





Interoffice Memorandum

REAL ESTATE MANAGEMENT ITEM 7

**DATE:** August 22, 2019

**TO:** Mayor Jerry L. Demings  
and the  
Board of County Commissioners

**THROUGH:** Paul Sladek, Manager   
Real Estate Management Division

**FROM:** Theresa A. Avery, Sr. Acquisition Agent   
Real Estate Management Division

**CONTACT PERSON:** **Paul Sladek, Manager**

**DIVISION:** **Real Estate Management**  
**Phone: (407) 836-7090**

**ACTION REQUESTED:** Approval of Purchase Agreement and Utility Easement between Regina Thomason and Orange County and authorization to disburse funds to pay purchase price and recording fees and record instrument

**PROJECT:** Pump Station No. 3191 (Puritan Road)  
  
District 3

**PURPOSE:** To provide for access, construction, operation, and maintenance of utility facilities.

**ITEMS:** Purchase Agreement (Parcel 802)  
  
Utility Easement (Instrument 802.1)  
Cost: \$20,000  
Size: 876 square feet

**BUDGET:** Account No.: 4420-038-1503-74-6110

**FUNDS:** \$20,000.00 Regina Thomason  
(purchase price)  
  
\$35.50 Payable to Orange County Comptroller  
(recording fees)

**APPROVALS:** Real Estate Management Division  
Utilities Department

**REMARKS:** This easement is being acquired at the request of the Orange County  
Utilities Department to facilitate relocation and reconstruction of existing  
Pump Station 3191.

Grantor to pay documentary stamp tax.

Project: Pump Station No. 3191 (Puritan Road)  
Parcel: 802

APPROVED  
BY ORANGE COUNTY BOARD  
OF COUNTY COMMISSIONERS

SEP 10 2019

## PURCHASE AGREEMENT

**COUNTY OF ORANGE  
STATE OF FLORIDA**

THIS AGREEMENT made between Regina Thomason, a single woman, hereinafter referred to as SELLER, and Orange County, a charter county and political subdivision of the state of Florida, hereinafter referred to as BUYER.

WITNESSETH:

WHEREAS, BUYER requires the land described on Schedule "A" attached hereto for the above referenced project and said SELLER agrees to furnish said land for such purpose.

**Property Appraiser's Parcel Identification Number  
a portion of  
14-22-30-0226-12-190**

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00), each to the other paid, the parties hereto agree as follows:


1. SELLER agrees to execute a permanent Utility Easement on Parcel 802, as more particularly described on the attached Schedule "A" conveying said Easement unto BUYER free of all liens and encumbrances for the sum of \$ 20,000.00 and agrees that a check will be made out to the Orange County Tax Collector from the proceeds in the amount of \$2,492.23 for the unpaid 2018 taxes on the Property Appraiser's Parcel Identification Number: 14-22-30-0226-12-190, leaving the remainder sum of \$17,507.77 to be paid to Regina Thomason.
2. SELLER agrees to pay documentary stamp tax prior to receipt of proceeds, by separate check payable to the Orange County Comptroller.
3. This transaction shall be closed and the Utility Easement and other closing papers delivered on or before 90 days from the effective date of this AGREEMENT. Closing shall take place at the office of the Orange County Real Estate Management Division, 400 E. South Street, Fifth Floor, Orlando, Florida 32801, or at such place as shall be mutually agreed upon by BUYER and SELLER.
4. SELLER shall comply with Section 286.23, Florida Statutes, pertaining to disclose of beneficial ownership, if applicable.
5. Effective Date: This agreement shall become effective on the date upon which it has been fully executed by the parties and approved by the Orange County Board of County Commissioners and/or the Manager/Assistant Manager of the Orange County Real Estate Management Division, as may be appropriate.
6. SELLER agrees to remove personal property and paraphernalia from said Parcel 802 before September 10, 2019. It is mutually agreed that if said removal is not completed before construction begins, BUYER shall assume the responsibility for removal and the BUYER shall not be held liable for any damages resulting from said removal.

Project: Pump Station No. 3191 (Puritan Road)  
Parcel: 802

THIS AGREEMENT supersedes all previous agreements or representations, either verbal or written, heretofore in effect between SELLER and BUYER, made with respect to the matters herein contained, and when duly executed constitute the AGREEMENT between SELLER and BUYER. No additions, alterations, or variations to the terms of this AGREEMENT shall be valid, nor can provisions of this AGREEMENT be waived by either party unless expressly set forth in writing and duly signed.

The parties hereto have executed this AGREEMENT on the date(s) written below.

