbered fee value of remainder area	17300 sf * x \$5.75 per sf \$99,475	
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	200 sf x \$4.60 per sf* \$920.00	
Total Market Value of Remainder (rounded)		\$100,395
Market Value of Part Taken		\$230.00
rounded to .....		\$230.00
04-78-134sum		

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 ..... (\$230.00)**

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



Parcel: 151  
Project: Gunnery Road 4 Lane (SR 82 – Lee Blvd.), Project No. 4055  
STRAP No.: 33-44-26-07-00017.0200

**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 **PETER KOZAK**, whose address is 81 Pond Road, Freehold, NJ 07728, hereinafter referred to as Owner, and **LEE COUNTY**, a political subdivision of the State of Florida, for the use and benefit of said County, hereinafter referred to as Purchaser.

Whereas, Purchaser requires a perpetual, nonexclusive Slope/Restoration Easement, located and described as set forth in Exhibit "C" attached to Exhibit "A". All Exhibits are attached hereto and made a part hereof by reference, in conjunction with the Gunnery Road Widening Project #4055.

- a) Owner will grant said easement to Purchaser for the sum of \$500.00; Purchaser to pay recording costs, documentary stamps and title insurance.
- b) Owner agrees that said easement will be granted to Purchaser by execution of the Non-exclusive Slope/Restoration Easement in form and substance set forth in Exhibit "A".
- c) Purchaser will pay Owner the amount agreed upon in item (a) of this agreement by County Warrant within 60 days of the execution and acceptance of this Easement Purchase Agreement and the Perpetual Slope/Restoration Easement instrument by Purchaser.
- d) Owner agrees that Purchaser, his successors and assigns will be allowed to use said easement areas, called "the Property", as described in Exhibit "C".
- e) Purchaser agrees to complete construction within the easement area in a timely manner.
- f) The land in Exhibit "C" is not and has never been the homestead of the Owner, nor is it contiguous to the homestead of the Owner.
- g) Owner will provide either a release, satisfaction of mortgage or subordination agreement for all mortgages that encumber the property. Purchaser will pay reasonable associated costs; if any.

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

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

**Owner: PETER KOZAK**

\_\_\_\_\_  
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: 151

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

STRAP No.: 33-44-26-07-00017.0200

**SLOPE/RESTORATION EASEMENT**

This INDENTURE, made and entered into this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_, between **PETE KOZAK**, whose address is 81 Pond Road, Freehold, NJ 07728, (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:** Gunner 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

\_\_\_\_\_  
**PETER KOZAK**

\_\_\_\_\_  
GRANTOR

\_\_\_\_\_  
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 **Peter Kozak**. He is personally known to me or who has produced \_\_\_\_\_ as identification.

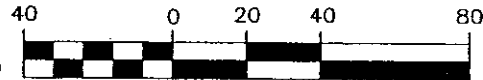
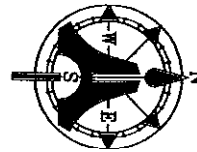
(type of identification)

\_\_\_\_\_  
(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. 151C (PERPETUAL EASEMENT)  
 PROPERTY OWNER: PETER KOZAK  
 STRAP NO. 33-44-26-07-00017.0200  
 AREA OF PARENT TRACT: 8,747 S.F., M.O.L.  
 AREA OF TAKE: 200 S.F., M.O.L.

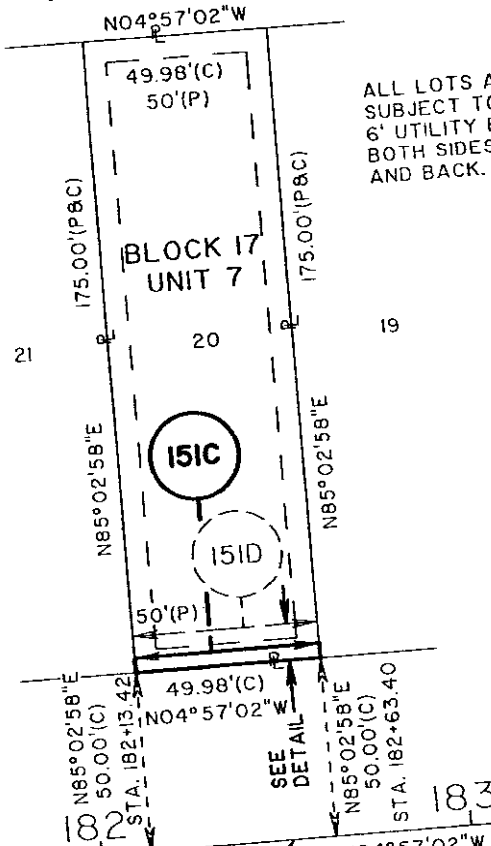
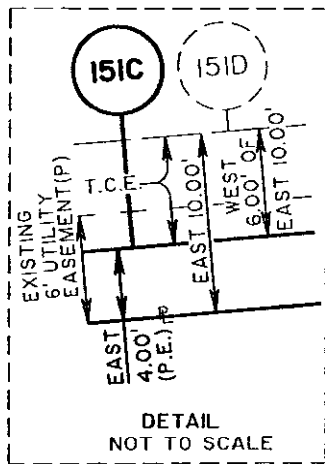


