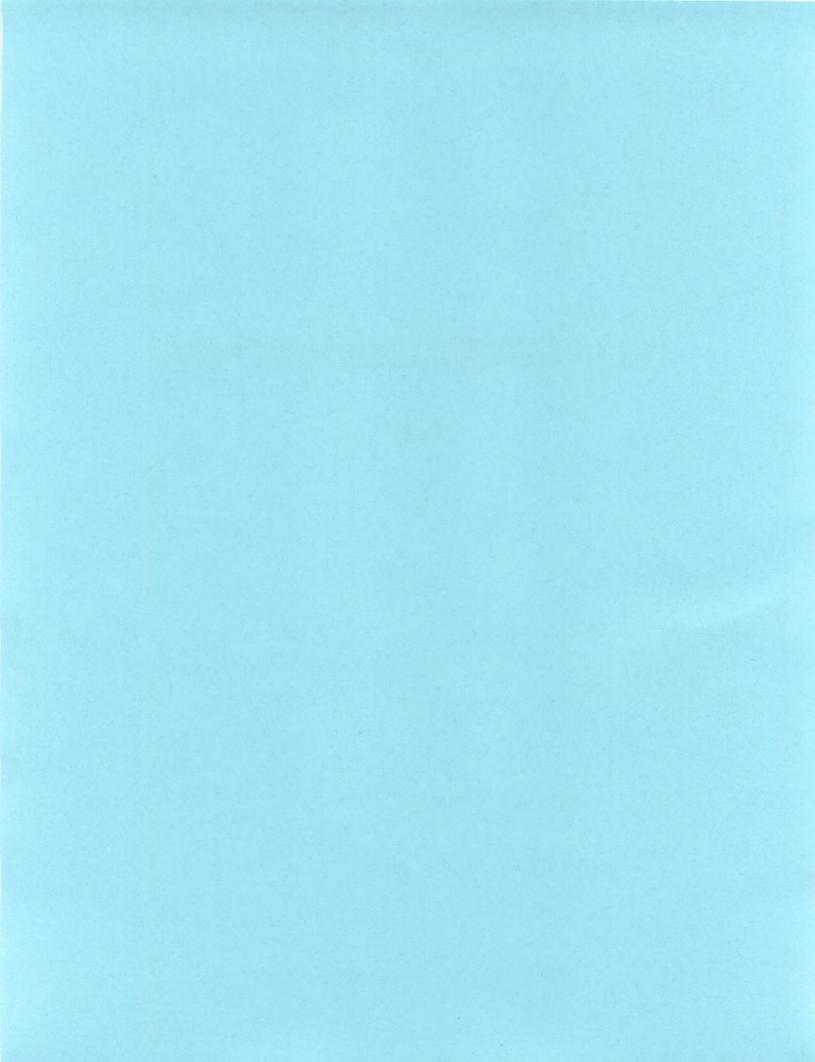
CONSENT AGENDA ITEM #14



CENTRAL FLORIDA EXPRESSWAY AUTHORITY

MEMORANDUM

TO:	Central Florida Expressway Authority Board Members
FROM:	Linda S. Brehmer Lanosa, Deputy General Counsel Kindukk. Suzanne Driscoll, Esq., Shutts & Bowen H.D.
DATE:	December 8, 2016
RE:	Central Florida Expressway Authority v. Anthony Randall Carter, et al. Case No. 2015-CA-003555-O, Parcel 301 Owner: HMF, LLC (c/o Charlie R. Forman) Location: North Side of Ondich Road, West of Plymouth Sorrento, Apopka Parent: 131.707 acres; Taking: 25.147 acres; Remainder: 106.560 acres

INTRODUCTION

This case is set for trial on the February 13, 2017 docket in front of Judge Kest. The case was mediated on September 7, 2016, but the parties were not able to reach a compromise. On or about October 31, CFX served an Offer of Judgment in the amount of \$1.2 million dollars. Since that time, the parties have taken a number of depositions, examined numerous documents, and reviewed rebuttal reports. After extensive discovery and ongoing settlement discussions, the parties have reached a proposed all-inclusive settlement in the amount of **\$1,845,000**, including interest, statutory attorney's fees, expert fees, and costs as described below.

DESCRIPTION OF PROPERTY AND TAKING

The 131.707-acre vacant parent tract is owned by HMF, LLC ("HMF LLC") and is zoned A-1 for Citrus Rural District with a land use designation of "R" for Rural/Agricultural. The taking is along the eastern side of the parent tract.

CFX'S APPRAISAL REPORT

Chad G. Durrance, MAI, State-Certified General Real Estate Appraiser, appraised the property for CFX. He concluded that the highest and best use of the property as though vacant is for residential use. Applying the sales comparison approach, Mr. Durrance originally estimated the value of the land at \$25,000 per acre. His estimate of full compensation for the property taken totaled \$728,700, consisting of \$628,700 for the land taken plus \$100,000 in severance damages.

Following his deposition, Mr. Durrance updated his sales search and prepared a rebuttal report. He found additional sales that indicated an increase in price to \$32,500 per acres. Accordingly, the value of the land increased from \$25,000 per acre to \$32,500, per acre,

4974 ORL TOWER RD. ORLANDO, FL 32807 | PHONE: (407) 690-5000 | FAX: (407) 690-5011



CFX v. Anthony Randall Carter Case No. 2015-CA-003555-O, Parcel 301 Page 2 of 7

representing an increase in value to \$817,280 for the land taken plus a corresponding increase in severance damages.

HMF LLC'S APPRAISAL REPORTS

HMF LLC retained both Charles W. Haynes, Jr., GAA, and Richard C. Dreggors, GAA, a state-certified general real estate appraiser, to value the property. Their opinions of value are summarized below.

	Haynes Dreggors	
Before Value (Per Acre)	\$ 50,000	\$ 55,000
Value of Land Taken	\$1,257,400	\$1,383,300
Severance Damages	\$2,664,100	\$3,436,600
Total for Owner	\$3,921,500	\$4,819,900

The report provided by Mr. Dreggors contains a watermark indicating it is a work in progress.

According to Mr. Haynes, the highest and best use in the before is for residential development. In the before condition, Mr. Haynes used comparable sales from 2005 and 2006, rather than the date of taking. In the after condition, Mr. Haynes opined that the highest and best use is for continued agricultural use with a limited future residential development potential. After the taking, Mr. Haynes stated that the value of the land would be reduced from \$50,000 per acre to \$25,000 per acre.

Similarly, Mr. Dreggors concluded that the highest and best use of the property before the taking is for residential use. He relied upon comparable sales outside the market area, including sales in Osceola County and Winter Garden. Mr. Dreggors assumed that after the taking the property would be limited to rural residential use and reduced the value of the land to \$35,000 per acre and then applied a 35% reduction for due to the proximity of the expressway.