SELLER

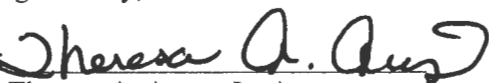
  
Regina Thomason

Address:  
2033 Puritan Road  
Orlando, Fl 32807

DATE: 7/30/19

BUYER

Orange County, Florida

BY:   
Theresa A. Avery, Its Agent

DATE: 08/06/19

**SCHEDULE "A"**  
**SKETCH OF DESCRIPTION**  
**PARCEL: 802**  
**ESTATE: PERMANENT EASEMENT**  
**PURPOSE: UTILITY**

**Legal Description**

A parcel of land, being a portion of Lot 19, Block L of ARCADIA ACRES SECTION ONE in Section 14, Township 22 South, Range 30 East, according to the plat thereof recorded in Plat Book X at Page 96 of the Public Records of Orange County, Florida, being more particularly described as follows;

Commence at the southwest corner of said Lot 19 and run North 24° 18' 38" East, along the westerly line of said Lot 19, a distance of 95 feet, more or less, to a point on the north line of said plat, also being the south boundary of Parcel 103 of the Little Econ Recreational Trail as recorded in Official Records Book 6154 at Page 2876 of said Public Records and the POINT OF BEGINNING; thence run South 86° 39' 41" East, along said north line and south boundary a distance of 11.1 feet; thence run South 65° 39' 41" East, along said north line and south boundary, a distance of 62.62 feet; thence departing said north line and south boundary, run North 84° 16' 32" West, a distance of 77.00 feet to said westerly line of Lot 19; thence run North 24° 18' 38" East, along said westerly line, a distance of 20.6 feet to the POINT OF BEGINNING

The above described parcel of land contains 876 square feet, more or less

**Surveyors Notes**

1. This sketch and description is not valid without the original signature and seal of the signing licensed Florida surveyor and mapper.
2. The purpose of this sketch and description is to describe and depict the location of a proposed utility easement. This document was prepared from information available from the Orange County Property Appraiser's office and Orange County Public Records. This is not a boundary survey.
3. The configuration and location of the lands described and depicted hereon is based on instructions provided by the client.
4. Bearings shown hereon are relative to an assumed datum with the easterly line of ARCADIA ACRES SECTION ONE, according to the plat thereof recorded in Plat Book X at Page 96 of the Public Records of Orange County, Florida, as being South 24° 18' 28" West per sketch and description of Parcel 103 of the Little Econ Recreational Trail recorded in Official Records Book 6154 at Page 2876 of the Public Records of Orange County, Florida.
5. Lands shown hereon were not abstracted for ownership, easements, rights-of-way or other title matters by this firm.
6. Additions or deletions to this sketch and description are prohibited without the written consent of the signing Florida licensed surveyor and mapper.
7. This sketch and description is certified for the exclusive use of Orange County.

*Robert M. Jones* 2/08/19

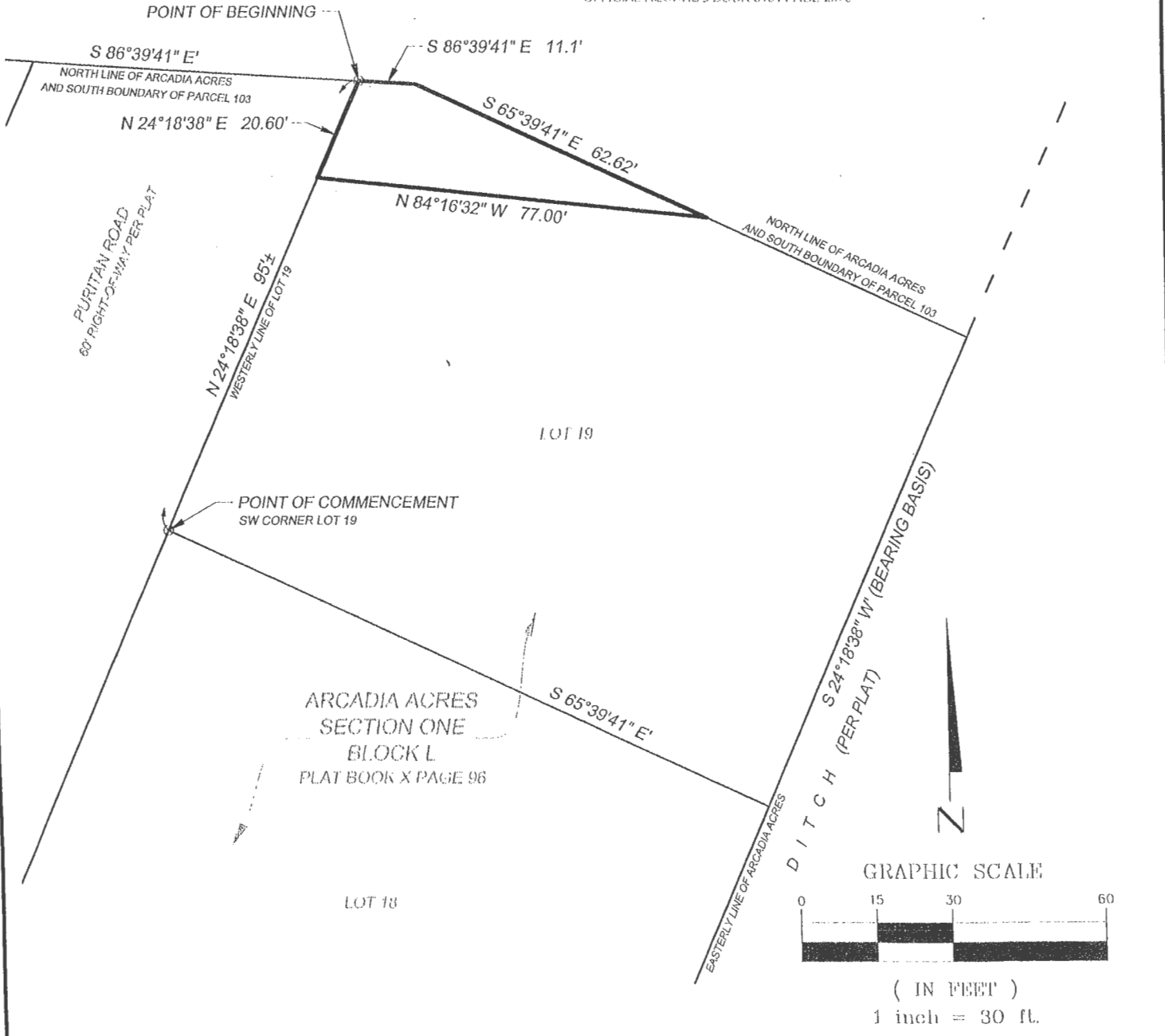
Robert M. Jones  
 Florida Professional Surveyor and Mapper No.4201