SCALE IN FEET

GRETCHEN AVENUE (F)  
 GERALD AVENUE (P)  
 80' R/W (P)

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

\*EXHIBIT



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

SURVEY BASE LINE  
 GUNNERY ROAD  
 GUNNERY ROAD S. (F)  
 BUCKINGHAM COUNTY ROAD (P)  
 100' R/W (P)

P.I. STA. 217+61.38  
 BRIDGE SPIKE  
 & BOTTLE CAP  
 NO ID

PARCEL 151C  
 (PERPETUAL EASEMENT)

A 4.00 FOOT WIDE PERPETUAL EASEMENT BEING THE EAST 4.00 FEET OF LOT 20, 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.

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 200 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 6/14/04  
 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: 99-7504	DESCRIPTION: LEGAL AND SKETCH, PARCEL 151C GUNNERY ROAD FROM S.R. 82 TO LEE BOULEVARD
DRAWN BY: LWC	CLIENT: LEE COUNTY
DATE: 6/14/04	SEC-TWP-RGE 33-44S-26E
FILE: 7504-151C	COUNTY: LEE COUNTY

## Division of County Lands

## Ownership and Easement Search

Search No. 33-44-26-07-00017.0200

Date: January 14, 2005

Parcel: 151

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: 33-44-26-07-00017.0200

Effective Date: <sup>12/26/04</sup>~~December 3, 2003~~, at 5:00 p.m.

**Subject Property:** Lot 20, Block 17, 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:

***Peter Kozak***

By that certain instrument dated June 26, 1986, recorded June 30, 1986, in Official Record Book 1854, Page 1829, Public Records of Lee County, Florida.

### Easements:

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

NOTE (1): Declaration of Restrictions recorded in Official Record Book 84, Page 310 and Official Record Book 527, Page 29, 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 nor warranty as to its accuracy.**



## APPRAISAL REPORT GUNNERY ROAD PROJECT 4055

### Parcel Identification

**Project Parcel Number:** 151  
**Owner Name/Address:** Kozak, Peter, 738 Gunnery Road S  
**Lee County STRAP Number:** 33-44-26-07-00017.0200  
**Legal Description:** Lot 20, Block 17, 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:** \$17,060  
**Effective Date of Appraisal:** December 9, 2004  
**Date of Report:** December 13, 2004

### Site Data

**Parent Parcel - Overall Size:** 8,750 square feet  
**Frontage - Depth:** 50' X 175'  
**Acquisition Type:**    **Fee Take** ( ) - A  
                                 **Utility Easement** ( ) - B  
                                 **Perpetual Easement** (X) - C 200 square feet  
                                 **Sidewalk** ( )  
                                 **Drainage** ( )  
                                 **Fill/Slope** (X)  
**Parcel Remainder Size:** 8,550 sf unencumbered, 200 sf encumbered  
**Existing Easements:** **Utility** (X)    **Drainage** ( )    **Road** ( )  
**Corner Parcel** ( )            **Interior Parcel** (X)  
**Topography - Level** (X)    **Irregular** ( )  
**Soil Conditions - Typical** (X)    **Require Correction** ( )  
**Flood Zone:** B            **Panel #:** 125124 0375 B  
**Utilities Available:**    **Electricity** (X)  
                                 **Telephone** (X)  
                                 **Water** ( )  
                                 **Sewer** ( )  
**Zoning/Land Use:** C2/Central Urban  
**Adverse Conditions:** None  
**Supporting Services:** Lee County Sheriff and Fire  
**Miscellaneous:** None  
**Marketing Time:** Less than 1 year  
**Highest and Best Use:** Commercial    **Requires Zoning Change** ( )  
Used in connection with adjoining property

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

**Description of improvements within take area:** None

## Valuation

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

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

Value of Improvements: N/A

Value Estimates: (See summary chart below)

### SUMMARY OF ANALYSIS

Gunnery Road Project  
Parcels 151

Market Value of Fee Simple Interest in  
Parent Parcel

	8,750 sf	
x	<u>\$5.75</u> per sf	
	\$50,313	\$50,313

less: Market Value of Remainder - Fee Unencumbered

\*8750 sf - 200 sf proposed easement area  
unencumbered fee value per square foot  
unencumbered fee value of remainder area

	8550 sf *	
x	<u>\$5.75</u> per sf	
	\$49,163	

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

	200 sf	
x	<u>\$4.60</u> per sf*	
	\$920.00	

Total Market Value of Remainder (rounded)

\$50,083

Market Value of Part Taken

\$230.00

rounded to .....