HMF LLC's ATTORNEY'S FEES, EXPERT FEES, AND COSTS

In addition to the paying the property owner for the land taken, CFX is required to pay statutory attorney's fees to the property owner's attorney plus the owner's reasonable expert fees and costs. Section 73.092 sets forth the formula for calculating statutory attorney's fee. Attorney's fees are based upon the benefit achieved. In this case, assuming the amount of full compensation to the property owner is \$1,500,000, the total statutory attorney's fee. For example, the statutory attorney fee on a settlement in the amount of Mr. Haynes' appraised valued would increase by almost \$500,000 to \$711,700.

CFX v. Anthony Randall Carter Case No. 2015-CA-003555-O, Parcel 301 Page 3 of 7

Regarding expert fees, the invoices from HMF LLC's experts totaled \$174,228 and are listed below and attached hereto.

Expert	Amount Invoiced
Calhoun, Dreggors & Associates, Inc.	\$ 40,219.00
(Richard Dreggors, GAA)	1. C
Equable Real Estate Solutions	55,343.75
(Charles Haynes, Jr., GAA)	
Lakemont Group (Joshua Harris, Ph.D.)	21,420.00
Williams Development Services	23,325.00
Linette Matheny	11,100.00
(who testified at the Order of Taking hearing)	
PEER	22,820.25
Total	\$174,228.00

After examining the invoices and reducing the requested fees by approximately \$43,000, the sum of \$131,416 would be a reasonable amount for expert fees.

With an all-inclusive settlement, CFX is not privy to the exact breakdown of the settlement proceeds. Nevertheless, combining estimated amounts to the landowner for the property taken, to the attorney for statutory attorney's fees, and to the experts for reasonable expert fees, a reasonable all-inclusive settlement amount is \$1,845,000.

REQUESTED ACTION

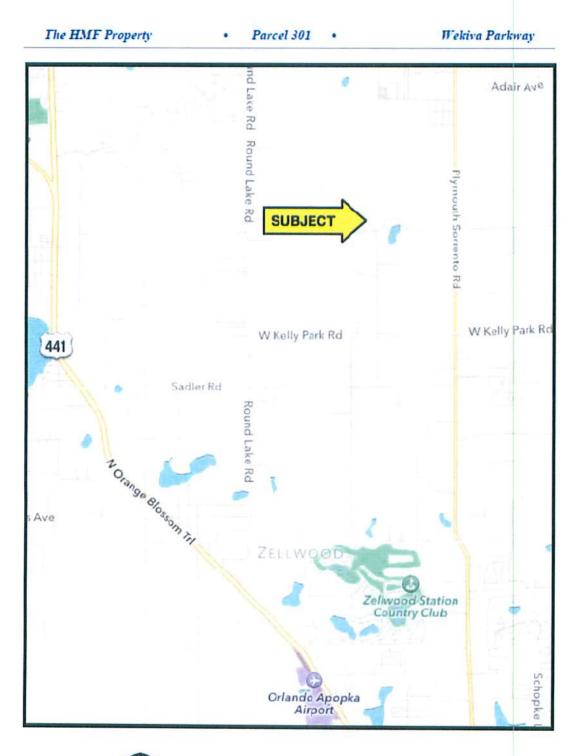
Board approval is requested to accept the proposed Mediated Settlement Agreement in the amount of **\$1,845,000** to settle all pending claims for the taking of Parcel 301, including full compensation for the property, severance damages, business damages, tort damages, interest, attorney's fees, attorney's costs, expert fees, expert costs, and any other claim, with the exception of the cost of the deposition transcripts, subject to apportionment.

The Right of Way Committee recommended approval on December 1, 2016.

Attachments: Maps and Aerials Mediated Settlement Agreement Invoices from the Owner's Experts

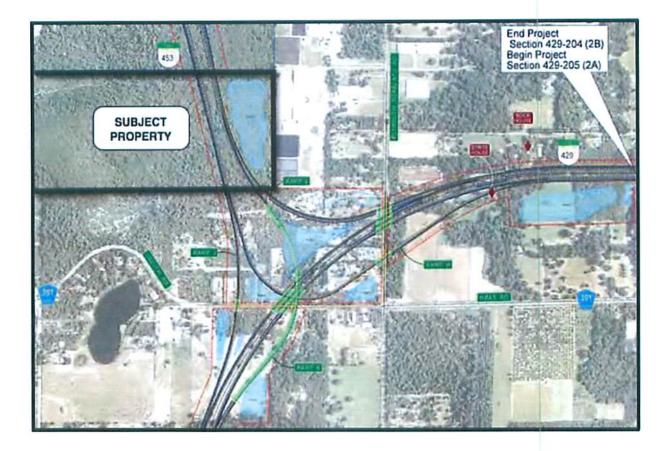
Reviewed by: Joseph Harristore

CFX v. Anthony Randall Carter Case No. 2015-CA-003555-O, Parcel 301 Page 4 of 7



GENERAL LOCATION MAP

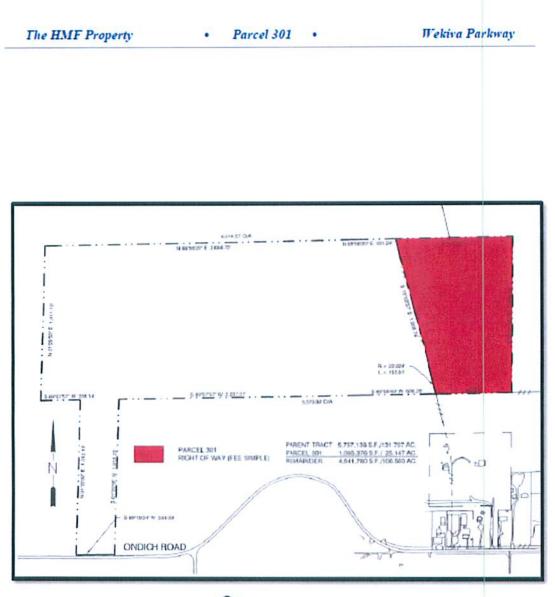
CFX v. Anthony Randall Carter Case No. 2015-CA-003555-O, Parcel 301 Page 5 of 7



CFX v. Anthony Randall Carter Case No. 2015-CA-003555-O, Parcel 301 Page 6 of 7







SKETCH

IN THE CIRCUIT COURT OF THE NINTH JUDICIAL CIRCUIT IN AND FOR ORANGE COUNTY, FLORIDA

CENTRAL FLORIDA EXPRESSWAY AUTHORITY, body politic and corporate, and an agency of the state under the laws of the State of Florida,

CASE NO: 2015-CA-003555-O

Subdivision 39

Petitioner,

Parcel 301

vs.

ANTHONY RANDALL CARTER, et. al.

Respondents.

