



Interoffice Memorandum

REAL ESTATE MANAGEMENT ITEM 7

DATE: August 24, 2017

TO: Mayor Teresa Jacobs
and the
Board of County Commissioners

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

FROM: Erica L. Guidroz, Acquisition Agent *ELG*
Real Estate Management Division

**CONTACT
PERSON:** Paul Sladek, Manager

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

**ACTION
REQUESTED:** APPROVAL OF PURCHASE AGREEMENT AND TEMPORARY
CONSTRUCTION EASEMENT BETWEEN ORLANDO HANGING
MOSS, LLC AND ORANGE COUNTY AND AUTHORIZATION TO
DISBURSE FUNDS TO PAY PURCHASE PRICE AND RECORDING
FEES AND RECORD INSTRUMENT

PROJECT: East-West Road (S.R. 436 to Dean Road) n/k/a Richard Crotty Parkway

District 5

PURPOSE: To provide for access and construction of road improvements.

ITEMS: Purchase Agreement (Parcel 7043)

Temporary Construction Easement (Instrument 7043.1)
Cost: \$28,700.00
Size: 316 square feet
Term: 7 years

BUDGET: Account No.: 1032-072-2752-6110

FUNDS: \$28,700.00 Payable to Titan Electric Southeast, LLC
(purchase price)

\$44.00 Payable to Orange County Comptroller
(recording fees)

APPROVALS: Real Estate Management Division
Public Works Department

REMARKS: Grantor to pay documentary stamp tax.

REQUEST FOR FUNDS FOR LAND ACQUISITION

X Under BCC Approval

Under Ordinance Approval

Date: 8-16-2017

Amount: \$27,844.00

Project: East West Road (S.R. 436 to Dean Road) n/k/a Richard Crotty Parkway

Parcel: 7043

Charge to Account # 1032-072-2752-6110

Engineering Approval

Date

Fiscal Approval

Date

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

X N/A

District # 5

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

Titan Electric Southeast, LLC
 6855 Hanging Moss Rd
 Orlando, FL 32807
 Purchase Price \$28,700.00

DOCUMENTATION ATTACHED (Check appropriate block{s})

X Contract
X Copy of Executed Instruments
X Certificate of Value
X Settlement Analysis

Orange County Comptroller
 Recording Fee \$44.00

Total \$28,744.00

Payable to: Titan Electric Southeast, LLC (\$28,700.00)

Payable to: Orange County Comptroller (\$44.00)

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

Recommended by Erica Guidroz
 Erica Guidroz, Acquisition Agent

8-16-2017
 Date

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

8/24/17
 Date

Certified Jessica Vaupel
 Approved by BCC Deputy Clerk to the Board

SEP 19 2017
 Date

Examined/Approved _____
 Comptroller/Government Grants

Check No. / Date

REMARKS:

Scheduled Closing Date: As soon as check is available

Anticipated Closing Date: TBD

Please Contact Acquisition Agent @ 67036 if you have any questions.

APPROVED
 BY ORANGE COUNTY BOARD
 OF COUNTY COMMISSIONERS
SEP 19 2017

REQUEST FOR FUNDS FOR LAND ACQUISITION

X Under BCC Approval

Under Ordinance Approval

Date: 8-16-2017

Amount: \$11,644.00

Project: East West Road (S.R. 436 to Dean Road) n/k/a Richard Crotty Parkway

Parcel: 7013

DEC 8/25/17

Charge to Account # 1032-072-2752-6110

Engineering Approval

Date

Fiscal Approval

Date

TYPE TRANSACTION (Check appropriate block(s))

Pre-Condemnation Post-Condemnation

X N/A

District # 5

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

June R. Elliott, sole trustee under the Elliott Family Living Trust, dated February 8, 1994
6926 Hanging Moss Road
Orlando, FL 32807
Purchase Price \$11,600.00

DOCUMENTATION ATTACHED (Check appropriate block(s))

- X Contract
- X Copy of Executed Instruments
- X Certificate of Value
- X Settlement Analysis

Orange County Comptroller
Recording Fee \$44.00

Total \$11,644.00

Payable to: June R. Elliott, sole trustee under the Elliott Family Living Trust, dated February 8, 1994 (\$11,600.00)

Payable to: Orange County Comptroller (\$44.00)

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

Recommended by Erica Guidroz
Erica Guidroz, Acquisition Agent, Real Estate Mgmt. Division

8-21-2017
Date

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

8/24/17
Date

Certified _____
Approved by BCC Deputy Clerk to the Board

Date

Examined/Approved _____
Comptroller/Government Grants

Check No. / Date

REMARKS:

Scheduled Closing Date: As soon as check is available

Anticipated Closing Date: TBD

Please Contact Acquisition Agent @ 67036 if you have any questions.

PURCHASE AGREEMENT

COUNTY OF ORANGE STATE OF FLORIDA

THIS AGREEMENT made between Orlando Hanging Moss, LLC, an Illinois limited liability company, 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, the BUYER seeks to acquire the land described on Schedule "A" attached hereto for construction of the above referenced project and said SELLER agrees to furnish said land for such purpose.

