# Lee County Board Of County Commissioners Agenda Item Summary

**Blue Sheet No. 20050808** 

- 1. ACTION REQUESTED/PURPOSE: Approve Purchase Agreement for acquisition of Parcel 338, Imperial Street Widening Project No. 4060, in the amount of \$336,000 (inclusive of attorney and appraiser fees); authorize payment of costs to close, and the Division of County Lands to handle all documentation necessary to complete transaction.
- 2. WHAT ACTION ACCOMPLISHES: The Board avoids Eminent Domain.
- 3. MANAGEMENT RECOMMENDATION: Management recommends Board approve the Action Requested.

4. Departmental Category: 6	C61	)	5. Meeting Dat	e: 06-28-2005
6. Agenda:	7. Requirement/Purpose: (		8. Request Initi	
X Consent	X Statute	125	Commissioner	
Administrative	Ordinance		Department	Independent
Appeals	Admin. Code		Division	County Lands TLM
Public Public	Other		By: Ka	ren L.W. Forsyth, Director
Walk-On				ion E. W. Folsy an, Director & Suff

9. Background:

Negotiated for: Lee County Department of Transportation

Interest to Acquire: Fee simple, improved with single-family residence

#### **Property Details:**

Owner: L. Ferne Haines, Trustee of that certain Declaration of Trust dated May 20, 1992

Address: 27027 Imperial Street, Bonita Springs

STRAP No.: 36-47-25-B2-00006.001B

#### **Purchase Details:**

**Purchase Price:** \$336,000 (inclusive of moving allowance, attorney and appraiser fees)

Costs to Close: Approximately \$4,000

The property owners originally required \$340,000, plus attorney fees of \$14,850 and appraiser fees of \$2,750, for the property. However, through negotiations, they have agreed to accept \$336,000, inclusive of moving allowance, attorney and appraiser fees.

### Appraisal Information:

Company: Carlson, Norris and Associates, Inc.

Appraised Value: \$295,000 as of September 26, 2004

Staff Recommendation: Staff is of the opinion that the purchase price increase of 14 % above the appraised value (inclusive of moving allowance, attorney and appraiser fees) can be justified as the appraisal date is nine months ago, the real estate market values in this geographic area are increasing approximately 2% per month, and considering the costs associated with condemnation proceedings estimated to be between \$4,000-\$7,000, excluding land value increases, and attorney fees and costs.

Account: 20406063000.506110

Attachments: Purchase Agreement; Title Data; Appraisal (Location Map Included); Letter from City of Bonita Springs; 5-Year Sales

History

10. Review for Scheduling: County Purchasing Human County Department **Budget Services** Other Manager/P.W. orDirector Resources Attorney Contracts Director (1) Risk Grants Commission Action: RECEIVED BY Approved Rec. by Coatty COUNTY ADMIN: Deferred w-13 p5 Date: نامان Denied Other Time: 2:15 CÖL N

Forwarded To:

S:\POOL\Imperial Street 4060\338\BlueSheet 6-6-05.doc TLM/le/TLM

This document prepared by Division of County Lands

Project: Imperial Street Widening, No. 4060

Parcel: 338

STRAP No.: 36-47-25-B2-00006.001B

# BOARD OF COUNTY COMMISSIONERS LEE COUNTY AGREEMENT FOR PURCHASE AND SALE OF REAL ESTATE

THIS AGREEMENT for purchase and sale of real property is made this <u></u> day of
, 200, by and between L. Ferne Haines, Trustee of that certain
Declaration of Trust dated May 20, 1992, hereinafter referred to as SELLER, whose
address is 27027 Imperial Street, Bonita Springs, Florida, 34135, and Lee County, a
political subdivision of the State of Florida, hereinafter referred to as BUYER.

#### WITNESSETH:

- 1. **AGREEMENT TO PURCHASE AND TO SELL:** SELLER agrees to sell and BUYER agrees to purchase, subject to the terms and conditions set forth below, a parcel of land consisting of 84,177 square feet, more or less, and located at 27027 Imperial Street, Bonita Springs, Florida 34135, and more particularly described in "Exhibit A" attached hereto and made a part hereof, hereinafter called "the Property." This property will be acquired for the Imperial Street Widening Project, hereinafter called "the Project."
- 2. **PURCHASE PRICE AND TIME OF PAYMENT:** The total purchase price ("Purchase Price") will be Three Hundred Twenty-Three Thousand Seven Hundred Fifty-Nine and 40/100 (\$323,759.40), payable at closing by County Warrant.
- 3. **EVIDENCE OF TITLE:** BUYER will obtain at BUYER'S expense an American Land Title Association Form B Title Commitment and provide title insurance Owner's Policy in the amount of Purchase Price, from a title company acceptable to BUYER. The commitment will be accompanied by one copy of all documents that constitute exceptions to the title commitment. The commitment will also show title to be good and marketable with legal access, subject only to real estate taxes for the current year, zoning and use restrictions imposed by governmental authority, and restrictions and easements common to the area.

4. **CONDITION OF PROPERTY; RISK OF LOSS:** BUYER has inspected the Property and, except as is otherwise provided herein, accepts the Property in the condition inspected. Any loss and/or damage to the Property occurring between the date of this offer and the date of closing or date of possession by BUYER, whichever occurs first, will be at SELLER'S sole risk and expense. However, BUYER may accept the damaged property and deduct from the purchase price any expenses required to repair the damage, or BUYER may cancel this Agreement without obligation.

