| <u> </u> | ··· <u>·</u> ···· | Lee County E | Board of County Co | mmissioners | | <u> </u> | | |
|--|---|---|---|------------------------------------|----------------------|---|--|--|
| | | Ag | enda Item Summary | / | Blue Sheet | <u>No. 20030631</u> | | |
| ACTION REC amount of \$67 | ,000.00, pursuant | | arcel 242, Three Oaks nent; authorize paymen transaction. | | | | | |
| WHY ACTION IS NECESSARY: The Board must formally accept all real estate conveyances to Lee County. | | | | | | | | |
| WHAT ACTION | ON ACCOMPLIS | SHES: The Board a | voids Eminent Domain | | | | | |
| | MENTAL CATE | | NIA | 3. | MEETING D | | | |
| | ON DISTRICT | | CQD | | <u>07-01</u> | - <i>200</i> 3 | | |
| 4. <u>AGENDA</u> : CONSEN ADMINIS APPEAL | TRATIVE | 5. <u>REQUIREMENT/</u> (Specify) STATUTE ORDINANCE | 125 | 6. <u>REQUESTO</u> A. COMMISSIO | | <u>N</u> | | |
| PUBLIC | - | ADMIN. | | C. DIVISION | County Lands | 45×10,00 | | |
| WALK O | | OTHER | | BT: <u></u> | W. Forsyth. Director | Thing | | |
| | | | nt with the City of Bonit cquire property for the T | | | | | |
| | | | erty, improved with a si as STRAP No.: 25-47-7 | | | at 11213 Wagon | | |
| is inclusive of n | noving expenses. | | opez, have agreed to s / costs to close of appro proker fees, if any. | | | | | |
| The property w | as appraised by t | ne firm of Carlson, N | lorris and Associates, I | nc., with a resul | Iting value of \$67 | ,000.00. | | |
| moving expen | ses and the Cou | | is within an acceptable cquisition of the prope d Motion. | | | | | |
| 20 - 4043 - | CIP Three Oaks Park Road Impact Fee | nt 20404318808.506 way South Extensio s - Bonita | | Attachments: | | tion Map Included) of Bonita Springs Data | | |
| 8. MANAGE | | ENDATIONS: | | | | | | |
| | · · · · · · · · · · · · · · · · · · · | | | | 17 17 1 8 1 8 | | | |
| Α | В | 9. <u>REC</u> | OMMENDED APPRO | <u>JVAL</u> : F | | G | | |
| Department Director | Purchasing or Contracts | Human Othe | r County | Budget Ser (1441 6 1 | 7/03 | County Manager | | |
| fritte | D | Resources | 03 John J OA Diesigner 8.11 16/1 6-13.03 6/16/1 | | RISK GC | 10,003 | | |
| 10. <u>COMM</u> APPR | ISSION ACTION: | | Rec. by CoA | | IVED BY | | | |
| DENIE | Ð | | | COUN | TY ADMIN. | | | |
| DEFE | | | Date:6/13/ Time: 12:5 | | 3 4:20 | | | |
| L., ,, <u>, , , , , , , , , , , , , , , , ,</u> | | ···· | Forwarded To | FORW | ARDED TO: | ″ | | |
| SUPOOL 2 Only A | | ABILLE SHEET 05 22 03 | wod-ika (6/5 | OM | 100 | | | |

S:\POOL\3-Oaks 4043\242 MATA LOPEZ\BLUE SHEET 05 22 03.wpd-jkg (6/5/05)-

This document prepared by:

Lee County County Lands Division Project: Three Oaks Parkway South Extension, No. 4043 Parcel: 242/Mata & Lopez STRAP No.: 25-47-25-B4-00208.0050

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 ______ day of ______, 20___ by and between Lucio Mata, a single person, and Maria L. Lopez, a single person, as joint tenants with full rights of survivorship, Owners, hereinafter referred to as SELLER, whose address is, 11213 Wagon Trail, 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 .135 acres more or less, and located at 11213 Wagon Trail, Bonita Springs, Florida 34135 and more particularly described as Lot 5, Block 8, LEITNER CREEK MANOR, Unit 2, a subdivision according to the plat or map thereof, recorded in Plat Book 30, Pages 79 and 80, of the Public Records of Lee County, Florida, hereinafter called "the Property." This property will be acquired for the Three Oaks Parkway South Extension Project, hereinafter called "the Project."

