

CENTRAL FLORIDA EXPRESSWAY AUTHORITY

AGENDA CENTRAL FLORIDA EXPRESSWAY AUTHORITY RIGHT OF WAY COMMITTEE

March 27, 2019

2:00 p.m.

Meeting location: Central Florida Expressway Authority Board Room
4974 ORL Tower Road, Orlando, FL 32807

1. **CALL TO ORDER**

2. **PUBLIC COMMENT**

Pursuant to Section 286.0114, Florida Statutes, the Right of Way Committee will allow public comment on any matter either identified on this meeting agenda as requiring action or anticipated to come before the Committee for action in reasonable proximity to this meeting. Speakers shall be limited to three minutes per person and the assignment of one person's time to another or designation of group spokesperson shall be allowed at the discretion of the Committee Chairman.

3. **APPROVAL OF MINUTES**

Requesting approval of the January 23, 2019 minutes.

Action Item.

4. **S.R. 429, WEKIVA PARKWAY PROJECT 429-204, PARCELS 209/221**

OWNER: WILLIAM H. KELLEY

–Suzanne M. Driscoll, *Shutts & Bowen*

–Presenting David A. Shontz, *Shutts & Bowen*

Requesting the Committee's recommendation for Board approval of the proposed settlement of Respondents' expert fees and supplemental attorneys' fees and costs.

Action Item.

5. **S.R. 429-604, IRMALEE LANE, EAST OF S.R. 429, NORTH OF MCCORMICK ROAD,
SOUTH OF WEST KEENE ROAD**

OWNER: CENTRAL FLORIDA EXPRESSWAY AUTHORITY

Requesting the Committee's recommendation for Board Approval of a Right-of-Way Transfer Agreement with the City of Apopka.

– Linda S. Brehmer Lanosa, *CFX*

Action Item.

6. **OTHER BUSINESS**

7. **ADJOURNMENT**

CENTRAL FLORIDA EXPRESSWAY AUTHORITY

AGENDA CENTRAL FLORIDA EXPRESSWAY AUTHORITY RIGHT OF WAY COMMITTEE

March 27, 2019

2:00 p.m.

Meeting location: Central Florida Expressway Authority Board Room
4974 ORL Tower Road, Orlando, FL 32807

THIS MEETING IS OPEN TO THE PUBLIC

Section 286.0105, Florida Statutes, states that if a person decides to appeal any decision made by a board, agency, or commission with respect to any matter considered at a meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

In accordance with the Americans with Disabilities Act (ADA), if any person with a disability as defined by the ADA needs special accommodation to participate in this proceeding, then not later than two (2) business days prior to the proceeding, he or she should contact the Central Florida Expressway Authority at (407) 690-5000.

Persons who require translation services, which are provided at no cost, should contact CFX at (407) 690-5000 ext. 5316 or by email at Iranetta.dennis@CFXway.com at least three business days prior to the event.

CENTRAL FLORIDA EXPRESSWAY AUTHORITY

MINUTES CENTRAL FLORIDA EXPRESSWAY AUTHORITY Right of Way Committee Meeting January 23, 2019

Location: CFX Headquarters Boardroom
4974 ORL Tower Road
Orlando, Florida 32807

Committee Members Present:

Neil Newton, Seminole County, Alternative Committee Chairman
Laurie Botts, City of Orlando Representative
Bob Babcock, Orange County Alternative Representative
Todd Hudson, Osceola County Representative
Anita Geraci-Carver, Alternative Lake County Representative
John Denninghoff, Brevard County Representative
Christopher Murvin, Citizen Representative

CFX Staff Present at Dais:

Joseph L. Passiatore, General Counsel
Laura Kelley, Executive Director
Linda S. Brehmer Lanosa, Deputy General Counsel
Mala Iley, Recording Secretary

Item 1: CALL TO ORDER

The meeting was called to order at 2:00 p.m. by Chairman Newton.

Item 2: PUBLIC COMMENT

There was no public comment.

Item 3: APPROVAL OF MINUTES

Ms. Botts advised the Committee a scrivener's error was made on page 3 and asked that it be corrected. Changing the word from "Differing" to "Deferring".

A motion was made by Ms. Botts and seconded by Mr. Hudson to approve the January 23, 2019 Right of Way Committee meeting minutes as presented.

Vote: The motion carried unanimously with seven (7) members present and voting AYE by voice vote.

Item 4: S.R. 528, WEKIVA PARKWAY PROJECT 429-205, PARCEL 289
OWNER: CENTRAL FLORIDA EXPRESSWAY AUTHORITY
EASEMENT HOLDER: KENNETH AND HARVEY MORRIS

Mr. David Shontz, Esquire, of Shutts & Bowen is seeking the Committee's recommendation for Board approval of a settlement between Kenneth W. Morris and Harvey Lee Morris ("Respondents") and the Central Florida Expressway Authority ("CFX") regarding Parcel 289 for the construction of State Road 429 Wekiva Parkway, Project 429-205.

Mr. Shontz detailed the history of the parcel and the issues. Parcel 289 was a whole take and was originally owned by the Shollenbergers. The Respondents held an easement interest for a nonexclusive ingress/egress. CFX would convey back the 15-foot easement of the south 392.5 feet that the Respondents held in the before although the Shollenberger's property goes further to the north.

After multiple discussions, the parties agreed CFX would convey back the 15-foot easement to the Respondents and pay the fees and cost incurred by counsel for the Respondents.

Respondents incurred fees and costs in the amount of \$34,030.75. Mr. Shontz negotiated the total amount down to \$30,628.00. This includes a full release by the Respondents and extinguishes any apportionment claims as to Parcel 289.

In addition, if the easement is converted to or dedicated as a public road right-of-way, the easement would be vacated and extinguished upon conversion.

A motion was made by Ms. Botts and seconded by Mr. Murvin to recommend to the Board approval of CFX conveying back the easement set forth in the legal description that is attached to the Settlement Agreement. In addition to the Settlement Agreement, compensation for attorney's fees and litigation costs and experts' fees and costs in the amount of \$30,628.00 as to all claims. A full release by the Respondents and a settlement of any and all claims for the Respondent's easement interest in Parcel 289.

Vote: The motion carried unanimously with seven (7) members present and voting AYE by voice vote.

Items 5: S.R. 453, PROJECT 429-206, PARCELS 314/315
OWNER: MAX ROBERT GARRISON

Mr. David Shontz, Esquire, of Shutts & Bowen is seeking the Committee's recommendation for Board approval of a settlement with Max Robert Garrison ("Garrison") regarding the acquisition of Parcels 314 and 315 and all claims for compensation asserted by Garrison including all attorneys' fees, experts fees and litigation costs incurred with the taking.

Mr. Shontz detailed the history of the parcels and the issues.

Garrison was an easement holder encumbering the Parent Tract of Parcel 314 and 315. Counsel for Garrison, Kent Hipp, Esquire, demanded \$35,000 based upon an asserted 10% severance damage to Garrison's property.

After negotiations the Respondent's agreed to waive any claims for apportionment, any claims for compensation for the taking of Parcels 314 and 315, and accepted full payment for all attorneys' fees, experts' fees and costs in the sum of \$18,750. Garrison also executed a general release for all claims he could have asserted connection with the takings of Parcels 314, 315, 316, 318,319, 320/820 and 322/822. The disclaimer and release from the Respondents will extinguish all claims by the Respondents for their interests in Parcels 314 and 315.

Discussion ensued.

A motion was made by Mr. Denninghoff and seconded by Mr. Hudson to recommend to the Board approval of the Proposed Settlement Agreement resolving all claims for compensation and all attorneys' fees, experts' fees and litigation costs in exchange for payment of \$18,750 and acceptance of Garrison's Release for all claims in connection with the takings and constructions along Coronado Summerset Drive.

Vote: The motion carried unanimously with seven (7) members present and voting AYE by voice vote.

Items 6: S.R. 429 WEKIVA PARKWAY, project 429-204, PARCEL 242
OWNER: LARRY M. EVERLY, SR

Mr. David Shontz, Esquire, of Shutts & Bowen is seeking the Committee's recommendation for Board approval of the last outstanding expert fee, as well as the supplemental attorneys' fees and costs between Callan Law Firm, P.A., ("Callan"), Juris Corporation ("Juris") and CFX incurred by Respondents, Larry M. Everly, Sr., et al.

Juris Corp presented invoices in the amount of \$41,375 and Callan presented invoices for supplemental attorney fees totaling \$15,196. A resolution was reached in the amount of \$36,000 for the both Juris' expert fee and Callan's supplemental attorney fees.

A motion was made by Ms. Botts and seconded by Mr. Murvin to recommend to the Board approval to settle the last outstanding expert fee, supplemental attorneys' fees and cost incurred in the connection with the litigation of Parcel 242 in the amount of \$36,000.

Vote: The motion carried unanimously with seven (7) members present and voting AYE by voice vote.

Items 7: S.R. 429 WEKIVA PARKWAY, PROJECT 429-202, PARCEL 800, PARTS A AND B
UNDIVIDED FEE INTREST IN SOUTHFORK DRIVE
OWNERS: EARL AND ADELAIDA WILSON (2/8 INTEREST)

Ms. Brehmer Lanosa is seeking the Committee's recommendation for Board approval of an all-inclusive settlement with Earl and Adelaida Wilson ("the Wilsons").

Ms. Brehmer Lanosa provided a brief history of the parcel.

The Wilsons' own a 2/8 undivided fee interest in Southfork Drive. The Wilsons' property is directly adjacent to the newly constructed S.R. 429. CFX previously acquired an easement interest over their undivided fee interest in Southfork Drive. The easement interest had to be expanded to include the utility easement designated as Parcel 800, Part B and to address the height of the bridge. Since the Wilsons' owned a greenhouse, they pursued compensation for issues related to the impacts from construction activities such as those arising from the removal of trees, damage to plant inventory and damage to a fence.

The deposit is still in the registry of the court.

After lengthy discussions, the parties reached a proposed all-inclusive settlement for the sum of Twelve Thousand Dollars (\$12,000), including statutory interest and all claims related to real estate and business damages, severance damages, tort damages, attorney's fees and litigation costs, expert witness fees, costs, apportionment claims, or other supplemental proceedings. In addition, the Wilsons agreed to assign to CFX any claim they may have to the previously deposited good faith estimate of value and agreed to waive any apportionment claim that they may have or will have. Last, the Wilsons agreed to release all claims against CFX arising from the taking of Parcel 800 (Parts A and B), the taking of Parcel 103, the construction of CFX Project Nos. 429-201 and 429-202, or any other claims related to or arising from the State Road 429 Project or the Wekiva Parkway Project.

A motion was made by Mr. Hudson and seconded by Mr. Babcock to recommend to the Board approval an all-inclusive settlement in the amount of \$12,000 as to all claims related to real estate and business damages, severance damages, tort damages, attorney's fees and litigation costs, expert fees, costs, apportionment claims, other supplemental proceedings, or any other claim.

Vote: The motion carried unanimously with seven (7) members present and voting AYE by voice vote.

Items 8: S.R. 429 WEKIVA PARKWAY, PROJECT 429-202, PARCEL 800, PARTS A AND B
UNDIVIDED FEE INTREST IN SOUTHFORK DRIVE
OWNERS: FREDDIE JONES, THE LATE EULA JONES AND SANDRA JONES (1/8 INTEREST)

Ms. Brehmer Lanosa is requesting the Committee's recommendation for Board approval of the all-inclusive settlement with Freddie Jones, the late Eula Jones, and their daughter, Sandra Jones.

Ms. Brehmer Lanosa provided a brief history of the parcel.

The Jones' own a 1/8 undivided fee interest in Southfork Drive as tenants in common. Unlike most of the other undivided fee owners of Southfork Drive, the Jones' property is directly adjacent to the newly constructed S.R. 429. Since their home is near S.R. 429, the Jones contended that they have been impacted the most.

After lengthy discussions, the parties reached a proposed all-inclusive settlement for the sum of Ten Thousand Dollars (\$10,000), including statutory interest and all claims related to real estate and business damages, severance damages, tort damages, attorney's fees and litigation costs, expert witness fees, costs, apportionment claims, or other supplemental proceedings. In addition, the Jones agreed to assign to CFX any claim they may have to the previously deposited good faith estimate of value and agreed to waive any apportionment claim that they may have or will have. Last, the Jones agreed to release all claims against CFX arising from the taking of Parcel 800 (Parts A and B), the taking of Parcel 103, the construction of CFX Project Nos. 429-201 and 429-202, or any other claims related to or arising from the State Road 429 Project or the Wekiva Parkway Project.

A motion was made by Ms. Botts and seconded by Mr. Hudson to recommend to the Board approval an all-inclusive settlement in the amount of \$10,000 as to all claims related to real estate and business damages, severance damages, tort damages, attorney's fees and litigation costs, expert fees, costs, apportionment claims, other supplemental proceedings, or any other claim.

Vote: The motion carried unanimously with seven (7) members present and voting AYE by voice vote.

**Item 9: 525 SOUTH MAGNOLIA AVENUE, ORLANDO
LEASE AMENDMENT
OWNER: CENTRAL FLORIDA EXPRESSWAY AUTHORITY
TENANT: WOMEN'S CARE FLORIDA, LLC**

Mr. Passiatore is requesting the Committee's recommendation for Board approval of the proposed Lease Amendment.

On November 18, 2010, CFX's predecessor agency entered into a lease with Women's Care Florida, LLC., d/b/a Delaney OB/GYN for the property located at 525 South Magnolia Avenue, Orlando, Florida. This property previously served as the agency's administration headquarters. The term of the lease was for ten (10) years and was scheduled to terminate on June 15, 2021.

The leased site has been burdened by construction activities from the I-4/S.R. 408 interchange and overpass. The doctors are in the process of relocating and have requested a change to a month to month tenancy with a deadline no later than August 2019 for termination of occupancy.

CFX management and Legal are supportive of this change. The amendment allows the tenant's early departure and a chance for CFX to remarket the property once construction is closer to completion.

A motion was made by Ms. Botts and seconded by Mr. Denninghoff to recommend to the Board approval of the proposed lease amendment.

Item 10: OTHER BUSINESS

Mr. Newton advised the Committee that next Right of Way Committee Meeting would be Wednesday February 27, 2019.

Item 11: ADJOURNMENT

Chairman Newton adjourned the meeting at approximately 2:33 p.m.

Minutes approved on _____, 2019.


Pursuant to the Florida Public Records Law and Central Florida Expressway Authority Records and Information Management Program Policy, audio tapes of all Board and applicable Committee meetings are maintained and available upon request to the Custodian of Public Records at (407) 690-5326, publicrecords@CFXWay.com or 4974 ORL Tower Road, Orlando, Florida 32807.



MEMORANDUM

TO: Central Florida Expressway Authority, CLIENT-MATTER NO.: 19125.0185
Right-of-Way Committee Members

CC: Linda Brehmer Lanosa, Esq., Deputy General Counsel
David Shontz, Esq.

FROM: Suzanne M. Driscoll, Esq., Right-of-Way Counsel 

DATE: March 1, 2019

RE: **State Road 429 Wekiva Parkway, Project 429-204:**
CFX v. Milford S. Kirkland, Jr., et al. Case No.: 2015-CA-3676-O (P. 209, 221)
Date of Deposit: July 31, 2014

Shutts & Bowen LLP, Right-of-Way Counsel, seeks the recommendation of the Right-of-Way Committee to settle the last outstanding expert fee, as well as, the supplemental attorneys' fees and costs incurred in connection with the litigation of the expert fee incurred by the Respondents, William H. Kelly a/k/a William Harvey Kelly, Sr.; William H. Kelly, Sr. a/k/a William H. Kelly a/k/a William Harvey Kelly; and William H. Kelly, Sr., as Trustee of the William H. Kelly, Sr. Revocable Trust ("Respondents") in the above referenced matter.

DESCRIPTION AND BACKGROUND

Previously, the parties reached an agreement as to all of the Respondents' experts' fees and litigation costs with the exception of Tropical Realty Appraisal Services n/k/a FranklinStreet ("FranklinStreet"). Following the Right-of-Way Committee's recommendation, the CFX Board approved that settlement and those fees and costs were included in a Partial Stipulated Order Taking Costs entered on November 16, 2016. A copy of the Partial Stipulated Order Taking Costs is attached hereto as Exhibit "A."

After completing discovery, attending court ordered mediation and several partial hearings on Respondents' Motion to Tax Costs, the parties were able to reach a settlement of the expert fee for FranklinStreet as well as the supplemental attorneys' fees incurred by Respondents' in connection therewith subject to final approval by the CFX Right-of-Way

Committee and Board. A copy of the Settlement Agreement as to Expert Appraiser Fee and Supplemental Attorneys' Fees and Costs is attached as Exhibit "B" to this Memorandum.

FRANKLINSTREET and SUPPLEMENTAL ATTORNEYS' FEES

The following details the above costs and fees submitted by Respondents' counsel:

- a. FranklinStreet invoice in the sum of \$176,069.16;
- b. Brigham Property Rights Law Firm, PLLC invoice in the sum of \$24,402.25.

RECOMMENDATION

Based upon our extensive knowledge and review of numerous parcels on the project, the amount of fees paid by CFX to its experts in this matter and prior settlements, I recommend approval of the settlement in the amount of \$157,000.00 for Respondents' last remaining expert fee and their supplemental attorneys' fees incurred in connection with the litigation thereof.

This settlement represents a combined 22% reduction in the expert fee and supplemental attorneys' fees invoiced by the Respondents' expert and attorneys in this matter. In addition, it eliminates the additional attorneys' fees that CFX would be obligated to pay if it were to proceed to an additional cost hearing. Accordingly, we respectfully request that the Right-of-Way Committee recommend to the CFX Board the approval of the settlement of Respondents' expert fee for FranklinStreet and their supplemental attorneys' fees and costs.

ATTACHMENTS

Exhibit "A" - Partial Stipulated Order Taking Costs

Exhibit "B"- Settlement Agreement as to Expert Appraiser Fee and Supplemental Attorneys' Fees and Costs

Exhibit "C" – FranklinStreet Invoice

Exhibit "D" – Brigham Property Rights Law Firm, PLLC Invoice

EXHIBIT "A"

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

CASE NO. 2014-CA-003676-O

DIVISION: 39

PARCELS: 209, 221

CENTRAL FLORIDA EXPRESSWAY
AUTHORITY,

Petitioner,

vs.

MILFORD S. KIRKLAND, JR.; WILLIAM H.
KELLY a/k/a WILLIAM HARVEY KELLY, SR.;
DOROTHY B. KELLY; WILLIAM H. KELLY,
SR. a/k/a WILLIAM H. KELLY a/k/a WILLIAM
HARVEY KELLY; and WILLIAM H. KELLY,
SR., AS TRUSTEE OF THE WILLIAM H.
KELLY, SR. REVOCABLE TRUST, et al.,

Defendants.