\$230.00

04-78-151sum

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 ..... (\$230.00)

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



Parcel: 155  
Project: Gunnery Road 4 Lane (SR 82 – Lee Blvd.), Project No. 4055  
STRAP No.: 33-44-26-07-00017.0160

**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 **RYAN DUPRAW and JEFF HOWARD**, whose address is 3055 Horizon Lane #1705, Naples, FL 34109, hereinafter referred to as Owner, and **LEE COUNTY**, a political subdivision of the State of Florida, for the use and benefit of said County, hereinafter referred to as Purchaser.

Whereas, Purchaser requires a perpetual, nonexclusive Slope/Restoration Easement, located and described as set forth in Exhibit "C" attached to Exhibit "A". All Exhibits are attached hereto and made a part hereof by reference, in conjunction with the Gunnery Road Widening Project #4055.

- a) Owner will grant said easement to Purchaser for the sum of \$500.00; Purchaser to pay recording costs, documentary stamps and title insurance.
- b) Owner agrees that said easement will be granted to Purchaser by execution of the Non-exclusive Slope/Restoration Easement in form and substance set forth in Exhibit "A".
- c) Purchaser will pay Owner the amount agreed upon in item (a) of this agreement by County Warrant within 60 days of the execution and acceptance of this Easement Purchase Agreement and the Perpetual Slope/Restoration Easement instrument by Purchaser.
- d) Owner agrees that Purchaser, his successors and assigns will be allowed to use said easement areas, called "the Property", as described in Exhibit "C".
- e) Purchaser agrees to complete construction within the easement area in a timely manner.
- f) The land in Exhibit "C" is not and has never been the homestead of the Owner, nor is it contiguous to the homestead of the Owner.
- g) Owner will provide either a release, satisfaction of mortgage or subordination agreement for all mortgages that encumber the property. Purchaser will pay reasonable associated costs; if any.

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

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

**Owner: RYAN DUPRAW**

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

By: \_\_\_\_\_

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

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

**Owner: JEFF HOWARD**

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

By: \_\_\_\_\_

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

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

Page 2 of 2

**ATTEST:**

CHARLIE GREEN, CLERK

By: \_\_\_\_\_  
Deputy Clerk

LEE COUNTY, FLORIDA, BY ITS  
BOARD OF COUNTY COMMISSIONERS

By: \_\_\_\_\_  
Chairman or Vice-Chairman

APPROVED AS TO LEGAL FORM

\_\_\_\_\_  
Office of County Attorney

**This instrument prepared by:**

Lee County  
Division of County Lands  
Post Office Box 398  
Fort Myers, Florida 33902-0398

**EXHIBIT "A"**

Parcel: 155

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

STRAP No.: 33-44-26-07-00017.0160

**SLOPE/RESTORATION EASEMENT**

This INDENTURE, made and entered into this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_,  
between **RYAN DUPRAW and JEFF HOWARD**, whose address is 3055 Horizon Lane #1705,  
Naples, FL 34109, (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 3**

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

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

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

**TWO SEPARATE WITNESSES:**

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

\_\_\_\_\_  
**RYAN DUPRAW**

\_\_\_\_\_  
GRANTOR

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

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

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

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

\_\_\_\_\_  
**JEFF HOWARD**

\_\_\_\_\_  
GRANTOR

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

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

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

**Slope/Restoration Easement**

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

**Page 3 of 3**

**STATE OF**

**COUNTY OF**

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_,  
20\_\_\_\_, by **RYAN DUPRAW**. She is personally known to me or who has produced  
\_\_\_\_\_ as identification.

(type of identification)

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

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

**STATE OF**

**COUNTY OF**

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_,  
20\_\_\_\_, by **JEFF HOWARD**. She is personally known to me or who has produced  
\_\_\_\_\_ as identification.

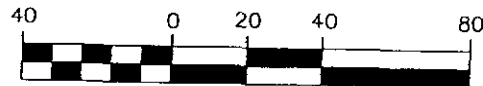
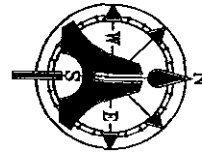
(type of identification)

\_\_\_\_\_  
(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. 155C (PERPETUAL EASEMENT)  
 PROPERTY OWNER: BONNIE MAHLBACHER AND BILLI JO SHELTON  
 STRAP NO. 33-44-26-07-00017.0160  
 AREA OF PARENT TRACT: 8,747 S.F., M.O.L.  
 AREA OF TAKE: 200 S.F., M.O.L.