#### 5. **SELLER'S INSTRUMENTS AND EXPENSES:** SELLER will:

- (a) provide a statutory warranty deed, and an affidavit regarding liens, possession, and withholding under FIRPTA in a form sufficient to allow "gap" coverage by title insurance;
- (b) pay utility services up to, but not including the date of closing;
- (c) pay taxes or assessments for which a bill has been rendered on or before the date of closing;
- (d) pay release of mortgage fees, if any.

### 6. **BUYER'S INSTRUMENTS AND EXPENSES:** BUYER will pay for:

- (a) Recording fee for deed;
- (b) documentary stamps on deed;
- (c) survey, (if desired by BUYER);
- (d) SELLER'S attorney fees of \$9,490.60:
- (e) SELLER's appraiser fees of \$2,750.00.
- 7. **TAXES**: SELLER will be charged for Real Estate taxes and personal property taxes (if applicable) up to, but not including the date of closing.
- 8. **DEFECTS IN TITLE AND LEGAL ACCESS:** Prior to closing, BUYER will have a reasonable time to examine the title and documents establishing legal access to the property. If title or legal access is found to be defective, BUYER will notify SELLER in writing of the defects and SELLER will make a prompt and diligent effort to correct such defects. If SELLER fails to make corrections within 60 days after notice, BUYER may elect to accept the Property in its existing condition with an appropriate reduction to the purchase price, or may terminate this Agreement without obligation.

- 9. **SURVEY:** BUYER may order the Property surveyed at BUYER'S expense. SELLER agrees to provide access to the Property for the survey to be performed. If the survey shows a discrepancy in the size or dimensions of the Property, or shows encroachments onto the Property or that improvements located on the Property encroach onto adjacent lands, or if the survey identifies violations of recorded covenants or covenants of this Agreement, upon notice to the SELLER, the BUYER may elect to treat those discrepancies, violations or encroachments as a title defect.
- 10. **ENVIRONMENTAL AUDIT:** BUYER may perform or have performed, at BUYER'S expense, an environmental audit of the Property. If the audit identifies environmental problems unacceptable to the BUYER, BUYER may elect to accept the Property in its existing condition with an appropriate abatement to the purchase price or BUYER may terminate this Agreement without obligation.
- 11. **ABSENCE OF ENVIRONMENTAL LIABILITIES:** The SELLER hereby warrants and represents that the Property is free from hazardous materials and does not constitute an environmental hazard under any federal, state or local law or regulation. No hazardous, toxic or polluting substances have been released or disposed of on the Property in violation of any applicable law or regulation. The SELLER further warrants that there is no evidence that hazardous, toxic or polluting substances are contained on or emitting from the property in violation of applicable law or regulation. There are no surface impoundments, waste piles, land fills, injection wells, underground storage areas, or other man-made facilities that have or may have accommodated hazardous materials. There is no proceeding or inquiry by any governmental agency with respect to production, disposal or storage on the property of any hazardous materials, or of any activity that could have produced hazardous materials or toxic effects on humans, flora or fauna. There are no buried, partially buried, or above-ground tanks, storage vessels, drums or containers located on the Property. There is no evidence of release of hazardous materials onto or into the Property.

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

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

- 12. **TIME AND BINDING AGREEMENT:** Time is of the essence for closing this transaction. The BUYER's written acceptance of this offer will constitute an Agreement for the purchase and sale of the Property and will bind the parties, their successors and assigns. In the event the BUYER abandons this project after execution of this Agreement, but before closing, BUYER may terminate this Agreement without obligation.
- 13. **DATE AND LOCATION OF CLOSING:** The closing of this transaction will be held at the office of the insuring title company on or before 45 days from the date this Agreement is made. The time and location of closing may be changed by mutual agreement of the parties.
- 14. **ATTORNEYS' FEES:** The prevailing party in any litigation concerning this Agreement will be entitled to recover reasonable attorneys' fees and costs.
- 15. **REAL ESTATE BROKERS:** SELLER hereby agrees to indemnify and hold the BUYER harmless from and against any claims by a real estate broker claiming by or through SELLER.
- 16. **POSSESSION:** SELLER warrants that there are no parties in possession other than SELLER unless otherwise stated herein. SELLER agrees to deliver possession of Property to BUYER at time of closing unless otherwise stated herein.
- 17. **TYPEWRITTEN/HANDWRITTEN PROVISIONS:** Typewritten and handwritten provisions inserted herein or attached hereto as addenda, and initialed by all parties, will control all printed provisions in conflict therewith.
- 18. **SPECIAL CONDITIONS:** Any and all special conditions will be attached to this Agreement and signed by all parties to this Agreement.