**THIS IS NOT A BOUNDARY SURVEY**

PROJECT TITLE: Orange County Utilities Department Legal Description and Sketch Pump Station No. 3191 Puritan Road	REVISION			
	DATE	BY	DESCRIPTION	
 <b>Wood Environment &amp; Infrastructure Solutions, Inc.</b> 550 Northlake Boulevard, Suite 1000 Altamonte Springs, FL 32701 TEL.: 407 522-7570 Certificate of Authorization Number LB-0007932	DRAWN BY: JSP DATE: 07/13/2018	CHKD. BY: RMJ DATE: 07/13/2018		
	JOB No. 6374181112	SCALE: N/A	SHY. 1 OF 2	
	DRAWING NAME: 18-1112 Puritan Road.dwg			

**SCHEDULE "A"**  
**SKETCH OF DESCRIPTION**  
**PARCEL: 802**  
**ESTATE: PERMANENT EASEMENT**  
**PURPOSE: UTILITY**

PARCEL 103 - LITTLE ECON RECREATIONAL TRAIL.  
 OFFICIAL RECORDS BOOK 6154 PAGE 2876



**THIS IS NOT A BOUNDARY SURVEY**

PROJECT TITLE: Orange County Utilities Department  
 Legal Description and Sketch  
 Pump Station No. 3191 Puritan Road

REVISION		
DATE	BY	DESCRIPTION

**wood.**

**Wood Environment & Infrastructure Solutions, Inc.**  
 550 Northlake Boulevard, Suite 1000  
 Altamonte Springs, FL 32701  
 TEL: 407 522-7570  
 Certificate of Authorization Number LB-0007932

DRAWN BY: JSP	CHKD. BY: RMJ
DATE: 07/13/2018	DATE: 07/13/2018
JOB No. 6374181112	SCALE: 1" = 30'
	SHT. 2 OF 2
DRAWING NAME: 18- 1112 Puritan Road.dwg	

SEP 10 2019

Project: Pump Station No. 3191 (Puritan Road)  
Parcel: 802.1

### UTILITY EASEMENT

THIS INDENTURE, Made this 30<sup>th</sup> day of July A.D., 2019, between Regina Thomason, a single woman, whose address is 2033 Puritan Road, Orlando, FL 32807, GRANTOR, and Orange County, a charter county and political subdivision of the State of Florida, whose address is P.O. Box 1393, Orlando, Florida 32802-1393, GRANTEE.

WITNESSETH, That the GRANTOR, in consideration of the sum of \$1.00 and other valuable considerations, paid by the GRANTEE, the receipt whereof is hereby acknowledged, does hereby give and grant to the GRANTEE and its assigns, an easement for utility purposes, with full authority to enter upon, excavate, construct and maintain, as the GRANTEE and its assigns may deem necessary, water lines, wastewater lines, reclaimed water lines, and any other utility facilities over, under and upon the following described lands situate in Orange County aforesaid, to-wit:

#### SEE ATTACHED EXHIBIT "A"

**Property Appraiser's Parcel Identification Number:**

**a portion of**

**14-22-30-0226-12-190**

TO HAVE AND TO HOLD said easement unto said GRANTEE and its assigns forever.

THE GRANTEE herein and its assigns shall have the right to clear and keep clear all trees, undergrowth and other obstructions that may interfere with normal operation or maintenance of the utilities and any facilities placed thereon by the GRANTEE and its assigns, out of and away from the herein granted easement, and the GRANTOR, its successors and assigns, agree not to build, construct, or create, nor permit others to build, construct, or create any buildings or other structures on the herein granted easement that may interfere with the normal operation or maintenance of the utility facilities installed thereon.

GRANTEE may at any time increase its use of the easement, change the location of pipelines or other facilities within the boundaries of the easement, or modify the size of existing pipelines or other improvements as it may determine in its sole discretion from time to time without paying any additional compensation to GRANTOR or GRANTOR'S heirs, successors, or assigns, provided GRANTEE does not expand its use of the easement beyond the easement boundaries described above.

GRANTEE'S obligation to restore landscaping shall be limited to an obligation to restore to Orange County landscaping standards for Orange County right-of-way and shall not include an obligation to restore to exotic or enhanced landscaping standards.

Project: Pump Station No. 3191 (Puritan Road)  
Parcel: 802.1

IN WITNESS WHEREOF, the GRANTORS have caused these presents to be duly executed the day and year above written.