PARTIAL STIPULATED ORDER TAXING COSTS

THIS MATTER came before the Court upon the Joint Motion set forth below for the entry of this Order, and the Court having been fully advised in the premises prior to hearing that the parties, Petitioner, CENTRAL FLORIDA EXPRESSWAY AUTHORITY (hereinafter referred to as "CFX") and Defendant, WILLIAM H. KELLY a/k/a WILLIAM HARVEY KELLY, SR.; WILLIAM H. KELLY, SR. a/k/a WILLIAM H. KELLY a/k/a WILLIAM HARVEY KELLY; and WILLIAM H. KELLY, SR., AS TRUSTEE OF THE WILLIAM H. KELLY, SR. REVOCABLE TRUST (collectively "Defendants"), reached

stipulation to tax specific costs incurred by Defendants as set forth below; and, it is, therefore:

ORDERED and **ADJUDGED** as follows:

1. That the sum of NINETEEN THOUSAND EIGHT HUNDRED SIXTY-EIGHT AND 73/100 DOLLARS (\$19,868.73) be taxed against Petitioner as payment in full satisfaction of the invoice for Mesimer and Associates, Inc., for services rendered on behalf of Defendants;

2. That the sum of TWENTY-SIX THOUSAND ONE HUNDRED ONE AND 63/100 DOLLARS (\$26,101.63) be taxed against the Petitioner as payment in full satisfaction of the invoice of P&M Consulting Group, Inc., for services rendered on behalf of Defendants;

3. That the sum of EIGHT THOUSAND EIGHT HUNDRED NINETY-NINE AND 40/100 DOLLARS (\$8,899.40) be taxed against the Petitioner as payment in full satisfaction of the invoices for court reporting services rendered on behalf of Defendants;

4. That the sum of SEVEN HUNDRED SIXTY AND 02/100 DOLLARS (\$760.02) be taxed against the Petitioner as payment in full satisfaction of the invoices for process service rendered on behalf of Defendants;

5. That the sum of TWENTY-ONE THOUSAND FOUR HUNDRED THIRTY-SEVEN AND 35/100 DOLLARS (\$21,437.35) be taxed against the Petitioner as payment in full satisfaction of the invoices for exhibit preparation services rendered on behalf of Defendants;

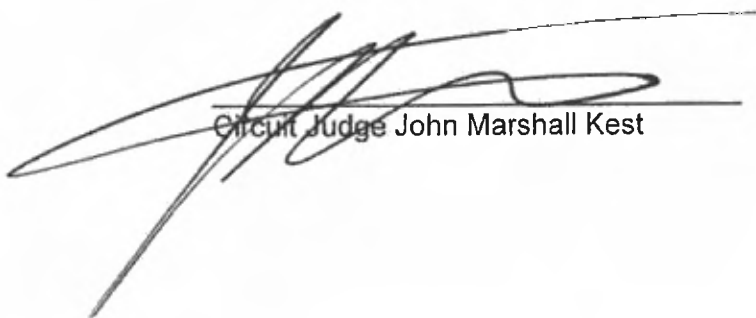
6. That the sum of TWO HUNDRED TWENTY-FIVE AND 20/100 DOLLARS

(\$225.20) be taxed against the Petitioner as payment in full satisfaction of the invoices for courier expenses incurred by Defendants;

7. That, within thirty (30) days from entry of this Partial Stipulated Order Taxing Costs (Parcels 209, 221), the Petitioner shall pay the total sum of the costs set forth in paragraphs 1 through 6 in the amount of SEVENTY-SEVEN THOUSAND TWO HUNDRED NINETY-TWO AND 33/100 DOLLARS (\$77,292.33) directly to Brigham Property Rights Law Firm, PLLC Trust Account, 2963 Dupont Avenue, Suite #3, Jacksonville, Florida 32217 on behalf of Defendant, WILLIAM H. KELLY a/k/a WILLIAM HARVEY KELLY, SR.; WILLIAM H. KELLY, SR. a/k/a WILLIAM H. KELLY a/k/a WILLIAM HARVEY KELLY; and WILLIAM H. KELLY, SR., AS TRUSTEE OF THE WILLIAM H. KELLY, SR. REVOCABLE TRUST.

8. The Court reserves jurisdiction to (a) enforce the terms of this Partial Stipulated Order Taxing Costs (Parcels 209, 221), and (b) tax costs incurred by Defendants not otherwise stipulated between the parties, and (c) tax both attorneys' fees and costs for any further supplemental proceedings in this case.

DONE and ORDERED in Chambers, at Orlando, Orange County, Florida, this 16 day of November, 2016.



Circuit Judge John Marshall Kest

Copies furnished to:

Andrew Prince Brigham, Esq.
Sidney C. Calloway, Esq.

EXHIBIT "B"

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

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

CASE NO.: 2015-CA-003676-O

Petitioner,

Parcels 209, 221 (Kelly)

v.

Subdivision 39

MILFORD S. KIRKLAND, JR., et al.,

Respondents.

**SETTLEMENT AGREEMENT AS TO EXPERT APPRAISER FEE AND
SUPPLEMENTAL ATTORNEYS' FEES AND COSTS**

During settlement negotiations, Petitioner, CENTRAL FLORIDA EXPRESSWAY AUTHORITY (referred to as "Petitioner" or "CFX"), and Respondents, WILLIAM H. KELLY a/k/a WILLIAM HARVEY KELLY, SR.; WILLIAM H. KELLY, SR. a/k/a WILLIAM H. KELLY a/k/a WILLIAM HARVEY KELLY; and WILLIAM H. KELLY, SR., AS TRUSTEE OF THE WILLIAM H. KELLY, SR. REVOCABLE TRUST ("Respondents"), reached the following Settlement Agreement:

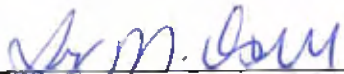
1. Petitioner will pay to the Brigham Property Rights Law Firm, PLLC Trust Account, the total sum of **ONE HUNDRED FIFTY SEVEN THOUSAND AND NO/100 DOLLARS (\$157,000.00)**, in full settlement of the all expert appraisal fees including those of Tropical Realty Appraisal Services, FranklinStreet and Martin Engelmann as well as all supplemental attorneys' fees and costs of the Brigham Property Rights Law Firm, PLLC, incurred on behalf of Respondents in this matter.
2. Respondents will seek no further experts' fees, attorneys' fees or costs in this matter nor make any other claims for compensation related to the taking of Parcels 209 and 221.
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 Agreed Order Taxing Expert's Fees and Supplemental Attorneys' Fees and Costs 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.

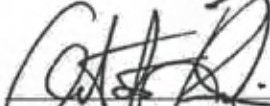
6. Respondents shall be responsible for the preparation and execution any Public Disclosure Affidavit of Interests in Real Property as may be required by Section 286.23, *Florida Statutes*.

7. Respondents shall be responsible for the preparation and transmittal of any I.R.S. 1099 forms as may be necessary.

8. This Settlement Agreement, executed by the counsel for the parties listed below on this 27th day of February 2019 contains all the agreements of the parties.



Suzanne M. Driscoll, Esq.
SHUTTS & BOWEN LLP
Counsel for Petitioner,
CENTRAL FLORIDA EXPRESSWAY
AUTHORITY



Andrew P. Brigham, Esq.
Brett S. Tensfoldt, Esq.
Brigham Property Rights Law Firm, PLLC
Counsel for Respondents,
WILLIAM H. KELLY a/k/a WILLIAM
HARVEY KELLY, SR.; WILLIAM H.
KELLY, SR. a/k/a WILLIAM H. KELLY
a/k/a WILLIAM HARVEY KELLY; and
WILLIAM H. KELLY, SR., AS TRUSTEE
OF THE WILLIAM H. KELLY, SR.
REVOCABLE TRUST

EXHIBIT "C"



Martin C. Engelmann, Jr., MAI, MRICS
State-Certified General Real Estate Appraiser RZ838



Jon C. Thomas, SRPA
State-Certified General Real Estate Appraiser RZ1696



March 14, 2016

Brigham Property Rights Law Firm, PLLC
2963 Dupont Avenue, Suite 3
Jacksonville, Florida 32217

Attn: Andrew P. Brigham, Esquire

FOR PROFESSIONAL SERVICES RENDERED

Appraisal Consultation Services on:

Parcels 209 and 221 (Kelly)
A 11.786± Gross/Upland Acre Site
North Side Of Kelly Park Road Between
Plymouth Sorrento And Golden Gem Roads
Apopka, Orange County, Florida 32712
Our File No.: C14042NT

Federal Tax I.D. #: 20-1683646

Fee:	\$176,069.16
Retainer:	\$ 0.00
Balance Due:	\$176,069.16

Please remit payment to:

Tropical Realty Appraisal Services
6812 W. Linebaugh Avenue
Tampa, Florida 33625
Attn: Martin C. Engelmann, Jr., MAI

Please reference our File No. to ensure proper credit

*Payment for services due upon receipt of invoice.
After 30 days a charge of 1.5% per month will be assessed
on the unpaid balance.*

Thank you

EXHIBIT

9-16-16³ MAB

TAMPA

MIAMI

KEY WEST

ATLANTA

EG

INVOICE



Bill To:
 Brigham Property Rights Law Firm, PLLC
 2008 Dupont Avenue
 Suite 300
 Jacksonville, Florida 32217

From:
 600 North West Shore Boulevard
 Suite 600
 Tampa, Florida 33609

Kelly			
Invoice #:	00067	Term:	Upon Receipt
Date created:	03/14/2016	Date due:	03/14/2016 171 days overdue
Client:	Brigham Property Rights Law Firm, PLLC	Status:	Overdue
Project:	C14042NT-Kelly, Parcel 221 (Wekiva Parkway Extension)	Total:	\$178,069.18
Project #:	00043	Payments:	\$0.00
		Balance:	\$178,069.18

Summary of Work Performed				
Name	Description	Dly	Rate	Amount
CRW_2015		28.75	\$135.00	\$4,018.25
Fee - 09/24/2015	Parking for Eminent Domain hearing.			\$12.00
Fee - 09/24/2015	Lunch with Steve Pagliaro while attending Eminent Domain hearing.			\$15.00
Fee - 10/30/2015	Parking during trial.			\$9.00
Fee - 11/01/2015	Hotel for trial.			\$145.24
Fee - 11/02/2015	Parking during trial.			\$8.00
Fee - 11/02/2015	Parking during trial.			\$14.00
Fee - 11/02/2015	Lunch during trial.			\$13.31
Fee - 11/02/2015	Refreshment during trial.			\$1.48
Fee - 11/03/2015	Breakfast during trial.			\$3.20
Fee - 11/03/2015	Parking for trial.			\$8.00
Fee - 11/08/2015	Refreshment during trial.			\$1.48
GWK_2015		66.002	\$135.00	\$8,910.27
JB		0.125	\$95.00	\$11.88
JH		0.5	\$95.00	\$47.50
JP		12.643	\$95.00	\$1,201.00
JRF		182.439	\$175.00	\$28,426.83
LT		9.827	\$95.00	\$933.57
Martin Engelmann		210.997	\$355.00	\$74,903.94

SMP_2015 867.769 \$155.00 \$67,002.66

YD 4.1 \$95.00 \$389.50

Subtotal 864.142 \$176,069.18

Total Amount Payable \$176,069.18

Details of Work Performed

Person	Module	Task	Date	Work type	Description	Qty	Rate	Amount
Chris Worley	Work Session	General time	10/21/2014	CRW_2015	Work session with Engelmann, Kana, Fabian, and Pagliaro.	0.25	\$135.00	\$33.75
	Inspection	General time	05/14/2015	CRW_2015	Initial subject property inspection along with market area inspection; visit existing residential developments and meet with sales representatives.	8	\$135.00	\$1,080.00
	Preliminary Analysis and Estimates	General time	06/05/2015	CRW_2015	Work session with Mr. Engelmann, Kana, Pagliaro, and Fabian. Continuation of site and sale analysis. Clarified assignment to understand all aspects of residential development to ascertain trends in development.	1.5	\$135.00	\$202.50
	Market Area Research	General time	05/09/2015	CRW_2015	Reviewed opponent appraisal, identified subject market area, began researching residential market for trend analysis.	3	\$135.00	\$405.00
	Market Area Research	General time	06/10/2015	CRW_2015	Continued with market research on active selling communities. Created spreadsheet with five active selling or recently sold out communities in Apopka. Include price points, lot sizes, etc.	8	\$135.00	\$1,080.00
	Market Area Research	General time	06/11/2015	CRW_2015	Completed first phase of market research. Compiled findings, maps, aerials, graphs, and supporting text in word document. Saved to data file and made copies for internal reviews by Mr. Engelmann, Kana, Fabian, and Pagliaro.	8	\$135.00	\$1,080.00
Person Subtotal						29.75		\$4,012.25

George Kentz Work Session General time 10/03/2014 GWK_2015 Work session with Engelmann, Fabian, and Pagliaro regarding case issues and research still needed. 0.5 \$135.00 \$67.50

Work Session General time 10/21/2014 GWK_2015 Work session with Engelmann, Fabian, Worley, and Pagliaro regarding case status, project overview, trial date, appraisal exchange date, and assignment responsibilities. 0.167 \$135.00 \$22.55

Work Session General time 01/16/2015 GWK_2015 Work session with Engelmann regarding correspondence from Brigham's office requesting expert work sessions for January 20, 2015; correspondence with Brigham's office asking for timeline on January 20, 2015 per Engelmann. 0.083 \$135.00 \$11.21

Correspondence General 01/19/2015 GWK_2015 Correspondence with Brigham and 0.167 \$135.00 \$22.55

A = 9.17

A: 4.417

	Time			Engelmann regarding future phone conference and calendar for January 28, 2015.			
Work Session	General time	01/28/2015	GWK_2015	Work session with Brigham, Huston, Fabian, and Pagliaro regarding case status, trial dates, appraisal exchange dates, and timeline of subject property and history.	0.25	\$135.00	\$33.75
Work Session Preparation	General time	04/21/2015	GWK_2015	Review subject property working file in preparation of work session with Engelmann, Fabian, and Pagliaro.	0.167	\$135.00	\$22.55
Work Session	General time	04/22/2015	GWK_2015	Work session with Engelmann, Fabian, and Pagliaro regarding case status and timelines.	0.167	\$135.00	\$22.55
Other Expert Report Review	General time	04/23/2015	GWK_2015	Correspondence with Engelmann and Pagliaro consisting of new information from Brigham and expert report exchange date; review of new appraisal for an adjacent property; calendar exchange date, and trial date.	0.5	\$135.00	\$67.50
Correspondence	General time	05/11/2015	GWK_2015	Correspondence with Brigham's office regarding significant dates and calendar all.	0.083	\$135.00	\$11.21
Work Session	General time	05/12/2015	GWK_2015	Work session with Engelmann, Fabian, and Pagliaro regarding case status and significant dates to be calendared; direction from Engelmann on research and analysis to be completed by staff.	0.25	\$135.00	\$33.75
Work Session	General time	05/12/2015	GWK_2015	Work session with Engelmann regarding case status consisting of trial date, appraisal exchange date, mediation date, and other significant dates to be calendared.	0.25	\$135.00	\$33.75
Correspondence	General time	05/14/2015	GWK_2015	Various work sessions and correspondence with Worley regarding subject property highest and best use, development issues, and examples of commercial development with elevation changes.	1	\$135.00	\$135.00
Correspondence	General time	05/15/2015	GWK_2015	Calendar appraisal completion date for exchange with Brigham only and send to TRAS staff.	0.083	\$135.00	\$11.21
Correspondence	General time	05/15/2015	GWK_2015	Work session with Brigham regarding case status, appraisal exchange date, project influence, development of subject property and grade changes on-site, other experts information, and FDOT appraisal analysis.	0.5	\$135.00	\$67.50
Work Session	General time	05/22/2015	GWK_2015	Work session with Fabian and Pagliaro regarding subject property highest and best use, project influence, and direction of land sales research.	0.167	\$135.00	\$22.55
Expert Report Review	General time	05/27/2015	GWK_2015	Review of other expert reports on adjacent and nearby parcels taken for	1	\$135.00	\$135.00

Ac 6.333

the Wokwa Parkway project.

Work Session	General time	05/27/2015	GWK_2015	Work session with Brigham regarding scope of project, development issues and sales focusing on shape and topography, and site development cost examples.	0.5	\$135.00	\$67.50
Expert Report Review	General time	05/28/2015	GWK_2015	Review of Sue Murphy land planning report for Chapman property, adjacent to our subject; correspondence with Murphy for update on her planning report on our subject property.	0.25	\$135.00	\$33.75
Sales Research	General time	05/28/2015	GWK_2015	Review of new sales data, produce aerial map, and distribute to Engelmann, Fabian, Worley, and Pagliaro for additional discussion on research and highest and best use.	0.5	\$135.00	\$67.50
Correspondence	General time	05/28/2015	GWK_2015	Correspondence with Engelmann, Fabian, Worley, and Pagliaro regarding my review of Cantrell's Chapman information and my review of FDOT's subject property appraisal, along with direction for land sales research, planning information needed, and analysis.	2.5	\$135.00	\$337.50
Work Session	General time	05/29/2015	GWK_2015	Work session with Engelmann, Fabian, and Pagliaro regarding updates from Brigham and discussions on experts needed on development and engineering issues.	0.25	\$135.00	\$33.75
Work Session	General time	05/29/2015	GWK_2015	Work sessions with Brigham, Engelmann, Fabian, and Pagliaro regarding recommendations for experts regarding development and engineering issues with regard to the subject property.	0.167	\$135.00	\$22.55
Sales Research	General time	05/30/2015	GWK_2015	Continued land sales research along with review of permitting data by government agencies for development trends and potential new sales.	1.25	\$135.00	\$168.75
Subject Property Research	General time	06/01/2015	GWK_2015	Correspondence with architects and developers regarding subject topography issues and civil engineering expert recommendations.	0.083	\$135.00	\$11.21
Subject Property Research	General time	06/02/2015	GWK_2015	Correspondence with architects and developers regarding subject topography issues and civil engineering expert recommendations; send findings to Engelmann, Fabian, and Pagliaro.	0.083	\$135.00	\$11.21
Work Session	General time	06/02/2015	GWK_2015	Work session with Engelmann, Fabian, Worley, and Pagliaro regarding direction of research on interchange timeline study and exhibit, land sales research and timeline for review, and set timelines for our appraisal due date.	0.867	\$135.00	\$90.05
Market Area	General	06/08/2015	GWK_2015	Work session with Worley regarding	0.083	\$135.00	\$11.21

A 4,58 ✓

Research	time			update and timeline for completion of market area research on development trends in residential, retail, and employment centers.			
Sales Research	General time	06/08/2015	GWK_2015	Work session with Fabian and Pagliaro regarding setting up land sales research to data in database and appraisal workbook in preparation of review with Engelmann.	0.167	\$135.00	\$22.55
Sales Research	General time	08/10/2015	GWK_2015	Various work sessions with Worley on updates of his research on residential development trends, permits, and overview of DRIs proximate to the subject.	0.167	\$135.00	\$22.55
Correspondence	General time	06/11/2015	GWK_2015	Correspondence with Fabian regarding notice of deposit date and update on draft appraisal.	0.167	\$135.00	\$22.55
Work Session	General time	06/11/2015	GWK_2015	Various work sessions with Fabian regarding land sale write ups and research progress in preparation for full review with Engelmann.	0.5	\$135.00	\$67.50
Correspondence	General time	06/12/2015	GWK_2015	Correspondence with Mesmer regarding status of his draft report.	0.083	\$135.00	\$11.21
Work Session	General time	06/15/2015	GWK_2015	Work session with Fabian and Pagliaro consisting of review of land sales research to date and packages, and narrow down sales to consider; direction to Pagliaro regarding edits needed to land sales and exhibit preparation of residential submissions.	1.25	\$135.00	\$168.75
Work Session	General time	06/18/2015	GWK_2015	Work session with Engelmann and Fabian regarding land sales data to date; market forces surrounding interchanges similar to the subject, draft appraisal status and time for completion, potential delivery date to Brigham, and work session for June 22.	1	\$135.00	\$135.00
Market Area Research	General time	06/21/2015	GWK_2015	Review interchange development study and overview prepared by Pagliaro.	0.25	\$135.00	\$33.75
Work Session	General time	06/22/2015	GWK_2015	Various work sessions with Worley, Fabian, and Pagliaro on planning work session with Engelmann to review final land sales and draft appraisal update; review database for update on land sales research and write ups.	0.5	\$135.00	\$67.50
Correspondence	General time	06/22/2015	GWK_2015	Correspondence with Engelmann, Worley, Fabian, and Pagliaro on planning work session to review final land sales and draft appraisal update.	0.125	\$135.00	\$16.88
Work Session	General time	06/25/2015	GWK_2015	Work session with Pagliaro on inspection notebook needed for Engelmann.	0.125	\$135.00	\$16.88
Correspondence	General time	06/25/2015	GWK_2015	Correspondence with Engelmann and Fabian regarding our land sales and	0.25	\$135.00	\$33.75

A = 2.875 ✓
 R = 1.625 ✓

Final review, phone conference scheduled with Brigham, and update on draft appraisal.