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

WITNESSES:	SELLER:
Ju M Bung	L. Ferne Haines, Trustee (DATE) of that certain Trust dated May 20, 1992
CHARLIE GREEN, CLERK	BUYER: LEE COUNTY, FLORIDA, BY ITS BOARD OF COUNTY COMMISSIONERS
BY:	BY:CHAIRMAN OR VICE CHAIRMAN
	APPROVED AS TO LEGAL FORM AND SUFFICIENCY
	COUNTY ATTORNEY (DATE)

# SPECIAL CONDITIONS Page 1 of 2

**BUYER:** Lee County

SELLER: L. Ferne Haines, Trustee, of that certain Declaration of Trust dated May 20, 1992

PARCEL NO. 338

- 1. Buyer and Seller hereby covenant that the purchase price recited herein, except as noted below, includes payment for all fixtures, including but not limited to, built-in appliances, air conditioning units, hot water heaters, ceiling fans, screen enclosures, windows, doors, floor covering and landscaping, as of the date of the Buyer's appraisal (September 28, 2004).
- 2. The purchase price of \$323,759.40 is inclusive of any moving allowance.
- 3. The Seller will remove all personal property from within the proposed right-of-way upon 30 days written notice from Buyer sent via certified mail, but in no event prior to 30 days after closing.
- 4. The Seller acknowledges that construction may begin within the proposed right-of-way prior to vacating the premises. If construction begins prior to Seller vacating premises, Buyer will provide Seller temporary ingress and egress driveway access to the residence.
- The Seller will be allowed to remain in the premises subsequent to closing for a period not to exceed six months from closing subject to Special Conditions Item Nos. 6 through 16. Seller will vacate the premises and remove all personal property on or before six months from closing.
- 6. At closing, a security deposit of \$5,000 shall be held in an interest bearing escrow account until such time as the Seller vacates the premises. Buyer's authorized agent will inspect the house and all other real property and improvements subsequent to Seller vacating premises. Removal of any fixtures(s) by Seller may cause a reduction in the security deposit.
- 7. The premises will be used and occupied by Seller exclusively as a private single-family residence. The premises may not be used for the purpose of carrying on any business, profession, or trade of any kind, or for purposes other than as a private single-family residence.
- 8. Seller will bear the full cost of water service used by the Seller and will also bear the cost for trash pick-up, use of electricity, telephone services, and any other services to the space occupied.
- 9. The Seller will provide for interior maintenance and repairs, including repairs or replacement of interior equipment as may be necessary due to normal usage. The Seller will keep the interior of the premises in as good a state of repair as good as it is at the time of the closing, reasonable wear and tear and unavoidable casualties excepted.
- 10. The Seller will maintain and keep in repair the exterior of the premises and will be responsible for the replacement or repair of windows or other exterior elements needing replacement or repair.
- 11. Seller will pay the insurance premiums on the premises. Buyer is not liable to carry fire insurance on the premises or property of the Seller. The Buyer is not liable for injury, loss, damages or theft to the person or property or fixtures belonging to the Seller located on the property. All property that may be on the premises will be at the sole risk of the Seller.
- 12. If the premises, or the major part thereof, are destroyed by fire, lightning, storm or other casualty, the Buyer may repair the damage at its own cost and expense but nothing contained herein requires Buyer to do so.

## SPECIAL CONDITIONS Page 2 of 2

- 13. Seller will indemnify and save the Buyer harmless from all clair is or demands, including an allowance for reasonable attorney's fee incurred by Buyer in the defense thereof, for injuries to person or damage to property arising out of Seller's negligent use of the premises asserted by or on behalf of the Seller, Seller's employees, agent, invitee, or any other person and from any and all injury or damage done by any of them to the premises. The Buyer will be liable for claims or demands arising out of the Seller's negligent acts or those of its employees or agents, but only to the extent allowed by Florida Statutes '768.28.
- 14. The Seller must purchase and maintain Premises Liability Insurance protecting his interest as tenant of the premises with insurers approved by the County Risk Management Department. This policy must provide minimum limits of \$300,000 Combined Single Limit of Bodily Injury and Property Damage. The Lessee will provide evidence to the County Risk Management Department in the form of a properly executed certificate of insurance, demonstrating a minimum of thirty (30) days advance written notice of cancellation or adverse material change.

The Seller agrees that this insurance requirement does not limit liability. Buyer does not represent that the insurance required is sufficient or adequate to protect the Seller's interests or liabilities, but are merely minimums.

The Seller must furnish an appropriate certificate of insurance naming Lee County Board of County Commissioners as Certificate Holder and Additional Insured. The Seller agrees that the coverage granted to the Additional Insured applies on a primary basis, with the Additional Insured's coverage as excess.

- 15. Seller may not keep or have on the premises articles of dangerous, inflammable, or explosive character that might unreasonably increase the danger of fire or that might be considered hazardous or extra hazardous by any responsible insurance company.
- 16. All terms set forth in the Special Conditions will survive the closing of this transaction.

WITNESSES:	SELLER:
Sum Bu	
	L. Feme Haines, Trustee (DATE) of that certain Trust dated May 20, 1992
CHARLIE GREEN, CLERK	BUYER: LEE COUNTY, FLORIDA, BY ITS BOARD OF COUNTY COMMISSIONERS
BY: DEPUTY CLERK (DATE)	BY:CHAIRMAN OR VICE CHAIRMAN
·	APPROVED AS TO LEGAL FORM AND SUFFICIENCY
	COUNTY ATTORNEY (DATE)

### **EXHIBIT "A"**

Project: Imperial Street Widening, No. 4060

Parcel: 338

STRAP No.: 36-47-25-B2-00006.001B

Commencing at the Southwest corner of the northwest quarter of the northwest quarter of the northeast quarter of Section 36, Township 47 South, Range 25 East, Lee County, Florida; thence north along the west line of the northeast quarter of Section 36 for 395.69 feet to the point of beginning of the lands herein described; thence continue north 263,69 feet to the north quarter corner of Section 36; thence south 89 degrees, 52' east 330.87 feet; thence south 0 degrees, 01' 30" west 264.06 feet; thence north 89 degrees, 48' 30" west 330.70 feet to the point of beginning.