Property Appraiser's Parcel Identification Number:
a portion of
15-22-30-0000-00-065

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

1. SELLER agrees to execute a Temporary Construction Easement for a period of 7 years on Parcel No. 7043, as more particularly described on the attached Schedule "B" for the sum of \$ 28,700.00.
2. SELLER agrees to pay the state documentary stamp tax, prior to receipt of proceeds, by separate check payable to the Orange County Comptroller in the amount \$ 200.90.
3. SELLER hereby acknowledges that the payment to be made by BUYER pursuant to this Agreement includes compensation to SELLER for any trees or other landscaping within or in the vicinity of the Temporary Construction Easement area that will or may be damaged in connection with BUYER'S activities pursuant to the Temporary Construction Easement. As such, SELLER hereby releases BUYER from any claims related to damages to SELLER'S trees or other landscaping caused by the BUYER'S activities. Without limiting the foregoing, SELLER shall be responsible to remove tree to the east of the drive entrance if root damages or loss of the tree shall occur.
4. This transaction shall be closed and the 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.
5. SELLER shall comply with Section 286.23, Florida Statutes, pertaining to disclosure of beneficial ownership, if applicable.

Project: East-West Road (S.R. 436 to Dean Road) n/k/a Richard Crotty Parkway
Parcel: 7043

6. 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.

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

Orlando Hanging Moss, LLC,
an Illinois limited liability company

BY: 

MICHAEL NESWOLD, AUTHORIZED MEMBER
Printed Name

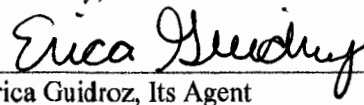
1050 SPRING LAKE DR
Post Office Address

ITASCA, ILLINOIS 60143

DATE: 8-2-2017

BUYER

Orange County, Florida

BY: 
Erica Guidroz, Its Agent

DATE: 8-24-2017

SCHEDULE "A"**EAST WEST ROAD****PARCEL 7043****ESTATE: Temporary Easement****PURPOSE: Temporary Construction**

A portion of the lands lying in Section 15, Township 22 South, Range 30 East, Orange County, Florida as described in Official Records Book 7214, Page 4498, Public Records of Orange County, Florida, being more particularly described as:

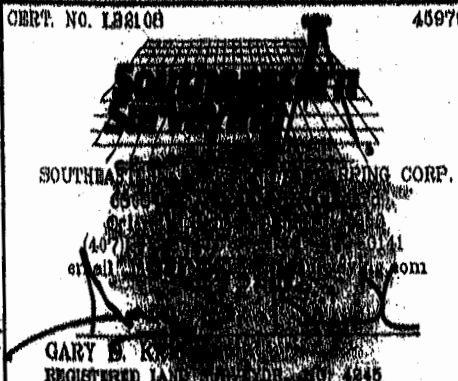
COMMENCE at the Northeast corner of said Section 15; thence along South 00°33'46" East, a distance of 1266.53 feet along the East line of said Section 15, to the Easterly projection of the North Right of Way line of Hanging Moss Road; thence along South 89°05'52" West, a distance of 853.89 feet along the North right of way line of Hanging Moss Road as described in Official Records Book 5783, page 2748 to the POINT OF BEGINNING;

thence continue along said North right of way line, South 89°05'52" West, a distance of 42.10 feet; thence North 00°54'08" West, a distance of 7.50 feet; thence North 89°05'52" East, a distance of 42.10 feet; thence South 00°54'08" East, a distance of 7.50 feet to the POINT OF BEGINNING.

Containing 316 square feet, more or less.

SURVEYORS NOTES:

1. The bearings and coordinates shown hereon are based on the Orange County Geodetic Information System traverse between G.I.S. Point #160 to G.I.S. Point #174 as being North 89°55'40" East.
2. I hereby certify that the "Sketch of Description" of the above described property is true and correct to the best of my knowledge and belief as recently drawn under my direction and that it meets the Minimum Technical Standards for Land Surveying CH. 61G17-6 requirements.
3. Not valid without the raised seal and signature of a Florida licensed Surveyor and Mapper.
Not valid without sheet 2.

DESCRIPTION FOR ORANGE COUNTY GOVERNMENT FLORIDA Revised: September, 2006 REJ	Date: December 2005 ALK		CERT. NO. L28108 45979
	Job No.: 45979	Scale: N.T.S.	
	CH. 61G17-6, Florida Administrative Code requires that a legal description drawing bear the notation that THIS IS NOT A SURVEY.		
SHEET 1 OF 2 SEE SHEET 2 FOR SKETCH			

1" and 30'



120.00' RIGHT OF WAY
ORB 5783, Page 2748
P.B. 3, Page 141

P.C.=POINT OF CURVATURE
 P.O.=PAGE
 P.=PROPERTY LINE
 P.O.B.=POINT OF BEGINNING
 P.O.C.=POINT OF COMMENCEMENT
 P.T.=POINT OF TANGENCY
 R.=RADIUS
 R/W=RIGHT OF WAY
 SEC.=SECTION
 R.R.=RAILROAD

SOUTHEASTERN SURVEYING & MAPPING CORP.
8600 All American Boulevard
Orlando, Florida 32810-4350
(407)292-8580 fax (407)292-0141
Cert. No. LB-8106
email: info@southeasternsurveying.com
THIS IS NOT A SURVEY.