2. **PURCHASE PRICE AND TIME OF PAYMENT:** The total purchase price ("Purchase Price") will be Sixty-Seven Thousand and No/100 (\$67,000.00), 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

AGREEMENT FOR PURCHASE AND SALE OF REAL ESTATE Page 2 of 7

title insurance Owner's Policy in the amount of the 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 pay for and provide:

- (a) 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) documentary stamps on deed;
- (c) utility services up to, but not including the date of closing;
- (d) taxes or assessments for which a bill has been rendered on or before the date of closing;
- (e) payment of partial release of mortgage fees, if any;
- (f) SELLER's attorney fees, if any.

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

- (a) Recording fee for deed;
- (b) survey, (if desired by BUYER).

AGREEMENT FOR PURCHASE AND SALE OF REAL ESTATE Page 3 of 7

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.

AGREEMENT FOR PURCHASE AND SALE OF REAL ESTATE Page 4 of 7

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

AGREEMENT FOR PURCHASE AND SALE OF REAL ESTATE Page 5 of 7

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 ninety (90) 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.

WITNE®SES: SELLER: 5=14=003 ${}^{\circ}$ {a (DATE) Lucio Mata WITNESSES: SELLER: 5-03 ¥a Maria L. DATE) Lopez BUYER: CHARLIE GREEN, CLERK LEE COUNTY, FLORIDA, BY ITS BOARD OF COUNTY COMMISSIONERS BY: BY: DEPUTY CLERK (DATE) CHAIRMAN OR VICE CHAIRMAN APPROVED AS TO LEGAL FORM AND SUFFICIENCY COUNTY ATTORNEY (DATE)

AGREEMENT FOR PURCHASE AND SALE OF REAL ESTATE Page 7 of 7

SPECIAL CONDITIONS

BUYER: Lee County SELLER: Mata & Lopez PARCEL NO.: 242

BUYER and SELLER hereby covenant that the Purchase Price recited herein, except as noted below, includes payment for all attorney fees, moving/ expenses, the manufactured home (Model 1978 Palm Decal No R 19041 - Title 15553339, L. 1. " additions, improvements, detached shed(s), carports, fencing, landscaping and put for all fixtures, including but not limited to, built-in-appliances, air conditioning units, hot water heaters, ceiling fans, screen enclosures, windows, / awnings, doors and floor covering, as of the date of the BUYER'S appraisal.

BUYER'S authorized agent will inspect the house and all other real property and improvements prior to closing. Removal of any fixture(s) by SELLER may cause a delay in closing and a reduction in the Purchase Price. All additional costs associated with any breach of this covenant will be paid by the SELLER. This covenant shall survive closing.

Upon the BUYER'S written acceptance of this Agreement, SELLER hereby gives permission allowing entry to the premises by County Representatives, upon first receiving 48 hours prior notice, in order for the premises to be inspected to determine if asbestos is present in the improvements or if relocating any or all real estate improvements is feasible subsequent to closing and the County taking possession of the Property.

WITNESSES: WITNESSES:

CHARLIE GREEN, CLERK

BY: DEPUTY CLERK (DATE)

| SELLER: Lucio matu | 5-150 | 3 |
|-----------------------|--------|---|
| Lucio Mata | (DATE) | |

Lucio Mata

Mariá L.

SELLER: 02

(DATE)

BUYER : LEE COUNTY, FLORIDA, BY ITS BOARD OF COUNTY COMMISSIONERS

Lopez

BY:

CHAIRMAN OR VICE CHAIRMAN

APPROVED AS TO LEGAL FORM AND SUFFICIENCY

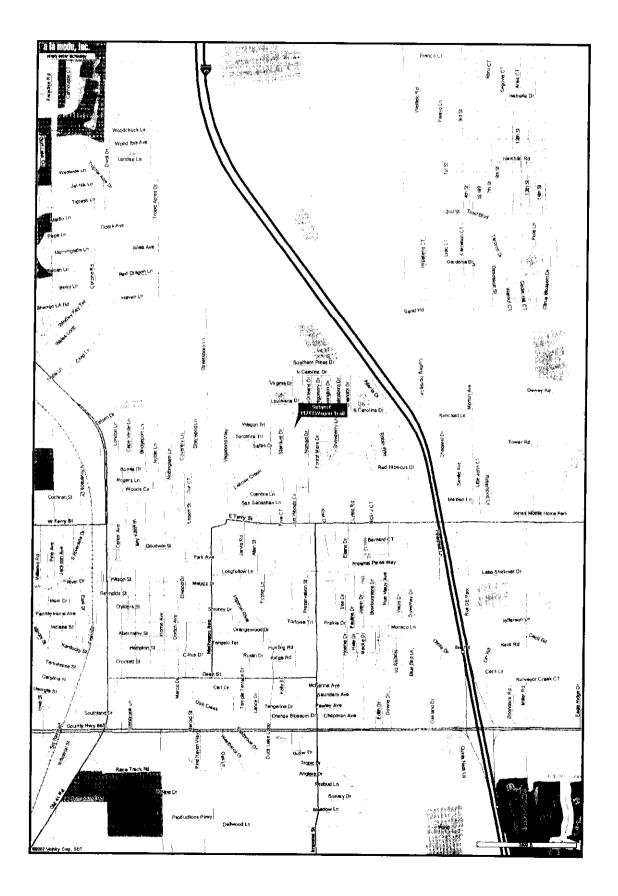
COUNTY ATTORNEY (DATE) CARLSON, NORRIS AND ASSOCIATES, INC. (239) 936-1991

| | immary . | Appra | nour rep | | 411 VA | | ESINI | ENTIA | . APPR/ | AISA | LR | EPOR | T Fil | e No. 02-7 | ect No. 4043 |
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| | | | ot 5 <u>, Leitner</u> 25-47-25- | | 0050 | | , PB <u>30</u> | | Year 2002 | DE | Таход | \$ 891.0 | <u>County Lee</u> | | nents \$ \$197/ Y |
| CT | | | ucio+LOPE | | | Current O | wner Lu | | Maria Lope | | Taxes | 0ccupa | | | |
| UEJECT | Property right | | | | Lease | ehold | | roject Type | | | Condo | | UD/VA only) | HOA \$ | |
| S | Neighborhoo | | | eitner Cre | | or | | | Map Refere | | | | | nsus Tract Of | |
| | Sale Price \$ | | a Sale Country Co | Date of S | | | | | nd \$ amount of ! | | | | | er N/A | |
| | Appraiser | | County - Co Benning, As | | IS | | | | ox 398, Fort | | | | | 104 | |
| ì | Location | | | X: Suburba | n B | urai | | edominant | Single | family h | ousing | | ers, FL 335 Intland use % | | id use change |
| | Built up | \times | Over 75% | 25-75% | 1.1 | nder 25% | | ccupancy | PRICE \$(000) | • | AGE [®] (vrs) | One fan | | | |
| | Growth rate | | Rapid | 🔀 Stable | l si | low | $ \times $ | Owner | 35 | Low | New | 2-4 fam | ily | | process |
| | Property value | | ncreasing | Stable | | eclining | | Tenant | 100+ | High | 28 | Multi-fa | · · | To: | |
| | Demand/supp Marketing tim | | | ⊠ in balani ⊠i a € maa | | ver supply | 1 2 3 | Vacant (0-5% | " house which | dominan | | Comme | | 1 | Oaks Parkway |
| | Marketing time Under 3 mos. 3-6 mos. Over 6 mos. Vac. (over 5%) 40-80+ 15-20 Vacant 0 Extension Project Note: Race and the racial composition of the neighborhood are not appraisal factors. | | | | | | | | | | | | | | |
| i | Neighborhood boundaries and characteristics: <u>Bordered by South Carolina Drive (N), I-75 (E), US Business 41 (W), E. Terry Street (S).</u> Maturely | | | | | | | | | | | | | | |
| 0 | developed | with pre | edominately | single fai | mily and | manufa | ctured h | nomes. | | | | | | | |
| 004 | Factors that a | affect the i | narketability of | the propertie | es in the ne | ighborhoo | d (proxim | ity to emplo | yment and ame | enities, e | mployn | nent stabili | ty, appeal to n | narket, etc.): | |
| BOR | Inere were | e no uni | avorable m | arketing c | onditions | observ | ed in th | is single | amily reside | enti <u>al n</u> | eighb | orhood | The area | consists of | average-good |
| 191 | and employ | vment c | enters) are | located n | aarby S | table to | incroas | erge-good | o appear in t | ne ma | r <u>ket</u> . | Service | facilities (s | schools, pa | rks, shopping, |
| 2 | dile employ | <u>1</u> | enters) are | logated if | carby. G | nable to | 1161663 | ang empi | yment anu | proper | rty va | ues are | prevalent. | | |
| | | | | | | | | | | | | | | | |
| | Market conditi | tions in th | e subject neigh | borhood (inc | luding sup | port for th | e above ci | onclusions r | elated to the tre | end of pr | operty | values, der | nand/supply, a | and marketing | time |
| | such as dat | ta on com | petitive proper | ties for sale i | n the neigh | borhoad, | descriptio | n of the prev | alence of sales | and fina | ancina (| concession | ns, etc.): | | |
| | No unusua adjustable | il marke | ting conces | sions are | necessa | ry for th | is mark | et area. | Resales are | sold <u>w</u> | vith co | nventio | nal financin | ig and cash | Fixed, |
