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This document prepared by:

Lee County

County Lands Division

Project: Three Oaks Parkway South Extension, No. 4043

Parcel: 225/Mendoza

STRAP No.: 25-47-25-B4-00201.0220

BOARD OF COUNTY COMMISSIONERS

LEE COUNTY

AGREEMENT FOR PURCHASE AND SALE OF REAL ESTATE

THIS AGREEMENT for purchase and sale of real property is mad
this, 20 by and between Felip
Mendoza, a married person, Owner, hereinafter referred to as SELLER
whose address is, P.O. Box 366843, Bonita Springs, Florida 34136
and Lee County, a political subdivision of the State of Florida
hereinafter referred to as BUYER.

WITNESSETH:

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- 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 .186 acres more or less, and located at 11188 Wagon Trail, Bonita Springs, Florida 34135 and more particularly described as Lot 22, Block 1, 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-Six Thousand Five Hundred and No/100 (\$66,500.00), 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 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).

- 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. 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 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.

AGREEMENT FOR PURCHASE AND SALE OF REAL ESTATE Page 6 of 7

WITNESSES:	SELLER:
Mon as Sonsules	Felipe Mendoza (DATE)
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

BUYER: Lee County SELLER: Mendoza PARCEL NO.: 225

WITNESSES:

BUYER and SELLER hereby covenant that the Purchase Price recited herein, except as noted below, includes payment for attorney fees, moving expenses, the manufactured home (Model F_{In} Tag # 287328), in additions, improvements, detached shed(s), carborts, fencing, landscaping and 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.

SELLER hereby agrees to deliver possession of the Property, absent of any resident(s) or tenant(s), to BUYER at the time of closing and further agrees that the purchase of the Property is NOT subject to any written or verbal lease agreement(s) of the SELLER.

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.