SCHEDULE "B"

EAST WEST ROAD PARCEL 7043

TEMPORARY CONSTRUCTION EASEMENT

Parcel 7043 is being acquired as a temporary non-exclusive easement with full authority to enter upon the lands described in attached Schedule "A" for the purpose of constructing, tying in and harmonizing the driveway with the adjacent roadway. At all times during construction the GRANTEE will maintain access to the GRANTOR'S remaining lands.

After the construction on the Parcel is completed the GRANTEE shall restore the Parcel to a condition as good as or better than the one existing before being disturbed by the GRANTEE.

This easement shall expire upon the completion of the construction on the project adjacent to the lands described in attached Schedule "A" or after seven (7) years, whichever occurs first.

08/28/07

R:\ROW Acquisition\Projects\2752 East West Road\2752 Parcel Files\East West Schedule B\Easements\2752 TOE Schedule B P7043.doc

SEP 19 2017

Instrument: 7043.1
Project: East-West Road (S.R. 436 to Dean Road)
n/k/a Richard Crotty Parkway

TEMPORARY CONSTRUCTION EASEMENT

THIS INDENTURE, made and executed the 2nd day of August, A.D. 2017, by Orlando Hanging Moss, LLC, an Illinois limited liability company, whose address is 1050 Spring Lake Drive, Itasca, IL, 60143, 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 \$28,700.00 and other valuable considerations, paid by the GRANTEE, the receipt whereof is hereby acknowledged, does hereby give and grant to the GRANTEE, its successors and assigns, a Temporary Construction Easement more particularly described in Schedule "B" over and upon the following described lands of the GRANTOR situate in Orange County aforesaid, to-wit:

SEE ATTACHED SCHEDULE "A"

Property Appraiser's Parcel Identification Number:

a portion of

15-22-30-0000-00-065

THE GRANTOR covenants with the GRANTEE that the GRANTOR is lawfully seized of said lands in fee simple; that the GRANTOR has good right and lawful authority to grant this easement and shall take no action to interfere with the GRANTEE'S lawful use of said easement; that the GRANTOR hereby fully warrants the easement being granted and will defend the same against the lawful claims of all persons whomsoever.

Instrument: 7043.1
Project: East-West Road (S.R. 436 to Dean Road)
n/k/a Richard Crotty Parkway

IN WITNESS WHEREOF, the GRANTOR has caused these presents to be executed in its name.

Signed, sealed and delivered
in the presence of:

Orlando Hanging Moss, LLC,
an Illinois limited liability company

Witness

BY:

Michael Neswold
its Authorized Member

JEFF VROUBOU

Printed Name

Erica L Guidroz

Witness

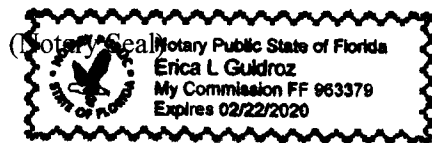
Erica L Guidroz

Printed Name

(Signature of TWO witnesses required by Florida law)

STATE OF Florida
COUNTY OF Orange

The foregoing instrument was acknowledged before me this 2nd day of AUGUST,
2017 by Michael Neswold, its Authorized Member of Orlando Hanging Moss, LLC, an Illinois limited
liability company, on behalf of the limited liability company. He is ☐ personally known to me or has ☒
produced Drivers License as identification.



Erica L Guidroz

Notary Signature

Erica L Guidroz

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

Orange County Florida

My commission expires:

2/22/2022

SCHEDULE "A"

EAST WEST ROAD

PARCEL 7043

ESTATE: Temporary Easement

PURPOSE: Temporary Construction

A portion of the lands lying in Section 15, Township 22 South, Range 30 East, Orange County, Florida as described in Official Records Book 7214, Page 4498, Public Records of Orange County, Florida, being more particularly described as:

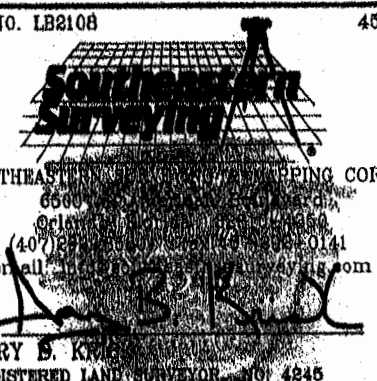
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thence continue along said North right of way line, South 89°05'52" West, a distance of 42.10 feet; thence North 00°54'08" West, a distance of 7.50 feet; thence North 89°05'52" East, a distance of 42.10 feet; thence South 00°54'08" East, a distance of 7.50 feet to the POINT OF BEGINNING.

Containing 316 square feet, more or less.

SURVEYORS NOTES:

1. The bearings and coordinates shown hereon are based on the Orange County Geodetic Information System traverse between G.I.S. Point #160 to G.I.S. Point #174 as being North 89°55'40" East.
2. I hereby certify that the "Sketch of Description" of the above described property is true and correct to the best of my knowledge and belief as recently drawn under my direction and that it meets the Minimum Technical Standards for Land Surveying CH. 61G17-6 requirements.
3. Not valid without the raised seal and signature of a Florida licensed Surveyor and Mapper.
Not valid without sheet 2.