SETTLEMENT AGREEMENT

After a Mediation Conference and continued settlement discussions, the parties reached the following Settlement Agreement:

Petitioner will pay to Respondent, HMF LLC, a Florida limited liability company; Welcom H. Watson, TRUSTEE OF THE MILES AUSTIN FORMAN'S CHILDREN'S TRUST; Welcom H. Watson, TRUSTEE OF THE HAMILTON COLLINS FORMAN, JR.'S CHILDREN'S TRUST, MILES AUSTIN FORMAN, and HAMILTON COLLINS FORMAN, JR., through their attorney Charles R. Forman, Esq., (referred to as "Respondent") the sum of ONE MILLION EIGHT HUNDRED FORTY-FIVE THOUSAND AND 00/100 Dollars exactly (\$1,845,000.00), in full settlement of all claims for compensation from Petitioner whatsoever for the taking of Parcel 301, including statutory interest and all claims related to real estate and business damages, if any, attorney's fees and expert witness ² costs but excluding the cost of reasonable deposition transcripts. The settlement sum may be subject to claims of apportionment by any party in this case having a property interest in or a lien on the subject property. Petitioner previously deposited in the Registry of the Court Petitioner's good faith estimate in the amount of Seven Hundred Twenty-Eight Thousands Seven Hundred Dollars (\$728,700). Within thirty days (30) days from the date of receipt by Petitioner's counsel of a conformed copy of the Stipulated Final Judgment, Petitioner will deposit into the Registry of the Court the sum of ONE MILLION ONE HUNDRED SIXTEEN THOUSAND THREE HUNDRED AND 00/100 Dollars exactly (\$1,116,300.00), representing the difference between the total settlement sum referenced above and the Petitioner's previous deposit in this case.

2. The settlement amount referenced in Paragraph 1 of this Settlement Agreement, is in full settlement and satisfaction of all attorneys' fees, including all fees related to monetary benefits, non-monetary benefits, but excluding supplemental proceedings related to apportionment, if any.

3. This Settlement Agreement will be placed on the agenda for the Right of Way ("ROW") Committee and Central Florida Expressway Authority ("CFX") Board and is conditioned upon final approval by the ROW Committee and then the CFX Board.

4. Counsel for Petitioner and Respondent will jointly submit to the Court a mutually approved Stipulated Final Judgment containing the terms and conditions of this Settlement Agreement within fifteen (15) days from the date of approval of this Settlement Agreement by the CFX Board.

5. The parties agree to waive any confidentiality provisions set forth in Chapter 44 of Florida Statutes, the Florida Rules of Civil Procedure, and the Florida Rules of Evidence, if applicable, for the limited purpose of consideration of this proposed Settlement Agreement by the ROW Committee and the CFX Board.

6. The parties agree to continue the trial of this matter pending review by the CFX ROW Committee and CFX Board.

7. This Agreement resolves all claims whatsoever, including claims of compensation arising from the taking of Parcel 301, severance damages, business damages, tort damages, interest, attorney's fees, expert fees, expert costs, and any other claim only excluding reasonable litigation costs still to be determined.

8. This Settlement Agreement, executed by the parties and their counsel on this day of *November*, 2016, contains all the agreements of the parties.

Print Name: S Central Florida Expressway Authority

Print Name: J Counsel for CFX

Print Name Owner

Print Name: Owner Print Name Hearth Jose th Attomey for Owner

ORLDOCS [5061192]

Calhoun, Dreggors & Associates, Inc.

• Real Estate Appraisers & Consultants •

November 14, 2016

Charles R. Forman Esq. c/o Forman, Hanratty, Thomas & Montgomery 723 E. Ft. King Street Ocala, FL 34471-2944

RE: Owner: HMF, LLC Project: Wekiva Parkway Parcel No.: N/A County: Orange

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INVOICE

Inspection of subject property, review of CFX plans and reports, conference with experts, review expert reports, research analysis of vacant land sales, verification of sales and data, analysis of damages to the remainder, preparation of appraisal report.

Subtotal			\$26,575
Dreggors:	38.25 Hrs. x \$275/Hr. =	<u> 10,519</u>	
Abrams Schmidt:	91.75 Hrs. x \$175/Hr. =	\$16,056	

Prepare for deposition, attend deposition.

Abrams Schmidt:	21.00 Hrs. x \$175/Hr. =	\$ 3,675	
Dreggors:	36.25 Hrs. x \$275/Hr. =	9,969	
Subtotal			<u>\$13,644</u>
Total			\$40,219

Thank you,

Richard C. Dreggors, GAA President

RCD/ddp

PARCEL(\$) COUNTY	N/A ORANGE	
DATE	TYPE OF SERVICE	HOURS
03/18/16	MEETING WITH RICK TO DISCUSS SCOPE OF WORK.	0.75
03/24/16	REVIEW OF FILE AND SUBJECT MATERIAL; REVIEW CFX APPRAISAL; PRELIMINARY SALES RESEARCH.	4.00
03/25/16	RESEARCH/ANALYSIS OF SALES; ANALYSIS OF CFX'S SALES.	6.00
04/01/16	RESEARCH/ANALYSIS OF SALES.	3.25
05/13/16	RESEARCH/ANALYSIS OF SALES.	2.50
05/16/16	CONFERENCE CALL WITH PROPERTY OWNER; RESEARCH/ANALYSIS OF SALES.	2.75
05/17/16	RESEARCH/ANALYSIS OF SALES; CONFERENCE CALL WITH OWNER.	2.00
05/20/16	RESEARCH/ANALYSIS OF SALES; CONFERENCE CALL WITH EXPERTS.	3.00
05/31/16	CONFERENCE CALL WITH EXPERTS; ANALYSIS OF SALES.	1.50
07/06/16	MEETING WITH EXPERTS.	2.00
07/12/16	ASSISTED WITH APPRAISAL; WORKED ON SUBJECT EXHIBITS.	2.75
07/14/16	ASSISTED WITH APPRAISAL; RESEARCH/ANALYSIS OF SALES.	5.25
07/15/16	ASSISTED WITH APPRAISAL.	4.00
07/18/16	ANALYSIS OF SALES; ASSIST WITH APPRAISAL.	4.25
07/19/16	SALES ANALYSIS.	2.25
07/22/16	REVIEW OF ENGINEERING REPORT; ANALYSIS OF SALES; ASSIST WITH APPRAISAL; MEETING WITH RICK TO REVIEW ENGINEERING ISSUES AND SALES.	4.75
07/25/16	ASSISTED WITH APPRAISAL.	3.75
07/27/16	ASSISTED WITH APPRAISAL.	3.00
07/29/16	REVIEW OF UPDATED ENGINEERING ANALYSIS; REVIEW SURROUNDING PARCELS UTILITY CONNECTIONS.	1.25