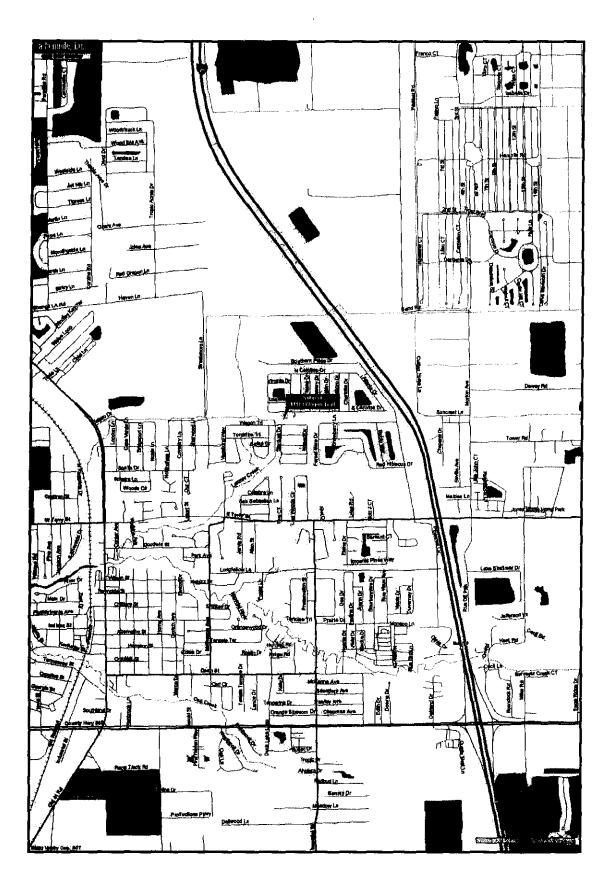
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	APPROVED AS TO LEGAL FORM AND SUFFICIENCY
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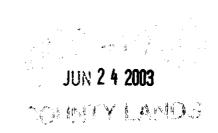
ESTIMATED REPRODUC	Unimproved.si	te	3 1.4.	000 Commente on Cost	Annysoch feuch	source of cost estimate,	elfa value
		ROVEMENTS:	101			, source or cost estimate, : A and FmHA, the estimated	
Dwelling 82	<u>24</u> Sq. Ft. @\$ <u>50.0</u>	0 = \$ 41	,200			attached for floor pla	
Screened Porch, 24	48 Sq. Ft. @\$ 18.0	0 = 3	<u> 1,936</u>	calculations. S	Subject site is d	eveloped to its highe	st and be
Frm/StucShed288sf@	2\$25/ef+Shed95ef@\$ Sq. ft. @\$ 12.0	16/s = 8	3 <u>,720</u>	use. No appare	ent functional o	r locational obsolesc	ence note
Total Estimated Cost Nev	Sq. rt. @ \$ <u>12.0</u>	= \$ 56	2 <u>,364</u> 3,220	See attached for	or comments or	land value. Costs a & completed apprais	re suppor
	sical Functional	External	<u>veen</u>	retained in the			als
	1,083	=\$	21,0				
Depreciated Value of Imp	provements	=\$	35,1	137 Depreciation - E			
"AS-IS" VAIUS OF SITE IMPR	FOVERNERIS	=\$ =\$	12,0		ining economic	life = 25 years.	
ITEM	SUBJECT	COMPARABI		COMPARABL	E NO. 2	0011010101	110.0
11188 Was	gon Trail	11183 Tango Driv		28719 Stardust Dri		COMPARABLE 26788 Stardust Driv	
Address 25-47-25-E	34-00201.0220	25-47-25-B4-0021		25-47-25-B4-0020°		25-47-25-B4-00211	
Proximity to Subject		0.17 mile south		0.16 mile south		0.19 mile south	· · · · · · · · · · · · · · · · · · ·
Sales Price Price/Gross Living Area	\$ Not a Sale		56,000		52,000	\$	70
Data and/or	Inspection	\$ 83,33 ¢		\$ 72.22 Ф ORB 3846 PG 471		\$ 60.76 Ф	
Verification Source	Pub.Records	MLS/FARES/Lee		MLS/FARES/Lee C		ORB 3768 PG 1453 MLS/FARES/Lee C	-
VALUE ADJUSTMENTS	DESCRIPTION	DESCRIPTION	+(-)\$ Adjust.	DESCRIPTION	+(-)\$ Adjust.	DESCRIPTION	+(-)\$ Ad
Sales or Financing		Cash		Cash		Conventional	
Concessions Date of Spic Circo		Indicated	 	Indicated		\$69,000	
Date of Sale/Time Location	LeitnerCrkManor	02/14/03 LeitnerCrkManor		01/14/03		11/05/02	
Leasehold/Fee Simple	Fee	Fee	 	LeitnerCrkManor Fee	<u> </u>	LeltnerCrkManor Fee	
Sitte	8,100sf	5,700sf	+2,000		+2.000	5,700sf	+2,
View	Residential	Residential	<u> </u>	Residential		Residential	<u></u>
Design and Appeal	Singlewide	Singlewide	i	Singlewide		Doublewide	
Quality of Construction Age	MH/Good Eff=15, A=44	MH/Good Eff=14, A=28		MH/Good		MH/Good	
Condition	Above Avg.	Superior	-700 -700	Eff=17, A=29	+1,400 +1,400	Eff=11, A=27 Superior	<u>-2.</u>
Above Grade	Total Borms Baths	Total Bdrms Baths	-100	Total Bdrms Baths	T 1,400	Total Borns Baths	2,
Room Count	4 2 2	4 2 2	1	4 2 2		6 4 2	
Gross Living Area	824 Sq. Ft.	872 Sq. Ft.	+4,900	720 Sq. Ft.	+3,300	1,152 Sq. Ft.	-10,5
Basement & Finished	None	None		None		None	
Rooms Below Grade Functional Utility	None Adequate	None		None		None	
Heating/Cooling	Central/Central	Adequate CentralCentral		Adequate Central/Central		Adequate Control	
Energy Efficient Items	Typical	Typical		Typical		Central/Central Typical	_ -
Garage/Carport	1 Carport	1 Carport		1 Carport		Driveway	+2,0
Porch, Patio, Deck,	246sf Scr.Porch	200sf Encl.Porch		150sfVinyl Porch	+600	None	+2,0
Fireplace(s), etc. Fence, Pool, etc.	95sf Shed Fenced	156sf Sheds		64sf Shed		None	+8
I DIRATE PIETE AUT:	288sf Shed	None 120sf Att, Utility	+1,000	None 80sf Att.Utility		Fenced	
			8,600			None :	+3,6
Other Feratures Net Adi. (total)					12 900 1		
Other Feratures		N + _ - :3	0,000	⋈ + □ - \$	12,900	T T T T T T T T T T T T T T T T T T T	5,7
Other Feratures Net Adj. (total) Adjusted Sales Price of Comparable Comments on Sales Comp	arison (including the sub)	\$ ect property's compatibilit	64,800 y to the neighborho	\$ sed etc.):	64,900 attached com	ments. Adjustments	64,3
Other Feratures Net Adj. (total) Adjusted Sales Price of Comparable Comments on Sales Comp perameters in some Manor.	arison (including the sub) Instances due to the	subject's larger tha	64,600 y to the neighborho in typical livable	\$ see area relative to sing	64,900 attached com glewide manufa	ments. Adjustments ctured homes in Leit	ner Creel
Other Feratures Net Adj. (total) Adjusted Sales Price of Comparable Comments on Sales Comp perameters in some Manor. ITEM	arison (including the sub) instances due to the SUBJECT	sect property's compatibility subject's larger that	64,600 y to the neighborho in typical livable	sod, etc.): See	64,900 attached com plewide manufa	ments. Adjustments ctured homes in Leit	64,3 exceeded ner Creek
Other Feratures Net Adj. (total) Adjusted Sales Price of Comparable Comments on Sales Comp parameters in some Manor. ITEM Date, Price and Data	arison (including the sub) Instances due to the	sect property's compatibility subject's larger tha COMPARABLE No prior sale noted	64,800 y to the neighborho n typical livable	od, etc.): See a area relative to sing COMPARABLE No prior sale noted	84,900 attached com plewide manufa	ments. Adjustments octured homes in Leit COMPARABLE No prior sale noted	64,3 exceeded ner Creek
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Location Map