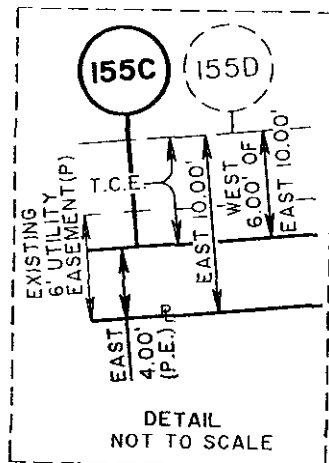


SCALE IN FEET

GRETCHEN AVENUE (F)  
 GERALD AVENUE (P)  
 80' R/W (P)

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

"EXHIBIT C"



183  
 P.O.T. STATION 128+63.13  
 PARKER-KALON NAIL  
 & DISK "AIM ENG. LB 3114"

SURVEY BASE LINE  
 GUNNERY ROAD  
 GUNNERY ROAD S. (F)  
 BUCKINGHAM COUNTY ROAD (P)  
 100' R/W (P)

P.I. STA. 217+61.38  
 BRIDGE SPIKE  
 & BOTTLE CAP  
 NO 10

PARCEL 155C  
 (PERPETUAL EASEMENT)

A 4.00 FOOT WIDE PERPETUAL EASEMENT BEING  
 THE EAST 4.00 FEET OF LOT 16, 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 200 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 10.

PREPARED BY:  
 AIM ENGINEERING & SURVEYING, INC.

BOB L. POTTER, P.S.M. DATE 6/17/04  
 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: 99-7504	DESCRIPTION: LEGAL AND SKETCH PARCEL 155C GUNNERY ROAD FROM S.R. 82 TO LEE BOULEVARD
DRAWN BY: LWC	CLIENT: LEE COUNTY
DATE: 6/15/04	SEC-TWP-RGE 33-44S-26E
FILE: 7504-155C	COUNTY: LEE COUNTY



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

Search No. 33-44-26-07-00017.0160

Date: December 19, 2003

Parcel: 155

Project: Gunnery Road Widening Project 4055

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

STRAP: 33-44-26-07-00017.0160

Effective Date: <sup>12/26/04</sup> ~~December 2, 2003~~, at 5:00 p.m.

**Subject Property:** Lot 16, Block 17, 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:

*Ryan Oupraw and Jeff Howard*  
~~Bonnie Mahlbacher and Billi Jo Shelton~~

By that certain instrument dated July 19, 2001 recorded July 20, 2001, in Official Record Book 3453, Page 4698, 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 subdivision.

NOTE(1): Declaration 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): Final Judgment in favor of Wade H. Parsons, P.A., recorded in Official Record Book 2068, Page 3892, Public Records of Lee County, Florida. This must be addressed and resolved by the Title Company or Attorney that handles the transfer to the County.

<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 nor warranty as to its accuracy.**

## APPRAISAL REPORT GUNNERY ROAD PROJECT 4055

### Parcel Identification

**Project Parcel Number:** 155

**Owner Name/Address:** Dupraw, Ryan & Howard, Jeff, Tenants in Common  
730 Gunnery Road S

**Lee County STRAP Number:** 33-44-26-07-00017.0160

**Legal Description:** Lot 16, Block 17, Unit 7, Lehigh Estates, PB 15, PG 87

**History of Ownership:** April 2004, \$22,500

**Interest Appraised:** Fee Simple ( ) Partial (X)

**Assessed Value:** \$17,060

**Effective Date of Appraisal:** December 9, 2004

**Date of Report:** December 13, 2004

### Site Data

**Parent Parcel - Overall Size:** 8,750 square feet

**Frontage - Depth:** 50' X 175'

**Acquisition Type:** Fee Take ( ) - A

Utility Easement ( ) - B

Perpetual Easement (X) - C 200 square feet

Sidewalk ( )

Drainage ( )

Fill/Slope (X)

**Parcel Remainder Size:** 8,550 sf unencumbered, 200 sf encumbered

**Existing Easements:** Utility (X) Drainage ( ) Road ( )

**Corner Parcel ( ) Interior Parcel (X)**

**Topography - Level (X) Irregular ( )**

**Soil Conditions - Typical (X) Require Correction ( )**

**Flood Zone:** B **Panel #:** 125124 0375 B

**Utilities Available:** Electricity (X)

Telephone (X)

Water ( )

Sewer ( )

**Zoning/Land Use:** C2/Central Urban

**Adverse Conditions:** None

**Supporting Services:** Lee County Sheriff and Fire

**Miscellaneous:** None

**Marketing Time:** Less than 1 year

**Highest and Best Use:** Commercial **Requires Zoning Change ( )**

Used in connection with adjoining property

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

**Description of improvements within take area:** None

## Valuation

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

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

**Value of Improvements:** N/A

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

### SUMMARY OF ANALYSIS

Gunnery Road Project  
Parcels 155

**Market Value of Fee Simple Interest in  
Parent Parcel**

8,750 sf  
x \$5.75 per sf  
\$50,313 \$50,313

**less: Market Value of Remainder - Fee Unencumbered**

\*8750 sf - 200 sf proposed easement area  
unencumbered fee value per square foot  
unencumbered fee value of remainder area