Work Session	General time	06/25/2015	GWK_2015	Various work sessions with Fabian on our land sales research, highest and best use of subject, and Orange County regional planning information for Apopka.	0.75	\$135.00	\$101.25
Work Session	General time	06/28/2015	GWK_2015	Various work sessions with Engelmann, Fabian, and Pagliaro regarding draft appraisal, contact with Brigham, review of finalized land sales, and direction from Engelmann to review draft appraisal.	1	\$135.00	\$135.00
Correspondence	General time	08/28/2015	GWK_2015	Correspondence with Brigham regarding Ocala land sale verification; review sale data; correspondence with Fabian regarding phone conference with Brigham and extension of appraisal exchange.	0.25	\$135.00	\$33.75
Work Session	General time	08/29/2015	GWK_2015	Work session with Fabian and Pagliaro regarding draft appraisal and land sales.	0.125	\$135.00	\$16.88
Work Session	General time	07/02/2015	GWK_2015	Work session with Pagliaro prior to phone conference with Brigham regarding development trends within the subject's trade area and similarities to the Lake Nona (southeast) Orange County area and growth due to expansion of toll road and interchanges.	0.125	\$135.00	\$16.88
Work Session	General time	07/08/2015	GWK_2015	Work session with Fabian regarding subject property terrain and potential site development issues.	0.125	\$135.00	\$16.88
Correspondence	General time	07/08/2015	GWK_2015	Correspondence with Fabian regarding draft appraisal for Brigham's review.	0.125	\$135.00	\$16.88
Work Session	General time	07/07/2015	GWK_2015	Various work sessions with Engelmann, Fabian, and Pagliaro regarding site development of subject and additional parcel to be added to our appraisal.	0.25	\$135.00	\$33.75
Rebuttal	General time	07/14/2015	GWK_2015	Rebuttal report preparation consisting of various work sessions and correspondence with Engelmann, Fabian, and Pagliaro regarding report and exchange date.	0.25	\$135.00	\$33.75
Rebuttal	General time	07/14/2015	GWK_2015	Rebuttal report preparation consisting of review of Cantrell's rebuttal report on Carpenter's report for Chapman (Parcel 219).	0.25	\$135.00	\$33.75
Rebuttal	General time	07/20/2015	GWK_2015	Rebuttal preparation consisting of correspondence with Pagliaro regarding rebuttal report due date and status.	0.125	\$135.00	\$16.88
Correspondence	General time	07/20/2015	GWK_2015	Review news articles regarding City of Apopka and new city center;	0.125	\$135.00	\$16.88

Reb: (175) ✓

				correspondence with Engelmann, Fabian, Pagliaro, and Worley regarding same.			
Rebuttal	General time	07/22/2015	GWK_2015	Rebuttal report review per Fabian.	0.5	\$135.00	\$67.50
Rebuttal	General time	07/29/2015	GWK_2015	Rebuttal review and edits per Fabian; correspondence with Fabian, Pagliaro, and Engelmann regarding rebuttal report review and edits.	0.25	\$135.00	\$33.75
Deposition Preparation	General time	08/27/2015	GWK_2015	Deposition preparation consisting of correspondence with Brigham's office regarding production of our file per subpoena; work sessions with Pagliaro regarding direction on file production and delivery timeline.	0.25	\$135.00	\$33.75
Deposition Preparation	General time	08/31/2015	GWK_2015	Deposition preparation consisting of correspondence with Pagliaro regarding our electronic file to be sent to Brigham's office in response subpoena.	0.125	\$135.00	\$16.88
Deposition Preparation	General time	09/01/2015	GWK_2015	Deposition preparation consisting of correspondence with Brigham's office regarding Carpenter's rebuttal letter and other information requested; work sessions with Fabian regarding same.	0.5	\$135.00	\$67.50
Deposition Preparation	General time	09/03/2015	GWK_2015	Work session with Fabian regarding subpoena, direction, and preparation of file.	0.125	\$135.00	\$16.88
Deposition Preparation	General time	09/03/2015	GWK_2015	Work session with Engelmann regarding subpoena received and direction; scan and save subpoena in digital file; correspondence with Fabian and Pagliaro regarding subpoena.	0.125	\$135.00	\$16.88
Deposition Preparation	General time	09/04/2015	GWK_2015	Deposition preparation consisting of correspondence with Brigham's office regarding CFX expert witness deposition of Carpenter.	0.125	\$135.00	\$16.88
Deposition Preparation	General time	09/04/2015	GWK_2015	Deposition preparation consisting of work session with Engelmann and Pagliaro regarding preparation exhibits, file material, CFX expert witness depositions and reports, and direction on preparation of market forces and supply & demand bullet points.	1	\$135.00	\$135.00
Deposition Preparation	General time	09/04/2015	GWK_2015	Deposition preparation consisting of various work sessions with Fabian regarding CFX expert witness depositions and reports.	0.25	\$135.00	\$33.75
Deposition Preparation	General time	09/05/2015	GWK_2015	Deposition preparation consisting of work session with Engelmann, Fabian, and Pagliaro on our appraisal; direction on exhibits needed; individual tasks regarding the Wekiva Parkway project, timeline, and City of Apopka annexations; and Kelly Park Road.	0.75	\$135.00	\$101.25

D: (3.25) ✓

Deposition Preparation	General time	09/05/2015	GWK_2015	Deposition preparation consisting of research with the Department of Community Affairs for future land use plan amendments and timelines; work session with Engelmann regarding questions for Sembler on Fowler Groves; research Kelly Park Road widening.	3.5	\$135.00	\$472.50
Deposition Preparation	General time	09/07/2015	GWK_2015	Deposition preparation consisting of correspondence with Engelmann and Brigham regarding defendant's motion in limine to exclude evidence or testimony; review correspondence and motion.	0.125	\$135.00	\$16.88
Deposition Preparation	General time	09/08/2015	GWK_2015	Deposition preparation consisting of work session with Patterson of Mesimer's office regarding Kelly Park Road future road widening, right of way taken to date, utilities, and limits of construction.	0.5	\$135.00	\$67.50
Deposition Preparation	General time	09/08/2015	GWK_2015	Deposition preparation consisting of in-house research of Venice Public anchored center with increase timeline due to governmental response time per Engelmann; prepare aerial exhibits and notes on the property.	1	\$135.00	\$135.00
Deposition Preparation	General time	09/08/2015	GWK_2015	Deposition preparation consisting of work session with Sembler contacts for background information on Fowler Groves project.	1	\$135.00	\$135.00
Deposition Preparation	General time	09/08/2015	GWK_2015	Deposition preparation consisting of work session with Taylor regarding direction on mapping of in-house land sales research provided by Engelmann.	0.125	\$135.00	\$16.88
Deposition Preparation	General time	09/08/2015	GWK_2015	Deposition preparation consisting of online research regarding Wekiva Parkway traffic and revenue study update; review and outline traffic and revenue study; other online research with City of Apopka regarding past and on-going annexations.	3	\$135.00	\$405.00
Deposition Preparation	General time	09/08/2015	GWK_2015	Deposition preparation consisting of various work sessions with Fabian regarding tasks and timeline; correspondence with Engelmann consisting of setting up phone conference with Kelly Park Crossings DRI project team.	0.25	\$135.00	\$33.75
Deposition Preparation	General time	09/09/2015	GWK_2015	Deposition preparation consisting of work session with Engelmann, Fabian, and Pagliaro regarding Engelmann and Brigham conference, discussions on prior tasks completed, project knowledge, market forces, continued direction on tasks needed for completion.	1.5	\$135.00	\$202.50
Deposition	General	09/09/2015	GWK_2015	Deposition preparation consisting of	0.125	\$135.00	\$16.88

11.125 ✓

Preparation	time			correspondence with Engelmann, Fabian, and Pagliaro on work session time, Brigham direction, other expert deposition.				
Deposition Preparation	General time	09/09/2015	GWK_2015	Deposition preparation consisting of work session with Fabian regarding Carpenter's rebuttal of our appraisal and Brigham's correspondence.	✓	0.125	\$135.00	\$16.88
Deposition Preparation	General time	09/09/2015	GWK_2015	Deposition preparation consisting of work session with Hunt on direction to update GIS data files of TRAS assignments.	✓	0.125	\$135.00	\$16.88
Deposition Preparation	General time	09/09/2015	GWK_2015	Deposition preparation consisting of re-verification of Fowler Groves timeline with Sean Davis of Sembler; work session with Engelmann regarding Fowler Groves timeline, aerial timeline, and beltway timeline.	✓	0.5	\$135.00	\$67.50
Deposition Preparation	General time	09/09/2015	GWK_2015	Deposition preparation consisting of direction to Taylor on research needed on listing along Penkan Road; review listing information and work session with Engelmann regarding same.	✓	0.25	\$135.00	\$33.75
Deposition Preparation	General time	09/09/2015	GWK_2015	Deposition preparation consisting of continued research on Waslem Beltway interchanges per Engelmann; re-verification of land sales with Engelmann and Pagliaro; and continue outline of CFX traffic study update.	✓	2	\$135.00	\$270.00
Deposition Preparation	General time	09/09/2015	GWK_2015	Deposition preparation consisting of re-verification of Rolling Oaks timeline with Todd Levina and Engelmann; work session with Engelmann regarding Rolling Oaks timeline, aerial timeline, and beltway timeline.	✓	0.25	\$135.00	\$33.75
Deposition Preparation	General time	09/09/2015	GWK_2015	Deposition preparation consisting of various correspondence with Brigham's office regarding clarification of what was sent to CFX attorney's in response to subpoena of our file.	✓	0.125	\$135.00	\$16.88
Deposition Preparation	General time	09/09/2015	GWK_2015	Deposition preparation consisting of work session with Engelmann and interview with Sue Murphy regarding water & sewer availability, City of Apopka planning documents, and City of Apopka file memorandum regarding the city's interchange overlay plans.	✓	0.25	\$135.00	\$33.75
Deposition Preparation	General time	09/10/2015	GWK_2015	Deposition preparation consisting of work session with Engelmann regarding contract of Home family property for proposed Publix shopping center.	✓	0.125	\$135.00	\$16.88
Deposition Preparation	General time	09/10/2015	GWK_2015	Deposition preparation consisting of file management, create topo map per Engelmann, review interchange aeriels prepared by Pagliaro and make edits.	✓	1	\$135.00	\$135.00

4.75 ✓

Trial 2,342 ✓

Trial Preparation	General time	09/11/2015	GWK_2015	Trial preparation consisting of various work sessions with Pagliaro and Black regarding digital and hard file and responses to Brigham's correspondence; correspondence with Englemann regarding comparable photos.	✓ 0.5	\$135.00	\$67.50
Trial Preparation	General time	09/11/2015	GWK_2015	Trial preparation consisting of second review of data file regarding digital file sent to CFX attorney.	✓ 0.25	\$135.00	\$33.75
Trial Preparation	General time	09/11/2015	GWK_2015	Trial preparation consisting of correspondence and work session with Engelmann, post deposition, regarding direction of tasks needed to be completed per Brigham's correspondence.	✓ 0.167	\$135.00	\$22.55
Trial Preparation	General time	09/11/2015	GWK_2015	Trial preparation consisting of work sessions with Pagliaro and Black regarding our data file sent to CFX attorney and additional information that might need to be sent; discussions on reply's to Brigham's correspondence.	✓ 0.25	\$135.00	\$33.75
Trial Preparation	General time	09/12/2015	GWK_2015	Trial preparation consisting of correspondence with Pagliaro regarding our sales photographs and photographs of Carpenter sales.	✓ 0.125	\$135.00	\$16.88
Trial Preparation	General time	09/15/2015	GWK_2015	Trial preparation consisting of work sessions with Engelmann, Fabian, Worley, and Pagliaro regarding tasks to be completed and status of additional work product.	✓ 0.25	\$135.00	\$33.75
Trial Preparation	General time	09/15/2015	GWK_2015	Trial preparation consisting of work session with Engelmann regarding direction on trial exhibits to be sent and handled with Brigham's office.	✓ 0.125	\$135.00	\$16.88
Trial Preparation	General time	09/15/2015	GWK_2015	Trial preparation consisting of review comparable photographs and labels, and upload to dropbox and send to Brigham's office.	✓ 0.25	\$135.00	\$33.75
Trial Preparation	General time	09/15/2015	GWK_2015	Trial preparation consisting of work session (phone) with Ken Fleming regarding trial exhibits and correspondence; correspondence with Fleming regarding same.	✓ 0.125	\$135.00	\$16.88
Trial Preparation	General time	09/15/2015	GWK_2015	Trial preparation consisting of correspondence with Engelmann and Brigham regarding PD name and status of our land sale number two; direction from Engelmann regarding same.	✓ 0.25	\$135.00	\$33.75
Trial Preparation	General time	09/15/2015	GWK_2015	Trial preparation consisting of work sessions (phone) with Ken Fleming regarding confirmation of correspondence and additional work product.	✓ 0.125	\$135.00	\$16.88
Trial Preparation	General time	09/15/2015	GWK_2015	Trial preparation consisting of work	✓ 0.125	\$135.00	\$16.88

TP = 4,834 ✓

Time	session with Paglaro regarding comparable ground level photographs to be labeled and sent to Brigham as requested; correspondence with Brigham's office regarding same.
Trial Preparation General time 09/15/2015 GWK_2015	Trial preparation consisting of work session (phone) with Brigham, Engelmann, Fabian, and Paglaro regarding additional discovery work product and exhibits. ✓ 0.167 \$135.00 \$22.55
Trial Preparation General time 09/17/2015 GWK_2015	Trial preparation consisting of correspondence with Brigham regarding status conference hearing with Judge Keat set for September 24, 2015; work session with Engelmann regarding same. ✓ 0.25 \$135.00 \$33.75
Trial Preparation General time 09/18/2015 GWK_2015	Trial preparation consisting of correspondence with Brigham's office regarding Engelmann's deposition material needed to be resent. ✓ 0.25 \$135.00 \$33.75
Trial Preparation General time 09/22/2015 GWK_2015	Trial preparation consisting of edits to land comparables summary spreadsheet per Brigham's office; correspondence with Brigham's office regarding same. ✓ 0.5 \$135.00 \$67.50
Trial Preparation General time 09/22/2015 GWK_2015	Trial preparation consisting of work session (phone) with Brigham's office regarding copy of Engelmann's deposition and timing of preparation for hearing. ✓ 0.125 \$135.00 \$16.88
Trial Preparation General time 09/22/2015 GWK_2015	Trial preparation consisting of work session with Engelmann regarding scheduling of hearing preparation with Brigham for September 23, 2015; correspondence with Brigham's office consisting of Engelmann's depo transcript, send to Engelmann, and file. ✓ 0.167 \$135.00 \$22.55
Trial Preparation General time 09/23/2015 GWK_2015	Trial preparation consisting of work session Brigham, Engelmann, Fabian, and Paglaro regarding hearing scheduled for September 24 on Dauber; direction from Brigham regarding hearing preparation; review of all exhibits for plaintiff and defendant. ✓ 3 \$135.00 \$405.00
Trial Preparation General time 09/24/2015 GWK_2015	Trial preparation consisting of calls to Sue Murphy on City of Apopka comprehensive plan. ✓ 0.125 \$135.00 \$16.88
Trial Preparation General time 09/24/2015 GWK_2015	Trial preparation consisting of work session with Engelmann on hearing scheduled for today and continued research needed on City of Apopka comprehensive plan. ✓ 0.125 \$135.00 \$16.88
Trial Preparation General time 09/25/2015 GWK_2015	Trial preparation consisting of work session with Engelmann regarding updates needed from Brigham's office after hearing. ✓ 0.125 \$135.00 \$16.88

T = 2.625 ✓

Trial Preparation	General time	09/25/2015	GWK_2015	Trial preparation consisting of correspondence with Pagliaro regarding scheduling work session with Hayward Cantrell in our office.	✓	0.125	\$135.00	\$16.88
Correspondence TP	General time	09/29/2015	GWK_2015	Trial preparation consisting of correspondence with Brigham's office for update after hearing.	✓	0.125	\$135.00	\$16.88
Correspondence TP	General time	09/30/2015	GWK_2015	Trial preparation consisting of correspondence with Brigham's office regarding status of hearing, trial dates and continuance, and offer of judgement.	✓	0.125	\$135.00	\$16.88
Trial Preparation	General time	10/01/2015	GWK_2015	Trial preparation consisting of correspondence with Brigham's office regarding update on case status, hearing, and trial prep.	✓	0.125	\$135.00	\$16.88
Trial Preparation	General time	10/02/2015	GWK_2015	Trial preparation consisting of correspondence with Brigham's office regarding offer of judgement; file offer of judgement.	✓	0.25	\$135.00	\$33.75
Trial Preparation	General time	10/07/2015	GWK_2015	Trial preparation consisting of correspondence with Brigham's office regarding testimony transcript from Daubert and scope of project hearing; begin review of testimony.	✓	0.5	\$135.00	\$67.50
Trial Preparation	General time	10/09/2015	GWK_2015	Trial preparation consisting of correspondence with Brigham's office regarding defendant's exhibits; begin review of exhibits per Engelmann.	✓	0.25	\$135.00	\$33.75
Trial Preparation	General time	10/09/2015	GWK_2015	Trial preparation consisting of work session with Engelmann regarding scheduling issues and trial preparation work session with Brigham.	✓	0.125	\$135.00	\$16.88
Trial Preparation	General time	10/12/2015	GWK_2015	Trial preparation consisting of correspondence with Brigham's office confirming trial preparation work session for Engelmann and Brigham.	✓	0.125	\$135.00	\$16.88
Trial Preparation	General time	10/12/2015	GWK_2015	Trial preparation consisting of work session with Engelmann regarding scheduling trial prep work session with Brigham; work session (phone) with Brigham's office regarding same.	✓	0.125	\$135.00	\$16.88
Trial Preparation	General time	10/14/2015	GWK_2015	Trial preparation consisting of correspondence from Brigham's office; review subpoena for trial and file.	✓	0.125	\$135.00	\$16.88
Trial Preparation	General time	10/19/2015	GWK_2015	Trial preparation consisting of review documents for timeline on Plaza Venezia per Engelmann and send detail.	✓	0.5	\$135.00	\$67.50
Trial Preparation	General time	10/20/2015	GWK_2015	Trial preparation consisting of work session with Poulos regarding laser pointers needed; order laser pointers.	✓	0.125	\$135.00	\$16.88

T= 13.00 ✓

Trial Preparation	General time	10/20/2015	GWK_2015	Trial preparation consisting of work session with Engelmann, Fabian, and Pagliaro regarding direction of preparation and additional work product needed.	✓ 1	\$135.00	\$135.00
Trial Preparation	General time	10/20/2015	GWK_2015	Trial preparation consisting of correspondence with Brigham's office regarding update on trial schedule and court documents.	✓ 0.125	\$135.00	\$16.88
Trial Preparation	General time	10/20/2015	GWK_2015	Trial preparation consisting of correspondence with Sembler contacts for continued confirmation of Fowler Groves.	✓ 0.125	\$135.00	\$16.88
Trial Preparation	General time	10/21/2015	GWK_2015	Trial preparation consisting of review of all defendant's exhibits per Engelmann and correspondence with Brigham's office regarding exhibits we have not received; notes on defendant's exhibits list sheet to review with Engelmann.	✓ 6	\$135.00	\$810.00
Trial Preparation	General time	10/21/2015	GWK_2015	Trial preparation consisting review of Florida Hospital contract received from Sembler; correspondence with Sembler setting up phone call with Engelmann for further confirmation.	✓ 0.25	\$135.00	\$33.75
Trial Preparation	General time	10/22/2015	GWK_2015	Trial preparation consisting of correspondence with Brigham's office regarding defendant's trial exhibits.	✓ 0.25	\$135.00	\$33.75
Trial Preparation	General time	10/22/2015	GWK_2015	Trial preparation consisting of work sessions with Engelmann regarding Winter Garden Village timeline and Engelmann's continued verification with Sembler contact (developer); correspondence with Engelmann and Brigham's office regarding same.	✓ 0.5	\$135.00	\$67.50
Trial Preparation	General time	10/23/2015	GWK_2015	Trial preparation consisting of work sessions with Engelmann regarding timelines for Winter Garden Village and Rolling Oaks; create timeline for Winter Garden Village.	✓ 1	\$135.00	\$135.00
Trial Preparation	General time	10/25/2015	GWK_2015	Trial preparation consisting of edits to Winter Garden Village timeline per Engelmann; create timeline for Rolling Oaks; review of in-house documents and online documents regarding Winter Garden Village and Rolling Oaks.	✓ 3	\$135.00	\$405.00
Trial Preparation	General time	10/26/2015	GWK_2015	Trial preparation consisting of work sessions with Engelmann; prepare work product of past retail appraisal assignments showing site costs and overall development costs; review of Engelmann deposition for marked exhibits.	✓ 0.5	\$135.00	\$67.50
Trial Preparation	General time	10/26/2015	GWK_2015	Trial preparation consisting of correspondence with Engelmann and Brigham's office regarding trial schedule, continued research, and	✓ 0.25	\$135.00	\$33.75

T = 3.375 ✓

update on case.