| | balance, w | ith typic | al marketin | n time 4-6 | months | with so | illapie. me sala | Rates are | currently in |) t <u>ne 4.</u> s time (| .5% (C | 0.5% F | ange. Supj soller metij | <u>ply & dema</u> votion (orig | nd are in ing). Sales |
| | | | ot prevalent | | monina | | ini <u>e sun</u> | sa taning | | 2 dine i | uehei | ung on | sener mou | vauon (pric | ing). Sales |
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| 2 | | | | | | | | | Owners' Asso | | | | | Yes | No N/A |
| a. | | | er of units in the | | | N/A | N/A | | oproximate tot | tal numb | er of ur | its for sale | e in the subjec | t project | <u>N/A</u> |
| | | | 00' per Cou | | | | | | | | T | pography | Lev | | |
| | Site area 5 | | • | | | | | Corner | ot Yes | imes No | | ze Ze | Тур | | |
| | | | ation and desc | ription | MH-1, M | /lobile H | ome Co | onservatio | | | | аре | | tangular | |
| | Zoning compli | | | Legal nonc | | ý | , |) ⁱ j Illega | No zo | ning | D | rainage | Арр | ears Adequ | uate |
| | Highest & best | | | Present use | | <u>her</u> u <u>s</u> e (e | | | | | | ew | | idential | |
| | Utilities Electricity | Publi | c Ut | her | Street | mprovem | ents phait pav | Type | Public | : Priva | | indscaping | | ve Average | e/Citrus |
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| aluation Section | U | IFORM RESIDENTIA | L APPRAISAL I | REPORT | Project No. File No. 02-78-39 | 4043 |
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| ESTIMATED SITE VALUE | Unimproved sit | e = \$ 1 | 6,000 Comments on Cost | Approach (such as, | , source of cost estimate, site | |
| | ION COST-NEW-OF IMPR | | | | and FmHA, the estimated ren | |
| | 2 Sq. Ft. @\$ 50.00 | | | | attached for floor plan a | |
| Screened Porch, 34 | 11 Sq. Ft. @\$ <u>16.0</u> 0 | = 5,456 | | | eveloped to its highest | |
| Garage/Carport 304 | _ Sq. Ft. @\$12.0 | = <u>a can</u> | use. No appare | ant functional of | locational obsolescent | ce noted. |
| Total Estimated Cost New | | $\frac{0}{2} = \frac{3,528}{60,084}$ | See attached fo | or comments or | land value. Costs are & completed appraisals | supported |
| 8 Less Phys | | External | retained in the a | pulluel s costs | α completed appraisais | |
| a | 1,029 | 1 | 1,029 | | | |
| Depreciated Value of Impr | · · · · · · · · · · · · · · · · · · · | · · · · · · · · · · · · · · · · · · · | 9,055 Depreciation - E | conomic Age/l | ife Method | |
| "As-is" Value of Site Impre | ovements | | 1 500 Estimated rema | | | |
| INDICATED VALUE BY CO | OST APPROACH | =\$ 6 | 6,555 | | | |
| ITEM | SUBJECT | COMPARABLE NO. 1 | COMPARABL | | COMPARABLE NO | . 3 |
| 11213 Wag | - | 11183 Tango Drive | 26658 Token Cour | | 26788 Stardust Drive | |
| Address 25-47-25-B | 4-00208.0050 | 25-47-25-B4-00211.0010 | 25-47-25-B4-00200 | | 25-47-25-B4-00211.01 | 160 |
| Proximity to Subject Sales Price | | 0.14 mile south | 0.10 mile southwes | | 0.16 mile south | |
| Price/Gross Living Area | \$ <u>Not a S</u> ale | \$ 56,0 \$ 83.33 / | | 56,900 | | 70,00 |
| Data and/or | Inspection | ORB 3846 PG 4707 | ORB 3882 PG 430 | | \$ 60.76 / ORB 3768 PG 1453 | · - · · |
| Verification Source | Pub.Records | MLS/FARES/Lee County | MLS/FARES/Lee C | | MLS/FARES/Lee Court | ntu |
| VALUE ADJUSTMENTS | DESCRIPTION | DESCRIPTION +(-)\$ Adjus | | +(-)\$ Adjust. | | rity_ ⊦(−)\$Adjust. |
| Sales or Financing | | Cash | Conventional | | Conventional | y je Adjusi, |
| Concessions | [4] 新年代10.22 20 25 25 25 | Indicated | \$56,000 | | \$69,000 | |