Signed, sealed and delivered in the presence of:

[Signature]  
Witness

KEN T. WOODS  
Printed Name

[Signature]  
Regina Thomason

Post Office Address  
2033 Puritan Rd  
Orlando, Florida 32807

[Signature]  
Witness Theresa A. Avery

\_\_\_\_\_  
Printed Name

(Signature of TWO witnesses required by Florida law)

STATE OF Florida  
COUNTY OF Orange

The foregoing instrument was acknowledged before me this 30 of July, 2019, by Regina Thomason. She  is personally known to me, or  has produced DL as identification.

(Notary Seal)



**THERESA A. AVERY**  
Commission # GG 201177  
Expires March 27, 2022  
Bonded Through Budget Notary Services

[Signature]  
Notary Signature

\_\_\_\_\_  
Printed Notary Name

This instrument prepared by:

Mary Tiffault, a staff employee in the course of duty with the Real Estate Management Division of Orange County, Florida.

Notary Public in and for the county and state aforesaid.  
My commission expires:



**SCHEDULE "A"**  
**SKETCH OF DESCRIPTION**  
**PARCEL: 802**  
**ESTATE: PERMANENT EASEMENT**  
**PURPOSE: UTILITY**

**Legal Description**

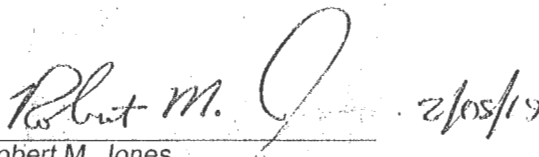
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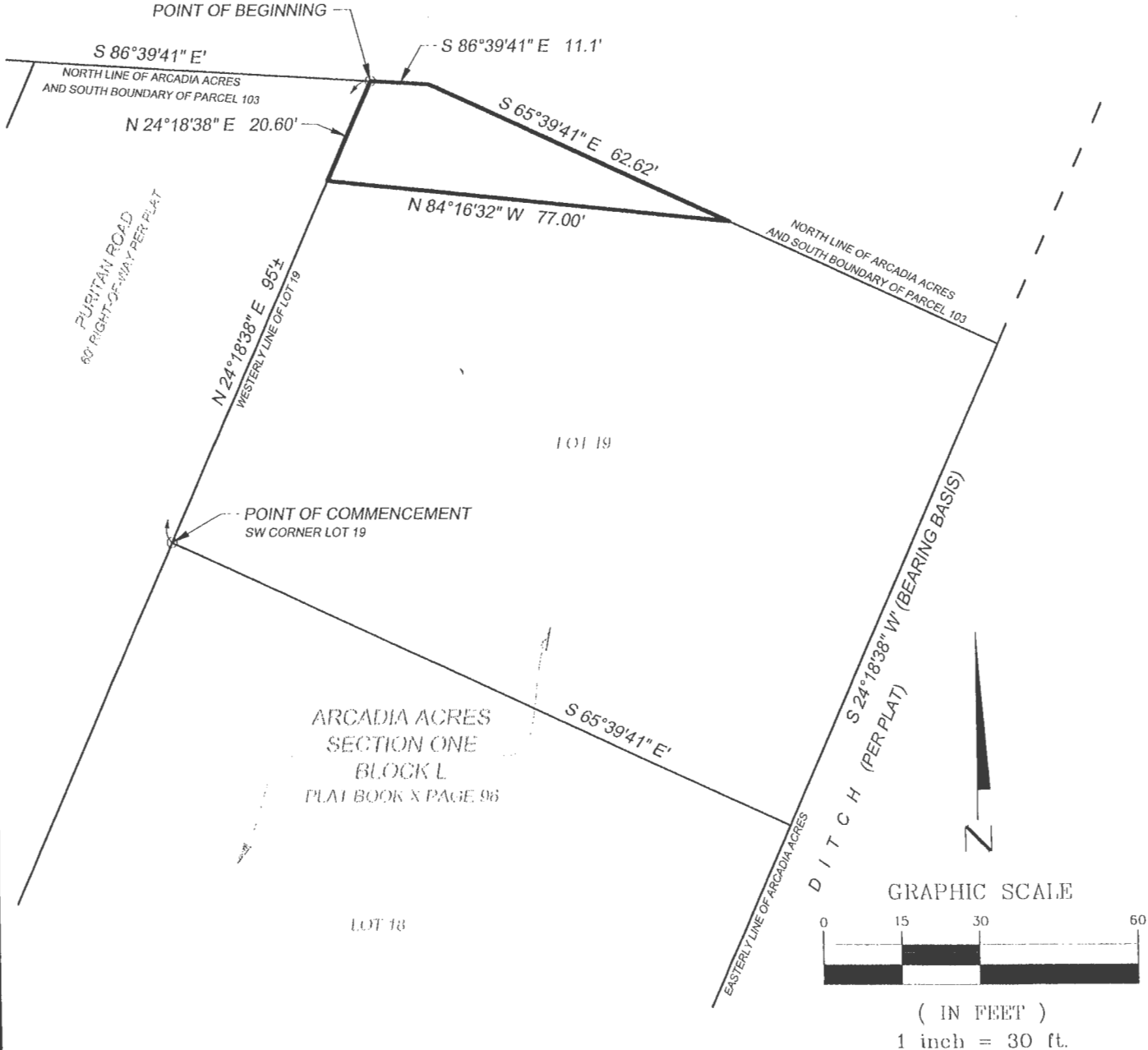
  