OWNER HMF, LLC PROJECT WEKIVA PARKWAY PARCEL(S) N/A

the set of

OWNER PROJECT PARCEL(S) COUNTY	HMF, LLC COURTNEY ABRAN WEKIVA PARKWAY N/A ORANGE	NS SCHMID
DATE	TYPE OF SERVICE	HOURS
08/01/16	REVIEW LAND PLANNING REPORT; ASSIST WITH APPRAISAL; DISCUSS LAND PLANNING ISSUES WITH RICK.	3.25
08/03/16	BLIGHT STUDY ANALYSIS; CONFERENCE CALL WITH LAND PLANNER; REVIEW WITH RICK.	1.75
08/04/16	CONFERENCE CALL WITH EXPERTS; ANALYSIS OF HIGHEST AND BEST USE AFTER; ANALYSIS OF AFTER SALES; WORKED ON STUDY.	4.50
08/05/16	RESEARCH/ANALYSIS OF AFTER SALES; MEETING WITH RICK TO REVIEW SALES AND DISCUSS DAMAGES; ASSIST WITH APPRAISAL.	8.75
08/08/16	ASSIST WITH APPRAISAL; WORK ON ADDENDA; WORK ON STUDY.	4.00
08/09/16	CALL WITH OWNER; ASSIST WITH APPRAISAL.	1.25
08/10/16	ASSIST WITH APPRAISAL; CALL WITH OWNER; REVIEW OF LAKEMONT REPORT; REVIEW UPDATED ENGINEERING	6.25
08/11/16	MEETING WITH RICK TO REVIEW APPRAISAL; CALL WITH OWNER; FINALIZE ADDENDA.	<u>3,00</u>
	SUBTOTAL HOURS	91.75
10/21/16	DEPOSITION PREPARATION.	2.00
10/24/16	RESEARCH/ANALYSIS OF CFX SALES.	2.75
10/25/16	MEETING WITH RICK TO REVIEW DURRANCE LAND SALES; PREPARE SUMMARY OF DATA.	1.75
11/02/16	DEPOSITION PREPARATION.	3.75
11/03/16	ASSISTED WITH DEPOSITION PREPARATION.	4.00
11/08/16	CONFERENCE WITH RICK REGARDING REBUTTAL ANALYSIS; RESEARCH DOCUMENTS/REPORTS FOR REBUTTAL ANALYSIS; CALL WITH EXPERT TO DISCUSS.	3.75
11/10/16	CONFERENCE CALL WITH EXPERTS: WORK ON	3.00

.

CONFERENCE CALL WITH EXPERTS; WORK ON REBUTTAL ANALYSIS. 11/10/16 3.00

OWNER HMF, LLC COU PROJECT WEKIVA PARKWAY PARCEL(S) N/A COUNTY ORANGE		COURTNEY ABRAMS SCHMIDT
DATE	TYPE OF SERVICE	HOURS
	SUBTOTAL HOURS	21.00
	TOTAL HOURS	112.75

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PROJECT PARCEL(S) COUNTY	S) N/A		
DATE	TYPE OF SERVICE		HOURS
06/17/15	CONFERENCE WITH OWN ON THE SUBJECT PARCEI	ER; REVIEW INFORMATION	1.50
10/23/15	CONFERENCE WITH CHAP APPRAISALS OF SUBJECT DOV.	RLIE FORMAN; REVIEW PARCEL WITH JUNE 2006	1.75
10/28/15	REVIEW DOCUMENTS ANI IN THE AREA.	D SALES OF VACANT LAND	1.50
03/18/16	MEETING WITH ASSOCIAT OF WORK.	E TO REVIEW OUR SCOPE	0.75
05/16/16	CONFERENCE WITH CHAP COMPARABLE SALES AND	RLIE FORMAN REGARDING VALUATION ISSUES.	1.50
06/03/16	ASSIST WITH ANALYSIS O OUTSIDE THE PROJECT A	F LAND SALES WITHIN AND REA.	2.75
06/13/16	INSPECT SUBJECT PARCE	L ON ONDICH ROAD.	0.75
07/06/16	PREPARE FOR AND CONF REVIEW VALUATION ISSU		2.25
07/22/16	REVIEW DAMAGES TOR R MEETING WITH ASSOCIAT		1.25
07/31/16	ASSIST WITH LAND SALES		2.75
08/01/16	MEETING WITH ASSOCIAT	E TO REVIEW PLANNING.	0.50
08/02/16	ASSIST WITH LAND SALES REVIEW WILLIAMS REPOR		2.25
08/03/16	REVIEW WILLIAMS LAND F ASSOCIATE; CONFERENCE REVIEW.		1.75
08/04/16	PREPARE FOR AND CONF AND OWNER; REVIEW HIG AFTER; ASSIST WITH LAND		4.75
08/05/16	ASSIST WITH LAND SALES AND AFTER VALUE.	ANALYSIS OF BEFORE	0.75
08/08/16	REVIEW/WRITE REPORT; F REPORTS.	REVIEW EXPERT	6.75

RICHARD C. DREGGORS, GAA

OWNER HMF, LLC

OWNER PROJECT PARCEL(S) COUNTY	HMF, LLC RICHARD C. DREGGORS, GA WEKIVA PARKWAY N/A ORANGE		
DATE	TYPE OF SERVICE	HOURS	
08/09/16	REVIEW REPORT; MEETING WITH ASSOCIATE TO REVIEW HIGHEST AND BEST USE.	0 <u>4.75</u>	
	SUBTOTAL HOURS	38.25	
08/11/16	REVIEW/WRITE REPORT; CONFERENCE WITH ASSOCIATE.	1.75	
10/26/16	BEGIN PREPARING FOR MY DEPOSITION.	2.75	
10/31/16	BEGIN TO PREPARE FOR DEPOSITION.	1.75	
11/01/16	CONTINUE DEPOSITION PREPARATION.	3.75	
11/02/16	DEPOSITION PREPARATION; REVIEW FILE; REVIE REPORTS.	EW 6.50	
11/03/16	DEPOSITION PREPARATION.	5.75	
11/04/16	DEPOSITION PREPARATION AND ATTEND DEPOSITION.	9.75	
11/08/16	REVIEW DOCUMENTS FOR SALES OF NEARBY LA CONFERENCE WITH ASSOCIATE.	AND; 0.75	
11/09/16	PREPARE FOR CONFERENCE CALL WITH EXPER OWNER; REVIEW REPORTS WITH ASSOCIATE.	TS/ 1.75	
11/10/16	PREPARE FOR AND CONFERENCE WITH EXPERT	rs. <u>1.75</u>	
	SUBTOTAL HOURS	36.25	
	TOTAL HOURS	74.50	

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Equable Real Estate Solutions LLC.