Trial Preparation	General time	10/27/2015	GWK_2015	Trial preparation consisting of work sessions with Engelmann; direction from Engelmann on Rolling Oaks historical research needed; research Rolling Oaks and edit timeline per Engelmann; edits to Winter Garden timeline per Engelmann.	✓ 1	\$135.00	\$135.00
Trial Preparation	General time	10/27/2015	GWK_2015	Trial preparation consisting of work session with Engelmann, Fabian, and Pagliaro regarding overall preparation, file maintenance, and continued research possibly needed.	✓ 0.25	\$135.00	\$33.75
Trial Preparation	General time	10/28/2015	GWK_2015	Trial preparation per Engelmann consisting of research with St. Johns River Water Management District of Florida Hospital's permitting documents; review of contract between Sembler and Florida Hospital; set up call with Sembler for confirmation.	✓ 1.5	\$135.00	\$202.50
Trial Preparation	General time	10/28/2015	GWK_2015	Trial preparation per Engelmann consisting of review of permitting research; work session (phone) with Sean Davis of Sembler and Pagliaro regarding contract contingencies, relocation of pond, and contact information of property owners' association.	✓ 0.25	\$135.00	\$33.75
Trial Preparation	General time	10/29/2015	GWK_2015	Trial preparation consisting of detail of inspection dates of subject, market area, and sales per Engelmann; review research prepared by Taylor for future reference; update on trial testimony schedule.	✓ 0.25	\$135.00	\$33.75
Trial Preparation	General time	10/31/2015	GWK_2015	Trial preparation consisting of correspondence with Brigham's office and our staff regarding Engelmann's notes.	✓ 0.125	\$135.00	\$16.88

Person Subtotal 66.002 \$8,910.27

Jann Poulos	Trial Preparation	General time	10/14/2015	JP	Deposition and trial preparation consisting of printing out plaintiff's and defendant's exhibits; separate all trial exhibits into five binder volumes.	3.801	\$95.00	\$366.80
	Trial Preparation	General time	10/15/2015	JP	Deposition and trial preparation consisting of printing out plaintiff's and defendant's exhibits; separate all trial exhibits into five binder volumes.	6.653	\$95.00	\$632.04
	Trial Preparation	General time	10/20/2015	JP	Trial preparation consisting of research for supplies for trial and purchase new laser pointers.	0.97	\$95.00	\$73.15
	Deposition Preparation	General time	10/30/2015	JP	Deposition preparation consisting of mapping of school locations per Engelmann.	1.359	\$95.00	\$129.11

T = 11.284
D = 1.359

Person Subtotal 12.643 \$1,201.09

✓ Jennifer Hunt	Deposition Preparation	General time	09/09/2015	JH	GIS mapping	✓ 0.5	\$95.00	\$47.50
✓ Joan Black	Correspondence	General time	11/26/2015	JB	Correspondence from Kerry Collins to Joan Black regarding Marty's testimony	0.125 ✓	\$95.00	\$11.88
John Fablan	Work Session	General time	10/03/2014	JRF	Work session with Engelmann, Kane, and Pagliaro regarding the case issues and direction of research still needed.	0.5	\$175.00	\$87.50
	Work Session	General time	10/21/2014	JRF	Work session with Engelmann, Kane, Worley, and Pagliaro regarding status of case.	0.167	\$175.00	\$29.23
	Work Session	General time	01/28/2015	JRF	Work session with Brigham, Huston, Kane and Pagliaro regarding status of case.	0.25	\$175.00	\$43.75
	Work Session	General time	01/28/2015	JRF	Work session with A. Brigham, Brigham's staff, G. Kane and S. Pagliaro regarding status of case	0.133	\$175.00	\$23.28
	Work Session	General time	05/12/2015	JRF	Work session with Pagliaro regarding sales search and structure of the case.	0.5	\$175.00	\$87.50
	Work Session	General time	05/12/2015	JRF	Work session with Engelmann, Kane, Worley and Pagliaro regarding status of case	0.25	\$175.00	\$43.75
	Inspection	General time	05/14/2015	JRF	Inspect subject site and surrounding market area.	2	\$175.00	\$350.00
	Work Session	General time	05/22/2015	JRF	Work session with S. Pagliaro regarding the course of sales research. Reviewed data file and summary prepared by S. Pagliaro.	1.286	\$175.00	\$225.05
	Sales Research	General time	05/28/2015	JRF	Work session with G. Kane regarding sales. Review and analyze land sales provided by G. Kane. Work session with S. Pagliaro regarding file set up.	1.305	\$175.00	\$228.38
	Work Session	General time	05/29/2015	JRF	Work session with Engelmann, Kane, Pagliaro regarding status of case.	0.875	\$175.00	\$153.13
	Work Session	General time	06/02/2015	JRF	Work session with Engelmann, Pagliaro, Kane and Worley regarding status of case and sales	0.75	\$175.00	\$131.25
	Work Session	General time	06/03/2015	JRF	Work session with Sue Murphy regarding her report status.	0.25	\$175.00	\$43.75
	Work Session	General time	06/05/2015	JRF	Work session with Kane, Pagliaro and Engelmann on structure of the assignment.	0.75	\$175.00	\$131.25
	Appraisal Analysis and Report Writing	General time	06/08/2015	JRF	Review Carpenter's appraisal report. Set up Excel and Word files for subject and begin draft report.	3.365	\$175.00	\$588.88
	Sales Research	General time	06/11/2015	JRF	Review in house sales and made CoStar search of interchange land sales.	3.5	\$175.00	\$812.50
	Work Session	General time	06/12/2015	JRF	Work session with Kane and Engelmann regarding status of case	0.25	\$175.00	\$43.75

A = 16.131

Other Expert Report Review	General time	06/12/2015	JRF	Read Sue Murphy's land planning report on the adjacent Chapman site. Read Cantrell's appraisal report on adjacent Chapman site. Internet research on Wekiva interchange.	3.25	\$175.00	\$568.75
Work Session	General time	06/15/2015	JRF	Work session with Kane and Pagliaro regarding sales and DRI locations.	1.25	\$175.00	\$218.75
Work Session	General time	06/15/2015	JRF	Work session with Sue Murphy regarding land planning.	0.25	\$175.00	\$43.75
Work Session	General time	06/19/2015	JRF	Work session with Kane and Engelmann regarding status of draft appraisal, land sales and market area research to date.	3	\$175.00	\$525.00
Appraisal Analysis and Report Writing	General time	06/20/2015	JRF	Continue writing draft report. Focus on market area data and trends and the Wekiva Parkway project.	7.68	\$175.00	\$1,344.00
Appraisal Analysis and Report Writing	General time	06/22/2015	JRF	Continue writing draft report. Review and edit sales write ups and edit adjustment grid.	8.26	\$175.00	\$1,445.50
Appraisal Analysis and Report Writing	General time	06/23/2015	JRF	Continue writing draft report	7.5	\$175.00	\$1,312.50
Appraisal Analysis and Report Writing	General time	06/24/2015	JRF	Continue writing draft report through the highest and best use. Considerable attention was given to the development of the other interchanges on the beltway.	9.5	\$175.00	\$1,662.50
Appraisal Analysis and Report Writing	General time	06/25/2015	JRF	Continue with draft report through HBU and into sales analysis.	6	\$175.00	\$875.00
Appraisal Analysis and Report Writing	General time	06/25/2015	JRF	Continue writing draft report, complete sales analysis, sales grid and write ups.	7	\$175.00	\$1,225.00
Work Session	General time	06/25/2015	JRF	Work session with Kane, Engelmann, Pagliaro and Brigham's office to schedule work session.	7	\$175.00	\$1,225.00
Work Session	General time	06/26/2015	JRF	Work session with Andrew Brigham regarding case. Additional sales analysis. Work sessions with M. Engelmann and S. Pagliaro regarding interchange development timelines and interchange sales.	8	\$175.00	\$1,400.00
Appraisal Analysis and Report Writing	General time	06/27/2015	JRF	Edit draft for delivery to client. Work session with Pagliaro regarding additional search.	3.203	\$175.00	\$560.53
Appraisal Analysis and Report Writing	General time	06/28/2015	JRF	Land sales analysis and apply those revisions to the draft appraisal report.	4.25	\$175.00	\$743.75
Work Session	General time	07/02/2015	JRF	Work sessions with Engelmann, Pagliaro and Brigham regarding draft appraisal report	3	\$175.00	\$525.00

A = 78.14

Appraisal Analysis and Report Writing	General time	07/06/2015	JRF	Edits to draft report; work session with S. Pagliaro regarding edits to interchange development analysis. Work session with Reggie Mesimer and James Patterson regarding elevations of site.	5.25	\$175.00	\$918.75
Appraisal Analysis and Report Writing	General time	07/07/2015	JRF	Edit final report to show the addition of Parcel 209. Work sessions with A. Brigham, M. Engelmann and S. Pagliaro.	4.48	\$175.00	\$784.00
Rebuttal	General time	07/14/2015	JRF	Rebuttal report preparation consisting of various work sessions and correspondence with Engelmann, Kane, and Pagliaro regarding report and exchange date.	0.25	\$175.00	\$43.75
Rebuttal	General time	07/14/2015	JRF	Work session with Andrew Brigham regarding rebuttal report.	0.25	\$175.00	\$43.75
Rebuttal	General time	07/15/2015	JRF	Work session with Pagliaro on rebuttal analysis regarding sales and highest and best use	0.5	\$175.00	\$87.50
Rebuttal	General time	07/23/2015	JRF	Review and revise rebuttal document. Work sessions with S. Pagliaro, M. Engelmann and G Kane	6.55	\$175.00	\$1,146.25
Rebuttal	General time	07/27/2015	JRF	Review rebuttal letter edits.	0.75	\$175.00	\$131.25
Rebuttal	General time	07/28/2015	JRF	Work session with Andrew Brigham and M. Engelmann regarding rebuttal letter.	0.5	\$175.00	\$87.50
Rebuttal	General time	07/28/2015	JRF	Final rebuttal review	0.25	\$175.00	\$43.75
Deposition Preparation	General time	09/01/2015	JRF	Review subpoena documents sent by client. Begin depo outline for Engelmann	1.5	\$175.00	\$262.50
Deposition Preparation	General time	09/01/2015	JRF	Review file for important deposition material. Work session with client regarding additional data required.	1.25	\$175.00	\$218.75
Deposition Preparation	General time	09/01/2015	JRF	Work sessions with S. Pagliaro and G. Kane regarding deposition preparation.	0.75	\$175.00	\$131.25
Deposition Preparation	General time	09/03/2015	JRF	Prepare research data for M. Engelmann in order to further confirm land purchase on Kelly Park Road.	0.42	\$175.00	\$73.50
Deposition Preparation	General time	09/03/2015	JRF	Prepare outline for deposition response for Marty regarding Cantrell's deposition on Chapman and Carpenter's rebuttal letter for our report on Kelly.	3.055	\$175.00	\$534.83
Deposition Preparation	General time	09/03/2015	JRF	Review Cantrell's deposition on Chapman property.	1.254	\$175.00	\$219.45
Deposition Preparation	General time	09/05/2015	JRF	Read Brigham's deposition of Carpenter on Chapman case. Prepare outline of deposition for Engelmann. Work session with Engelmann, Kane and Pagliaro regarding deposition.	6.25	\$175.00	\$1,093.75

A=
9.23

Reb.
= 9.05

D=
14,479

D = 13.09
T = 21.816

Deposition Preparation	General time	09/08/2015	JRF	Read Motion to Exclude Cantrell's testimony document. Read Memorandum of Law re: Scope of the Project Rule. Additional research regarding Kelly Park Crossing DRI. Additional research regarding Wokiva Parkway. Prepare deposition outline for Engelmann	6.25	\$175.00	\$1,093.75
Deposition Preparation	General time	09/08/2015	JRF	Work session with Engelmann, Kane and Pagliaro regarding deposition prep.	0.5	\$175.00	\$87.50
Deposition Preparation	General time	09/09/2015	JRF	Continued deposition preparation. Review and analysis of Brigham's motion against CFX. Prepare outline for Engelmann. Work sessions with Engelmann, Kane and Pagliaro. Work sessions with Brigham.	6.34	\$175.00	\$1,109.50
Trial Preparation	General time	09/15/2015	JRF	Trial prep work session with Engelmann, Kane and Pagliaro.	2	\$175.00	\$350.00
Trial Preparation	General time	09/18/2015	JRF	Work session with Engelmann, Kane and Brigham regarding trial prep and upcoming emergency hearing and testimony in Orlando on September 24, 2015.	0.5	\$175.00	\$87.50
Trial Preparation	General time	09/18/2015	JRF	Additional exhibits for Brigham. Work session with Kyo Wilkes of Apopka regarding Interchange uses on Kelly Park Road.	2.825	\$175.00	\$494.38
Trial Preparation	General time	09/23/2015	JRF	Trial prep work session work with Engelmann, Kane, Pagliaro and Brigham	3	\$175.00	\$525.00
Trial Preparation	General time	09/23/2015	JRF	Trial preparation for Engelmann regarding review of previous cases involving scope of the project rule and prepare outline for meeting with judge regarding Engelmann's testimony.	2.36	\$175.00	\$413.00
Trial Preparation	General time	09/23/2015	JRF	Trial prep work session with Engelmann and Pagliaro regarding cross examination preparation for Engelmann	1.75	\$175.00	\$306.25
Trial Preparation	General time	09/23/2015	JRF	Read Engelmann deposition and prepare outline based on issues raised in deposition, for work session with Brigham and hearing testimony in front of judge and opposing counsel on Thursday.	4.901	\$175.00	\$857.68
Trial Preparation	General time	10/20/2015	JRF	Trial preparation work sessions with Engelmann, Kane and Pagliaro. Research hotel supply and demand data for subject market area.	4.48	\$175.00	\$784.00
<i>Person Subtotal</i>					162.439		\$28,426.83
Sales Research	General time	10/28/2014	LT	Direction from Pagliaro for online research on land sale comparables, land sale write ups and research.	3.5	\$95.00	\$332.50
Deposition	General	09/04/2015	LT	Deposition preparation consisting of	2.223	\$95.00	\$211.19

LAUREL
EY/LLP

A = 3.1
D = 21

Preparation	time				researching job log database for shopping center/retail appraisals per Marty Engelmann.			
Deposition Preparation	General time	08/08/2015	LT		Deposition preparation consisting of GIS mapping of Public land sales in Orange and Osceola counties per Engelmann.	1.17	\$95.00	\$111.15
Deposition Preparation	General time	09/09/2015	LT		Deposition preparation consisting of research Ponkan Road, Apopka commercial land listings from Carpenter's appraisal per George Kane.	0.85	\$95.00	\$80.75
Trial Preparation	General time	10/29/2015	LT		Trial preparation consisting of residential research of Belmont Reserve & Rock Springs Estates and Internal Orange County job log query.	2.08	\$95.00	\$197.98

D = 2.02

Person Subtotal 9.827 \$883.57

Martin Engelmann	Work Session	General time	06/17/2014	Martin Engelmann	Correspondence with Pagliaro containing a copy of an appraisal previously performed on the property; review Executive Summary.	0.25	\$355.00	\$88.75
	Work Session	General time	06/17/2014	Martin Engelmann	Work session with Pagliaro containing details of the subject property; review Executive Summary.	0.25	\$355.00	\$88.75
	Inspection	General time	06/24/2014	Martin Engelmann	Inspection of the subject property and surrounding market area with Pagliaro, along with preliminary land sales.	6	\$355.00	\$2,130.00
	Work Session	General time	10/03/2014	Martin Engelmann	Work session with Brigham regarding data (comparable sales; Kelly Park Crossing; Palmer DRI) and Highest & Best Use of property.	0.5	\$355.00	\$177.50
	Work Session	General time	10/03/2014	Martin Engelmann	Work session with Kane, Pagliaro, and Fabian regarding the various case issues and instruction moving forward.	0.5	\$355.00	\$177.50
	Work Session	General time	10/21/2014	Martin Engelmann	Work session with Fabian, Kane, Worley, and Pagliaro regarding status of case.	0.167	\$355.00	\$59.29
	Work Session	General time	01/16/2015	Martin Engelmann	Work session with Kane regarding Andrew Brigham requesting expert work sessions for January 20, 2015.	0.083	\$355.00	\$29.47
	Correspondence	General time	01/19/2015	Martin Engelmann	Correspondence with Brigham and work session with Kane regarding scheduling a phone conference and calendar for January 28, 2015.	0.167	\$355.00	\$59.29
	Correspondence	General time	04/23/2015	Martin Engelmann	Correspondence with Counsel regarding planning report from Sue Murphy.	0.125	\$355.00	\$44.38
	Work Session	General time	04/23/2015	Martin Engelmann	Work session with George Kane regarding due dates.	0.125	\$355.00	\$44.38
	Correspondence	General time	04/23/2015	Martin Engelmann	Correspondence with Counsel regarding appraisal exchange date; work session with George Kane.	0.83	\$355.00	\$294.65
	Correspondence	General time	04/23/2015	Martin Engelmann	Correspondence with Counsel regarding	0.125	\$355.00	\$44.38