 Robert M. Jones  
 Florida Professional Surveyor and Mapper No.4201

**THIS IS NOT A BOUNDARY SURVEY**

<b>PROJECT TITLE:</b> Orange County Utilities Department Legal Description and Sketch Pump Station No. 3191 Puritan Road	<b>REVISION</b>		
	<b>DATE</b>	<b>BY</b>	<b>DESCRIPTION</b>
 <b>Wood Environment &amp; Infrastructure Solutions, Inc.</b> 550 Northlake Boulevard, Suite 1000 Altamonte Springs, FL 32701 TEL: 407 522-7570 Certificate of Authorization Number LB-0007932	<b>DRAWN BY:</b> JSP		<b>CHKD. BY:</b> RMJ
	DATE: 07/13/2018		DATE: 07/13/2018
	<b>JOB No.</b> 6374181112	<b>SCALE:</b> N/A	<b>SHT. OF</b> 1 2
	<b>DRAWING NAME:</b> 18-1112 Puritan Road.dwg		

**SCHEDULE "A"**  
**SKETCH OF DESCRIPTION**  
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PARCEL 103 - LITTLE ECON RECREATIONAL TRAIL  
 OFFICIAL RECORDS BOOK 6154 PAGE 2876



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PROJECT TITLE:

Orange County Utilities Department  
 Legal Description and Sketch  
 Pump Station No. 3191 Puritan Road

REVISION

DATE	BY	DESCRIPTION

DRAWN BY: JSP  
 DATE: 07/13/2018

CHKD. BY: RMJ  
 DATE: 07/13/2018

JOB No.  
 6374181112

SCALE:  
 1" = 30'

SHT. 2  
 OF 2

**wood.**

**Wood Environment & Infrastructure Solutions, Inc.**

550 Northlake Boulevard, Suite 1000  
 Altamonte Springs, FL 32701  
 TEL: 407 522-7570

Certificate of Authorization Number LB-0007932

DRAWING NAME: 18-1112 Puritan Road.dwg

ANY REVISIONS TO THIS DRAWING SHALL BE MADE BY THE ORIGINAL SURVEYOR OR A LICENSED SURVEYOR UNDER HIS/HER SUPERVISION AND CONTROL.

SEP 10 2019

REQUEST FOR FUNDS FOR LAND ACQUISITION

X Under BCC Approval

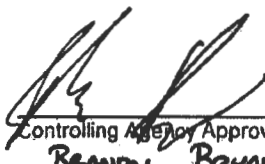

Under Ordinance Approval

Date: July 30, 2019

Total Amount: \$20,035.50

Project: Pump Station No. 3191(Puritan Road)  
Parcel: 802

Charge to Account # 4420-038-1503-74-6110

 8/5/19  
 Controlling Agency Approval Signature Date  
 Printed Name: BRANDON BOYANT  
 8/9/19  
 Fiscal Approval Signature Date  
 Printed Name: WAYNE MCCOY

TYPE TRANSACTION (Check appropriate block(s))  
Pre-Condernation Post-Condernation

X N/A District # 3

- Acquisition at Approved Appraisal
- Acquisition at Below Approved Appraisal
- X Acquisition at Above Approved Appraisal
- Advance Payment Requested

Regina Thomason 2033 Puritan Road Orlando, FL 32807-8409 Ind/Sole SS# W-9 provided (Purchase Price)	\$17,507.77
Orange County Tax Collector (unpaid 2018 taxes)	\$2,492.23
Orange County Comptroller (Recording fees)	\$35.50

DOCUMENTATION ATTACHED (Check appropriate block(s))

- X Contract/ Agreement
- X Copy of Executed Instrument
- X Certificate of Value
- X Settlement Analysis

Payable to:  
 Regina Thomason \$17,507.77  
 Orange County Tax Collector \$2,492.23  
 Orange County Comptroller \$35.50

\*\*\*\*\*  
**IMPORTANT: CHECKS ARE TO BE PICKED UP BY THE REAL ESTATE MANAGEMENT DIVISION (DO NOT MAIL)**  
\*\*\*\*\*

Recommended by  8/5/19  
 Theresa A. Avery, Sr. Acquisition Agent, Real Estate Mgt. Div Date

Payment Approved Paul Sladek, Manager, Real Estate Management Division Date

or  
 Payment Approved  8/5/19  
 Russell Corriveau, Asst. Mgr. Real Estate Management Div. Date

Certified  9/10/19  
 Approved by BCC Deputy Clerk to the Board Date

Examined/Approved \_\_\_\_\_  
 Comptroller/Government Grants Check No. / Date

REMARKS: STAMP ORDINANCE PACKAGE  
Anticipated Closing Date: As soon as checks are available.