Real Estate Appraisers & Consultants 2112 Sunnydale Boulevard, Suite E, Clearwater, Florida 33765 (727) 362-5110

November 14, 2016

Mr. Charles R. Forman Forman, Hanratty, Thomas, & Montgomery 723 E. Fort King St. Ocala, FL 34471

In Reference To: HMF, LLC Wekiva Parkway (State Road 429) Parcel 301 Orange County

INVOICE

Inspect subject property and subject neighborhood; research and analyze highest and best use issues for subject property, including market trends from 2005-2015; research for comparable land sales pre-2007 and during the 2010-2015 date range, including the subject immediate area and potential comparable markets; analysis of take and damage issues, including analyzing various damage studies, researching for comparable sales, and analyzing development potential; inspect potential land sales; draft appraisal report for negotiation purposes and for trial purposes; discuss various issues with client; prepare for and attend deposition.

D. L. Beaugrand :	110.00 Hrs. @ \$145.00/Hr.	\$ 15,950.00
C. W. Haynes :	143.25 Hrs. @ \$275.00/Hr.	<u>33,393,75</u>

TOTAL INVOICE AMOUNT:

\$55,343.75

Thank Charles W. Havnes, Jr, GAA

Vice President State-Certified General Real Estate Appraiser RZ2244 Invoice submitted to:

Mr. Charles R. Forman Forman, Hanratty, Thomas & Montgomery 723 E Ft. King Street Ocata, FL 34471

November 14, 2016

In Reference To: HMF, LLC Wekiva Parkway/SR 429 Orange County Parcel 301

Invoice #10877

Professional Services

Donna Beaugrand

 Hours

3/5/2015	ANALYSIS OF SUBJECT PROPERTY; ANALYSIS OF LEGAL DESCRIPTIONS, DEEDS, TAX CARDS AND OTHER PERTINENT PROPERTY INFORMATION: RESEARCH SALE FINANCING; RESEARCH UTILITIES FOR COMPARABLE SALES; PREPARE LOCATION MAPS AND SITE SKETCHES FOR COMPARABLE SALES; ; VERIFY ZONING AND LAND USE.	1.00
4/9/2015	ANALYSIS OF POSSIBLE COMPARABLE SALES; PULL DEEDS, TAX CARDS, PLAT MAPS.	0.50
4/10/2015	ANALYSIS OF POSSIBLE COMPARABLE SALES; PULL DEEDS, TAX CARDS, PLAT MAPS.	6.25
4/13/2015	ANALYSIS OF POSSIBLE COMPARABLE SALES; PULL DEEDS, TAX CARDS, PLAT MAPS.	2.00
6/17/2015	RESEARCH COMPARABLE SALES	6.25
6/19/2015	ANALYSIS OF POSSIBLE COMPARABLE SALES; PULL DEEDS, TAX CARDS, PLAT MAPS AND OTHER PERTINENT INFORMATION FOR POSSIBLE COMPARABLE SALES, ANALYSIS OF LEGAL DESCRIPTIONS AND TAX CARDS, PREPARE APEX SITE SKETCHES AND LOCATION MAPS; RESEARCH GIS DATABASE FOR ZONING AND LAND USE.	6.50
6/22/2015	PREPARE SITE SKETCHES, MAPS, AND ADDENDA FOR APPRAISAL REPORT.	4.50
7/7/2016	RESEARCH FOR STUDY	5.50
7/8/2016	RESEARCH FOR STUDY	5.50
7/13/2016	RESEARCH FOR STUDY	7.75
7/1 4/201 6	RESEARCH FOR STUDY	6.25
7/15/2016	RESEARCH FOR STUDY	7.75
7/18/2016	RESEARCH FOR STUDY	8.00
7/19/2016	RESEARCH FOR STUDY	5.00

Mr. Charles R. Forman

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	Page 2
	Hours
7/20/2016 RESEARCH FOR STUDY	3.00
7/21/2016 RESEARCH FOR STUDY	7.00
7/22/2016 RESEARCH FOR STUDY	7.00
7/25/2016 RESEARCH FOR STUDY	7.00
7/28/2016 RESEARCH FOR STUDY	5.00
7/27/2016 RESEARCH FOR POSSIBLE COMPARABLE LAND SALES. TAX CARDS, DEEDS AN AERIALS.	D 1.50
10/10/2016 PREPARE FOR DEPOSITION	6.75
SUBTOTAL:	10.00 15950.00}
Havnes, Charles	
3/4/2015 ANALYSIS OF SUBJECT PROPERTY; ANALYSIS OF FDOT APPRAISAL; DISCUSS I WITH CLIENT	SSUES 2.75
3/5/2015 RESEARCH FOR COMPARABLE LAND SALES IN ORANGE, LAKE, AND SEMINOLE COUNTIES. ANALYSIS OF BLIGHT AND MARKET TRENDS	5.75
3/16/2015 RESEARCH FOR COMPARABLE LAND SALES IN ORANGE, LAKE, AND SEMINOLE COUNTIES. ANALYSIS OF BLIGHT AND MARKET TRENDS	6.25
3/17/2015 RESEARCH FOR COMPARABLE LAND SALES IN ORANGE, LAKE, AND SEMINOLE COUNTIES. ANALYSIS OF BLIGHT AND MARKET TRENDS	7.75
4/9/2015 RESEARCH FOR COMPARABLE LAND SALES IN ORANGE AND LAKE COUNTIES	5.75
4/10/2015 RESEARCH FOR COMPARABLE LAND SALES IN ORANGE AND LAKE COUNTIES	4.75
RESEARCH FOR COMPARABLE LAND SALES IN ORANGE AND LAKE COUNTIES	4.75
6/15/2015 RESEARCH FOR COMPARABLE LAND SALES IN ORANGE AND LAKE COUNTIES; ANALYSIS OF DATA	6.75
6/16/2015 RESEARCH FOR COMPARABLE LAND SALES IN ORANGE AND LAKE COUNTIES; ANALYSIS OF DATA	6.50
6/17/2015 RESEARCH FOR COMPARABLE LAND SALES IN ORANGE AND LAKE COUNTIES; ANALYSIS OF DATA; ANALYSIS OF TAKE AND DAMAGE ISSUES; ANALYSIS OF OR OF TAKING ISSUES.	7.25 DER
6/18/2015 RESEARCH FOR COMPARABLE LAND SALES IN ORANGE AND LAKE COUNTIES; ANALYSIS OF DATA; ANALYSIS OF TAKE AND DAMAGE ISSUES; ANALYSIS OF OR OF TAKING ISSUES.	7.25 DER