A- 9.102

R = 1
A = 6,875

	Time	Date	Engelmann	Engelmann			
				prior appraisal report from Hayward Cantrell.			
Fabian	General time	04/28/2015	Martin Engelmann	Correspondence with Counsel's assistant regarding expert reports.		\$355.00	\$355.00
Correspondence	General time	05/28/2015	Martin Engelmann	Correspondence with Kane, Fablan, Wortoy, and Pagliaro regarding Kane's review of Cantrell's Chapman information and Kane's review of FDOTs subject property appraisal, along with direction for land sales research, planning information needed, and analysis	0.125	\$355.00	\$44.38
Correspondence	General time	05/28/2015	Martin Engelmann	Correspondence with Kane regarding comps for report.	0.125	\$355.00	\$44.38
Sales Research	General time	05/28/2015	Martin Engelmann	Review of new sales data, aerial map from Kane for additional discussion on research and highest and best use.	0.5	\$355.00	\$177.50
Correspondence	General time	05/29/2015	Martin Engelmann	Correspondence with Andrew Brigham regarding expert witness list.	0.125	\$355.00	\$44.38
Work Session	General time	06/02/2015	Martin Engelmann	Work session with George Kane regarding Chris Kirschner of BDG Architects and site development costs.	0.125	\$355.00	\$44.38
Work Session	General time	06/04/2015	Martin Engelmann	Work session with Counsel regarding Hayward Cantrell's upcoming deposition; scope of project, etc..	0.5	\$355.00	\$177.50
Work Session	General time	06/05/2015	Martin Engelmann	Work session with George Kane, John Fablan, Steve Pagliaro and Chris Worley regarding trend analysis research for annexation, building permits, absorption, and pricing.	0.75	\$355.00	\$268.25
Correspondence	General time	06/11/2015	Martin Engelmann	Correspondence with John Fablan regarding subject's date of deposit.	0.125	\$355.00	\$44.38
Correspondence	General time	06/12/2015	Martin Engelmann	Correspondence with Engineer regarding status of draft reports.	0.125	\$355.00	\$44.38
Work Session	General time	06/12/2015	Martin Engelmann	Work session with George Kane and John Fablan.	0.25	\$355.00	\$88.75
Correspondence	General time	06/16/2015	Martin Engelmann	Correspondence with George Kane regarding all permitted DRIs in the market area.	0.25	\$355.00	\$88.75
Work Session	General time	06/19/2015	Martin Engelmann	Work sessions with George Kane and John Fablan.	0.75	\$355.00	\$268.25
Work Session	General time	06/25/2015	Martin Engelmann	Multiple work sessions with John Fablan; review of comparable sales, array, and review of preliminary analysis; inspection of partial list of land comps.	2.5	\$355.00	\$887.50
Correspondence	General time	06/26/2015	Martin Engelmann	Correspondence with Counsel regarding sale verification of Leon property in Ocala, FL.	0.125	\$355.00	\$44.38
Correspondence	General time	06/27/2015	Martin Engelmann	Multiple correspondences with John Fablan and Andrew Brigham, Esquire.	0.5	\$355.00	\$177.50

M = .125 A = 5.875 R = 4.50 D = 1.75 T = .50

Correspondence	General time	06/28/2015	Martin Engelmann	Correspondence with Counselor's assistant regarding conference call scheduled for 7/28/15.	0.125	\$355.00	\$44.38
Correspondence	General time	06/28/2015	Martin Engelmann	Multiple correspondences with John Fabian.	0.5	\$355.00	\$177.50
Work Session	General time	07/01/2015	Martin Engelmann	Work session with Andrew Brigham, Esquire and John Fabian.	0.25	\$355.00	\$88.75
Work Session	General time	07/02/2015	Martin Engelmann	Work sessions with Andrew Brigham, Steve Paglano and John Fabian to discuss draft report, comparable sales, etc.; review edits.	3	\$355.00	\$1,065.00
Work Session	General time	07/07/2015	Martin Engelmann	Multiple work sessions with John Fabian; read draft report; database research.	2	\$355.00	\$710.00
Rebuttal	General time	07/14/2015	Martin Engelmann	Correspondence with Counselor's assistant regarding due date of rebuttal reports; work sessions with Fabian and Kane regarding assemblage.	0.5	\$355.00	\$177.50
Rebuttal	General time	07/27/2015	Martin Engelmann	Review rebuttal report; multiple work sessions with John Fabian.	1.5	\$355.00	\$532.50
Rebuttal	General time	07/28/2015	Martin Engelmann	Correspondence with Counselor's assistant regarding our rebuttal letter; correspondence with Counsel regarding his review of our rebuttal report.	0.25	\$355.00	\$88.75
Correspondence	General time	07/28/2015	Martin Engelmann	Correspondence with Counselor's assistant regarding mediation scheduled for August 14, 2015.	0.125	\$355.00	\$44.38
Trial Preparation	General time	08/19/2015	Martin Engelmann	Correspondence with Counselor's assistant regarding pertinent dates for Kelly trial; work sessions with Kane and Black.	0.5	\$355.00	\$177.50
Deposition Preparation	General time	08/25/2015	Martin Engelmann	Various correspondences with Counselor's assistant regarding scheduling dates for deposition.	0.5	\$355.00	\$177.50
Deposition Preparation	General time	08/25/2015	Martin Engelmann	Correspondence with Counsel regarding documents exchanged prior to my deposition on 8/10/15.	0.125	\$355.00	\$44.38
Deposition Preparation	General time	08/31/2015	Martin Engelmann	Work session with Counselor's assistant regarding deposition date; work session with Joan Black, George Kane and John Fabian.	1	\$355.00	\$355.00
Rebuttal	General time	09/01/2015	Martin Engelmann	Correspondence with Counselor's assistant regarding Carpenter's rebuttal report.	0.125	\$355.00	\$44.38
Rebuttal	General time	09/01/2015	Martin Engelmann	Correspondence with John Fabian in my office regarding any rebuttal documents from Carpenter on our appraisal.	0.125	\$355.00	\$44.38
Deposition Preparation	General time	09/03/2015	Martin Engelmann	Correspondence with Counsel regarding Notice of Deposition Duces Tecum for my deposition on 9/10/15.	0.125	\$355.00	\$44.38
Rebuttal	General time	09/03/2015	Martin Engelmann	Multiple work sessions with John	2	\$355.00	\$710.00

D = 44.50

	time		Engelmann	Fabian, Steve Pagliaro and Joan Black, read Carpenter's rebuttal report.			
Work Session <i>Depo Prep</i>	General time	09/04/2015	Martin Engelmann	Numerous work sessions with Laura Taylor, Steve Pagliaro, and John Fabian.	1	\$355.00	\$355.00
Deposition Preparation	General time	09/05/2015	Martin Engelmann	Work session with Fabian, Kane and Pagliaro regarding deposition.	6.25	\$355.00	\$2,218.75
Deposition Preparation	General time	09/06/2015	Martin Engelmann	Deposition preparation consisting of multiple work sessions with Kane, Fabian, and Pagliaro on our appraisal; direction on exhibits needed; individual tasks regarding the Wekiva Pkwy project, timeline, and City of Apopka annexations; and Kelly Park Road.	7	\$355.00	\$2,485.00
Deposition Preparation	General time	09/07/2015	Martin Engelmann	Correspondence with Counsel regarding new contract on land across Kelly Park Road. Deposition preparation consisting of correspondence with Kane and Brigham regarding defendant's motion in limine to exclude evidence or testimony; review correspondence and motion.	3	\$355.00	\$1,065.00
Deposition Preparation	General time	09/08/2015	Martin Engelmann	Deposition preparation consisting of various work sessions with Fabian regarding tasks and timeline; correspondence with Kane consisting of setting up phone conference with Kelly Park Crossings DRI project team.	0.25	\$355.00	\$88.75
Deposition Preparation	General time	09/08/2015	Martin Engelmann	Reconfirmation of the primary land sales with Steve Pagliaro.	5.25	\$355.00	\$1,863.75
Deposition Preparation	General time	09/08/2015	Martin Engelmann	Correspondence with Counsel regarding verification with project manager for Kelly Park Crossing DRI.	0.125	\$355.00	\$44.38
Deposition Preparation	General time	09/09/2015	Martin Engelmann	Correspondence with Counsel's assistant regarding contact information for Bill Kelly.	0.25	\$355.00	\$88.75
Deposition Preparation	General time	09/09/2015	Martin Engelmann	Correspondence with Counsel's assistant regarding rebuttal reports from Petitioner's experts.	0.125	\$355.00	\$44.38
Deposition Preparation	General time	09/09/2015	Martin Engelmann	Work session with Bill Kelly.	0.125	\$355.00	\$44.38
Rebuttal <i>Depo Prep</i>	General time	09/09/2015	Martin Engelmann	Continued deposition preparation; multiple work sessions with George Kane, Steve Pagliaro and John Fabian; work session with Andrew Brigham, Esquire.	9	\$355.00	\$3,195.00
Deposition	General time	09/10/2015	Martin Engelmann	Finalize deposition preparation; attend deposition per subpoena at law offices of Shults & Bowen in Tampa; verification of Home contract with Bob Pack; verification of Kelly Park DRI status.	12	\$355.00	\$4,260.00
Deposition	General time	09/11/2015	Martin Engelmann	Correspondence with Counsel with regard to documents brought to my	0.125	\$355.00	\$44.38

D = .125

R = 25.625

Hearing = 21.375

deposition.							
Deposition	General time	09/15/2015	Martin Engelmann	Correspondence with Counsel regarding files brought to deposition.	0.125	\$355.00	\$44.38
Hearing Preparation	General time	09/18/2015	Martin Engelmann	Conference with Andrew Brigham regarding scope of project.	1	\$355.00	\$355.00
Hearing Preparation	General time	09/22/2015	Martin Engelmann	Correspondence with Counsel's assistant regarding defendant's exhibits for trial.	0.125	\$355.00	\$44.38
Hearing Preparation	General time	09/22/2015	Martin Engelmann	Correspondence with Counsel's assistant regarding petitioner's exhibits for trial.	0.125	\$355.00	\$44.38
Hearing Preparation	General time	09/23/2015	Martin Engelmann	Work session with John Fabian, Steve Pagliaro and George Kane; work session with Andrew Brigham; preparation of outline.	7	\$355.00	\$2,485.00
Hearing Preparation	General time	09/23/2015	Martin Engelmann	Correspondence with George Kane regarding exact dates of trial.	0.125	\$355.00	\$44.38
Hearing Preparation	General time	09/23/2015	Martin Engelmann	Correspondence from Counsel's assistant regarding appraisals prepared by Walter Carpenter; work session with TRAS staff regarding preparing trial exhibits notebook(s).	2	\$355.00	\$710.00
Hearing Testimony	General time	09/24/2015	Martin Engelmann	Orlando all day. Attend emergency hearing.	11	\$355.00	\$3,905.00
Trial Preparation	General time	10/08/2015	Martin Engelmann	Conference with Andrew Brigham, Esquire.	0.25	\$355.00	\$88.75
Trial Preparation	General time	10/12/2015	Martin Engelmann	Correspondence with Counsel's assistant regarding trial preparation with Counsel.	0.125	\$355.00	\$44.38
Trial Preparation	General time	10/14/2015	Martin Engelmann	Correspondence with Counsel's assistant regarding subpoena for trial; re-inspection of subject property and market area.	1	\$355.00	\$355.00
Trial Preparation	General time	10/17/2015	Martin Engelmann	Correspondence from Counsel regarding deposition transcripts of Ellen Hardgrove and Bob Peck.	0.125	\$355.00	\$44.38
Trial Preparation	General time	10/19/2015	Martin Engelmann	Correspondence from Counsel's assistant regarding Home transaction.	0.125	\$355.00	\$44.38
Trial Preparation	General time	10/20/2015	Martin Engelmann	Work session with George Kane, Steve Pagliaro and John Fabian; work session with Ken Fleming @ Brigham office; begin process of MCE's confirmation of comparable land sales; begin process of re-confirming TRAS land sales.	1.5	\$355.00	\$532.50
Trial Preparation	General time	10/21/2015	Martin Engelmann	Further verification process; trial exhibit review.	1.5	\$355.00	\$532.50
Trial Preparation	General time	10/22/2015	Martin Engelmann	Trial preparation.	4	\$355.00	\$1,420.00
Trial Preparation	General time	10/23/2015	Martin Engelmann	Trial preparation with Andrew Brigham.	17	\$355.00	\$6,035.00

T = 89,625

Trial Preparation	General time	10/24/2015	Martin Engelmann	Trial preparation.	8	\$355.00	\$2,840.00
Trial Preparation	General time	10/25/2015	Martin Engelmann	Trial preparation.	8	\$355.00	\$2,840.00
Trial	General time	10/26/2015	Martin Engelmann	Trial preparation.	7	\$355.00	\$2,485.00
Trial	General time	10/27/2015	Martin Engelmann	Trial preparation.	8	\$355.00	\$2,840.00
Trial	General time	10/28/2015	Martin Engelmann	Trial; work session with Sue Murphy and Reggie Mesmer.	8	\$355.00	\$2,840.00
Trial	General time	10/29/2015	Martin Engelmann	Trial. Reinspect property with Sue Murphy and Reggie Mesmer.	7	\$355.00	\$2,485.00
Trial	General time	10/30/2015	Martin Engelmann	Trial; in Orlando.	12	\$355.00	\$4,260.00
Trial	General time	11/01/2015	Martin Engelmann	Trial preparation.	10	\$355.00	\$3,550.00
Trial	General time	11/02/2015	Martin Engelmann	Attend and testify in trial.	14	\$355.00	\$4,970.00
Trial	General time	11/03/2015	Martin Engelmann	Attend and testify in trial.	7	\$355.00	\$2,485.00
Correspondence	General time	11/16/2015	Martin Engelmann	Correspondence with counsel regarding trial testimony.	0.125	\$355.00	\$44.38
Work Session	General time	11/17/2015	Martin Engelmann	Work session with Steve Pagliaro	0.25	\$355.00	\$88.75
Work Session	General time	01/08/2018	Martin Engelmann	Work session with Andrew Brigham.	0.25	\$355.00	\$88.75

Person Subtotal 210.987 ✓ \$74,903.94

Stephen Pagliaro

Correspondence	General time	01/15/2014	SMP_2015	Correspondence with counsel's office regarding the Wekiva Parkway takings, including subject property information, project aerial, deeds, etc. Copy for file.	0.5	\$155.00	\$77.50
Subject Property Research	General time	02/15/2014	SMP_2015	Review data sent from the client. Start subject property research.	3.5	\$155.00	\$542.50
Subject Property Research	General time	02/28/2014	SMP_2015	Subject property research and research the Wekiva Parkway Extension project. <i>1/4 to J. Stutz</i>	2.5	\$155.00	\$387.50 *
Market Area Research	General time	03/18/2014	SMP_2015	Research of the surrounding ownership specifically the Project Orlando, LLC acquisitions.	2.25	\$155.00	\$348.75
Market Area Research	General time	03/19/2014	SMP_2015	Further research of the Project Orlando, LLC ownership and affiliate companies acquisitions.	2.25	\$155.00	\$348.75
Market Area Research	General time	03/24/2014	SMP_2015	Continued research of the Wekiva Parkway Extension Project.	2.5	\$155.00	\$387.50 *
Inspection	General time	04/17/2014	SMP_2015	Initial inspection of the subject property and surrounding market area. Attending the inspection was Brigham, Hulson, Fleming, Murphy, and the property	4	\$155.00	\$620.00

A = 17.50

A = 23,834

owner William Kelly.

Market Area Research	General time	04/18/2014	SMP_2015	Sales and market area research. Continue research of the Orlando Projects land purchases.	2.5	\$155.00	\$387.50
Market Area Research	General time	04/22/2014	SMP_2015	Sales and market area research. Continue research of the Orlando Projects land purchases.	2.5	\$155.00	\$387.50
Correspondence	General time	04/24/2014	SMP_2015	Correspondence with counsel's office regarding the Carpenter's January 2014 report of the subject property.	0.25	\$155.00	\$38.75
Market Area Research	General time	04/25/2014	SMP_2015	Research of the surrounding subdivisions and commercial developments.	2.25	\$155.00	\$348.75
Market Area Research	General time	04/28/2014	SMP_2015	Research of the surrounding subdivisions and commercial developments.	1.25	\$155.00	\$193.75
Market Area Research	General time	05/05/2014	SMP_2015	Research of the surrounding subdivisions and commercial developments.	1.25	\$155.00	\$193.75 *
Market Area Research	General time	05/09/2014	SMP_2015	Initial research of interchange locations for possible study.	1.25	\$155.00	\$193.75
Correspondence	General time	05/17/2014	SMP_2015	Correspondence with counsel's office regarding information consisting of a copy of an appraisal previously performed on the subject property and other subject property data; send information to Engelmann for his review.	0.75	\$155.00	\$116.25
Executive Summary	General time	06/17/2014	SMP_2015	Prepare executive summary document for Engelmann's review.	1.75	\$155.00	\$271.25
Inspection	General time	08/24/2014	SMP_2015	Re-inspection of the subject property and surrounding market area with Engelmann.	4.5	\$155.00	\$697.50
Work Session	General time	10/03/2014	SMP_2015	Work session with Engelmann, Fabian, and Kane regarding case issues and research still needed.	0.5	\$155.00	\$77.50
Sales Research	General time	10/03/2014	SMP_2015	Online sales and market area research. Additional research of the Wekiva Parkway Extension project. 1/2 h C.S.	2	\$155.00	\$310.00 *
Sales Research	General time	10/07/2014	SMP_2015	Review file and outline the sales research to date and additional research needed. Identify the subdivisions within the market area.	2.5	\$155.00	\$387.50
Work Session	General time	10/21/2014	SMP_2015	Work session with Engelmann, Kane, Worley, and Fabian regarding status of case, project overview, and continued research.	0.167	\$155.00	\$25.89
Work Session	General time	10/28/2014	SMP_2015	Direction to Taylor to conduct online research on possible land sale comparables and to write up in database.	0.167	\$155.00	\$25.89
Work Session	General	01/28/2015	SMP_2015	Work session with Brigham, Huston,	0.25	\$155.00	\$38.75

A = 47,159

	Time			Kano, and Fabian regarding status of case.			
Other Expert Report Review	General time	04/23/2015	SMP_2015	Correspondence with Engelmann and Kane regarding reports of an adjacent property; correspondence with counsel's office regarding important dates regarding report exchange.	1.5	\$155.00	\$232.50
Work Session	General time	04/28/2015	SMP_2015	Correspondence with Counsel's assistant regarding expert reports. Work session with MCE and litigation team regarding sales used in the Expressway authority's appraisal of the subject.	0.125	\$155.00	\$19.38
Sales Research	General time	04/30/2015	SMP_2015	Area subdivision research. Download Stipulated Order of Taking for the file.	0.91	\$155.00	\$141.05
Sales Research	General time	05/01/2015	SMP_2015	Sales and market area research	0.822	\$155.00	\$127.41
Executive Summary	General time	05/06/2015	SMP_2015	Initial work book set up, edits to executive summary document, land sales research	6.921	\$155.00	\$1,072.76
Executive Summary	General time	05/07/2015	SMP_2015	Edits to the executive summary	2.551	\$155.00	\$395.41
Executive Summary	General time	05/08/2015	SMP_2015	Edits to executive summary	2.551	\$155.00	\$395.41
Market Area Research	General time	05/08/2015	SMP_2015	Research of a number of subdivisions and commercial developments within the subject market	3.455	\$155.00	\$535.53
Work Session	General time	05/11/2015	SMP_2015	Work session with MCE, JRF, GWK and CW regarding the case and updated schedule and the assignment of tasks.	0.35	\$155.00	\$54.25
Executive Summary	General time	05/11/2015	SMP_2015	Start work book and executive summary	5.788	\$155.00	\$889.73
Work Session	General time	05/13/2015	SMP_2015	Prepare inspection package for Engelmann. Further edits to the work book and executive summary.	1.85	\$155.00	\$285.75
Executive Summary	General time	05/13/2015	SMP_2015	Edits to the work book and executive summary.	2.986	\$155.00	\$462.83
Market Area Research	General time	06/14/2015	SMP_2015	Further research of the surrounding subdivisions in preparation for the draft of subdivision info for file.	3.355	\$155.00	\$520.03
Executive Summary	General time	05/15/2015	SMP_2015	Further edits to the work book and executive summary.	3.18	\$155.00	\$489.80
Work Session	General time	05/22/2015	SMP_2015	Edits to the workbook and summary. Work session with JRF and GWK regarding direction of sales research.	5.733	\$155.00	\$888.62
Sales Research	General time	05/22/2015	SMP_2015	Work session with JRF and GWK regarding the case and direction of the sales research.	0.749	\$155.00	\$116.10
Sales Research	General time	05/25/2015	SMP_2015	Work session with JRF, continue with sales and market research. Further research of interchange locations.	4.375	\$155.00	\$678.13

1/2 to I.S.