8550 sf \*  
x \$5.75 per sf  
\$49,163

**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

200 sf  
x \$4.60 per sf\*  
\$920.00

**Total Market Value of Remainder (rounded)**

\$50,083

**Market Value of Part Taken**

\$230.00

**rounded to .....**


\$230.00

04-78-155sum

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 ..... (\$230.00)**

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



Parcel: 164  
Project: Gunnery Road 4 Lane (SR 82 – Lee Blvd.), Project No. 4055  
STRAP No.: 33-44-26-07-00007.0450 AND .0460

**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 **GLENROY HENRY and DONOVAN PARKES, M.D.**, whose address is 353 Richland Road, Lehigh Acres, FL 33972, hereinafter referred to as Owner, and **LEE COUNTY**, a political subdivision of the State of Florida, for the use and benefit of said County, hereinafter referred to as Purchaser.

Whereas, Purchaser requires a perpetual, nonexclusive Slope/Restoration Easement, located and described as set forth in Exhibit "C" attached to Exhibit "A". All Exhibits are attached hereto and made a part hereof by reference, in conjunction with the Gunnery Road Widening Project #4055.

- a) Owner will grant said easement to Purchaser for the sum of \$500.00; Purchaser to pay recording costs, documentary stamps and title insurance.
- b) Owner agrees that said easement will be granted to Purchaser by execution of the Non-exclusive Slope/Restoration Easement in form and substance set forth in Exhibit "A".
- c) Purchaser will pay Owner the amount agreed upon in item (a) of this agreement by County Warrant within 60 days of the execution and acceptance of this Easement Purchase Agreement and the Perpetual Slope/Restoration Easement instrument by Purchaser.
- d) Owner agrees that Purchaser, his successors and assigns will be allowed to use said easement areas, called "the Property", as described in Exhibit "C".
- e) Purchaser agrees to complete construction within the easement area in a timely manner.
- f) The land in Exhibit "C" is not and has never been the homestead of the Owner, nor is it contiguous to the homestead of the Owner.
- g) Owner will provide either a release, satisfaction of mortgage or subordination agreement for all mortgages that encumber the property. Purchaser will pay reasonable associated costs; if any.

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

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

**Owner: GLENROY HENRY**

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

By: \_\_\_\_\_

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

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

**Owner: DONOVAN PARKES, M.D.**

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

By: \_\_\_\_\_

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

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

Page 2 of 2

**ATTEST:**

CHARLIE GREEN, CLERK

By: \_\_\_\_\_  
Deputy Clerk

LEE COUNTY, FLORIDA, BY ITS  
BOARD OF COUNTY COMMISSIONERS

By: \_\_\_\_\_  
Chairman or Vice-Chairman

APPROVED AS TO LEGAL FORM

\_\_\_\_\_  
Office of County Attorney

**This instrument prepared by:**

Lee County  
Division of County Lands  
Post Office Box 398  
Fort Myers, Florida 33902-0398

**EXHIBIT "A"**

Parcel: 164  
Project: Gunnery Road 4 Lane (SR 82 – Lee Blvd.), Project No. 4055  
STRAP No.: 33-44-26-07-00007.0450 AND .0460

**SLOPE/RESTORATION EASEMENT**

This INDENTURE, made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, between **GLENROY HENRY and DONOVAN PARKES, M.D.**, whose address is 353 Richland Road, Lehigh Acres, FL 33972, (Grantor), and **LEE COUNTY**, a political subdivision of the State of Florida, whose address is Post Office Box 398, Fort Myers, Florida 33902-0398, (Grantee):

**WITNESSETH:**

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

**Slope/Restoration Easement**

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

**Page 2 of 3**

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

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

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

**TWO SEPARATE WITNESSES:**

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

\_\_\_\_\_  
**GLENROY HENRY**

\_\_\_\_\_  
GRANTOR

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

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

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

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

\_\_\_\_\_  
**DONOVAN PARKES, M.D.** GRANTOR

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

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

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

**Slope/Restoration Easement**

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

**Page 3 of 3**

**STATE OF**

**COUNTY OF**

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_,  
20\_\_\_\_, by **GLENROY HENRY**. 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)

**STATE OF**

**COUNTY OF**

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_,  
20\_\_\_\_, by **DONOVAN PARKES, M.D.**. 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  
 RL = 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. 164C (PERPETUAL EASEMENT)  
 PROPERTY OWNER: DONOVAN PARKES, M.D. AND GLENROY HENRY  
 STRAP NO. 33-44-26-07-00007.0450  
 STRAP NO. 33-44-26-07-00007.0460  
 AREA OF PARENT TRACT: 17,226 S.F., M.O.L.  
 AREA OF TAKE: 163 S.F., M.O.L.