Borrower/Client MENDOZA, Felip	e		
Property Address 11188 Wagon Tr	all		
City Bonita Springs	County Lee	State FL	Zip Code 34135-5367
Lender Lee County - County Lar	nde	<u> </u>	







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

Gary A. Price City Manager

Audrey E. Vance City Attorney June 23, 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 225, Mendoza

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

ENDORSEMENT

Attorneys' Title Insurance Fund, Inc.

ORLANDO, FLORIDA

Endorsement No.	1	to	Commitment	No.: CF-1114763
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Name of Original Insured:

LEE COUNTY, a political subdivisionof the State of Florida /

Original Effective Date: 06/13/03 11:00.00 p.m.

Original Amount of Insurance: \$83,000.00

Agent's File Reference: 03-1184

The policy is hereby amended as follows:

Schedule A, item 1, the proposed amount of insurance, is amended to read as follows: $$66,500.00 / _{-0}N$

(Continue text of endorsement on separate continuation sheet if necessary.)

but in all other respects remains unchanged.

LAW OFFICES OF

JOHN D. SPEAR, P.A.

Name of Agent

07/07/03

13710

Date

Agent No.

Attorneys' Title Insurance Fund, Inc.

By Charles J. Kovaleski
President

Attorney - Agent's Signature

Serial No.

(09/00 DisplaySoft 01-WIN-1-FL-BLNK!)

FUND COMMITMENT

Schedule A

Commitment No.:

CF-1114763

Effective Date:

June 13, 2003 at 5:00 p.m.

Fund File Number 18-2003-3067 Agent's File Reference: 03-1185

Policy or Policies to be issued:

OWNER'S:

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

Proposed Insured:

Proposed Amount of Insurance 883,000.00 C

-SEE END. NO. 1

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:

Felipe Mendoza A MARIN D PERSUN

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

Lot 22, Block 1, LEITNER CREEK MANOR SUBDIVISION, 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.

AGENT NO.: 13710

ISSUED BY: LAW OFFICES OF JOHN D. SPEAR, P.A.

MAILING ADDRESS:

9200 Bonita Beach Road, Suite

#204

Bonita Springs, Florida 34135

Rev.1.2

FUND COMMITMENT

Schedule B

Commitment No.: CF-1114763

JUL-08-2003 08:44AM

Fund File Number 18-2003-3067

- 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.
 - Instruments creating the estate or interest to be insured which must be executed, delivered and filed for record;
 - a) Warranty Deed from Felipe Mendoza, joined by spouse, if married, to the proposed purchaser(s).
 - b) Motor vehicle title certificate in favor of Felipe Mendoza to be transferred to the proposed insured purchaser(s) and a new certificate to be obtained in favor of the proposed insured purchaser(s).
 - c) Issuance of "RP" series sticker and affixing to the lower left corner of the window closest to the street providing access to the residence as required by Sec. 320.0815(2), F.S. TYPICALLY NOT DONF
 - 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 Felipe Mendoza and Cecilia G. Mendoza, husband and wife, dated April 19, 1999 and recorded in O.R. Book 3107, Page 854, Public Records of Lee County, Florida. PRINCIPAL AMOUNT = 931, 200
- II. 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.
 - 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 waivers is necessary).

FUND COMMITMENT

Schedule B

Commitment No.: CF-1114763

Fund File Number \8-2003-3067

- 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.)
 - 4. 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, Public Records of Lee County, Florida.
- 5. Covenants, conditions and restrictions recorded in O.R. Book 575, Page 808 as assigned to Leitner Creek Manor Property Owners Association, Inc., recorded May 6, 1995 in O.R. Book 2603, Page 3024, Public Records of Lee County, Florida.
- 6. Easement in favor of Bonita Springs Water System, contained in instrument recorded in O.R. Book 826, Page 697, Public Records of Lee County, Florida.
- 7. 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. SOLID WASTI- 1997/COL
- 8. Taxes for the year 2003, which are not yet due and payable. ON 14PICAL

5-Year Sales History

Parcel No. 225

Three Oaks Parkway South Extension Project No. 4043

Grantor	Grantee	Price	Date	Arms Length Y/N
Carol Kettner	Felipe Mendoza	\$39,000.00	4/14/99	Υ

(Property value increase is due to market appreciation and property improvements.)