DESCRIPTION FOR ORANGE COUNTY GOVERNMENT FLORIDA Revised: September, 2008 REJ	Date: December 2005 ALK		CERT. NO. LB2108 45979  SOUTHEASTERN SURVEYING CORP. 6600 Orlando, FL 32819 (407) 850-0141 email: info@seascorp.com GARY B. KNEPPER REGISTERED LAND SURVEYOR - NO. 4245
	Job No.: 45979	Scale: N.T.S.	
	CH. 61G17-6, Florida Administrative Code requires that a legal description drawing bear the notation that THIS IS NOT A SURVEY.		
SHEET 1 OF 2 SEE SHEET 2 FOR SKETCH			

SKETCH OF DESCRIPTION

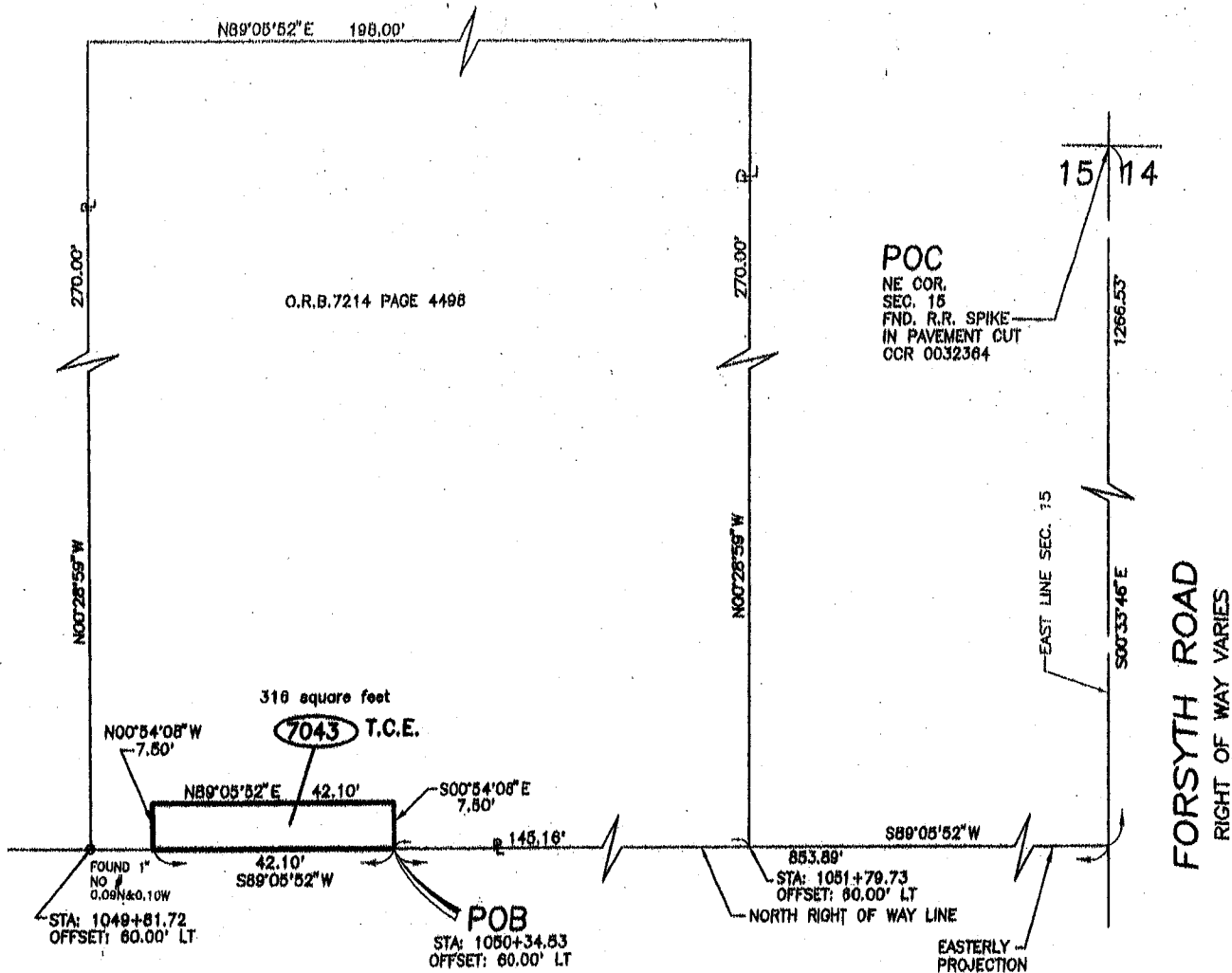
EAST WEST ROAD

PARCEL 7043



1"=30'

SECTION 15, TOWNSHIP 22 SOUTH, RANGE 30 EAST



HANGING MOSS ROAD

120.00' RIGHT OF WAY

ORB 5783, Page 2748

P.B. 3, Page 141

LEGEND

CB=CHORD BEARING
CCR=CERTIFIED CORNER RECORD
CH=CHORD
COR.=CORNER
(D)=DEED
Δ=CENTRAL ANGLE
L=LENGTH
N.T.S.=NOT TO SCALE
O.R.B.=OFFICIAL RECORDS BOOK
(P)=PLAT