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				Page	3	
				<u>H</u>	ours	
8/28/2015	RESEARCH FOR COMPARABLE LAND SALES IN ORANGE AND LAKE COUL ANALYSIS OF DATA; ANALYSIS OF TAKE AND DAMAGE ISSUES; ANALYSIS OF TAKING ISSUES. RESEARCH FOR WEKIVA PARKWAY DOCUMENTS	NTII S OI	es; Forder	:	5.75	
8/31/2015	15 RESEARCH FOR COMPARABLE LAND SALES IN ORANGE AND LAKE COUNTIES; ANALYSIS OF DATA; ANALYSIS OF TAKE AND DAMAGE ISSUES; ANALYSIS OF ORDER OF TAKING ISSUES DRAFT APPRAISAL REPORT; RESEARCH FOR WEKIVA PARKWAY DOCUMENTS					
9/1/2015	RESEARCH FOR COMPARABLE LAND SALES IN ORANGE AND LAKE COUN ANALYSIS OF DATA; ANALYSIS OF TAKE AND DAMAGE ISSUES; ANALYSIS OF TAKING ISSUES.DRAFT APPRAISAL REPORT; RESEARCH FOR WEKIV/ DOCUMENTS	S OF		;	7.75	
9/2/2015	RESEARCH FOR COMPARABLE LAND SALES IN ORANGE AND LAKE COUN ANALYSIS OF DATA; ANALYSIS OF TAKE AND DAMAGE ISSUES; ANALYSIS OF TAKING ISSUES.DRAFT APPRAISAL REPORT; RESEARCH FOR WEKIV/ DOCUMENTS	S OF		7	7.75	
7/11/2016	16 ANALYSIS OF SUBJECT PROPERTY, NEIGHBORHOOD, AND MARKET TRENDS FOR TRIAL PURPOSES AND TRIAL REPORT					
7/12/2016	16 ANALYSIS OF SUBJECT PROPERTY, NEIGHBORHOOD, AND MARKET TRENDS FOR TRIAL PURPOSES AND FOR TRIAL REPORT					
7/13/2016	16 ANALYSIS OF SUBJECT PROPERTY, NEIGHBORHOOD, AND MARKET TRENDS FOR TRIAL PURPOSES AND FOR TRIAL REPORT					
10/28/2016	016 PREPARE FOR DEPOSITION					
10/31/2016	016 PREPARE FOR DEPOSITION					
11/1/2016	16 PREPARE FOR DEPOSITION; INSPECT SUBJECT NEIGHBORHOOD AND SUBJECT PROPERTY				.25	
11/2/2016	16 PREPARE FOR DEPOSITION; INSPECT SUBJECT NEIGHBORHOOD AND SUBJECT PROPERTY				.75	
11/3/2016	PREPARE FOR AND ATTEND DEPOSITION IN ORLANDO			6	.25	
	SUBTOTAL:	[143.25	3939	-	
	For professional services rendered	-	253.25		ount	
			203.20	\$55,34	5.75	
	Balance due			\$55,34	3.75	

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Invoice Number 1 Period Covered – 6/17/16 to 11/14/16

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To:

November 14, 2016

Charles R. Forman Forman, Hanratty, Thomas & Montgomery 723 E. Ft. King Street Ocala, Florida 34471 Attn: Accounts Payable

DATES	DESCRIPTION	Hours	RATE	AMOUNT
	<u>Client: HMF, LLC</u> <u>Matter: CFX v. Carter et. al. – Parcel 301 - 3845</u> <u>Ondich Road, Apopka, Florida</u> <u>Case No: 2015-CA-3555</u>			
See Attached	Meetings and calls with attorneys and clients and review of documents.	9.4	\$350.00	\$ 3,290.00
See Attached	Background research, preparation, and writing of Expert Analysis of Economic and Market Forces Impacting subject parcel report.	33.9	\$350.00	\$ 11,865.00
See Attached	Prepare for deposition, review/prep documents for responsive production, testify at deposition (11/31/16) at Shutts and Bowen – Orlando.	17.9	\$350.00	\$ 6,265.00
	SUB TOTAL:			\$ 21,420.00
Expenses	None			\$ 0.00
	TOTAL DUE:	<u> </u>		\$ 21,420.00
	Note: Hour Detail Sheet Attached	}		

Thank you very much for the opportunity to serve.

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Joshua A. Harris, Ph. D., CRE, CCIM, CAIA Managing Partner Lakemont Group

> Payment Instruction via Check: LAKEMONT GROUP C/O JOSHUA HARRIS 2037 SHAW LANE ORLANDO, FL 32814

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Lakemont Group 2037 Shave Lane, Orlando, FL 32814

INVOICE

Hour Detail Sheet

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Person	Date	Time	Description
HL	6/17/2016	1.5	call with attorney - Overview of client property, parts being taken
. H	6/18/2016	2.7	Build case file, review documents on taking, research subject parcel
ÎĤ	6/21/2015	3.4	Market research, define market area, prepare initial mapping
, IH	7/6/2016	2.5	Meeting with experts to discuss issues on case
JH	7/8/2016	3.4	Research market area, subdivision development, growth patterns
ÌH	7/9/2016	4.5	Drafting of report, state/local economic issues
JH	7/11/2016	2.3	Research housing development and pricing trends
JH	7/12/2016	1.3	Draft Report - market area analysis
HL	7/15/2016	2.9	Research history of project, legistlation, and review of press
JH	7/15/2016	0.5	Mapping analysis
HL	8/4/2016	1.7	prep for call, call to discuss report progress
JH	8/5/2016	5.6	Edit and finalize report, insert charts and update market research
ΗL	8/6/2016	6.8	Edit and finalize report, complete forces impacting market area/subject section
JH	8/10/2016	0.7	Final edits, revisions, prepare report for transmittal
JH	8/16/2016	3.5	Review of CFX expert reports
HL	10/20/2016	2.7	Prepare and review documents to transmit to CFX per request prior to depo
JH	10/21/2016	0.3	Transmit documents responsive to CFX request prior to depo
JH	10/28/2016	1.2	Call to prep for depo
JH	10/29/2016	1.5	Tour of property and market area
HL	10/30/2016	3.5	Review documents to prepare for deposition
JH	10/31/2016	6	Deposition by CFX Attorney - Shutts and Bowen Orlando Office
JH	11/1/2016	1.1	File Intake and review of documents
JH	11/5/2016	1.6	Review of documents

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Williams Development Services, Inc.

Edward J. Williams PRESIDENT

November 15, 2016

Mr. Charles Forman Forman, Hanratty, Thomas and Montgomery\ 723 E. Fort King Street Ocala FL 34471

Subject: SR 429-Wekiva Parkway – HML LLC Parcel 301, Invoice for Professional Land Planning and Development Permitting Analysis Case # 2015 CA 003555-0

Dear Mr. Forman

The following involce is for professional land planning services in the above described case. Your assistance in processing this invoice would be greatly appreciated. Entries makes with an (A) Indicate times allocated on the same day between two or more cases.