| Date of Sale/Time | | 02/14/03 | 03/26/03 | · · · · · · · · · · · · · · · · · · · | 11/05/02 | |
| Location | LeitnerCrkManor | LeitnerCrkManor | LeitnerCrkManor | | LeitnerCrkManor | |
| Leasehold/Fee Simple | Fee | Fee | Fee | | Fee | |
| Site | 5,900sf | 5,700sf | 6,000sf | | 5,700sf | |
| View | Residential | Residential | Residential | | Residential | |
| Design and Appeal Duality at Construction | Singlewide+ | Singlewide | Singlewide | | Doublewide | |
| Quality of Construction Age | MH/Average Eff=14, A=25 | MH/Average | MH/Superior | -2,000 | ¥ | |
| Condition | Eπ=14, A=25 Above Avg. | Eff=14, A=28 Above Avg. | Eff=17_A=25 | +2,200 | | -2,200 |
| Above Grade | Total Bdrms Baths | Total Bdrms Baths | Total Bdrms Baths | +2,200 | | -2,200 |
| Room Count | 5 1 3 | <u>4 2 2</u> +2,0 | | +2,000 | Total Bdrms <u>Baths</u> <u>6</u> 42 | +2,000 |
| Gross Living Area | 1,022 Sq. Ft. | 672 Sq. Ft +11,20 | | +11,200 | 1,152 Sq. Ft. | -4,200 |
| Basement & Finished | None | None | None | | None | -,200 |
| Rooms Below Grade | None | None | None | | None | |
| Functional Utility | Average | Average | Average | | Average | |
| Functional Utility Heating/Cooling Energy Efficient Items | Cent+Wall Units | | 00 Central/Central | -500 | Central/Central | -500 |
| Energy Efficient Items | Typical | Typical | Typical | | Typical | |
| Garage/Carport Porch Patio Deck | 1 Carport | 1 Carport | 1 Carport | | Driveway | +2,000 |
| i oron, i dao, o'con, | 341sf Scr.Porch | | 0 260sfEncl.Porch | -500 | None | +2,700 |
| Fireplace(s), etc. | None None | 156sf Sheds -1,20 None | 00 None 368sf Scr.Porch | 2 000 | None | |
| Other Feratures | None | 120sf Att.Utility -1,00 | | -2,900 | Fenced None | -2,000 |
| Net Adj. (total) | 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 | × + - \$ 10,70 | | _ <u>-500</u> 11,200 | <u> + X - \$</u> | 4,400 |
| Adjusted Sales Price | NY AND NO 1 | Net 19.1.% | Net 197 % | 11,200 | | 4,400 |
| of Comparable | | | 0 Gross 42.2 % s | 68.100 | Gross 25,4,54,5 | 65,600 |
| Comments on Sales Comp | arison (including the subj | ect property's compatibility to the neighb | orhood, etc.): See | e attached com | ments. Adjustments ex | ceeded |
| parameters in some | instances due to the | subject's larger than typical gro | ss living area than the | more typical si | nolewide manufactured | homes in |
| Leitner Creek Manor | In the opinion of the | e appraiser, no adjustment is re | equired for the subject's | single bedroor | n relative to the compa | rable's 2 |
| bedrooms due to the | air conditioned den | s (functional as spare bedrooms | s) with attached full bath | ıs | ······ | |
| | | ······· | | · · | | |
| | cubicor 1 | 001010101010 | | | | |
| ITEM | SUBJECT | COMPARABLE NO. 1 | COMPARABLE | NU. 2 | COMPARABLE NO. | 3 |
| Date, Price and Data Source, for prior sales | No sale in the | No prior sale noted | No prior sale noted | | No prior sale noted | |
| Source, for prior sales within year of appraisal | | other than above in past twelve months | other than above in | | other than above in | |
| | | listing of subject property and analysis o | <u>past twelve months</u> | | past twelve months | |
| The subject property | is not listed in the n | noning or addjedt property and analysis d edional MES | i any priorisales of subject an | iu comparables witt | in one year of the date of app | raisai: |
| | | agenu mes. | · · · <u></u> | | | · · · · · · |
| INDICATED VALUE BY SAI | ES COMPARISON APPR | DACH | | | ¢ | 67,000 |