Project: Imperial Street Widening, Project No. 4060 STRAP No.: 36-47-25-B2-00006.001B

Parcel: 338

### **AFFIDAVIT OF INTEREST IN REAL PROPERTY**

THIS AFFIDAVIT OF INTEREST IN REAL PROPERTY is made and entered this, day of, 2005, for the sole purpose of compliance with Section 286.23 of the Florida Statutes.
The undersigned hereby swears and affirms under oath, subject to the penalties prescribed for perjury, that the following is true:
The Name and Address of the Grantor is:
L. Ferne Haines, Trustee of that certain Declaration of Trust dated May 20, 1992 27027 Imperial Street Bonita Springs, Florida 34135
The name(s) and address(es) of every person having a beneficial interest in real property that will be conveyed to Lee County are:
1. T. Danies 27027 Imperial & Bounts Springs Fl. 34135
3.
4
The real property to be conveyed to Lee County is shown on attached Exhibit "A".
FURTHER AFFIANT SAYETH NAUGHT.
Signed, sealed and delivered in our presences:
Witness Signature  Witness Signature  Manuel  Signature of Affiant
Printed Name  L. Ferne Haines  Printed Name
Witness Signature
Melanie Ronk Printed Name

Affidavit of Interest in Real Property
Project: Imperial Street Widening, Project No. 4060
STRAP No.: 36-47-25-B2-00006.001B
Parcel: 338

STATE OF Florida
COUNTY OF Lee

SWORN TO AND SUBSCRIBED before me this 3rd day of June, 2005, by
L. Ferne Haines
(name of person acknowledged)

Melone Rook
(Notary Signature)

Wilding Rook
(Print, type or stamp name)

Personally known
OR Produced Identification
Type of Identification

### **EXHIBIT** "A"

Project: Imperial Street Widening, No. 4060

Parcel: 338

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Commencing at the Southwest corner of the northwest quarter of the northwest quarter of the northeast quarter of Section 36, Township 47 South, Range 25 East, Lee County, Florida; thence north along the west line of the northeast quarter of Section 36 for 395.69 feet to the point of beginning of the lands herein described; thence continue north 263,69 feet to the north quarter corner of Section 36; thence south 89 degrees, 52' east 330.87 feet; thence south 0 degrees, 01' 30" west 264.06 feet; thence north 89 degrees, 48' 30" west 330.70 feet to the point of beginning.

### **Division of County Lands**

### Ownership and Easement Search

Search No. 36-47-25-B3-00015.2010

Date: June 2, 2005

Parcel: 338

Project: Imperial Street Widening, Project

#4060

To: Teresa L. Mann SR/WA

**Property Acquisition Agent** 

From: Kenneth Pitt

Real Estate Title Examiner

STRAP: 36-47-25-B3-00015.2010

Effective Date: May 5, 2005, at 5:00 p.m.

Subject Property: See Attached Schedule.

Title to the subject property is vested in the following:

L. Ferne Haines, Trustee, of that certain Declaration of Trust dated May 20, 1992.

By that certain instrument dated September 17, 1992, recorded September 23, 1992, in Official Record Book 2328 Page 3980, Public Records of Lee County, Florida.

Easements: 1): Subject to a Right of Way Agreement granting the Bonita Springs Water System an easement for right of way over the North 30 feet of the NW 1/4 of the NW 1/4 of the NE 1/4 of Section 36, Township 47 South, Range 25 East, recorded in Official Record Book 826 Page 661, Public Records of Lee County, Florida.

2): Subject to a Roadway and Utility Easement reserved over the West 30 feet of the NW  $\frac{1}{4}$  of the NW 1/4 of the NE 1/4 of Section 36, Township 47 South, Range 25 East, established by a recital in a deed, recorded in Official Record Book 1394 Page 1409, Public Records of Lee County, Florida.

Note 1): Subject to a Mortgage (Home Equity) in the sum of \$50,000.00, between L. Ferne Haines, Trustee, (mortgagor) and Colonial Bank (mortgagee), recorded in Official Record Book 3855 Page 4767, which was later Modified by Agreement recorded in Official Record Book 4510 Page 2122, Public Records of Lee County, Florida.

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

Tax Status: \$2,785.18 paid on 11-30-04 for Tax Year 2004.

(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.

Commencing at the Southwest corner of the Northwest quarter of the Northwest quarter of the Northeast quarter of Section 36, Township 47 South, Range 25 East, Lee County, Florida; thence North along the West line of the NE.1/4, Section 36, 395.69 feet to the Point of Beginning of the lands herein described; thence continue North 263.69 feet to the N1/4 corner, Section 36; thence S 89° 52' E 330.87'; thence S 0° 01' 30" W 264.06 feet; thence N 89° 48' 30" W 330.70 feet to the Point of Beginning. The Westerly 30 feet being reserved for road right-of-way and the Northerly 30 feet subject to road right-of-way and utility easement.