SCALE IN FEET

DELTA = 90°00'00" RT.

L = 39.27'(C)

R = 25.00'(P)

C.B. = N49°57'02"W

CH = 35.36'(C)

N04°57'02"W 100.00'(P)

74.96'(C)

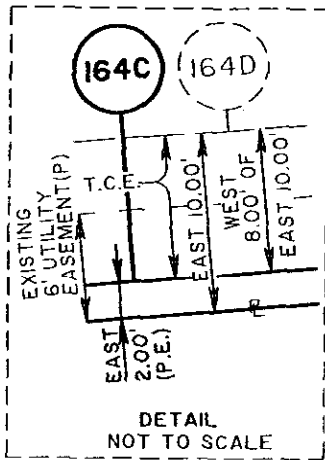
GRETCHEN AVENUE (F)

GERALD AVENUE (P)

80' R/W (P)

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

EXHIBIT C



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

PARCEL 164C  
 (PERPETUAL EASEMENT)

A 2.00 FOOT WIDE PERPETUAL EASEMENT  
 BEING THE EAST 2.00 FEET OF LOTS 45 AND  
 46, 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 163 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 10.

PREPARED BY:  
 AIM ENGINEERING & SURVEYING, INC.

BOB L. POSTER, P.S.M.  
 PROFESSIONAL SURVEYOR AND MAPPER  
 FLORIDA CERTIFICATE NO. 5688

DATE

THIS IS NOT A SURVEY

SHEET 1 OF 1

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

PROJECT NUMBER: 99-7504	DESCRIPTION: LEGAL AND SKETCH PARCEL 164C GUNNERY ROAD FROM S.R. 82 TO LEE BOULEVARD
DRAWN BY: LWC	CLIENT: LEE COUNTY
DATE: 6/15/04	SEC-TWP-RGE 33-44S-26E
FILE: 7504-164C	COUNTY: LEE COUNTY

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

Search No. 33-44-26-07-00007.0450 &amp; 0460

Date: January 14, 2005

Parcel: 164

Project: Gunnery Road Widening Project 4055

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

STRAP: 33-44-26-07-00007.0450 &amp; 0460

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

**Subject Property:** Lots 45 and 46, 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, Public Records of Lee County, Florida.

Title to the subject property is vested in the following:

***Donovan Parkes, M.D. and Glenroy Henry, as tenants in common***

By those certain instruments recorded in Official Record Book 2968, Page 1764; Official Record Book 3253, Page 2836 and Official Record Book 3699, Page 5315, 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.

*Federal Tax Liens against Donovan Parkes  
4302/4792 & 4793*

<sup>2004</sup>  
**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:** 164

**Owner Name/Address:** Henry, Glenroy 83.33% & Parkes, Donovan 16.67% Tenants in Common,

**Lee County STRAP Number:** 33-44-26-07-00007.0450 & .0460

**Legal Description:** Lots 45 & 46, Block 7, Unit 7, Lehigh Estates, PB 15, PG 87

**History of Ownership:** May 2000, \$10,000

**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:** 100' X 175'

**Acquisition Type:** Fee Take ( ) - A

Utility Easement ( ) - B

Perpetual Easement (X) - C 163 square feet

Sidewalk ( )

Drainage ( )

Fill/Slope (X)

**Parcel Remainder Size:** 17,337 sf unencumbered, 163 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:** 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 164

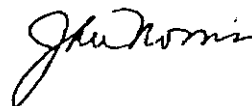
<b>Market Value of Fee Simple Interest in Parent Parcel</b>	17,500 sf	
	x \$5.75 per sf	
	\$100,625	\$100,625
<b>less: Market Value of Remainder - Fee Unencumbered</b>		
*17500 sf - 163 sf proposed easement area	17337 sf *	
unencumbered fee value per square foot	x \$5.75 per sf	
unencumbered fee value of remainder area	\$99,688	
<b>less: *per county data Slope Easement-C Remainder</b>	163 sf	
\$5.75 per sf times .80 (1- .20 percentage of impact)	x \$4.60 per sf*	
remainder value for land within proposed easement	\$749.80	
<b>Total Market Value of Remainder (rounded)</b>		\$100,438
<b>Market Value of Part Taken</b>		\$187.45
<b>rounded to .....</b>		<u><u>\$200.00</u></u>

04-78-164sum

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 ..... (\$200.00)**

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



Parcel: 176  
Project: Gunnery Road 4 Lane (SR 82 – Lee Blvd.), Project No. 4055  
STRAP No.: 33-44-26-07-00007.0180 AND .0190

**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 **LYNN TANNASSEE AND OSCAR TANNASSEE, husband and wife**, whose address is 113 Riviera Street, 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 Gunnery Road Widening Project #4055.