A = 38,114

Sales Research	General time	05/26/2015	SMP_2015	Continue with market area and sales research with focus on interchange locations. Identify area subdivisions and commercial development.	3.458	\$155.00	\$535.68
Sales Research	General time	05/28/2015	SMP_2015	Continue with land sales research of interchange locations.	3	\$155.00	\$465.00
Work Session	General time	05/29/2015	SMP_2015	Edits to workbook and summary. Review land sales from GWK. Work session with MCE, JRF and GWK regarding case.	2.378	\$155.00	\$368.28
Work Session	General time	06/02/2015	SMP_2015	Work session with MCE, JRF, GWK and CW regarding the case, status of the draft and the assignment of tasks.	0.45	\$155.00	\$69.75
Sales Research	General time	06/04/2015	SMP_2015	Interchange land sales research	2.768	\$155.00	\$429.04
Market Area Research	General time	06/05/2015	SMP_2015	Interchange Study research; identify the DRI's in the area and detail; residential market survey of rooftops from 2007 and present. Create exhibits.	1.5	\$155.00	\$232.50
Market Area Research	General time	06/07/2015	SMP_2015	Further identification of DRI and Planned Developments; create exhibits for file	3.75	\$155.00	\$581.25
Market Area Research	General time	06/08/2015	SMP_2015	Research of the areas DRI's and Planned Developments.	4.45	\$155.00	\$689.75
Work Session	General time	06/08/2015	SMP_2015	Work session with John Fabian and George Kane regarding sales research.	0.5	\$155.00	\$77.50
Sales Research	General time	06/08/2015	SMP_2015	Land sales research and edits to sales data base information.	1.025	\$155.00	\$158.88
Sales Research	General time	06/09/2015	SMP_2015	Commercial land sales research.	2.5	\$155.00	\$387.50
Sales Research	General time	06/10/2015	SMP_2015	Land sales research. Edits to the data base write up	2.537	\$155.00	\$393.24
Sales Research	General time	06/11/2015	SMP_2015	Wekiva, sales research and edits to the data base information, edits to mapping file	2.902	\$155.00	\$449.81
Sales Research	General time	06/12/2015	SMP_2015	Land sales research and edits to database information, edits to the mapping file. Continued research of the DRI's and PD's in the market area.	1.5	\$155.00	\$232.50
Work Session	General time	06/12/2015	SMP_2015	Work session with John Fabian the sales and market area research and direction moving forward.	0.15	\$155.00	\$23.25
Work Session	General time	06/13/2015	SMP_2015	Work session with John Fabian regarding the sales and edits to the data base information	0.5	\$155.00	\$77.50
Market Area Research	General time	06/14/2015	SMP_2015	Land sales and market area research. Continued research and mapping of the DRI's and PD's within the Beltway area. Edits to the data base information	2	\$155.00	\$310.00
Sales Research	General	06/15/2015	SMP_2015	Wekiva Cases, sales research, DRI and	2.75	\$155.00	\$426.25

A = 3209

	time			PD research, edits to data base information, edit to sales map files.			
Work Session	General time	06/16/2015	SMP_2015	Work session with John Fabian and George Kane, review sales research, DRI and PD research. Work session with John Fabian regarding the planning analysis from Sue Murphy. Review mapping exhibits. Direction on moving forward.	1.5	\$155.00	\$232.50
Sales Research	General time	06/16/2015	SMP_2015	Sales and market research; write up additional sales and add to file. Work session with John Fabian regarding research.	3.86	\$155.00	\$598.30
Market Area Research	General time	06/17/2015	SMP_2015	Initial draft of DRI and PD locations and development for inclusion in the analysis. Sales and market research; Initial draft of DRI and PD locations and development for inclusion in the analysis. Research of the Central Florida Regional Planning Council and the Department of Economic Opportunity's web sites for pertinent data.	2.849	\$155.00	\$441.80
Market Area Research	General time	06/18/2015	SMP_2015	Continue with draft of the developments along the "Beltway". Confirmation of some sales considered for the analysis.	2.55	\$155.00	\$395.25
Market Area Research	General time	06/19/2015	SMP_2015	Continue with draft of the developments along the "Beltway". Continue with the confirmation of some sales considered for the analysis.	1.75	\$155.00	\$271.25
Market Area Research	General time	06/20/2015	SMP_2015	Continue with draft of the developments along the "Beltway". Work session with John Fabian on status of research and direction moving forward.	3	\$155.00	\$465.00
Market Area Research	General time	06/21/2015	SMP_2015	Edits to draft of the developments along the "Beltway". Add additional sites to the GIS mapping file.	2.5	\$155.00	\$387.50
Work Session	General time	06/22/2015	SMP_2015	Map out and label the major intersections; confirm the proposed building sizes of the sales considered for FAR; confirm considered sales	3	\$155.00	\$465.00
Work Session	General time	06/23/2015	SMP_2015	Work session with John Fabian regarding the sales and ongoing confirmations; continue the mapping and labeling of the major intersections to show development patterns; continue with confirmations	3	\$155.00	\$465.00
Work Session	General time	06/24/2015	SMP_2015	Work session with John Fabian regarding the sales and ongoing confirmations; edits to the data base information	3	\$155.00	\$465.00
Work Session	General time	06/25/2015	SMP_2015	Work session with John Fabian regarding new interchange sales information; research the sales and add to file. Start assembling inspection	5.087	\$155.00	\$788.49

App. = 30.755

R. = .25

package for MCE

Work Session	General time	06/26/2015	SMP_2015	Finish inspection package for Marty Engelmann; work session with Andrew Brigham, counsel and John Fabian regarding the analysis. Work sessions with M. Engelmann and John Fabian regarding the sale	3.027	\$155.00	\$469.19	*
Work Session	General time	06/27/2015	SMP_2015	Additional interchange related sales research. Work session with John Fabian regarding the sales; review the draft analysis prior to sending to counsel	4.55	\$155.00	\$705.25	
Market Area Research	General time	06/28/2015	SMP_2015	Research of the Bellway/interchanges sale and the development time line.	2.45	\$155.00	\$379.75	*
Sales Research	General time	07/01/2015	SMP_2015	Work session with Fabian regarding sales research; Calls to brokers for verification and confirmation of the data. Further research of the development trends around the beltway interchanges.	5.125	\$155.00	\$794.38	*
							3/4 to I.S.	
Work Session	General time	07/02/2015	SMP_2015	Work session with Kane regarding development trends within the subjects trade area and other trade areas in and around the beltway. Prep for and attend work session with Andrew Brigham, counsel Marty Engelmann and John Fabian regarding case.	2.5	\$155.00	\$387.50	*
Market Area Research	General time	07/03/2015	SMP_2015	Review file to date; further research of the order of sales and the timing of development for an interchange study.	4.5	\$155.00	\$697.50	*
Appraisal Analysis and Report Writing	General time	07/06/2015	SMP_2015	Review and edit of the draft report.	1	\$155.00	\$155.00	
Rebuttal	General time	07/06/2015	SMP_2015	Confirmation of several land sales with Daryl Carter, prominent broker familiar with the transactions	0.75	\$155.00	\$116.25	
Work Session	General time	07/06/2015	SMP_2015	Work session with John Fabian regarding the beltway interchange developments; topography and any possible development constraints; review of the draft;	2.353	\$155.00	\$364.72	*
							3/4 to I.S.	
Appraisal Analysis and Report Writing	General time	07/07/2015	SMP_2015	Review and edit of the draft report.	1.25	\$155.00	\$193.75	
Work Session	General time	07/07/2015	SMP_2015	Work session with John Fabian regarding the draft and the interchange development analysis. Work session with Engelmann and Kane regarding appraisals and sales of properties with extraordinary development issues.	3.25	\$155.00	\$503.75	*
							3/4 to I.S.	
Work Session	General time	07/14/2015	SMP_2015	Rebuttal report preparation consisting of various work sessions and correspondence with Fabian and Kane regarding report and exchange date	0.25	\$155.00	\$38.75	
							Rebuttal	

R = 31,066

D = 28.00

Rebuttal	General time	07/15/2015	SMP_2015	Work session with Fabian on rebuttal analysis regarding sales and highest and best use, Edlt to rebuttal document	3.5	\$155.00	\$542.50
Rebuttal	General time	07/15/2015	SMP_2015	Review and summarize Carpenter report for the file.	4.411	\$155.00	\$683.71
Rebuttal	General time	07/16/2015	SMP_2015	Rebuttal report preparation consisting of review of other Woklva Parkway parcels and review appraisal report of the Chapman Nursery.	3.174	\$155.00	\$491.97
Rebuttal	General time	07/16/2015	SMP_2015	Rebuttal report preparation consisting of adding summary of Carpenter report to workbook along with exhibits..	2.45	\$155.00	\$379.75
Rebuttal	General time	07/16/2015	SMP_2015	Rebuttal report preparation consisting of continued research of Carpenter's land sales and market area data.	3	\$155.00	\$465.00
Rebuttal	General time	07/18/2015	SMP_2015	Continue with the draft rebuttal report	5.03	\$155.00	\$779.65
Rebuttal	General time	07/19/2015	SMP_2015	Further edits to rebuttal report of Walter Carpenters appraisal report of the subject.	7.001	\$155.00	\$1,085.16
Work Session Rebuttal	General time	07/23/2015	SMP_2015	Work session with Andrew Brigham, counsel regarding case. Correspondence with George Kane and John Fabian regarding same.	0.75	\$155.00	\$116.25
Rebuttal	General time	07/23/2015	SMP_2015	Review and edits to the rebuttal document of Walter Carpenters, November 2013 appraisal report of the subject. Correspondence with George Kane and John Fabian regarding same	1.75	\$155.00	\$271.25
Deposition Preparation	General time	08/26/2015	SMP_2015	Start review of the file in response to subpoena to produce file	5.25	\$155.00	\$813.75
Deposition Preparation	General time	08/28/2015	SMP_2015	Further review of the file in response to subpoena. Prepare electronic file to be sent to client.	5.75	\$155.00	\$891.25
Deposition Preparation	General time	09/03/2015	SMP_2015	Work sessions with George Kane and John Fabian regarding subpoena	0.25	\$155.00	\$38.75
Deposition Preparation	General time	09/04/2015	SMP_2015	Work sessions with Marty Engelmann and George Kane regarding the preparation of an outline regarding the market forces affecting the subject; start initial edit of the outline	4.25	\$155.00	\$658.75
Deposition Preparation	General time	09/05/2015	SMP_2015	Work sessions with Marty Engelmann, John Fabian and George Kane regarding the upcoming deposition, continue edit of the outline	5.25	\$155.00	\$808.75
Deposition Preparation	General time	09/07/2015	SMP_2015	Edit of the outline regarding the market forces affecting the subject property; the development of the beltway and the commercial development in and around the major interchanges along the beltway	6.25	\$155.00	\$968.75

H = 14.95

T = 14.905

D = 16.10

Deposition Preparation	General time	09/08/2015	SMP_2015	Outline the development of the beltway and the time line of the beltway segment opening dates; reconfirmation of the primary land sales with Marty Engelmann	5.25	\$155.00	\$819.75
Deposition Preparation	General time	09/09/2015	SMP_2015	Edits to beltway time line and segment opening dates; further reconfirmation of the primary land sales with Marty Engelmann; work session with Engelmann, Fabian and Kane regarding status of assignments	6.75	\$155.00	\$1,046.25
Deposition Preparation	General time	09/10/2015	SMP_2015	Continue with the reconfirmation of the primary land sales with Marty Engelmann; create historical interchange aerials for file; edit to time line document for file; label all files in preparation for deposition	4.1	\$155.00	\$635.50
Trial Preparation	General time	09/12/2015	SMP_2015	Re-inspection of considered sales and subject property; re-inspection of Carpenter sales	3.1	\$155.00	\$480.50
Trial Preparation	General time	09/15/2015	SMP_2015	Trial preparation consisting of the labeling of all ground level photographs; work session with Brigham, Engelmann, Fabian and Kane regarding discovery and exhibits; work session with Engelmann, Fabian and Kane regarding additional tasks	1.255	\$155.00	\$194.53
<i>Hearing</i> Trial Preparation	General time	09/18/2015	SMP_2015	Work session with Brigham, Engelmann, Fabian and Kane regarding trial prep and upcoming meeting with Judge.	0.25	\$155.00	\$38.75
Trial Preparation	General time	09/22/2015	SMP_2015	Trial preparation for Engelmann regarding review of previous appraisals completed along both the Eastern and Western Beltway and detail for file	4.55	\$155.00	\$705.25
<i>Hearing</i> Trial Preparation	General time	09/23/2015	SMP_2015	Trial preparation for Engelmann regarding review of previous appraisals completed along the Western Beltway specifically Fountains West and Stonybrook West and detail for file	4.45	\$155.00	\$688.75
<i>Hearing</i> Trial Preparation	General time	09/23/2015	SMP_2015	Trial prep work session with Engelmann and Fabian regarding upcoming hearing; regarding the contents organization of file	4.75	\$155.00	\$736.25
<i>Hearing</i> Trial Preparation	General time	09/25/2015	SMP_2015	Review file and notes from hearing, organize file for Engelmann review	3.75	\$155.00	\$581.25
<i>Hearing</i> Trial Preparation	General time	09/27/2015	SMP_2015	Start outline for Engelmann's cross if second hearing is ordered.	1.75	\$155.00	\$271.25
Trial Preparation	General time	09/29/2015	SMP_2015	Review of Engelmann September 10, 2015 deposition and outline possible questions for trial preparation	3.75	\$155.00	\$581.25
Trial Preparation	General time	10/07/2015	SMP_2015	Work session with Hayward Cantrell regarding the commercial developments along the Western Beltway. Review material sent from Sarah Pinkpank	2.25	\$155.00	\$348.75

T= 40.23

Trial Preparation	General time	10/08/2015	SMP_2015	review information regarding the commercial developments along the Western Beltway; work session with Cantrell regarding same	6.25	\$155.00	\$968.75
Trial Preparation	General time	10/09/2015	SMP_2015	Work session with Sarah Pinkepank regarding commercial developments along the beltway	2.25	\$155.00	\$348.75
Trial Preparation	General time	10/10/2015	SMP_2015	Review file and prepare for re inspection of the subject and sales	2.25	\$155.00	\$348.75
Trial Preparation	General time	10/12/2015	SMP_2015	Work session with Engelmann regarding file and exhibits	1.25	\$155.00	\$193.75
Trial Preparation	General time	10/14/2015	SMP_2015	Re inspection of the subject and the surrounding market area; re inspection of Carpenter sales	1	\$155.00	\$155.00
Trial Preparation	General time	10/18/2015	SMP_2015	Work sessions with Engelmann and Fabian regarding case; create exhibit of Flamingo Crossings showing the land available for retail/hotel development.	1.25	\$155.00	\$193.75
Trial Preparation	General time	10/19/2015	SMP_2015	Trial preparation work sessions with Engelmann, Fabian and Kane. Map out distances between the interchanges along the beltway. Reconfirmation of the sales along Rock Springs Road with Engelmann.	5.48	\$155.00	\$848.40
Trial Preparation	General time	10/20/2015	SMP_2015	Trial preparation work sessions with Engelmann, Fabian and Kane. Further research and verification of the Florida Hospital Winter Gardens sale; calls to a number of engineers for cost data	4.5	\$155.00	\$697.50
Trial Preparation	General time	10/21/2015	SMP_2015	Trial preparation work sessions with Engelmann, Fabian and Kane. Create separate detail sheets on all sales used in the report as well as the sales used in Carpenter's report	5.5	\$155.00	\$852.50
Trial Preparation	General time	10/22/2015	SMP_2015	Trial preparation work sessions with Engelmann, Fabian and Kane. Review prior appraisals along the Western Beltway for additional sales data and contact information for reconfirmations with principals involved in the transactions and detail for Engelmann	4.5	\$155.00	\$697.50
Trial Preparation	General time	10/23/2015	SMP_2015	Trial preparation consisting of work sessions with Engelmann regarding the original contract for Winter Garden Village; pull property appraiser data for pond site; calls to engineers for cost data for the relocation	2.55	\$155.00	\$395.25
Trial Preparation	General time	10/24/2015	SMP_2015	Trial preparation consisting of work sessions with Engelmann regarding the Family Dollar and O'Reilly land sales along Rock Springs Road; review corporate data for additional contact information; calls to the principals of the transactions	3.45	\$155.00	\$534.75

T = 32.86

Trial Preparation time	General time	10/25/2015	SMP_2015	Trial preparation consisting of work session with Engelmann regarding the sales	2.55	\$155.00	\$395.25
Trial Preparation time	General time	10/26/2015	SMP_2015	Reconfirmation with Engelmann of Family Dollar and O'Reilly land sales on Rock Springs Road with the seller; enter sales information into database	1.75	\$155.00	\$271.25
Trial Preparation time	General time	10/27/2015	SMP_2015	Trial preparation consisting of work sessions with Engelmann, Fabian and Kane; confirm zoning and land use changes of Carpenter land sales and summarize confirmations for Engelmann's review prior to transmitting to Andrew Brigham	2.75	\$155.00	\$428.25
Trial Preparation time	General time	10/27/2015	SMP_2015	Research of the land sale in the SE/c of Kelly Park Road and Plymouth Sorento Road; call to Sarah Pinkepank at Hayward Cantrell's office for possible contact information	2.75	\$155.00	\$428.25
Trial Preparation time	General time	10/28/2015	SMP_2015	Research of St. Johns River Water Management; District information of Florida Hospital's Winter Garden; review original contract for sale; interview Sean Davis from Sembler on details of the transaction	4.5	\$155.00	\$697.50
Trial	General time	10/29/2015	SMP_2015	Attend trial in Orlando	8	\$155.00	\$1,240.00
Trial Preparation time	General time	10/30/2015	SMP_2015	Research and detail for file the number of parcels and acreage Project Orlando has purchased; instruction to Poulos to locate all the schools in the subject area	2.5	\$155.00	\$387.50
Trial Preparation time	General time	10/30/2015	SMP_2015	Research and detail for file the distances of the various subdivisions within the area to the subject	2.5	\$155.00	\$387.50
Trial Preparation time	General time	10/30/2015	SMP_2015	Research and detail for file the distances for the subject site to the various intersections within the neighborhood and to the nearest interchange; detail the distances to the nearest interchange for Carpenters sales	2.5	\$155.00	\$387.50
Trial Preparation time	General time	11/01/2015	SMP_2015	Review outline for trial; review the Kelly Park DRI Ordinance for the details of the phasing	2.5	\$155.00	\$387.50
Trial Preparation time	General time	11/02/2015	SMP_2015	Further review of trial outline; work session with Engelmann regarding case	0.5	\$155.00	\$77.50