Summary Appraisal Report STA#18, Project 4060 UNIFORM RESIDENTIAL APPRAISAL REPORT Property Address 27027 Imperial Street 219790 City Bonita Springs Legal Description Parl in NW1/4 of NW1/4 of NE1/4 desc in OR 1394 PG 1409 State FL Zip Code 34135-5830 Assessor's Parcel No. 36-47-25-B2-00006.001B County Lee Tax Year 2003 R.E. Taxes \$ 2,969.77 Borrower HAINES, L. Ferne Special Assessments \$ 0.00 Current Owner L. Ferne Haines Tr. Occupant: X Owner Property rights appraised Fee Simple i Leasehold Project Type PUD Condominium (HUD/VA only) Neighborhood or Project Name HOA & N/A Bonita Springs /Mo Map Reference 36-47-25 Census Tract 0505.00 Sale Price \$ Not a Sale Date of Sale N/A Description and \$ amount of loan charges/concessions to be paid by seller N/A Lender/Client Lee County - County Lands Address P.O. Box 398, Fort Myers, FL 33902-0398 Appraiser Phil Benning, Associate Address 1919 Courtney Drive, Suite 14, Fort Myers, FL 33901 Location Urban 🔀 Suburban Rural Single family housing Predominant Present land use % Over 75% Land use change Built up 25-75% occupancy Under 25% One family Stable 85 Not likely Growth rate Likely Rapid (yrs) Slow 🛚 Owner Increasing 110 Low New 2-4 family 10 Property values In process Stable Declining Tenant 200 High Multi-family Demand/supply Shortage 🔀 Vacant (0-5%) 🛭 In balance Over supply Predominant -Commercial \*\*[mperial Street Marketing time Under 3 mos. 3-6 mos. Over 6 mos. Vac.(over 5%) 140-175 20+ Vacant Note: Race and the racial composition of the neighborhood are not appraisal factors. Widening Project Neighborhood boundaries and characteristics: Bounded by E.Terry Street to the north, I-75 east, Bus. US 41 west & Bonita Beach Road south. Predominately single family residential. Factors that affect the marketability of the properties in the neighborhood (proximity to employment and amenities, employment stability, appeal to market, etc.): The market area is a maturely developed residential area in east Bonita Springs with typically average quality single family homes, manufactured homes & duplexes. Shopping, area beaches & employment centers are located nearby. Increasing employment and property values are prevalent. There is convenient access to Bonita Beach & the Gulf by way of Bonita Beach Road. Market conditions in the subject neighborhood (including support for the above conclusions related to the trend of property values, demand/supply, and marketing time -- such as data on competitive properties for sale in the neighborhood, description of the prevalence of sales and financing concessions, etc.): No unusual marketing concessions are necessary for this market area. Resales are sold with conventional financing and cash. Fixed, adjustable, & purchase money mortgages are available with rates are currently in the 4.5% to 6% range. Supply & demand is in balance, with typical marketing time between 3 & 6 months. Project Information for PUDs (if applicable) - - Is the developer/builder in control of the Home Owners' Association (HOA)? Yes L No Approximate total number of units in the subject project N/A Approximate total number of units for sale in the subject project Describe common elements and recreational facilities: Dimensions 264.06' x 318.78' Тородгарну Site area 84,177 Level Corner Lot X Yes Size Specific zoning classification and description Larger than Typical RS-1, Residential Single Family Zoning compliance \( \subseteq \text{Legal} \) Legal nonconforming (Grandfathered use) Shape Primarily Rectangular Illegal ... No zoning Highest & best use as improved: Present use Drainage Appears Adequate Other use (explain) View Residential Utilities Public Other Off-site Improvements Type Public Private Landscaping Electricity Above Average Street Payed Asphait  $\boxtimes$ Driveway Surface Concrete/Large Circular Gas Curb/gutter None Apparent easements Roadway/Drainage Water Sidewalk None FEMA Special Flood Hazard Area Sanitary sewer 🔀 Yes Septic Street lights Pole FEMA Zone AE Storm sewer Map Date 7/20/1998 Alley None Comments (apparent adverse easements, encroachments, special assessments, slide areas, illegal or legal nonconforming zoning use, etc.): FEMA Map No. 1251240510D conditions were noted. Site improvements: Fill/landscaping/sod \$6,000; water/septic \$4,500; well/sprinklers \$1,500, large circular concrete No adverse site driveway \$6,500, impact fees \$3,200 GENERAL DESCRIPTION EXTERIOR DESCRIPTION FOUNDATION BASEMENT INSULATION No. of Units One Foundation Conc.Slab Slah None Area Sq. Ft. No. of Stories None Roof One Exterior Walls CB/Brick Face Crawl Space None % Finished N/A \*Adeq. Type (Det./Att.) Ceiling Detached Roof Surface Dimens.Shingle Basement None Ceiling N/A Walle Design (Style) \*Adeq. Ranch Gutters & Dwnspts. Aluminum Sumo Pumn None Walls Existing/Proposed N/A Floor Existing Window Type Aluminum Dampness None Observed Floor N/A Age (Yrs.) 21/1983 None Storm/Screens No/Screens Settlement None Observed Outside Entry N/A Effective Age (Yrs.) 14 Years Unknown Manufactured House No <u>Infestation</u> None Observed ROOMS \*Assumed Adeq. Foyer Livina Dining Kitchen Den Family Rm. Rec. Rm. Bedrooms # Baths **Basement** Laundry Other Area Sa. Ft. Level 1 Area Area None 3 Level 2 1,814 Finished area above grade contains: 6 Rooms 3 Bedroom(s) 2 Bath(s) 1,814 Square Feet of Gross Living Area INTERIOR Materials/Condition HEATING Adeq. KITCHEN EQUIP. ATTIC AMENITIES Floors CAR STORAGE: 2 Garage Carpet/Tile Type Cent Refrigerator None Fireplace(s) # One Walls None Drywall/Paneling Fuel Elect. Range/Oven Stairs Patio Trim/Finish Clamshell Garage Condition Good Disposal Drop Stair Deck Bath Floor 2 Cars Tile Attached COOLING Adea  $\boxtimes$ Dishwasher Scuttle Porch Scr/331sf Bath Wainscot Tile Detached Central 2 Cars + Yes Fan/Hood Floor Fence Doors Flush Hollow Core Buitt-In Other Fans Microwave Heated Pool All above in average condition Carport Condition Good Washer/Dryer Finished Scr.Cov.Entry/27sf Additional features (special energy efficient items, etc.): Driveway 3 Cars Vaulted ceilings in family room/dining area and living room; fireplace; security system; ceiling fans; tile flooring in kitchen, baths & living-dining area; storm panel inserts; window treatments; and 331sf screened porch under truss. Condition of the improvements, depreciation (physical, functional, and external), repairs needed, quality of construction, remodeling/additions, etc. functional or external inadequacies were noted. The improvements have been maintained in well above average condition relative to actual No physical. age. Interior was recently repainted. Ceramic tile flooring is reportedly 1 year old. Dimensional shingles and 18 SEER heat pump HVAC system are reportedly 6 years old. The 924sf detached garage/workshop is above average quality. Adverse environmental conditions (such as, but not limited to, hazardous wastes, toxic substances, etc.) present in the improvements, on the site, or in the immediate vicinity of the subject property.; No adverse environmental conditions were noted.