# NEGOTIATION APPRAISAL REPORT

## AGENTS COPY

### 100 CERTIFICATION OF VALUATION

PROJECT: Pump Station No. 3191 (Puritan Road)

PARCEL: 802

I certify that, to the best of my knowledge and belief:

- the statements contained in this appraisal are true and correct.
- the reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions and are my personal, impartial, and unbiased professional analyses, opinions, and conclusions.
- I have no direct or indirect, present or contemplated future personal interest in such property or in any benefit from the acquisition of such property appraised.
- I have performed no services, as an appraiser or in any other capacity, regarding the property that is the subject of this report within the three-year period immediately preceding acceptance of this assignment.
- I have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.
- my engagement in this assignment was not contingent upon developing or reporting predetermined results
- my compensation or completion of this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
- my analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice.
- I have personally inspected the property appraised and I have afforded the property owner the opportunity to accompany me at the time of inspection. I have also made a personal field inspection of the comparable sales relied upon in this appraisal. The subject and the comparable sales were as represented by the photographs contained in this appraisal.
- the purpose of this appraisal is to develop and report an opinion of the market value of the property and/or property rights to be acquired.
- I understand that this appraisal is to be used for the acquisition of real property by Orange County.
- This appraisal has been made in conformity with the appropriate state laws, regulations and policies and procedures applicable to appraisal of right of way for such purposes; and that to the best of my knowledge, no portion of the value assigned to such property consist of items, which are non-compensable under the established law of said State.
- I have not revealed the results of such appraisal to anyone other than the proper officials of Orange County and will not do so until authorized by same or until required by due process of law, or until released from this obligation by having publicly testified as to such results.
- No one provided significant real property appraisal assistance to the person signing this certification, other than those listed in the following supplemental certification, if any.
- my opinion of the current market value of the property appraised as of the 7<sup>th</sup> day of May 2019 is \$15,800 based upon my independent appraisal and the exercise of my professional judgment.
- my opinion of market value is allocated as follows:

Land Area: 876 Square Feet (Permanent Easement)

Land	\$ <u>4,000</u>
Improvements	\$ <u>6,400</u>
Damages and/or	
Cost-To-Cure	\$ <u>5,400</u>
TOTAL	\$ <u>15,800</u>

*Kristin Soltys*

May 20, 2019

Kristin L. Soltys, MAI

Date

State Certified General Real Estate Appraiser RZ3227

RECEIVED

JUN 13 2019

Real Estate Management Division

Project: Pump Station No. 3191 (Puritan Road)  
 Parcel No.: 802  
 Name of Owner(s): Regina Thomason  
 Page No.: 1

**SETTLEMENT ANALYSIS**

<u>        </u>	Pre-Condemnation
<u>  X  </u>	Not Under Threat

**County's Appraised Value**

Parcel 802

Land: 876 square feet	\$ 4,000.00
Improvements: 160 linear feet 4' Wrought-Iron Fence, 1 each 4' Chain-Link Gate, 12 linear feet 4' Galvanized Chain-Link Fence, 1 Tree, large, 8 each Small shrubs/Plantings, 788 square feet Sod/Grass (including site prep), 11 linear feet Native Vegetative Buffer.	\$ 6,400.00
Cost-to-Cure: To re-establish: Wrought-Iron Fencing 128 linear feet, Wrought-Iron Gate 32 linear feet, small shrubs, Large Tree, Chain-Link Fencing, Chain-Link Swing Gate, Engineering and Permitting at 10% and Contingency and management at 15% 15%.	\$ 5,400.00
Other Damages:	<u>\$ .00</u>
<b>Total Appraisal Value – Parcel 802</b>	<b>\$ 15,800.00</b>

**Owner's Requested Amount—Initial**

Owner's Counter Offer:	\$20,000.00
------------------------	-------------

County:	\$15,800.00
Owner:	\$20,000.00

<b>Recommended Settlement Amount</b>	<b><u>\$20,000.00</u></b>
--------------------------------------	---------------------------

Project: Pump Station No. 3191 (Puritan Road)  
Parcel No.: 802  
Name of Owner(s): Regina Thomason  
Page No.: 2

### **EXPLANATION OF RECOMMENDED SETTLEMENT**

(Memorandum to File pursuant to Section 4 of Ordinance 92-29)

The subject property is located on the east side of Puritan Road approximately 125 feet northeast of Delphia Street in an unincorporated area of Orlando, Orange County adjacent to existing Orange County Pump Station 3191. It is abutting the Arcadia Lakes canal to the north, which empties into the Little Econlockhatchee Tributary southeast of the parent tract and is abutting the Little Excon Greenway trail to the southeast. This property's physical address is 2033 Puritan Road, Orlando, FL 32807.

The parent tract is a platted, residential lot of record improved with a 2,417 square foot single-family residence including a 420 square foot converted garage in an established residential subdivision known as Arcadia Acres. Site improvements include a concrete driveway, a large oak tree, a magnolia tree, other mature landscaping, and a combination of wrought-iron, chain-link, and wood privacy fencing.

The County is acquiring a Utility Easement, being Parcel 802. The perpetual easement with a total area of 876 square feet that will be utilized for installation of an underground pipe associated with the improvement of Pump Station 3191. The proposed easement represents an irregular triangular shape. It has a width of 20.60 feet along Puritan Road and a total length of 77 feet along its southern boundary. The northeastern boundary extends easterly from Puritan Road for 11.1 feet before angling south for an additional 62.62 feet before coming to a point with the southern boundary.