Person Subtotal 367.750 \$57,002.65

Yvette Daniel

Deposition Preparation	General time	08/27/2015	YD	Scanned and electronically filed subpoenaed documents	2.6	\$95.00	\$247.00
Deposition Preparation	General time	08/28/2015	YD	Scanning and electronically filing subpoenaed documents.	0.8	\$95.00	\$76.00
Deposition	General	08/31/2015	YD	Scanning and filing subpoenaed	0.7	\$95.00	\$66.50

4.10

EXHIBIT "D"

ATTORNEY TIME & COST SUMMARY

Case: CFX v. Kelly, et al
 Case No.: 2014-CA-003676-O (Orange County)
 Parcels: 209 & 221

Page 1

DATE	DESCRIPTION	HOURS	ATTORNEY
12/22/15	Prepare: Defendants' Motion to Tax Attorneys' Fees and Costs	.10	APB
04/14/16	Prepare: Order Taxing Attorneys' Fees Per Section 73.092(1), Florida Statutes	1.0	APB
05/09/16	Prepare: Defendants' Second Request for Production	1.0	APB
05/13/16	Prepare: Defendants' Motion for Clarification of Order Taxing Attorneys' Fees Per Section 73.092(1), Florida Statutes	.50	APB
05/13/16	Prepare: Affidavit of Costs Incurred	2.5	APB
06/13/16	Receipt and Review: CFX's Response to Defendants' Second Request for Production to Petitioner	1.0	APB
07/07/16	Review Court's Order on Procedures for Motion to Tax Costs	.50	APB
07/18/16	Review CFX's Response to Defendants' Motion to Tax Attorneys' Fees and Costs and Affidavit of Costs Incurred	.50	APB
08/02/16	Prepare: Defendants' Response to CFX's Response to Defendants' Motion to Tax Attorneys' Fees and Costs and Affidavit of Costs Incurred	1.0	APB
08/18/16	Receipt and Review: Notice of Taking Deposition Duces Tecum: Martin Engelmann	.10	APB
08/25/16	Receipt and Review: Amended Notice of Taking Deposition Duces Tecum (Change of Date and Time)	.10	APB
08/31/16	Receipt and Review: Notice of Mediation	.10	APB
08/31/16	Receipt and Review: Petitioner CFX's Certification of Authority at Mediation	.10	APB
09/16/16	Prepare and Attend: Deposition of Martin Engelmann	8.0	APB
09/21/16	Prepare and Attend: Mediation	6.0	APB
11/07/16	Prepare: Defendants' Compliance with Order on Procedures on Motion to Tax Costs Paragraph C. Setting of the Hearing	1.0	APB
11/15/16	Prepare: Joint Motion for Entry of Partial Stipulated Order as to Costs	1.5	APB
03/29/17	Prepare: Defendants' Memorandum in Support of Motion to Tax Costs per Section 73.091, Florida Statutes (Re: Expert Witness – Martin C. Engelmann, MAI)	6.0	APB
03/29/17	Prepare: Defendants' Memorandum in Support of Motion to Tax Costs per Section 73.091, Florida Statutes (Re: Expert Witness – Martin C. Engelmann, MAI)	6.0	APB

ATTORNEY TIME & COST SUMMARY

Case: CFX v. Kelly, et al
 Case No.: 2014-CA-003676-O (Orange County)
 Parcels: 209 & 221

Page 2

DATE	DESCRIPTION	HOURS	ATTORNEY
03/29/17	Prepare: Defendants' Memorandum in Support of Motion to Tax Costs per Section 73.091, Florida Statutes (Re: Expert Witness – Martin C. Engelmann, MAI)	4.0	BST
03/29/17	Prepare: Notice of Filing Defendants' Hearing Exhibits; Prepare for Cost Hearing	2.0	APB
03/31/17	Receipt and Review: Petitioner, CFX's Notice of Compliance with Order on Procedures on Motion to Tax Costs, Paragraph C	.10	APB
04/03/17	Prepare for Cost Hearing	3.0	APB
04/04/17	Prepare for and Attend Cost Hearing	3.0	APB
04/04/17	Prepare for and Attend Cost Hearing	2.0	BST
04/29/17	Invoice: Orange Legal (attached)	\$237.25	
06/14/17	Prepare: Defendants, William H. Kelly, Et Al.'s Third Request for Production to Petitioner	.50	BST
07/24/17	Receipt and Review: Petitioner's Response to Third Request for Production from Respondents, William H. Kelly, Et Al.	3.0	BST
09/18/17	Prepare Notice of Hearing: Motion to Tax Costs	.10	APB
12/04/17	Prepare Notice of Hearing: Motion to Tax Costs	.10	APB
02/12/18	Prepare Notice of Hearing: Motion to Tax Costs	.10	APB
03/06/18	Receipt and Review: Petitioner's Response in Opposition to Defendants' Memorandum in Support of Motion to Tax Costs Per §73.091, Florida Statutes	.50	APB
03/08/18	Prepare Notice of Filing: Defendants' Memorandum in Support of Motion to Tax Costs Per §73.091, Florida Statutes	.50	BST
03/08/18	Prepare Notice of Filing: Defendants' Hearing Exhibits Notebook 1	.50	BST
03/08/18	Prepare Notice of Filing: Defendants' Hearing Exhibits Notebook 2	.50	BST
03/08/18	Prepare Notice of Filing: FDOT Comparable Hours	.50	BST
03/08/18	Prepare Notice of Filing: Defendants' Summary of Facts and Appraisal Methodology Regarding Scope of the Project Rule	.50	BST

ATTORNEY TIME & COST SUMMARY

Case: CFX v. Kelly, et al
 Case No.: 2014-CA-003676-O (Orange County)
 Parcels: 209 & 221

Page 3

DATE	DESCRIPTION	HOURS	ATTORNEY
03/13/18	Receipt and Review: Petitioner's Notice of Filing: Appraisal by Heyward Cantrell for Chapmans	.10	APB
03/14/18	Prepare for Cost Hearing	2.0	APB
03/15/18	Attend Cost Hearing	2.5	APB
03/15/18	Attend Cost Hearing	2.5	BST
03/19/18	Invoice: Orange Legal (attached)	\$250.00	
01/08/19	Status Conference: Martin C. Engelmann, MAI	1	APB

Andrew P. Brigham	51.4 hours @ \$425/hr.	=	\$21,845.00
Brett S. Tensfeldt	11.5 hours @ \$180/hr.	=	\$2,070.00
<u>Orange Legal</u>	<u>2 Invoices (attached)</u>	=	<u>\$487.25</u>
Total			\$24,402.25



Andrew Prince Brigham, Esquire
 Brigham Property Rights Law Firm
 2963 Dupont Avenue
 Suite 3
 Jacksonville, FL 32217

INVOICE

Invoice No.	Invoice Date	Job No.
413816	4/29/2017	382675
Job Date	Case No.	
4/4/2017		
Case Name		
Central Florida Expressway vs. Kelly Parcels 209 & 221		
Payment Terms		
Net 30 / After 30 days, 1.5% Mo.		

1 CERTIFIED COPY OF TRANSCRIPT OF:

Hearing before the Honorable Underwood; Backorder, Excerpt	55.00 Pages	162.25
Litigation Package - ASCII, Condensed		35.00
E-mail transcript		0.00
Delivery, Process and Archive		40.00
TOTAL DUE >>>		\$237.25

Thank you for your business!

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Pay via EFT: Seacoast National Bank
 Account Number: 81000022 Routing Number: 067005158

If turned over to collections, jurisdiction will be Orange County, Florida, and you agree to pay all collection costs and attorney fees.

Preserving the record is our job, but keeping your documents secure and instantly available is our goal. We require our reporters to take extra steps to ensure your data is kept secure and available when you request it. Due to the cost incurred for these increased measures, we charge a \$20 process and archival fee for all jobs not ordered at the time of the job. Thank you for your understanding.

Tax ID: 59-2754282

Please detach bottom portion and return with payment.

Andrew Prince Brigham, Esquire
 Brigham Property Rights Law Firm
 2963 Dupont Avenue
 Suite 3
 Jacksonville, FL 32217

Job No. : 382675 BU ID : Central FL
 Case No. :
 Case Name : Central Florida Expressway vs. Kelly Parcels 209 & 221
 Invoice No. : 413816 Invoice Date : 4/29/2017
Total Due : \$237.25

Remit To: **Orange Legal, Inc.** 1-800-275-7991
633 East Colonial Drive
Orlando, FL 32803

PAYMENT WITH CREDIT CARD				
Cardholder's Name: _____				
Card Number: _____				
Exp. Date: _____		Phone#: _____		
Billing Address: _____				
Zip: _____		Card Security Code: _____		
Amount to Charge: _____				
Cardholder's Signature: _____				
Email: _____				



Andrew Prince Brigham, Esquire
 Brigham Property Rights Law Firm
 2963 Dupont Avenue
 Suite 3
 Jacksonville, FL 32217

INVOICE

Invoice No.	Invoice Date	Job No.
560281	3/19/2018	458874
Job Date	Case No.	
3/15/2018	2014-CA-003676-O	
Case Name		
Central Florida Expressway Authority vs. Milford Kirkland, Jr., et al.		
Payment Terms		
Net 30 / After 30 days, 1.5% Mo.		

Hearing before the Honorable Renee A. Roche

Appearance Fee - Hearing, First Hour, deferred		100.00
Appearance Fee - each additional hour, deferred	2.00	150.00
Estimated # of Pages	142.00	0.00
TOTAL DUE >>>		\$250.00

Thank you for your business!

To pay online visit www.orangelegal.com/payments

Pay via EFT: Seacoast National Bank
 Account Number: 81000022 Routing Number: 067005158

Payment not contingent on client reimbursement. If turned over to collections, jurisdiction will be Orange County, Florida, and you agree to pay all collection costs and attorney fees.

Tax ID: 59-2754282

Please detach bottom portion and return with payment.

Andrew Prince Brigham, Esquire
 Brigham Property Rights Law Firm
 2963 Dupont Avenue
 Suite 3
 Jacksonville, FL 32217

Job No. : 458874 BU ID : Central FL
 Case No. : 2014-CA-003676-O
 Case Name : Central Florida Expressway Authority vs. Milford Kirkland, Jr., et al.
 Invoice No. : 560281 Invoice Date : 3/19/2018
Total Due : \$250.00

Remit To: **Orange Legal, Inc.** 1-800-275-7991
633 East Colonial Drive
Orlando, FL 32803

PAYMENT WITH CREDIT CARD				
Cardholder's Name: _____				
Card Number: _____				
Exp. Date: _____		Phone#: _____		
Billing Address: _____				
Zip: _____		Card Security Code: _____		
Amount to Charge: _____				
Cardholder's Signature: _____				
Email: _____				

CENTRAL FLORIDA EXPRESSWAY AUTHORITY

MEMORANDUM

TO: Right of Way Committee Members

FROM: Linda S. Brehmer Lanosa, Deputy General Counsel *Linda BL*

DATE: March 18, 2019

RE: Right of Way Transfer Agreement with the City of Apopka
Project 429-604, Irmalee Lane
Location: East of S.R. 429, North of McCormick Road, South of West Keene Road

BACKGROUND

As part of the acquisition and construction of State Road 429, the Central Florida Expressway Authority (“CFX”) acquired property to reestablish access to several abutting properties. The access road is known as Irmalee Lane and is shown in the aerial below.



By letter dated March 12, 2019, the City of Apopka (“the City”) requested a jurisdictional transfer of Irmalee Lane. A copy of the City’s request is attached as **Exhibit “1.”** In return and as consideration, the City will be responsible for the ongoing maintenance and management of Irmalee Lane. It is in the interest of both CFX and the City for local roads to be maintained by the local jurisdiction.

A proposed Right of Way Transfer Agreement (“Agreement”) with the proposed Quit Claim Deed is attached as **Exhibit “2.”** The Agreement requires the City to be responsible for the continuing and future maintenance of Irmalee Lane. CFX’s interest in Irmalee Lane would be conveyed to the City by Quit Claim Deed “as is” subject to a reverter clause in the event the property is no longer used for public right-of-way purposes.

REQUEST

We request the Committee’s recommendation for Board approval of a Right of Way Transfer Agreement with the City of Apopka in a form substantially similar to the Agreement attached as **Exhibit “2,”** subject to confirmation of the legal descriptions and a certificate from CFX’s General Engineering Consultant.

Exhibits

1. City of Apopka’s Request for a Jurisdictional Transfer
2. Proposed Right of Way Transfer Agreement



120 E. Main St. · APOPKA, FLORIDA 32703-5346
PHONE (407) 703-1700

OFFICE OF THE CITY ATTORNEY

March 12, 2019

SENT VIA EMAIL

Ms. Laura Kelley
Executive Director
Central Florida Expressway Authority
4974 ORL Tower Road
Orlando, Florida 32807

**Re: Irma Lee Lane
Request for Jurisdictional Transfer**

Dear Ms. Lanosa:

On behalf of the City of Apopka, I am requesting the consideration of Central Florida Expressway Authority for a jurisdictional transfer of its interests in that real property commonly known as Irma Lee Lane as referenced on the map accompanying this letter. It is understood that said conveyance, if granted, would be subject to confirmation by both parties as to legal descriptions and any other prerequisites of your agency for such a transfer.

The property is part of real property situated in Orange County that was annexed by the City of Apopka on or about October 4, 2017. It is the intent of the City of Apopka that the property, if transferred, would be part of the city's road network and utility right of way. Moreover, the City is committed to the joint interest of your agency and the City of Apopka for local roads to be maintained by the local jurisdiction. Accordingly, it is understood that the City will accept responsibility for the ongoing maintenance and management of Irmalee Lane.

Your consideration for this request is appreciated.

Respectfully submitted,

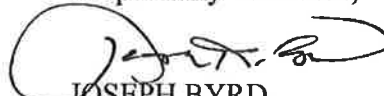

JOSEPH BYRD
City Attorney

EXHIBIT "1"

**REQUEST FOR JURISDICTIONAL TRANSFER
CITY OF APOPKA**

MAP OF IRMALEE LANE



**RIGHT-OF-WAY TRANSFER AGREEMENT BETWEEN
CENTRAL FLORIDA EXPRESSWAY AUTHORITY
AND CITY OF APOPKA, FLORIDA**
(Project 429-604, Irmalee Lane)

THIS RIGHT-OF-WAY TRANSFER AGREEMENT (“Agreement”) is made and entered into on the last date of execution below by and between the CENTRAL FLORIDA EXPRESSWAY AUTHORITY, a body corporate and an agency of the State of Florida, created by Part III of Chapter 348, Florida Statutes, whose address is 4974 ORL Tower Road, Orlando, Florida 32807 (“CFX”) and CITY OF APOPKA, a municipality of the State of Florida, whose address is 120 E. Main Street, Apopka Florida 32703 (“City”). CFX and City are sometimes collectively referred to herein as the “Parties.”

WITNESSETH:

WHEREAS, pursuant to section 348.753, Florida Statutes, CFX is empowered to construct, improve, maintain, and operate the Central Florida Expressway System (“Expressway System”) and, in connection therewith, to construct any extensions, additions or improvements to said system or appurtenant facilities, including all necessary approaches, roads, bridges and avenues of access; and

WHEREAS, pursuant to Section 166.021, Florida Statutes, City is empowered to provide and maintain arterial and other roads for the benefit of its citizens; and

WHEREAS, pursuant to Section 335.0415, Florida Statutes, “public roads may be transferred between jurisdictions . . . by mutual agreement;” and

WHEREAS, Section 163.01, Florida Statutes, authorizes both Parties to this Agreement to enter into Interlocal Agreements; and

WHEREAS, in the course of the construction State Road (S.R.) 429, CFX acquired certain land for the benefit of the local jurisdictions and constructed thereon certain roadways and other improvements to insure a minimal disruption of traffic to the citizens and to provide for a smooth transition to the Expressway System, thus making both the Expressway System and the local road system compatible; and

WHEREAS, the property known as Irmalee Lane was acquired by eminent domain in or around 1998 and, as a result, any conveyance is subject to the requirements of Section 73.013, Florida Statutes; and

WHEREAS, the construction of Project 429-604 is completed, and both Parties desire title to the local road known as Irmalee Lane to vest in City; and

NOW THEREFORE, for and in consideration of the mutual agreements herein and other good and valuable consideration, the receipt, adequacy, and sufficiency of which are hereby expressly acknowledged, CFX and City agree as follows:

1. Recital. The above recitals are true and correct and form a material part of this Agreement and are incorporated herein by reference.
2. Right of Way Map. CFX previously delivered to City the pertinent right-of-way map.
3. CFX Conveyance. CFX shall convey to City by Quit Claim Deed all of its right, title and interest in and to the local road known as Irmalee Lane, more particularly described in **Exhibit "A"** attached hereto and made a part hereof, hereinafter the "Property." The Quit Claim Deed to be executed and delivered under the provisions of this paragraph shall be in a form substantially similar to **Exhibit "B."**
4. Consideration. The consideration for the Property to be transferred to City shall be City's continuing and future obligation to manage and maintain the Property and to provide access to the abutting or otherwise landlocked properties.
5. Evidence of Title. At any time before Closing, City may, at its sole cost and expense, order a commitment from an agent for a policy of Owner's Title Insurance (the "Commitment") which shall be written on a title insurance company reasonably satisfactory and acceptable to City.
6. Survey. Either party shall have the right, at any time before Closing, to have the Property surveyed at its sole cost and expense (the "Survey").
7. Compliance with Section 73.013, Florida Statutes. City acknowledges that the Property was acquired by eminent domain and is subject to the provisions of Section 73.013, Florida Statutes.
8. Closing Date and Location. The closing of the conveyance contemplated under this Agreement (the "Closing") shall be held within twenty (20) of the Effective Date or such earlier date selected by CFX.
9. Conveyance of Title. At the Closing, CFX shall execute and deliver to City the aforementioned Quit Claim Deed.
10. FIRPTA Affidavit. At Closing, CFX shall sign a closing statement and an affidavit that CFX is not a foreign person for purposes of the Foreign Investment in Real Property Tax Act (FIRPTA), as revised by the Deficit Reduction Act of 1984 and as same may be amended from time to time (which certificate shall include CFX's taxpayer identification numbers and address or a withholding certificate from the Internal Revenue Service stating that CFX is exempt from withholding tax on the Purchase Price under FIRPTA) and such other documents as are necessary to complete the transaction.

11. Recording. City agrees to record the aforementioned Quit Claim Deed within thirty (30) days after delivery of the original Deed to City at its cost. City agrees to deliver a certified copy of the recorded Quit Claim Deed to CFX shortly thereafter.

12. Agreement Not Recorded. This Agreement shall not be recorded in the official records of any county in the State of Florida. Notwithstanding the foregoing, the Parties acknowledge that this Agreement is and will remain a public record that will be available for review and inspection by the public.