STA#18, Project 4060

ESTIMATED SITE VAL		UNIFORM RES	IDENTIAL	. APPRAISAL	REPORT	STA#1	a, i roject
			\$127	,000 Comments on Cos	t Approach (such a	File No. 219790 s, source of cost estimate,	nita valve
Dwelling 1	OUCTION COST-NEW-OF IN	APROVEMENTS:		square foot calcula	ation and for HIID A	/A and FmHA, the estimate	d remainie
	,814 Sq. Ft. @\$ 70	.00 = \$ <u>126</u>	,980	economic life of th	e property). The	Cost Approach cons	o tentisining
Total Options S	y, 27 Sq. Ft. @\$ 22. See Attached	.00 =	594	builder's costs	as determined	from completed app	iders area
Garage/Carnort 608	Sq. Ft. @\$28		,350	The land value	estimate is su	pported by land sale	aisais in I
Total Estimated Cost I	2 34. rt. @ \$ 28 New	3.00_ =17,	.024	general marke	t area. See atta	ched addendum.	is iii tiie
E Less P	Physical Functional		<u>,948</u>	<b>_</b>			
· .	39,407	LAWATION		Depreciation -	Economic Age	Life Method	
Depreciated Value of Ir		=\$_		407 Estimated rem	aining economi	c life is 51 years.	
"As-is" Value of Site In	TIDEOvernents	=\$_	143,	541			
INDICATED VALUE BY	COST APPROACH	***	21,	700 The Cost Appr	oach estimates	Replacement Cost	new not
ITEM	SUBJECT	=\$ COMPARABLE		2-1   Ruproduction	Cost new.		
27027 im	nperial Street	27101 Pinetrail Co	L NO. 1	COMPARABI	LE NO. 2	COMPARABL	NO. 3
Address 36-47-25	-B2-00007.0000	36-47-25-B2-00800	0.0080	26807 Spanish Ga	ardens Drive	11468 Terry Street	Ę
Proximity to Subject	AN MERCEN	0.09 mile southeas	at	25-47-25-B4-0050	4.0130	36-47-25-B1-00006	3.0090
Sales Price	\$ Not a Sai	ie	290,000	0.33 mile northwe		0.11 mile west	
Price/Gross Living Area	a \$	≠\$ 139.09 <b>≠</b>	250,000		265,000	u	375
Data and/or	Inspection	ORB 4401 PG 097	5	ORB 4311 PG 457			
Verification Source	Lee County	MLS/FARES/Lee C	County	MLS/FARES/Lee	1	ORB 4247 PG 322	5
VALUE ADJUSTMENTS	DESCRIPTION	DESCRIPTION	+(-)\$ Adjust.	DESCRIPTION		MLS/FARES/Lee C	<u>ounty</u>
Sales or Financing		Conventional	747.0300.	Conventional	+(-)\$ Adjust.	DESCRIPTION	+(-)\$ Ad
Concessions		\$261,000		\$235,000	:	Conventional	
Date of Sale/Time	Maria Cara	08/19/04		05/26/04		\$300,000	·· —·
Location	County Unrec.	Pinewood Estates		Spanish Gardens		04/06/04	
Leasehold/Fee Simple	Fee	Fee		Fee Gardens	-5,000	2 -1.100.	
Site	1.93 acres	.30 acre	+59,100		100.405	Fee	
View	Residential	Residential		Residential	+62,400		
Design and Appeal	Ranch	Ranch		Ranch	-	Residential	
Quality of Construction	CB/Brick Face	CBS/Similar		CBS/Superior	2.000	2 Story	
Age	Eff=14, A=21	Eff=6, A=8	-11,100	Eff=3, A=4	-3,600 15,300		
Condition Above Grade	Above Average	Superior	-11,100	Superior		Eff=3, A≈3	1 <u>5,</u> 3
Room Count	Total Bdrms Baths			Total Bdrms Baths	-15,300		-15,3
Gross Living Area	6 3 2	9 5 2		8 3 2	ļ	Total Bdrms Baths	
Basement & Finished	1,814 Sq. Ft.	2,085 Sq. Ft.	<u>-12,500</u>	2,195 Sq. Ft.	-17,500	8 3 2	40.0
Rooms Below Grade	None	None		None	-17,000	2,245 Sq. Ft.	-19,8
Functional Utility	1/2 Bath	None	+1,000		+1,000	None 1/2 Bath	
Heating/Cooling	Average	Average		Average			
Energy Efficient Items	Central	Central		Central	1	Average Central	
Garage/Carport	Adequate	Adequate		Adequate		Adequate	
Porch, Patio, Deck,	2 Garage	2 Garage		2 Garage		1 Carport	
Fireplace(s), etc.	331sf Scr.Porch	480sf Cov.Porch	-1,600	179sf Scr.Porch		1565sfScr.Porchs	+5,0
Fence, Pool, etc.	Fireplace None	None		None	<u>+1,500</u>	None	-13,5
· VVI I VVI, CII.	924sf Det.Wkshp	Pool/Deck/Cage		None		None	+1,50
		None		None		1360 Warkshop	
Other Features	PARTY OF THE PARTY	×+	20,300	× +	24,900	<u>+</u> ×- \$	-6,50
Other Features Net Adj. (total)		2011年9月1日 1月1日 1月1日 1月1日 1日 1					99,80
Other Features  Net Adj. (total)  Adjusted Sales Price of Comparable		la en			源		
Other Features  Net Adj. (total)  Adjusted Sales Price of Comparable  Comments on Sales Comm	Darison (including the cubi	S S		adusta de la s	289,900		275.20
Other Features  Net Adj. (total)  Adjusted Sales Price of Comparable  Comments on Sales Comm	Darison (including the cubi	S S		adusta de la s	289,900	At force state off c	275 20
Other Features Net Adj. (total) Adjusted Sales Price of Comparable Comments on Sales Comp comments. Sale #4	parison (including the subj	ect property's compatibility to	to the neighborhoo	\$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$	289,900 the attached a	sioner (1816) \$	275,20
Other Features  Net Adj. (total)  Adjusted Sales Price of Comparable  Comments on Sales Comp comments, Sale #4  adjustments exceed	parison (including the sub)  over 1 mile distant i  ed recommended pa	lect property's compatibility to s among the most rece	to the neighborhood ent of an adeq	stusion is a second structure of the second structure	289,900 the attached a on acreage in t	sioner (1816) \$	275,20
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### UNIFORM RESIDENTIAL APPRAISAL REPORT MARKET DATA ANALYSIS