- a) Owner will grant said easement to Purchaser for the sum of \$500.00; Purchaser to pay recording costs, documentary stamps and title insurance.
- b) Owner agrees that said easement will be granted to Purchaser by execution of the Non-exclusive Slope/Restoration Easement in form and substance set forth in Exhibit "A".
- c) Purchaser will pay Owner the amount agreed upon in item (a) of this agreement by County Warrant within 60 days of the execution and acceptance of this Easement Purchase Agreement and the Perpetual Slope/Restoration Easement instrument by Purchaser.
- d) Owner agrees that Purchaser, his successors and assigns will be allowed to use said easement areas, called "the Property", as described Exhibit "C".
- e) Purchaser agrees to complete construction within the easement area in a timely manner.
- f) The land in Exhibit "C" is not and has never been the homestead of the Owner, nor is it contiguous to the homestead of the Owner.
- g) Owner will provide either a release, satisfaction of mortgage or subordination agreement for all mortgages that encumber the property. Purchaser will pay reasonable associated costs; if any.

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

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

**Owner: LYNN TANNASSEE**

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

By: \_\_\_\_\_

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

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

**Owner: OSCAR TANNASSEE**

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

By: \_\_\_\_\_

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

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

Page 2 of 2

**ATTEST:**

CHARLIE GREEN, CLERK

By: \_\_\_\_\_  
Deputy Clerk

LEE COUNTY, FLORIDA, BY ITS  
BOARD OF COUNTY COMMISSIONERS

By: \_\_\_\_\_  
Chairman or Vice-Chairman

APPROVED AS TO LEGAL FORM

\_\_\_\_\_  
Office of County Attorney

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

**EXHIBIT "A"**

Parcel: 176  
Project: Gunnery Road 4 Lane (SR 82 – Lee Blvd.), Project No. 4055  
STRAP No.: 33-44-26-07-00007.0180 AND .0190

**SLOPE/RESTORATION EASEMENT**

This INDENTURE, made and entered into this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_,  
between **LYNN AND OSCAR TANNASSEE, husband and wife**, whose address is 113 Riviera  
Street, 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 3**

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

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

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

**TWO SEPARATE WITNESSES:**

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

\_\_\_\_\_  
**LYNN TANNASSEE**

\_\_\_\_\_  
GRANTOR

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

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

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

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

\_\_\_\_\_  
**OSCAR TANNASSEE**

\_\_\_\_\_  
GRANTOR

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

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

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



**Slope/Restoration Easement**

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

**Page 3 of 3**

**STATE OF**

**COUNTY OF**

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_,  
20\_\_\_\_, by **LYNN TANNASSEE**. She is personally known to me or who has produced  
\_\_\_\_\_ as identification.

(type of identification)

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

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

**STATE OF**

**COUNTY OF**

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_,  
20\_\_\_\_, by **OSCAR TANNASSEE**. He is personally known to me or who has produced  
\_\_\_\_\_ as identification.

(type of identification)

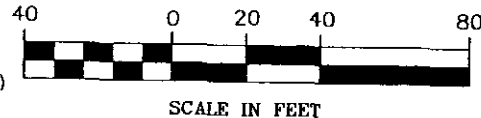
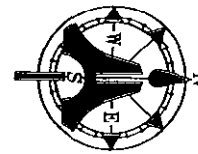
\_\_\_\_\_  
(Signature of Notary Public)

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

# LEGEND

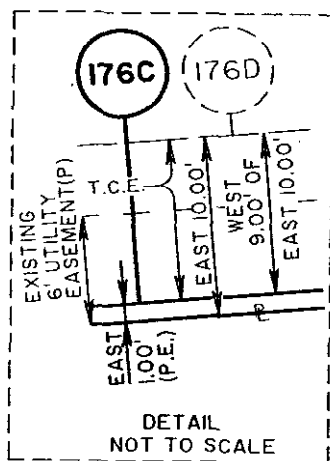
(C) = CALCULATED  
 (F) = FIELD  
 (P) = PLAT  
 C.B. = CHORD BEARING  
 CH = CHORD  
 ESMT. = EASEMENT  
 L = LENGTH  
 M.O.L. = MORE OR LESS  
 P.B. = PLAT BOOK  
 PG. = PAGE  
 P. = PARENT TRACT  
 PROPERTY LINE  
 R = RADIUS  
 RT. = RIGHT  
 R/W = RIGHT OF WAY  
 S.F. = SQUARE FEET  
 STA. = STATION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

PARCEL NO. 176C (PERPETUAL EASEMENT)  
 PROPERTY OWNER: OSCAR TANNASSEE AND LYNN TANNASSEE  
 STRAP NO. 33-44-26-07-00007.0180  
 STRAP NO. 33-44-26-07-00007.0190  
 AREA OF PARENT TRACT: 17,493 S.F., M.O.L.  
 AREA OF TAKE: 100 S.F., M.O.L.