| INDICATED VALUE BY INC | | | N/A/Mo. x Gr | ross Rent Multiplier | = \$ | ar,000 |
| This appraisal is made | 🗙 "as is" 👘 subjec | t to the repairs, alterations, inspections of | r conditions listed below | subject to c | ompletion per plans & specific | ations |
| | | or conditions affect this apprais | | RY APPRAISA | L REPORT. See attach | ed |
| Special Limiting Con- | ditions. | | | | | |
| Final Reconciliation: The | Sales Comparison | Anaysis typically best reflects th | e actions and attitudes | of participants | in the marketplace. The | e Cost |
| Approach is supporti- | ve. Insufficient mar | et data is available for a reliable | e GRM. | | | |
| | ni is ta actimata the second | the sector se | | | | |
| The purpose of this appro- | | | | | • | pent |
| The purpose of this apprais and limiting conditions, and | | iai are sialeu in the attached Freddle Mac | | | <u> </u> | 00 |
| and limiting conditions, and | I market value definition th | | IL AURAPULI UP 1805 KEPORT | an ur | | 1.1.4 |
| and limiting conditions, and I (WE) ESTIMATE THE MAR | I market value definition th IKET VALUE, AS DEFINE | D, OF THE REAL PROPERTY THAT IS TH | | | April 8, 20 | 0 |
| and limiting conditions, and I (WE) ESTIMATE THE MAR (WHICH IS THE DATE OF IN | I market value definition th IKET VALUE, AS DEFINE ISPECTION AND THE EFF | D, OF THE REAL PROPERTY THAT IS TH ECTIVE DATE OF THIS REPORT) TO BE | St. | 67,000 | | |
| and limiting conditions, and I (WE) ESTIMATE THE MAR (WHICH IS THE DATE OF IN APPRAISER: PDI-BERG | I market value definition th IKET VALUE, AS DEFINE ISPECTION AND THE EFF | D, OF THE REAL PROPERTY THAT IS TH ECTIVE DATE OF THIS REPORT} TO BE SI | IPERVISORY APPENSER (OF | 67,000 | J. Lee Norris, MAI, SR | IA. |
| and limiting conditions, and I (WE) ESTIMATE THE MAR (WHICH IS THE DATE OF IN APPRAISER: Phileson Signature | I market value definition the IKET VALUE, AS DEFINE ISPECTION AND THE EFF Ing, Associate | D, OF THE REAL PROPERTY THAT IS TH ECTIVE DATE OF THIS REPORT) TO BE SI SI Si | UPERVISORY APP BUSER (OF | 67,000 | J. Lee Norris, MAI, SR | kA. ⊲ Did Not |
| and limiting conditions, and I (WE) ESTIMATE THE MAR (WHICH IS THE DATE OF IN APPRAISER: PDI BERR | I market value definition the IKET VALUE, AS DEFINE ISPECTION AND THE EFF hing, Associate Ssociate | D, OF THE REAL PROPERTY THAT IS TH ECTIVE DATE OF THIS REPORT) TO BE SI SI N | IPERVISORY APPENSER (OF Inature J. Lee Norris, MAI, | 67,000 VX IF REQUIRED): SRA | J. Lee Norris, MAI, SR | ŁA. ⊲ Did Not |
| and limiting conditions, and I (WE) ESTIMATE THE MAR (WHICH IS THE DATE OF IN APPRAISER: Phileopring Signature | I market value definition the IKET VALUE, AS DEFINE ISPECTION AND THE EFF ing, Associate ssociate (13, 2003 | D, OF THE REAL PROPERTY THAT IS TH ECTIVE DATE OF THIS REPORT) TO BE SI Si No. Date: Date: | UPERVISORY API DAISER (Or gnature Ime J. Lee Norris, MAI, Ite Report Ingned May 13 | 67,000 VX IF REQUIRED): SRA | J. Lee Norris, MAI, SR Did Did Inspect Pro | tA ⊲ Did Not iperty |
| and limiting conditions, and I(WE) ESTIMATE THE MAR (WHICH IS THE DATE OF IN APPRAISER: Phil Borning, A Name Phil Borning, A Date Report Signed May | I market value definition the IKET VALUE, AS DEFINE ISPECTION AND THE EFF ing, Associate ssociate (13, 2003 | D, OF THE REAL PROPERTY THAT IS TH ECTIVE DATE OF THIS REPORT) TO BE SI Si No No REA State FL St | UPERVISORY API DAISER (Or gnature Ime J. Lee Norris, MAI, Ite Report Ingned May 13 | 67,000 IF REQUIRED): SRA 3, 2003 | J. Lee Norris, MAI, SR Did Did Inspect Pro | tA ⊲ Did Not pperty e_FL |