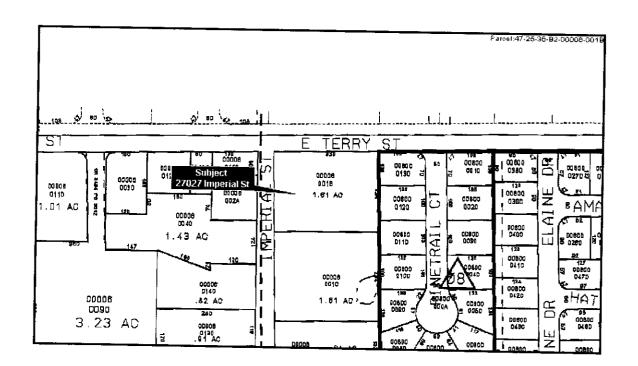
HAINES, L. Ferne Parcel No. 338

File No. 219790

favorable than the	The results of alginituality a	riation between the subject	and nave been con	sidered in the market ana	vsis. The description	Project No.	4000
ravurable ulan, me su	Diect property, a minus (-	ar and proximate to subject a riation between the subject a ) adjustment is made, thus r adjustment is made, thus in COMPARAB	and comparable pro reducing the indicat	perties. If a significant it	em in the comparab	le property is superior t	siment, rei D. Or more
ITEM	SUBJECT	aujusument is made, thus in	icreasing the Indica	ted value of the subject.	i a significant item j	n the comparable is infe	rior to, or
27027 Jr	nperial Street	COMPARAB	3LE NO. 4	COMPARA	BLE NO. 5	COMPAD	ABLE NO.
Address 36-47-25	5-B2-00007 0000	25357 Luci Drive			<del></del> -	OGMIFAN	ABLE NU.
Proximity to Subject	<u>5 D2-00001.0000</u>	22-47-25-B2-0020	0.6820			<u> </u>	
Sales Price	\$ Nota Sa	2.56 miles northwe			· · · · · · · · · · · · · · · · · · ·	<del> </del>	·
Price/Gross Living Are	- I 1401 U O O		297,000	2.6.0.0000		Na Olympia	
Data and/or					#X 16 16 16 16		\$ }
Verification Sources	Inspection	ORB 4460 PG 209	€0	<u> </u>	Edit of military ale Stocke.	<u> </u>	<u> </u>
VALUE ADJUSTMENTS	Lee County	MLS/FARES/Lee (	County	ļ		İ	
Sales or Financing	DESCRIPTION	DESCRIPTION	+(-)\$ Adjust.	DESCRIPTION	1 / 30 Adina	<del></del>	
Concessions		Conventional		3200111111014	+(-)\$ Adjust.	DESCRIPTION	<u>+(-</u>
Date of Sale/Time	Destroy Control of the second	\$263,200	<u>!</u>	f	1	1	:
Location	- 10 1 <b>1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1</b>	10/08/04			<del>†</del>	<del> </del>	
Leasehold/Fee Simple	County Unrec.	San Carlos Ests				<del> </del>	<u> </u>
Site	Fee	Fee			<del></del>	<del></del>	+
View	1.93 acres	1.25 acres	+24,700		!	<del></del>	
Design and Appeal	Residential	Residential			:	<del></del>	<del></del>
Ouglitust Construction	Ranch	2 Story			-	<del></del>	1
Quality of Construction Age	CB/Brick Face	Frame/Vinyl/Infer	+3,600		<del>;</del>		<u>:</u>
Condition	Eff=14, A=21	Eff=10, A=10	-5,500		<del></del>		<del>,</del>
Above Grade	Above Average	Superior	-5,500				<u>:</u>
Room Count	Total Bdrms Baths			Total Bdrms Baths	<del></del>	T-A-) B.	<u>:                                      </u>
Gross Living Area	6 3 2	9 4 2		January Danis	· [	Total Borms Baths	-i
Basement & Finished	1,814 Sq. Ft.	2,559 Sq. Ft.	34,300	Sq. Ft.			_
Rooms Below Grade	None	None			0		<u> </u>
Functional Utility	1/2 Bath	None	+1,000 f	. :			1
Heating/Cooling	Average	Average	/				<u>.                                    </u>
Energy Efficient Items	Central	Central		<del></del>			<u>:</u>
	Adequate	Adequate					
Garage/Carport	2 Garage	2 Garage					·
Porch, Patio, Deck,	331sf Scr.Porch	225sf Scr.Porch	+1,200				<u> </u>
Fireplace(s), etc.	Fireplace	Fireplace	,,,,,,				
Fence, Pool, etc. Other Features	None	None		<del>  </del>			
Outer reatures	924sf Det,Wkshp	None		_ <del></del>			
	SAND SOURCE STREET		+15.000	-			
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Net Adj. (total) Adjusted Sales Price of Comparable Date, Price and Data Source for prior sales within year of appraisal Comments: Due to the	No sale in past 36 months per Lee County	No sale in past 36 months prior to above per Lee Country	200 297,200 y	(1) (1) (1) (1) (1) (1) (1) (1) (1) (1)		Salass	irket sur
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### Plat Map

Borrower/Client HAINES, L. Ferne	
Property Address 27027 Imperial Street	·
City Bonita Springs Lender Lee County - County Lands	County Lee State FL Zip Code 34135-5830





### City of Bonita Springs

9101 BONITA BEACH ROAD BONITA SPRINGS, FL 34135 Tel: (239) 949-6262 FAX: (239) 949-6239 www.cityofbonitasprings.org

Jay Arend Mayor

Wayne P. Edsall Councilman District One

Alex Grantt Councilman District Two

R. Robert Wagner Councilman District Three

John Joyce Councilman District Four

David T. Piper, Jr. Councilman District Five

Ben L. Nelson, Jr. Councilman District Six

Gary A. Price City Manager Tel. (239) 949-6238

Audrey E. Vance City Attorney Tel. (239) 949-6254

City Clerk/Treasurer Tel: (239) 949-6250

**Public Works** Tel: (239) 949-6246

Code Enforcement Tel: (239) 949-6257

**Parks & Recreation** Tel: (239) 992-2556



May 23, 2005

Ms. Teresa L. Mann
Property Acquisition Agent
Lee County
PO Box 398
Fort Myers, FL 33902

RE: Purchase Agreement - Imperial Street Widening Project

Project No. 4060

Parcel 338, L. Ferne Haines

Dear Ms. Mann:

The agreed upon purchase conditions for the aforementioned entire parcel are reasonable and purchase is recommended by my office. Is there any chance to trade for a part of Thomson lot next door? Please talk to him.

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

Respectfully,

Gary A. Price City Manager

GAP/kd

cc: Ken Hoffman, Community Project Coordinator

# 5-Year Sales History

Parcel No. 338

# Imperial Street Widening Project No. 4060

Grantor	Grantee	Price	Date	Arms Length
				Y/N

### **NO SALES in PAST 5 YEARS**