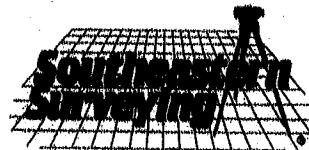
P.C.=POINT OF CURVATURE
PG.=PAGE
P=PROPERTY LINE
POB=POINT OF BEGINNING
POC=POINT OF COMMENCEMENT
P.T.=POINT OF TANGENCY
R=RADIUS
R/W=RIGHT OF WAY
SEC.=SECTION
R.R.=RAILROAD

Drawing No. 45979
Job No. 45979
Date: December, 2005 ALK
Revised: September, 2006 REJ
Revised: February, 2008 DRR
SHEET 2 OF 2
See Sheet 1 for Description

NOTE: NOT VALID WITHOUT RAISED SEAL AND SIGNATURE
OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
NOT VALID WITHOUT SHEET 1

NOTE: SEE SHEET 12 OF 34 FOR PARCEL IDENTIFICATION ON
RIGHT OF WAY MAPS FOR EAST WEST ROAD SEGMENT 1.

SOUTHEASTERN SURVEYING & MAPPING CORP.
6500 All American Boulevard
Orlando, Florida 32810-4350
(407)292-8580 fax (407)292-0141
Cert. No. LB-2108
email: info@southeasternsurveying.com
THIS IS NOT A SURVEY.



SCHEDULE "B"

EAST WEST ROAD PARCEL 7043

TEMPORARY CONSTRUCTION EASEMENT

Parcel 7043 is being acquired as a temporary non-exclusive easement with full authority to enter upon the lands described in attached Schedule "A" for the purpose of constructing, tying in and harmonizing the driveway with the adjacent roadway. At all times during construction the GRANTEE will maintain access to the GRANTOR'S remaining lands.

After the construction on the Parcel is completed the GRANTEE shall restore the Parcel to a condition as good as or better than the one existing before being disturbed by the GRANTEE.

This easement shall expire upon the completion of the construction on the project adjacent to the lands described in attached Schedule "A" or after seven (7) years, whichever occurs first.

ORANGE COUNTY REAL ESTATE MANAGEMENT DIVISION
REVIEW APPRAISER'S STATEMENT

NEGOTIATION APPRAISAL REPORT

PARCEL	PROJECT	LIMITS	PROPERTY OWNER	CIP
7043	East-West Road (Invest) n/k/a R Crotty Pkwy	(SR 436-Dean Rd)	Orlando Hanging Moss, LLC	2752

- A. I certify that, to the best of my knowledge and belief:
- The statements of fact contained in this report 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 present or prospective interest in the property that is the subject of the work under review and no personal interest with respect to the parties involved.
 - I have not performed any professional services regarding the subject of the work under review 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 the work under review or to the parties involved with this assignment.
 - My engagement in this assignment was not contingent upon developing or reporting predetermined results.
 - My compensation is not contingent on an action or event resulting from the analyses, opinions, or conclusions in this review or from its use.
 - My compensation for completing this assignment is not contingent upon the development or reporting of predetermined assignment results or assignment results that favors the cause of the client, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal review.
 - My analyses, opinions, and conclusions were developed, and this review report has been prepared, in conformity with the *Uniform Standards of Professional Appraisal Practice*.
 - I have made a personal inspection of the subject of the work under review.
 - No one provided significant appraisal or appraisal review assistance to the person signing this certification.
 - The reported analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Code of Professional Ethics and Standards of Professional Appraisal Practice of the Appraisal Institute.
 - The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.
 - As of the date of this report, I have completed continuing education requirements of the Appraisal Institute.

	1	2	3	4
APPRAISER	David K. Hall, ASA			
DATE OF REPORT	June 14, 2016			
PURPOSE*	A			
PROPERTY TYPE	Office/Warehouse			
ACQUISITION SIZE:	316 SF			
APPRAISAL DOV	5/31/2016			
APPRAISAL TOTAL	\$24,100			
LAND	\$1,300			
IMPROVEMENTS	\$8,300			
COST TO CURE	\$14,500			
DAMAGES	\$0			
REVIEWER	R.K. Babcock, MAI			

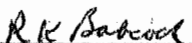
*Purpose: A=Neg., B=Rev. Neg., C=2nd Rev. Neg., D=OT, E=Rev. OT, F=DOD, G=Rev. DOD, H=2nd Rev/DOD, O=Owner Report, R=Rev. Owner Report, X=Other.