There are no building improvements in the easement area; however, there are minor site improvements including portions of wrought-iron fencing, a chain-link double swing gate, sod, a large-shade tree, and eight small shrubs. The property appraised will retain its current size and shape but will lose a portion of the bundle of rights associated with the easement to be acquired. It is unknown whether the construction activity taking place in the easement will affect all the improvements that are within the easement area including the tree; however, there is no guarantee that they will not to be disturbed. As such, they will be considered in the compensation for the part acquired.

The acquisition area is an easement which is to have the same unit value as the unencumbered area of the remainder, or \$5.00 per square foot. The easement to be acquired represents an encumbrance of the land that takes the subsurface rights and a portion of the surface rights that are part of the bundle of rights associated with fee ownership of the land. Even though the surface rights to the land will be shared with the property owner, the land will be utilized for the construction of an underground sewer pipe that will extend underground in the easement area. It is concluded that right associated with the easement represent 90% of the fee value of the land, or \$4.50 per square foot.

The prior Agent, Veronica Garcia made contact with the property owner, Regina Thomason who stated that she would be willing to convey the easement area over to Orange County. I followed up on the continued acquisition on the easement area with Ms. Regina Thomason. I performed a field site visit with the appraiser and the County's review appraiser. The County did not make contact with the property owner at that time. Once the appraisal was complete the Agent did make contact with the property owner and offered the appraised "just compensation" amount of \$15,800.00.

Project: Pump Station No. 3191 (Puritan Road)  
Parcel No.: 802  
Name of Owner(s): Regina Thomason  
Page No.: 3

Ms. Regina Thomason counter-offered with \$20,000.00 due to the perpetual easement would severely drop her market value of the property to have the perpetual easement on the frontage of her property. She also had concerns with the large oak tree that was to be removed and knew that she could not be compensated for the value of its mature state. Ms. Regina Thomason was aware of the acquisition that took place across the street that was 1095 square feet, rectangular in shape, being 219 square feet larger than her proposed easement area. Ms. Thomason was aware that the County compensated \$35,000.00 to the property owner, which was \$12,800.00 above appraised value. Therefore, Ms. Regina Thomason felt the \$20,000.00 counter offer was justified.

The Agent found upon update of title that the 2018 taxes on the property had not been paid as well and that a tax certificate had already been generated on June 1, 2019. Therefore, with Utility's approval, I counter offered that the County would pay the \$20,000.00, with the unpaid taxes deducted from the Seller's proceeds.

I recommend and request approval of this settlement in the amount of \$20,000.00.

Recommended by: Theresa A. Avery Date: 07/29/19  
Theresa A. Avery, Sr. Acquisition Agent, Real Estate Mgmt. Division

Recommended by: Robert K. Babcock Date: 7/29/19  
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# Request for Taxpayer Identification Number and Certification

**Give Form to the  
 requester. Do not  
 send to the IRS.**

▶ Go to [www.irs.gov/FormW9](http://www.irs.gov/FormW9) for instructions and the latest information.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.

Regina L Thomason

2 Business name (disregarded entity name, if different from above)

3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only **one** of the following seven boxes.

- Individual/sole proprietor or single-member LLC
- C Corporation
- S Corporation
- Partnership
- Trust/estate
- Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ▶ \_\_\_\_\_
- Note:** Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is **not** disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner.
- Other (see instructions) ▶ \_\_\_\_\_

4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):

Exempt payee code (if any) \_\_\_\_\_

Exemption from FATCA reporting code (if any) \_\_\_\_\_

(Applies to accounts maintained outside the U.S.)

5 Address (number, street, and apt. or suite no.) See instructions.

2033 Puritan Rd

Requester's name and address (optional)

6 City, state, and ZIP code

Orlando, FL 32807

7 List account number(s) here (optional)

Print or type. See Specific Instructions on page 3.

## Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

**Note:** If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number	[REDACTED]
Employer identification number	[REDACTED]

## Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
3. I am a U.S. citizen or other U.S. person (defined below); and
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

**Certification instructions.** You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

**Sign Here**

Signature of U.S. person ▶ *Regina L Thomason*

Date ▶ 7/31/19

## General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

**Future developments.** For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to [www.irs.gov/FormW9](http://www.irs.gov/FormW9).

## Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-INT (interest earned or paid)

- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

*If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, later.*



By signing the filled-out form, you:

1. Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
2. Certify that you are not subject to backup withholding, or
3. Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income, and
4. Certify that FATCA code(s) entered on this form (if any) indicating that you are exempt from the FATCA reporting, is correct. See *What is FATCA reporting*, later, for further information.

**Note:** If you are a U.S. person and a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

**Definition of a U.S. person.** For federal tax purposes, you are considered a U.S. person if you are:

- An individual who is a U.S. citizen or U.S. resident alien;
- A partnership, corporation, company, or association created or organized in the United States or under the laws of the United States;
- An estate (other than a foreign estate); or
- A domestic trust (as defined in Regulations section 301.7701-7).