PAGE 2 OF 2 Form UA2 — "TOTAL for Windows" appraisal software by a la mode, inc. — 1-800-ALAMODE

| Locati | on Map | |
|--|---------------------------------------|-------------------------|
| Borrower/Client MATA, Lucio+LOPEZ, Maria Property Address 11213 Wagon Trail | · · · · · · · · · · · · · · · · · · · | · · · · · · · · · · · · |
| City Bonita Springs County Lee Lender Lee County - County Lands | State FL | Zip Code 34135-5344 |



Form MAP.LOC — "TOTAL for Windows" appraisal software by a la mode, inc. --- 1-800-ALAMODE



City of Bonita Springs

9220 BONITA BEACH ROAD SUITE 111 BONITA SPRINGS, FL 34135 TEL: (239) 390-1000 FAX: (239) 390-1004 www.cityofbonitasprings.org

Paul D. Pass Mayor

Wayne P. Edsall Councilman District One

Jay Arend Councilman District Two

R. Robert Wagner Councilman District Three

John C. Warfield Councilman District Four

David T. Piper, Jr. Councilman District Five

Ben L. Nelson, Jr. Councilman District Six

 \sim

Gary A. Price City Manager

Audrey E. Vance City Attorney May 16, 2003

Mr. J. Keith Gomez Property Acquisition Agent Lee County PO Box 398 Fort Myers, FL 33902

RE: Purchase Agreement – Three Oaks Parkway Extension Project No. 4043 Parcel 242, Mata and Lopez

Dear Mr. Gomez:

The agreed upon purchase conditions for the aforementioned parcel are reasonable and purchase is recommended by my office.

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

Respectfully,

Gary A/Price City Manager

GAP/kw

+2399475055

FUND COMMITMENT

Schedule A

Commitment No.: CF-1114738 Effective Date: April 20, 2003 at 5:00 P.M.

1. Policy or Policies to be issued:

Fund File Number 18-2003-2526 Agent's File Reference: 03-1146

Proposed Amount of Insurance

OWNER'S: ALTA Owner's Policy (10/17/92).

\$67,000.00 V

Proposed Insured:

Lee County, a political subdivision of the State of Florida 🗸

MORTGAGEE:

Proposed Insured:

2. The estate or interest in the land described or referred to in this commitment is a fee simple and title thereto is at the effective date hereof vested in:

Lucio Mata and Maria L. Lopez 🗸

3. The land referred to in this commitment is described as follows:

Lot 5, Block 8, LEITNER CREEK MANOR, Unit 2, according to the map or plat thereof as recorded in Plat Book 30, Page(s) 79 and 80, Public Records of Lee County, Florida. \checkmark

AGENT NO.: 1371 ISSUED BY: Law Offices of John D. Spear MAILING ADDRESS:

9200 Bonita Beach Rd. Ste. 204 Bonita Springs, Fl. 34135

Ol

AGENT'S SIGNATURE

Law Offices of John D. Spear PA

Rev.1.2

Page 1 of 4

FROM-LAW OFFICES OF JOHN D SPEAR PA

+2399475055

Schedule B

FUND COMMITMENT

Commitment No.: CF-1114738

Fund File Number 18-2003-2526

- I. The following are the requirements to be complied with:
 - 1. Payment of the full consideration to, or for the account of, the grantors or mortgagors.
 - 2. Instruments creating the estate or interest to be insured which must be executed, delivered and filed for record: BOTH SWGLE
- a. Warranty Deed from Lucio Mata, joined by spouse, if married, to the proposed purchaser(s).*
- b. Warranty Deed from Maria L. Lopez, joined by spouse, if married, to the proposed purchaser(s).
 - 3. A determination must be made that there are no unrecorded special assessment liens or unrecorded liens arising by virtue of ordinances, unrecorded agreements as to impact or other development fees, unpaid waste fees payable to the county or municipality, or unpaid service charges under Ch. 159, F. S., or county ordinance.
- 4. Satisfaction of the mortgage from Lucio Mata, a single man and Maria L. Lopez, a single person to First Union National Bank dated November 9, 1998 and recorded in O.R. Book 3035, Page 3945, Public Records of Lee County, Florida. \$41,468.00
- 5. Satisfaction of the mortgage from Lucio Mata, a single man and Maria L. Lopez, a single person to Leah J. Castle dated November 9, 1998 and recorded in O.R. Book 3035, Page 3949, Public Records \$7,58000 of Lee County, Florida. -\$965.36
- 6. Proof of redemption of Tax Sale Certificate No. 02-035847 for taxes for the year 2001 and Tax Sale Certificate No. 03-035172 for taxes for the year 2002 must be furnished. 9/051, 2/\$90,50.