CONCLUSION OF VALUE: **\$ 24,100**

ALLOCATION: LAND **\$ 1,300** IMPROVEMENTS **\$ 8,300** DAMAGES &/or COST TO CURE **\$ 14,500**

UNECONOMIC REMNANT (UNECO): N/A

Value to Acquisition Including Uneconomic Remainder	
Land Area:	Partial/Whole (P/W):
Land:	
Improvements	
Damages and/or Cost to Cure	
Total:	

 Reviewer: Robert K. Babcock, MAI State-Certified General Real Estate Appraiser #2996 Review Report Date 8/8/2016 Ann Caswell, Manager		RECEIVED AUG 14 2016
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REVIEW APPRAISER'S STATEMENT

Parcel No.: 7043 E-W Road, n/k/a R. Crotty Pkwy

Page No.: 2

B. Reviewer's Statement of Reasoning in Conformance with the Current R/W Procedures.**ASSIGNMENT PARAMETERS**

This review was conducted by Robert K. Babcock, MAI, State-Certified General Real Estate Appraiser RZ990, Supervisor of Acquisition and Appraisal, employed by the Orange County Real Estate Management Division.

The client and the intended user of this review is Orange County. The intended use is to determine whether the analyses, opinions, and conclusions in the appraisal report under review are appropriate and reasonable. The purpose of this appraisal review is to provide a basis for establishing recommended compensation for the proposed acquisition.

The appraisal being reviewed was prepared by David K. Hall, ASA, State-Certified General Real Estate Appraiser RZ1314, an employee of Bullard, Hall & Adams, Inc. Craig S. Adams, State-Certified General Real Estate Appraiser RZ665, was identified as providing significant professional assistance, and is also an employee of Bullard, Hall & Adams, Inc. The appraisers relied upon land planning and engineering analyses prepared by Hal Collins of Kelly, Collins & Gentry, Inc. (KCG) and cost estimates prepared by William D. Richardi, a certified general contractor, in formulating their opinions.

The report under review is an appraisal to estimate the market value of the land and affected improvements, as well as any remedial cost to cure activities and damages, as appropriate. The fee simple real property interest was appraised. The report type reviewed was an Appraisal Report, as defined by USPAP 2-2(a). The format was appropriate for the analysis and scope of work. The effective date of the opinion in the report being reviewed is May 31, 2016, which is also the effective date of this review. Neither the appraisal nor review was based upon any Extraordinary Assumptions. The report considers the remainder as if the proposed roadway improvements have been completed in accordance with the plans and that the facility is open for public use, which is a hypothetical condition.

The nature and extent of this review included a desk review of the report and field reviews of the subject and the comparable sales. The scope of this review assignment does not include the development of an independent opinion of value by the reviewer. However, the scope of this review does require a determination of whether the appraisal report under review is reasonable and supportable, in compliance with the Uniform Standards of Professional Appraisal Practice (USPAP) and Orange County R/W procedures.

SUBJECT DESCRIPTION

The subject (Parcel 7043) has an address of 6855 Hanging Moss Road, Orlando, Florida 32810. This location is along the north side of Hanging Moss Road, about 860 feet west of Forsyth Road, within unincorporated Orange County, Florida. The property's legal description has been recorded on the last deed of record, within Official Records Book (ORB) 10566, on Page 3042 of the Public Records of Orange County, Florida. The 1.24± acre (53,808 SF) property is improved with an existing office/warehouse facility. The first building, which is a steel-framed warehouse, was constructed in 1981 and contains 2,135 SF of usable warehouse area. The second building is of masonry construction, built in 2002 and containing 3,136 square feet of usable office area. The building improvements are not affected by the proposed acquisition and have not been valued as part of this assignment. The land tract is generally rectangular, with 198.00 feet of frontage along the north side of Hanging Moss Road and a depth of 270 feet. The property is generally

REVIEW APPRAISER'S STATEMENT

Parcel No.: 7043 E-W Road, n/k/a R. Crotty Pkwy

Page No.: 3

level, near road grade and situated within Zone X of the Flood Insurance Rate Map (FIRM). All typical utilities serve the property.

The subject is zoned IND-1/IND-5, Industrial District (Light) and has a future land use designation of Industrial. The subject's zoning and future land use are consistent. The appraiser indicated there were no apparent adverse drainage or environmental conditions affecting the property. There are no other known easements affecting the property.

Mr. Hall's highest and best use analysis considers the four appropriate characteristics of such an analysis. Mr. Hall concluded that the subject's highest and best use, as if vacant and available for development, was for industrial use. The appraiser's analyses and development of the highest and best use are appropriate and reasonable. The methodology is consistent with and in conformance with accepted appraisal practice.

VALUATION

The report employs the Sales Comparison Approach to value the land. The Income and Cost Approaches were appropriately omitted because they are not applicable for this assignment, which considered only the value of the land and the contributory value of any improvements affected by the proposed acquisition.

Mr. Hall has valued the property using four comparable sale properties and has correlated to a value conclusion within the value range indicated by the sales. The comparable sales indicated an unadjusted range of \$5.21 to \$6.56 per square foot (psf) of land area. Mr. Hall provided a quantitative analysis of the sale data, adjusting the comparable sales for numerous factors, as appropriate. After adjustments, the indicated value range was \$5.58 to \$5.99 per square foot (psf) of land area. Based upon the analysis, Mr. Hall concluded to a unit value of **\$5.95 psf**. This equated to a market value for the subject's land of **\$320,200** ($\$5.95/\text{sf} \times 53,808 \text{ sf} = \$320,158$, rounded to \$320,200).