GRETCHEN AVENUE (F)  
 GERALD AVENUE (P)  
 80' R/W (P)

SCALE IN FEET



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

PARCEL 176C  
 (PERPETUAL EASEMENT)

A 100 FOOT WIDE PERPETUAL EASEMENT  
 BEING THE EAST 100 FEET OF LOTS 18 AND 19,  
 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 100 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

AIM Engineering & Surveying, Inc.



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

Licensed Business Number 3114

THIS IS NOT A SURVEY

SHEET 1 OF 1

PROJECT NUMBER: 99-7504	DESCRIPTION: LEGAL AND SKETCH PARCEL 176C GUNNERY ROAD FROM S.R. 82 TO LEE BOULEVARD
DRAWN BY: LWC	CLIENT: LEE COUNTY
DATE: 7/1/04	SEC-TWP-RGE 33-44S-26E
FILE: 7504-176C	COUNTY: LEE COUNTY

## Division of County Lands

## Ownership and Easement Search

Search No. 33-44-26-07-00007.0180 & .0190

Date: January 14, 2005

Parcel: 176

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: 33-44-26-07-00007.0180 & .0190

Effective Date: <sup>12/26/04</sup>~~December 16, 2003~~, at 5:00 p.m.

**Subject Property:** Lots 18 and 19, 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:

### **Oscar Tannassee and Lynn Tannassee, husband and wife**

By that certain instrument dated October 19, 2002, recorded June 6, 2003, in Official Record Book 3953, Page 3337, 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: Easement between Lots 18 and 19 was vacated by Resolution 99-03-09, recorded in Official Record Book 3091, Page 2367, Public Records of Lee County, Florida.

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

NOTE (2): Notice of Development Order Approval, recorded in Official Record Book 3047, Page 2271, Public Records of Lee County, Florida.

NOTE (3): Mortgage executed by Cecil Rohan Tannassee, a single man in favor of Leo Palladeno and Lisa Palladeno, husband and wife dated December 20, 2000, recorded January 4, 2001, in Official Record Book 3345, Page 4557, Public Records of Lee County, Florida.

NOTE (4): Notice of Lien for Fine and/or Restitution Imposed Pursuant to the Anti-terrorism and Effective Death Penalty Act of 1996 in favor of the Department of Justice, recorded in Official Record Book 3875, Page 1326, Public Records of Lee County, Florida.

NOTE (5): Notice of Lis Pendens in re: forfeiture of premises in favor of the United State of America, recorded in Official Record Book 3966, Page 719, Public Records of Lee County, Florida.

## Division of County Lands

## Ownership and Easement Search

Search No. 33-44-26-07-00007.0180 & .0190

Date: January 14, 2005

Parcel: 176

Project: Gunnery Road Widening, Project 4055

**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:** 176

**Owner Name/Address:** Tannasee, Lynn & Oscar, 134-136 Gunnery Road S

**Lee County STRAP Number:** 33-44-26-07-00007.0180-.0180

**Legal Description:** Lots 18 & 19, Block 7, Unit 7, Lehigh Estates, PB 15, PG 87

**History of Ownership:** December 2000, \$39,900

**Interest Appraised:** Fee Simple ( ) Partial (X)

**Assessed Value:** \$54,500

**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 100 square feet

Sidewalk ( )

Drainage ( )

Fill/Slope (X)

**Parcel Remainder Size:** 17,400 sf unencumbered, 100 sf encumbered

**Existing Easements:** Utility (X) Drainage ( ) Road ( )

**Corner Parcel ( ) Interior Parcel (X)**

**Topography - Level (X) Irregular ( )**

**Soil Conditions - Typical (X) Require Correction ( )**

**Flood Zone:** B **Panel #:** 125124 0375 B

**Utilities Available:** Electricity (X)

Telephone (X)

Water ( )

Sewer ( )

**Zoning/Land Use:** C2/Central Urban

**Adverse Conditions:** None

**Supporting Services:** Lee County Sheriff and Fire

**Miscellaneous:** None

**Marketing Time:** Less than 1 year

**Highest and Best Use:** Commercial **Requires Zoning Change ( )**

**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 176

Market Value of Fee Simple Interest in  
Parent Parcel

	17,500 sf	
x	\$5.75 per sf	
	\$100,625	\$100,625

less: Market Value of Remainder - Fee Unencumbered

\*17500 sf - 100 sf proposed easement area  
unencumbered fee value per square foot  
unencumbered fee value of remainder area

	17400 sf *	
x	\$5.75 per sf	
	\$100,050	

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

	100 sf	
x	\$4.60 per sf*	
	\$460.00	

Total Market Value of Remainder (rounded)

\$100,510

Market Value of Part Taken

\$115.00

rounded to .....

\$115.00

04-78-176sum

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

**TOTAL COMPENSATION DUE THE PROPERTY OWNER ..... (\$115.00)**

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