DATE 2-1-05	SERVICES Meeting with attorney, retained in case, received initial work assignments	HOURS 1.5
	······································	
2-16-05	Site and neighborhood inspections	2.0
5-6-13		3.0
7-31-14		2.2(A)
	Collect and analyze background data on County Comprehensive Plan and Land	
	Development Code, City of Apopka Comprehensive Plan and Land Developmen	t
	Code, probability of annexation, reasonable probability of amending developm	ent
	Regulations, utility availability, physical characteristics of site	
1-14-14	Orange County Comprehensive Plan, FLUM and FLU Element	1.0(A)
1-28-14	City of Apopka Comprehensive Plan, FLUM and FLU Element (2020, 2030)	3.0(A)
4-25-15	City of Apopka annexation files	2.0(A)
4-28-15	City of Apopka annexation files	2.0
3-3-14	Interlocal Settlement Agreement between City of Apopka and Orange County Including amendments one and two,	1.8
6-11-14	City of Apopka Northwest Area Study (April 2002)	0.5(A)
6-11-14	City of Apopka Wekiva Parkway Interchange Plan	0.5(A)
5-6-13	Chapter 15, The Western Beltway History	1.0(A)
12-1-12	Wekiva Basin Committee Final Report	1.5
	Wekiva River Protection Act	
	Wekiva Parkway and Protection Act	

407-422-8100 ***** Fax 407-422-8180

Williams Development Services, Inc.

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Edward J. Williams PRESIDENT

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2-9-15 4-18-16 7-6-16 8-4-16	Preparation for and attendance at team meeting of experts to report findings, Exchange information and coordinate work assignments	1.2 1.0 1.5 1.5
11-7-13	Attend Expressway Design Update meeting to determine impact to property	1.5 (A)
3-25-15 3-23-16 3-24-16 4-18-16	Review and comment on Expressway appraisal and updates from a land planning and development permitting standpoint, review and comment on Appraisers land planning consultant's report . Review Impact Adjacency Reports.	3.5 2.8 2.5 2.0
6-24-15	Review information on condemnation blight and scope of the project	2.8
6-16-16	identify highest and best use issues and discuss with appraisers Haynes and Dreggors.	1.5
6-16-16 6-19-16	Prepare proposed exhibits, forward to attorney and discuss with attorney	3.0 2.0
4-21-15 4-22-15	Preparation for Order of Taking Hearing	2.0 2.0
6-10-15	Assist attorney Hanratty with planning issues for appeal of OT	2.5
5-6-15 5-7-16 5-10-15	Analyze reasonable probability of annexation, rezoning and comprehensive plan amendments in support of highest and best use.	3.0 2.0 2.D
7-17-16	Conference with Attorney Forman on work assignments	1.5
5-6-16 5-13-16	Prepare damage analysis, identify potential cures	3.0 2.5
6-16-16 7-31-16 8-5-16	Highest and best use analysis, prepare report	2.0 3.5 3.0

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Williams Development Services, Inc.

Edward J. Williams PRESIDENT

2.0 8-2-16 Review and comment on owners engineer Paul Sherma report, analysis and Exhibits. 1.5 8-3-16 Review damage issues with appraiser Dreggors and Abrams. 1.0 9-6-16 10-31-16 Review and comment on exhibits and analysis by expressway engineer 1.5 Leland Moree 10-31-16 Prepare files for deposition inspection 1.0 3.5 Preparation for deposition 11-3-16 11-4-16 Preparation for deposition with Attorneys Forman and Hanratty. 2.0 11-4-16 Attend deposition 1.8 11-9-16 Conference with attorney Forman on preparation for Trial. 1.2

Subtotal: 93.3 Hours at \$250.00 per Hour

Total Due: \$23,325.00

Submitted By:

Edward J Williams, President Williams Development Services Inc.

407-422-8100 � Fax 407-422-8180

Vicki Smith

From:	Linette Matheny <linette_matheny@yahoo.com></linette_matheny@yahoo.com>
Sent:	Monday, November 14, 2016 3:15 PM
То:	Vicki Smith
Subject:	Fw: Wekiva
Attachments:	C_UsersImat2DesktopWekivaInvoice.pdf; _Certificationhtm

Sent from Yahoo Mail on Android

On Mon, Aug 17, 2015 at 1:50 PM, Linette Matheny linette_matheny@yahoo.com> wrote:

Here you go. Africa sounds awesome!

--- On Wed, 7/8/15, Linette Matheny <<u>linette_matheny@yahoo.com</u>> wrote:

- > From: Linette Matheny <<u>linette matheny@yahoo.com</u>>
- > Subject: Wekiva
- > To: "Charles Forman" < <u>crforman@hotmail.com</u>>
- > Date: Wednesday, July 8, 2015, 1:37 PM
- > Hi Charlie I put
- > together an invoice, let me know if I need to make any
- > revisions.

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Wekiva Parkway		
		Hours
Week of May 24th - Phone call with Charles Forman to receive project direction. Received CD containing the documents to re Reviewed documents to understand design parameters, assumptions, plans, and calculations.	view.	10
Week of May 31st - Detailed review of the Permit documents. Checked calculations by Atkins for design validity and assumpt ACAD exhibits depicting the existing conditions. Reviewed the ICPR data provided in paper format compared to the permittee	fons. Created d conditions.	17
Week of June 7th - Ran Atkins model and error checked vs. paper documents, create multiple ICPR scenarios based on optimi size and not changing Atkins numbers. Calculated a Time of Concentration and Curve Number to more accurately reflect the Oreated exhibits to go with the modeling.	zing the pond design.	16
Week of June 14th - Phone conversation with Charles, review models, error check, finalize exhibits, met to prepare for deposit additional exhibits, deposition.	tion, created	18
Week of June 21st - Review for court and court appearance.	_	13
Total He		74
Fee: <u>\$11,100</u>		



PEER INVOICE NUMBER 15 - 2225.01

PROPERTY OWNER: HMF LLC adv. CFX Parcel No. 301 Wekiva Parkway (SR 429)

ATTORNEY: Forman, Hanratty, Thomas & Montgomery

DATE: November 15, 2016

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SECTION A - DESCRIPTION OF SERVICES :

I. Paul V. Sherma, P.E.: Expert Witness / Principal 57.50 Hrs. Х \$235.00 / hour \$ 13,512.50 II. Staz Guntek, Engineering Technician IV 59.75 х \$150.00 / hour \$ 8,962.50 Ш. Out - of - Pocket Expenses : Photocopies -\$ 14.70 Index Sets \$ 00.00 Laser Paper (11" x 17") \$ 260.70 Postage \$ 00.00 Mileage \$ 67.85 Report Covers and Combs \$ 00.00 Photographs \$ 00.00 **Color Copies** \$ 00.00 23" x 36" Paper Plots \$ 2.00 Printing and Scanning \$ 0.00 SUBTOTAL OUT-OF-POCKET EXPENSES \$ 345.25 TOTAL AMOUNT DUE \$ 22,820.25 PEER