PART ACQUIRED

Parcel 7043 is a proposed acquisition of a temporary construction easement having a width of 42.1 feet along the north side of the property's Hanging Moss Road frontage and a depth of 7.5 feet. The easement is to permit construction of the proposed roadway improvements and harmonize the new roadway improvements with the remainder driveway. The acquisition parcel is generally rectangular and contains 316 square feet of land area. Site improvements within the area of the acquisition include concrete curb, irrigation, sod, asphalt pavement, fencing, a roll gate, a pedestrian swing gate, a security camera and pole, a 19 inch oak tree and 5 Indian Hawthorn bushes. It was noted that the sod and asphalt pavement will be replaced by the contractor upon completion of the construction project. Improvements within the TCE were itemized, with cost new estimates provided by Mr. Richardi. The total estimated contributory value of the improvements within the TCE equated to **\$8,300**.

The proposed Temporary Construction Easement (TCE) will encumber the property for a period of up to seven years (84 months), or upon completion of the construction activities, whichever is shorter. Mr. Hall used a land rental rate of 11% of the fee simple value to derive an annual income attributable to the easement area. This amount was converted to a monthly income stream. A built-up discount rate was then applied to the monthly rental income stream to derive the value of the land area during the term of the TCE.

REVIEW APPRAISER'S STATEMENT

Parcel No.: 7043 E-W Road, n/k/a R. Crotty Pkwy

Page No.: 4

DAMAGES &/OR COST TO CURE

During the land planning/engineering analyses, Mr. Collins of KCG, developed a cure plan to reestablish the remainder in a similar condition to the before condition and provide for temporary fencing during the term of the TCE. Mr. Richardi provided a cost estimate for the cure. The net cost to cure was properly calculated by recognizing the contributor values of the items paid for within the acquisition. The net cost to cure equated to \$14,500.

There were no severance damages attributable to the acquisition.

Mr. Hall's TCE value calculations have been summarized in the following table:

TCE VALUE CALCULATIONS		
TCE Land Area (SF)	316	
Land Value \$/SF	\$5.95	
Total Fee Value	\$1,880	
Rental Rate per Annum	11%	
Annual Income		\$206.82
Monthly Income		\$17.24
PV Factor 3.775%, 84 Months,		
Payable in advance	73.95	
Present Value of TCE		\$1,275
Rounded Value--Land		\$1,300
Improvements		\$8,300
Damages		\$0
Cost to Cure		\$14,500
TOTAL TCE VALUE		\$24,100

CONCLUSIONS

The data, appraisal methods and techniques, analyses, opinions, adjustments and conclusions within the Hall report are appropriate and reasonable. The report is complete and adequately supported within the scope of an Appraisal Report and in the context of market conditions as of the effective date of valuation. The value conclusions estimated in the appraisal are reasonable and supported by the analyses. This report is approved as meeting the current Uniform Standards of Professional Appraisal Practice and Orange County R/W procedures.

Appraisal Report

of

Parcel 7043

Richard Crotty Parkway (f/k/a East/West Road)

Section 1

Property Name – Titan Electric Southeast

Orange County, Florida

Our Project No. 16-02

Owner – Orlando Hanging Moss, LLC

For

Mr. Christopher Langton

Real Estate Management Division

400 East South Street, 5th Floor

Orlando, Florida 32802-1393

Prepared by

Bullard, Hall & Adams, Inc.

1144 Pelican Bay Drive

Daytona Beach, Florida 32119

00 CERTIFICATE OF VALUE

Project: Richard Crotty Parkway, Segment 1
County: Orange
Parcel No.: 7043

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

1. The statements of fact contained in this report are true and correct.
2. The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions and are my personal, unbiased, professional analyses, opinions, and conclusions.
3. I have no present or prospective interest in the property or bias with respect to the property that is the subject of this report, and I have no personal interest or bias with respect to the parties involved. My engagement in this assignment was not contingent upon developing or reporting predetermined results.
4. 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.
5. My compensation for completing 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.
6. My analyses, opinions, or conclusions were developed and this report has been prepared in conformity with the Uniform Standards of Professional Appraisal Practice, and the provisions of Chapter 475, Part II, Florida Statutes.
7. I have made a personal inspection of the property that is the subject of this report and I have afforded the property owner the opportunity to accompany me at the time of the inspection. I have also made a personal field inspection of the comparable sales relied upon in making this appraisal. The subject and the comparable sales relied upon in making this appraisal were as represented by the photographs contained in this appraisal.
8. No persons other than those named herein provided significant real property appraisal assistance to the person signing this certification.
9. I understand that this appraisal is to be used in connection with the acquisition by Orange County.
10. This appraisal has been made in conformity with the appropriate State laws, regulations, policies and procedures applicable to appraisal of right-of-way for transportation purposes; and, to the best of my knowledge, no portion of the property value entered on this certificate consists of items which are non-compensable under the established law of the State of Florida.
11. I have not revealed the findings or results of this appraisal to anyone other than the proper officials of Orange County and I will not do so until I am required by due process of law, or until I am released from this obligation by having publicly testified as to such findings.
12. Regardless of any stated limiting condition or assumption, I acknowledge that this appraisal report and all maps, data, summaries, charts and other exhibits collected or prepared under this agreement shall become the property of Orange County without restriction or limitation on their use.
13. Statements supplemental to this certification required by membership or candidacy in a professional appraisal organization, are described on an addendum to this certificate and, by reference, are made a part hereof.