**Special rules for partnerships.** Partnerships that conduct a trade or business in the United States are generally required to pay a withholding tax under section 1446 on any foreign partners' share of effectively connected taxable income from such business. Further, in certain cases where a Form W-9 has not been received, the rules under section 1446 require a partnership to presume that a partner is a foreign person, and pay the section 1446 withholding tax. Therefore, if you are a U.S. person that is a partner in a partnership conducting a trade or business in the United States, provide Form W-9 to the partnership to establish your U.S. status and avoid section 1446 withholding on your share of partnership income.

In the cases below, the following person must give Form W-9 to the partnership for purposes of establishing its U.S. status and avoiding withholding on its allocable share of net income from the partnership conducting a trade or business in the United States.

- In the case of a disregarded entity with a U.S. owner, the U.S. owner of the disregarded entity and not the entity;
- In the case of a grantor trust with a U.S. grantor or other U.S. owner, generally, the U.S. grantor or other U.S. owner of the grantor trust and not the trust; and
- In the case of a U.S. trust (other than a grantor trust), the U.S. trust (other than a grantor trust) and not the beneficiaries of the trust.

**Foreign person.** If you are a foreign person or the U.S. branch of a foreign bank that has elected to be treated as a U.S. person, do not use Form W-9. Instead, use the appropriate Form W-8 or Form 8233 (see Pub. 515, *Withholding of Tax on Nonresident Aliens and Foreign Entities*).

**Nonresident alien who becomes a resident alien.** Generally, only a nonresident alien individual may use the terms of a tax treaty to reduce or eliminate U.S. tax on certain types of income. However, most tax treaties contain a provision known as a "saving clause." Exceptions specified in the saving clause may permit an exemption from tax to continue for certain types of income even after the payee has otherwise become a U.S. resident alien for tax purposes.

If you are a U.S. resident alien who is relying on an exception contained in the saving clause of a tax treaty to claim an exemption from U.S. tax on certain types of income, you must attach a statement to Form W-9 that specifies the following five items.

1. The treaty country. Generally, this must be the same treaty under which you claimed exemption from tax as a nonresident alien.
2. The treaty article addressing the income.
3. The article number (or location) in the tax treaty that contains the saving clause and its exceptions.
4. The type and amount of income that qualifies for the exemption from tax.
5. Sufficient facts to justify the exemption from tax under the terms of the treaty article.

**Example.** Article 20 of the U.S.-China income tax treaty allows an exemption from tax for scholarship income received by a Chinese student temporarily present in the United States. Under U.S. law, this student will become a resident alien for tax purposes if his or her stay in the United States exceeds 5 calendar years. However, paragraph 2 of the first Protocol to the U.S.-China treaty (dated April 30, 1984) allows the provisions of Article 20 to continue to apply even after the Chinese student becomes a resident alien of the United States. A Chinese student who qualifies for this exception (under paragraph 2 of the first protocol) and is relying on this exception to claim an exemption from tax on his or her scholarship or fellowship income would attach to Form W-9 a statement that includes the information described above to support that exemption.

If you are a nonresident alien or a foreign entity, give the requester the appropriate completed Form W-8 or Form 8233.

## Backup Withholding

**What is backup withholding?** Persons making certain payments to you must under certain conditions withhold and pay to the IRS 24% of such payments. This is called "backup withholding." Payments that may be subject to backup withholding include interest, tax-exempt interest, dividends, broker and barter exchange transactions, rents, royalties, nonemployee pay, payments made in settlement of payment card and third party network transactions, and certain payments from fishing boat operators. Real estate transactions are not subject to backup withholding.

You will not be subject to backup withholding on payments you receive if you give the requester your correct TIN, make the proper certifications, and report all your taxable interest and dividends on your tax return.

**Payments you receive will be subject to backup withholding if:**

1. You do not furnish your TIN to the requester,
2. You do not certify your TIN when required (see the instructions for Part II for details),
3. The IRS tells the requester that you furnished an incorrect TIN,
4. The IRS tells you that you are subject to backup withholding because you did not report all your interest and dividends on your tax return (for reportable interest and dividends only), or
5. You do not certify to the requester that you are not subject to backup withholding under 4 above (for reportable interest and dividend accounts opened after 1983 only).

Certain payees and payments are exempt from backup withholding. See *Exempt payee code*, later, and the separate Instructions for the Requester of Form W-9 for more information.

Also see *Special rules for partnerships*, earlier.

## What is FATCA Reporting?

The Foreign Account Tax Compliance Act (FATCA) requires a participating foreign financial institution to report all United States account holders that are specified United States persons. Certain payees are exempt from FATCA reporting. See *Exemption from FATCA reporting code*, later, and the Instructions for the Requester of Form W-9 for more information.

## Updating Your Information

You must provide updated information to any person to whom you claimed to be an exempt payee if you are no longer an exempt payee and anticipate receiving reportable payments in the future from this person. For example, you may need to provide updated information if you are a C corporation that elects to be an S corporation, or if you no longer are tax exempt. In addition, you must furnish a new Form W-9 if the name or TIN changes for the account; for example, if the grantor of a grantor trust dies.

## Penalties

**Failure to furnish TIN.** If you fail to furnish your correct TIN to a requester, you are subject to a penalty of \$50 for each such failure unless your failure is due to reasonable cause and not to willful neglect.

**Civil penalty for false information with respect to withholding.** If you make a false statement with no reasonable basis that results in no backup withholding, you are subject to a \$500 penalty.