PEER INVOICE NUMBER 16 -2225 .01

NAME: Pa	aul V. Sherma POSITION : Expert Witness	
<u>DATE</u>	DESCRIPTION NO. OF HO	DURS
07 - 18 - 16	Telephone conference with Mr. Charlie Forman; Review information from Mr. Charlie Forman	0.50
07 - 19 - 16	Review CFX Engineering Plans; Review CFX Right of Way Map; Review Engineering Report; Coordinate with CADD Department; Prepare Exhibits Prepare Report	; 3.75
07 - 20 - 16	Review CFX Engineering Plans; Review CFX Right of Way Map; Review Engineering Report; Coordinate with CADD Department; Prepare Exhibits Prepare Report	3.75
07 - 21 - 16	Review CFX Engineering Plans; Review CFX Right of Way Map; Review Engineering Report; Coordinate with CADD Department; Prepare Exhibits; Prepare Report	; 2.75
07 - 22 - 16	Review CFX Engineering Plans; Review CFX Right of Way Map; Review Engineering Report; Coordinate with CADD Department; Prepare Exhibits Prepare Report	2.75
07 - 26 - 16	Prepare Pre-Condition and Post-Condition Water, Sewer and Reclaim Cost Estimates; Prepare Conceptual Layouts; Coordinate with CADD Departmer Review CFX Engineering Plans; Review CFX Right of Way Map; Review Engineering Report; Coordinate with CADD Department; Prepare Exhibits; Prepare Report	nt;
07 - 27 - 16	Prepare Pre-Condition and Post-Condition Water, Sewer and Reclaim Cost Estimates; Prepare Conceptual Layouts; Coordinate with CADD Departmer Review CFX Engineering Plans; Review CFX Right of Way Map; Review Engineering Report; Coordinate with CADD Department; Prepare Exhibits; Prepare Report	nt;
08 - 01 - 16	Telephone conference with Mr. Rick Dreggors	0.50
08 - 04 - 16	Telephone conference with Mr. Rick Dreggors; Prepare for Conference calls; Conference calls; Prepare Exhibits; Coordinate with CADD Department	1.75



08 - 08 - 16	Prepare Pre-Condition and Post-Condition Water, Sewer and Reclaim Cost Estimates; Prepare Conceptual Layouts; Coordinate with CADD Department Review CFX Engineering Plans; Review CFX Right of Way Map; Review Engineering Report; Coordinate with CADD Department; Prepare Exhibits; Prepare Report	t; 3.50
08 - 09 - 16	Prepare Pre-Condition and Post-Condition Water, Sewer and Reclaim Cost Estimates; Prepare Conceptual Layouts; Coordinate with CADD Department Review CFX Engineering Plans; Review CFX Right of Way Map; Review Engineering Report; Coordinate with CADD Department; Prepare Exhibits; Prepare Report	t; 3.75
0 8 - 10 - 16	Telephone conference with Mr. Rick Dreggors	0.25
08 - 15 - 16	Review information from Mr. Charlie Forman	0.25
10 - 13 - 16	Conference call with Mr. Charlie Forman and Mr. Joe Hanratty	0.25
10 - 18 - 16	Review information from Mr. Joe Hanratty; Prepare Exhibits for trial; Coordinate with CADD Department; Telephone conference with Mr. Charlie Forman; Organize files for deposition; Prepare for Deposition	3.50
10 - 19 - 16	Prepare Exhibits for trial; Coordinate with CADD Department; Telephone conference with Mr. Charlie Forman; Prepare for Deposition	2.25
10 - 20 - 16	Telephone conference with Mr. Charlie Forman; Prepare for Deposition; Prepare Exhibits for trial	2.00
10 - 24 - 16	Coordinate with CADD Department; Review PEER files; Prepare information to CFX for Deposition; Site inspection	5.25
10 - 25 - 16	Prepare for Deposition	2.00
10 - 27 - 16	Meeting with Mr. Joe Hanratty; Had Deposition taken; Meeting with Mr. Charlie Forman and Mr. Joe Hanratty	6.50
10 - 28 - 16	Telephone conference with Mr. Charlie Forman; Coordinate with CADD Department; Prepare Exhibits for trial	0.50
11 - 02 - 16	Coordinate with CADD Department; Prepare Exhibits for trial; Telephone conferences with Mr. Rick Dreggors; Review CFX Utility Adjustment Plans	1.75
11 - 07 - 16	Telephone conference call Mr. Joe Hanratty; Prepare Exhibits for trial; Coordinate with CADD Department	0.50

PEER

11 - 10 - 16 Telephone conference with Mr. Charlie Forman; Coordinate with CADD Department; Prepare Exhibits for trial

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TOTAL NO. OF HOURS

57.50

0.25

PEER

PEER INVOICE NUMBER 16 - 2225.01

NAME : Staz Guntek

POSITION : Engineering Technician IV

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<u>DATE</u>	DESCRIPTION NO.	OF HOURS
07 - 18 - 16	Print information	0.75
07 - 20 - 16	Prepare Exhibits for Report	4.50
07 - 21 - 16	Prepare Exhibits for Report	4.25
07 - 26 - 16	Prepare Exhibits for Report	4.50
07 - 27 - 16	Prepare Exhibits for Report; Prepare Reclaim, Water and Sewer Co Plan; Determine quantities	oncept 3.25
07 - 28 - 16	Prepare Exhibits for Report; Prepare Reclaim, Water and Sewer Co Plan; Determine quantities	oncept 3.75
08 - 04 - 16	Prepare Exhibits for Report; Prepare Reclaim, Water and Sewer Co Plan; Determine quantities	oncept 3.50
08 - 05 - 16	Prepare Exhibits for Report; Prepare Reclaim, Water and Sewer Co Plan; Determine quantities	oncept 3.50
08 - 10 - 16	Prepare Exhibits for Report; Prepare Reclaim, Water and Sewer Co Plan; Determine quantities	oncept 3.75
10 - 18 - 16	Prepare Exhibits for trial	4.75
10 - 19 - 16	Prepare Exhibits for trial	3.50
10 - 25 - 16	Prepare Exhibits for trial	4.00
10 - 26 - 16	Prepare Exhibits for trial	5.25
10 - 27 - 16	Prepare Exhibits for trial	4.25
10 - 28 - 16	Prepare Exhibits for trial	3.00

PEER

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11 - 01 - 16	Prepare Exhibits for trial	1.75
11 - 07 - 16	Prepare Exhibits for trial	1.00
11 - 11 - 16	Prepare Exhibits for trial	0.50

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TOTAL NO. OF HOURS 59.75

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