Based upon my independent appraisal and the exercise of my professional judgment, my opinion of the market value for the part taken, including net severance damages after special benefits, if any, of the property appraised as of the 31st day of May, 2016, is:


TWENTY-FOUR THOUSAND ONE HUNDRED DOLLARS

Market value should be allocated as follows:

LAND	<u>\$ 1,300</u>
IMPROVEMENTS	<u>\$ 8,300</u>
NET DAMAGES &/OR	
COST TO CURE	<u>\$ 14,500</u>
TOTAL	<u>\$ 24,100</u>

LAND AREA: (Ac/SF)	<u>316 SF</u>
Land Use (HABU as vacant):	<u>Industrial</u>

June 14, 2016
DATE


DAVID K. HALL, ASA
State-Certified General Appraiser #RZ1314

Project: East West Road (S.R. 436 to Dean Road) n/k/a Richard Crotty Parkway
Parcel: 7043

SETTLEMENT ANALYSIS

County's Appraised Value

<u>Land:</u> 316 S.F.	\$1,300.00
<u>Improvements:</u>	\$ 8,300.00
<u>Cost to Cure:</u>	\$14,500.00

Total Appraisal Value	<u>\$ 24,100.00</u>
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Total: Owner's Offer	<u>\$ 28,700.00</u>
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Recommended Settlement Amount	\$ 28,700.00
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EXPLANATION OF RECOMMENDED SETTLEMENT

Parcel 7043 of the East-West Road n/k/a Richard Crotty Parkway is not under threat. The subject tract is located along the north side of Hanging Moss Road. The temporary construction easement is to harmonize the driveway for Parcel 7043 with Richard Crotty Parkway. Any concrete paving or asphalt paving for the driveway area within Parcel 7043 removed by County will be replaced during construction at no cost to the property owner.

The property owner wanted a guarantee that the county would not damage an existing 19" tree or its root system located within the proposed TCE. If the County could not give such assurance then the owners did not feel comfortable signing the TCE. They want to keep the tree and are concerned the root system may be damaged by activities within the TCE, with the result being that the tree could die several years later, leaving the liability for tree removal on them. To address this concern, the agent negotiated paying the property owner for the tree as part of the cost for the TCE. This upfront cost/ payment would alleviate concern about construction activities causing the tree to die while providing the property owner peace of mind that the County has paid upfront to remove the tree in the future if needed.

Based on previous payments on this project the County has paid \$200 per inch of tree diameter for the affected tree and included a cost of cure of \$800.00 to plant a new tree. According to the KCG consulting report, the tree in question has a diameter of 19 inches. No value for the 19" tree was included in the County's appraisal; however, based on my inspection of the property

Project: East West Road (S.R. 436 to Dean Road) n/k/a Richard Crotty Parkway
Parcel: 7043

and the concerns expressed by the property owner of the root damage to the affected tree which does lie in the TCE area, damages should be awarded to account for this tree. Thus, the recommended settlement amount results from adding an additional \$3,800.00 for the tree and \$800.00 for the replanting of a new tree to the County's appraised value. I agree and request approval of purchase price in the amount of \$28,700.00.

Recommended by Erica L. Guidroz Date 7-17-2017
Erica L. Guidroz, Acquisition Agent

Recommended by Robert K. Babcock Date 7-17-17
Bob Babcock, Acquisition Supervisor, Real Estate Management Division

Approved by Paul Sladek Date 7/20/17
Paul Sladek, Manager, Real Estate Management Division

Request for Taxpayer Identification Number and Certification

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

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

2 Business name/disregarded entity name, if different from above

3 Check appropriate box for federal tax classification; check only one of the following seven boxes:
☐ Individual/sole proprietor or single-member LLC
☒ Limited liability company. Enter the tax classification (C=S corporation, S=S corporation, P=partnership)
Note: For a single-member LLC that is disregarded, do not check LLC; check the appropriate box in the line above for the tax classification of the single-member owner.
☐ Other (see instructions)
☐ C Corporation
☐ S Corporation
☐ Partnership
☐ Trust/estate

4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 8).
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.)
6855 Hanging Moss Rd

6 City, state, and ZIP code
Orlando, FL 32807

7 List account number(s) here (optional)

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 Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN* on page 3.

Note: If the account is in more than one name, see the instructions for line 1 and the chart on page 4 for guidelines on whose number to enter.

Social security number

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or

Employer identification number


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Part II Certification

Under penalties of perjury, I certify that:

- 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
- 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
- I am a U.S. citizen or other U.S. person (defined below); and
- 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 on page 3.

Sign Here Signature of U.S. person  Date 8-2-2017

General Instructions

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

Future developments. Information about developments affecting Form W-9 (such as legislation enacted after we release it) is at www.irs.gov/fw9.

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-O (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?* on page 2.

By signing the filled-out form, you:

- Certify that the TIN you are giving is correct (or you are waiting for a number to be issued).
- Certify that you are not subject to backup withholding, or
- 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
- 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?* on page 2 for further information.