For Information: Uncertified Judgment against a Maria Lopez recorded in O. R. Book 2917, Page 3269 and Guardianship Letters for a Maria Lynn Lopez recorded in O. R. Book 2627, Page 4172.

П. Schedule B of the policy or policies to be issued will contain exceptions to the following matters unless the same are disposed of to the satisfaction of The Fund:

1. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the effective date hereof but prior to the date the proposed insured acquires for value of record the estate or interest or mortgage thereon covered by this commitment.

Schedule **B**

Commitment No.: CF-1114738

Fund File Number 18-2003-2526

- 2. Any owner and mortgagee policies issued pursuant hereto will contain under Schedule B the standard exceptions set forth at the inside cover hereof unless an affidavit of possession and a satisfactory current survey are submitted, an inspection of the premises is made, it is determined the current year's taxes or special assessments have been paid, and it is determined there is nothing of record which would give rise to construction liens which could take priority over the interest(s) insured hereunder (where the liens would otherwise take priority, submission of watvers is necessary).
- 3. Federal liens and judgment liens, if any, filed with the Florida Department of State pursuant to Sec. 713.901, et seq., F.S., and Sec. 55.201, et seq., F.S., respectively, which designate the Florida Department of State as the place for filing federal liens and judgment liens against personal property. For insuring purposes:
 - (a) Pursuant to Sec. 713.901, et seq., F.S., personal property includes, but is not limited to, mortgages, leaseholds, mortgages on leaseholds, interests in cooperative associations, vendees' interests, and options when those interests are held by a partnership, corporation, trust or decedent's estate; and
 - (b) Pursuant to Sec. 55.201, et seq., F.S., personal property includes, but is not limited to, leaseholds, interests in cooperative associations, vendees' interests, and options regardless of the type of entity holding such interests, including individuals. (Note: Mortgages have been specifically excluded from the personal property interests in which a judgment lien may be acquired under the provisions of Sec. 55.201, et seq., F.S.)
- Restrictions, conditions, reservations, easements, and other matters contained on the Plat of Leitner Creek Manor, Unit 2, as recorded in Plat Book 30, Page(s) 79 and 80, Public Records of Lee County, Florida. 749
- 5. Covenants, conditions, and restrictions recorded in O.R. Book 575, Page 805, Public Records of Lee County, Florida, which contain provisions creating easements and/or assessments.
- 6. Assignment of Rights recorded in O.R. Book 2603, Page 3024, Public Records of Lee County, Florida.
- 7. Utility Easement recorded in O.R. Book 826, Page 697, Public Records of Lee County, Florida. UTILITY EASEMENTS, ALL STREETS
- Covenants, conditions, and restrictions recorded in O.R. Book 773, Page 856, Public Records of Lee County, Florida, which contain provisions creating easements and/or assessments. UTILITY EASEMENTS, ALL P/L
- 9. Taxes for the year 2003, which are not yet due and payable.
- Lee County Ordinance No. 86-14 recorded November 30, 1990, in O.R. Book 2189, Page 3281; and amended by Ordinance No. 86-38 in O.R. Book 2189, Page 3334, Public Records of Lee County, Florida. SOUD WASTE
- 11. Subject to rights of tenants under unrecorded leases, if any.

Page 3 of 4

I D SPEAR PA +2399475055 FUND COMMITMENT

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Schedule B

Commitment No.: CF-1114738

Fund File Number 18-2003-2526

12. Sufficient proof must be furnished and placed of record to establish that at the time of the conveyance of the subject property to Lucio Mata and Maria L. Lopez by deed recorded under O.R. Book 3035, Page 3944, Public Records of Lee County, Florida, the subject property did not constitute the homestead of the Grantor under said deed, or that said Grantor was unmarried at the time of such conveyance. 1/

5-Year Sales History

Parcel No. 242

Three Oaks Parkway South Extension Project No. 4043

| Grantor | Grantee | Price | Arms Length Y/N | |
|----------------|--------------------------------|-------------|--------------------|---|
| Leah J. Castle | Lucio Mata & Maria L. Lopez | \$42,900.00 | 11/09/98 | Y |