13. As-Is Conveyance. The Property is being conveyed "AS IS, WHERE IS, WITH ALL FAULTS," in such condition as the same may be on the closing date, without any representations or warranties by the respective owner as to any condition of the Property, including, without limitation, surface and subsurface environmental conditions, whether latent or patent. CFX makes no guarantee, warranty or representation, express or implied, as to the quality, character, or condition of the Property, or any part thereof, or to the fitness of the Property, or any part thereof, for any use or purpose, or any representation as to the nonexistence of any hazardous substances. Neither Party shall have any claim against the other, in law or in equity, based upon the condition of the Property, or the failure of the Property to meet any standards. In no event shall CFX be liable for any incidental, special, exemplary, or consequential damage. In the event that any hazardous substances are discovered on, at or under the Property, City shall not maintain any action or assert any claim against CFX, its successors and respective members, employees and agents arising out of or relating to any such hazardous substances. The provisions of this Section shall survive the Closing. (CFX Manual, Sec. 5-6.09) City has read and understands the provisions of this Section and acknowledges and agrees that except as expressly set forth in this Agreement, it is acquiring the Property described in paragraph 3 and **Exhibit "A" "AS-IS, WHERE IS AND WITH ALL FAULTS"** and that CFX has disclaimed herein any and all warranties, express or implied.

14. Notices. Any notices which may be permitted or required hereunder shall be in writing and shall be deemed to have been duly given as of the date and time the same are personally delivered or within three (3) days after depositing with the United States Postal Service, postage prepaid by registered or certified mail, return receipt requested, or within one (1) day after depositing with Federal Express or other overnight delivery service from which a receipt may be obtained, and addressed as follows:

CFX: CENTRAL FLORIDA
EXPRESSWAY AUTHORITY
4974 ORL Tower Road
Orlando, Florida 32807
Attn: Executive Director
Telephone: (407) 690-5000

With a copy to: CENTRAL FLORIDA
EXPRESSWAY AUTHORITY
4974 ORL Tower Road
Orlando, Florida 32807

Attn: General Counsel
Telephone: (407) 690-5000

CITY: CITY OF APOPKA
120 East Main Street
Apopka, Florida 32703
Attention: Mayor
Telephone: (407) 703-1601

With a copy to: CITY OF APOPKA
120 East Main Street
Apopka, Florida 32703
Attention: City Attorney
Telephone: (407) 703-1658

or to such other address as either party hereto shall from time to time designate to the other party by notice in writing as herein provided.

15. General Provisions. No failure of either party to exercise any power given hereunder or to insist upon strict compliance with any obligation specified herein, and no custom or practice at variance with the terms hereof, shall constitute a waiver of either party's right to demand exact compliance with the terms hereof. This Agreement contains the entire agreement of the Parties hereto, and no representations, inducements, promises or agreements, oral or otherwise, between the Parties not embodied herein shall be of any force or effect. Any amendment to this Agreement shall not be binding upon any of the Parties hereto unless such amendment is in writing and executed by both Parties. Wherever under the terms and provisions of this Agreement the time for performance falls upon a Saturday, Sunday, or Legal Holiday, such time for performance shall be extended to the next business day. This Agreement may be executed in multiple counterparts, each of which shall constitute an original, but all of which taken together shall constitute one and the same agreement. The headings inserted at the beginning of each paragraph of this Agreement are for convenience only, and do not add to or subtract from the meaning of the contents of each paragraph. City and CFX do hereby covenant and agree that such documents as may be legally necessary or otherwise appropriate to carry out the terms of this Agreement shall be executed and delivered by each party at Closing. This Agreement shall be interpreted under the laws of the State of Florida. The Parties hereto agree that the exclusive venue and jurisdiction for any legal action authorized hereunder shall be in the courts of Orange County, Florida. TIME IS OF THE ESSENCE OF THIS AGREEMENT AND EACH AND EVERY PROVISION HEREOF.

16. Successors and Assigns. This Agreement shall be binding upon and inure to the benefit of the Parties hereto and their successors and assigns.

17. Survival of Provisions. All covenants, representations and warranties set forth in this Agreement shall survive the Closing and shall survive the execution or delivery of any and all deeds and other documents at any time executed or delivered under, pursuant to or by reason of this Agreement, and shall survive the payment of all monies made under, pursuant to or by reason of this Agreement.

18. Severability. This Agreement is intended to be performed in accordance with, and only to the extent permitted by, all applicable laws, ordinances, rules and regulations. If any provision of this Agreement or the application thereof to any person or circumstance shall, for any reason and to any extent, be invalid or unenforceable, the remainder of this Agreement and the application of such provision to other persons or circumstances shall not be affected thereby but rather shall be enforced to the greatest extent permitted by law.

19. Effective Date. This Agreement shall be and become effective on the date that it is signed and executed by the last to sign of CFX and City.

IN WITNESS WHEREOF, the Parties hereto have caused this Agreement to be executed in a manner and form sufficient to bind them on the date set forth herein below.

CITY OF APOPKA, FLORIDA

By: City Commission

BY: _____
MAYOR

Date: _____

ATTEST: _____
City Clerk

**CENTRAL FLORIDA EXPRESSWAY
AUTHORITY**

BY: _____
CHAIRMAN JAY MADARA

Date: _____

ATTEST: _____
Regla ("Mimi") Lamaute
Recording Clerk

**APPROVED AS TO FORM FOR
RELIANCE BY CFX ONLY**

By: _____
General Counsel

EXHIBITS

- A. Legal Description of Irmalee Lane
- B. Form of Quit Claim Deed

EXHIBIT "A"

LEGAL DESCRIPTIONS OF IRMALEE LANE

EXHIBIT "B"
QUIT CLAIM DEED

Prepared By:

Linda S. Brehmer Lanosa, Deputy General Counsel
Central Florida Expressway Authority
4974 ORL Tower Road
Orlando, FL 32807

Reserved for Recording

Project 429-604, Portions of Parcels 63-102, 63-105 & 63-126 (Irmalee Lane)

This deed is exempt from Florida documentary stamp tax under Department of Revenue Rules 12B-4.002(4)(a), 12B-4.014(10), F.A.C., and Section 201.02(6), Florida Statutes.

QUIT CLAIM DEED

THIS QUIT CLAIM DEED, dated as of the date of execution below, by **CENTRAL FLORIDA EXPRESSWAY AUTHORITY**, a body corporate and an agency of the State of Florida, created by Part III of Chapter 348, Florida Statutes, whose address is 4974 ORL Tower Road, Orlando, Florida 32807 (“GRANTOR”) and the **CITY OF APOPKA**, a charter city and political subdivision of the State of Florida, whose address is 120 E. Main Street, Apopka, Florida 32703 (“City” or “GRANTEE”).

WITNESSETH: That the GRANTOR, for and in consideration of the sum of \$10.00 and other valuable considerations, the receipt of whereof is hereby acknowledged, does hereby remise, release, and forever quit-claim unto the said GRANTEE, all the right, title, interest, claim, and demand which the GRANTOR has in and to the following described lots, pieces, or parcels of land, situate, lying and being in the county of Orange, state of Florida, hereinafter “the Property,” to-wit:

SEE ATTACHED EXHIBIT “A”

**Property Appraiser’s Parcel Identification Number:
Not Assigned**

TO HAVE AND TO HOLD the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining and all the estate, right, title, interest, lien, equity, and claim whatsoever of the GRANTOR, either in law or equity, to the only proper use, benefit, and behoove of the GRANTEE forever.

Project 429-604, Portions of Parcels
63-102, 63-105 & 63-126 (Irmalee Lane)

SUBJECT TO the covenants, conditions, restrictions, reservations, and easements which are set forth below:

- a) GRANTOR reserves unto itself, its successors and assigns, all rights of ingress, egress, light, air, and view to, from, or across any State Road (S.R.) 429 right-of-way property which may otherwise accrue to any property adjoining said right of way.
- b) GRANTEE has no rights of ingress, egress, or access to S.R. 429 from the Property, nor does GRANTEE have any rights of light, air or view from S.R. 429.
- c) GRANTEE expressly agrees for itself, and its successors and assigns, to prevent any use of the Property which would interfere with S.R. 429 or otherwise constitute a hazard for S.R. 429 or any related system or structure.
- d) GRANTEE acknowledges that the Property was acquired via eminent domain and is subject to Section 73.013, Florida Statutes. GRANTEE expressly agree for itself, its successors and assigns that if GRANTEE no longer uses the Property for public right-of-way purposes, then GRANTOR has a right of first refusal to all right, title, and interest to the Property at no cost. GRANTEE grants, transfers, and delivers to GRANTOR a right of first refusal to acquire all right, title, and interest to the Property at no cost to GRANTOR. GRANTEE shall give GRANTOR at least 180 days written notice of the occurrence of events that give rise to GRANTOR's right of first refusal. GRANTEE shall give GRANTOR an additional 180 days to exercise its right of first refusal upon request.

GRANTEE acknowledges and agrees that as of the date of the acceptance of this deed, GRANTEE hereby remises, releases, acquits, satisfies, and forever discharges GRANTOR, of and from all, and all manner of action and actions, cause and causes of action, suits, sums of money, covenants, contracts, controversies, agreements, promises, trespasses, damages, judgments, claims and demands whatsoever, in law or in equity, which GRANTEE ever had, then have, or which any personal representative, successor, heir or assign of GRANTEE, thereafter can, shall or may have, against GRANTOR, for, upon or by reason of any matter, cause or thing whatsoever, arising out of or in any way connected with the Property or GRANTOR's conveyance of the Property, both before and after the date of this instrument.

IN WITNESS WHEREOF, the said GRANTOR has caused these presents to be signed in its name by its duly authorized representative.

[SIGNATURES TO FOLLOW]

Project 429-604, Portions of Parcels
63-102, 63-105 & 63-126 (Irmalee Lane)

Signed and sealed in the presence of:

**CENTRAL FLORIDA EXPRESSWAY
AUTHORITY**

First Witness:

Signature

BY: _____
CHAIRMAN JAY MADARA

Print Name

Date: _____

Second Witness:

Signature

Print Name

ATTEST: _____
Regla ("Mimi") Lamaute
Recording Clerk

**APPROVED AS TO FORM FOR
RELIANCE BY CFX ONLY**

By: _____
General Counsel

STATUTORY SHORT FORM OF ACKNOWLEDGMENT PER § 695.25, FLA. STAT.

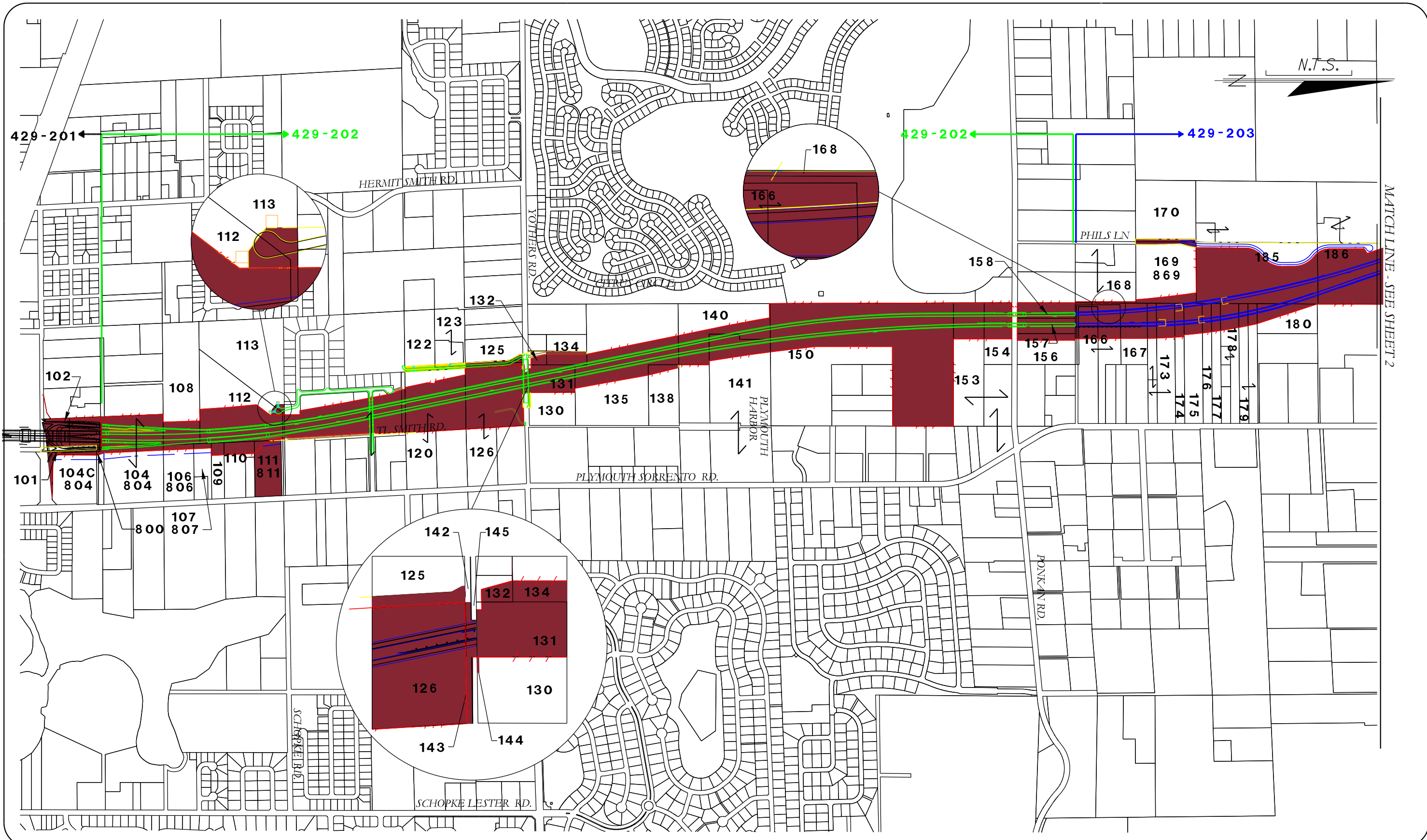
STATE OF FLORIDA)
COUNTY OF _____)

The foregoing instrument was acknowledged before me this ____ day of _____,
201____, by _____, as Chairman of the Central Florida Expressway
Authority, on behalf of the Central Florida Expressway Authority, who is personally known to
me OR produced _____ as identification.

NOTARY PUBLIC

Signature: _____
Signature of Notary Public - State of Florida

Print, Type or Stamp Commissioned Name of Notary Public



CENTRAL
FLORIDA
EXPRESSWAY
AUTHORITY

WEKIVA PARKWAY

- Legend**
- ACQUIRED/COMPLETE
 - ACQUIRED/PENDING LITIGATION
 - ACQUIRED/PENDING FEES & COSTS

RIGHT-OF-WAY EXHIBIT
March 27, 2019
SUBJECT TO CHANGE

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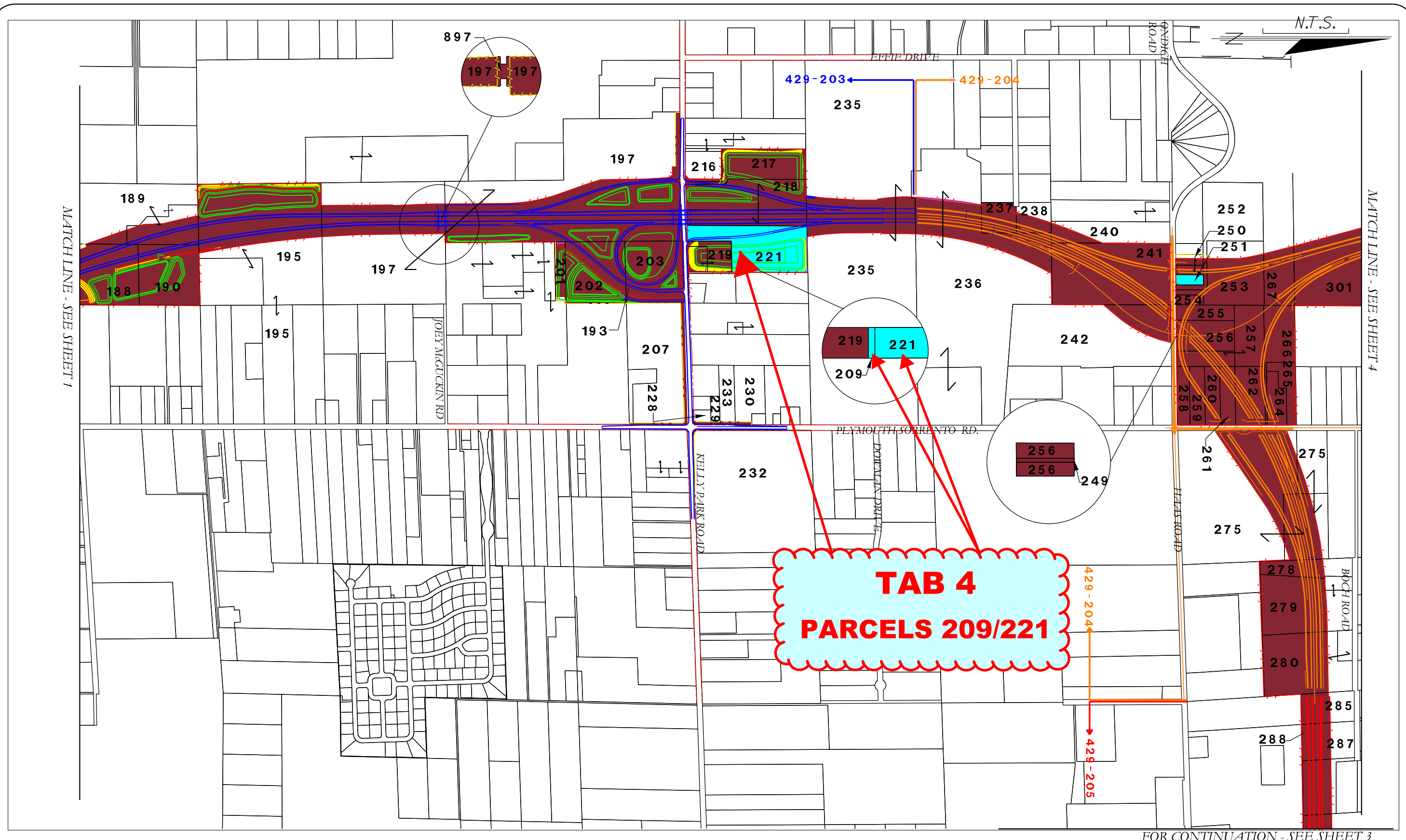
CENTRAL
FLORIDA
EXPRESSWAY
AUTHORITY

WEKIVA PARKWAY

- Legend*
- ACQUIRED/COMPLETE
 - ACQUIRED/PENDING LITIGATION
 - ACQUIRED/PENDING FEES & COSTS

RIGHT-OF-WAY EXHIBIT

March 27, 2019
SUBJECT TO CHANGE



FOR CONTINUATION - SEE SHEET 3

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FOR CONTINUATION
SEE SHEET 2

N.T.S.

LAKE COUNTY
ORANGE COUNTY



CENTRAL
FLORIDA
EXPRESSWAY
AUTHORITY

WEKIVA PARKWAY

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 - ACQUIRED/PENDING FEES & COSTS

RIGHT-OF-WAY EXHIBIT
March 27, 2019
SUBJECT TO CHANGE

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CENTRAL
 FLORIDA
 EXPRESSWAY
 AUTHORITY

WEKIVA PARKWAY

- Legend*
- ACQUIRED/COMPLETE
 - ACQUIRED/PENDING LITIGATION
 - ACQUIRED/PENDING FEES & COSTS

RIGHT-OF-WAY EXHIBIT




March 27, 2019

SUBJECT TO CHANGE

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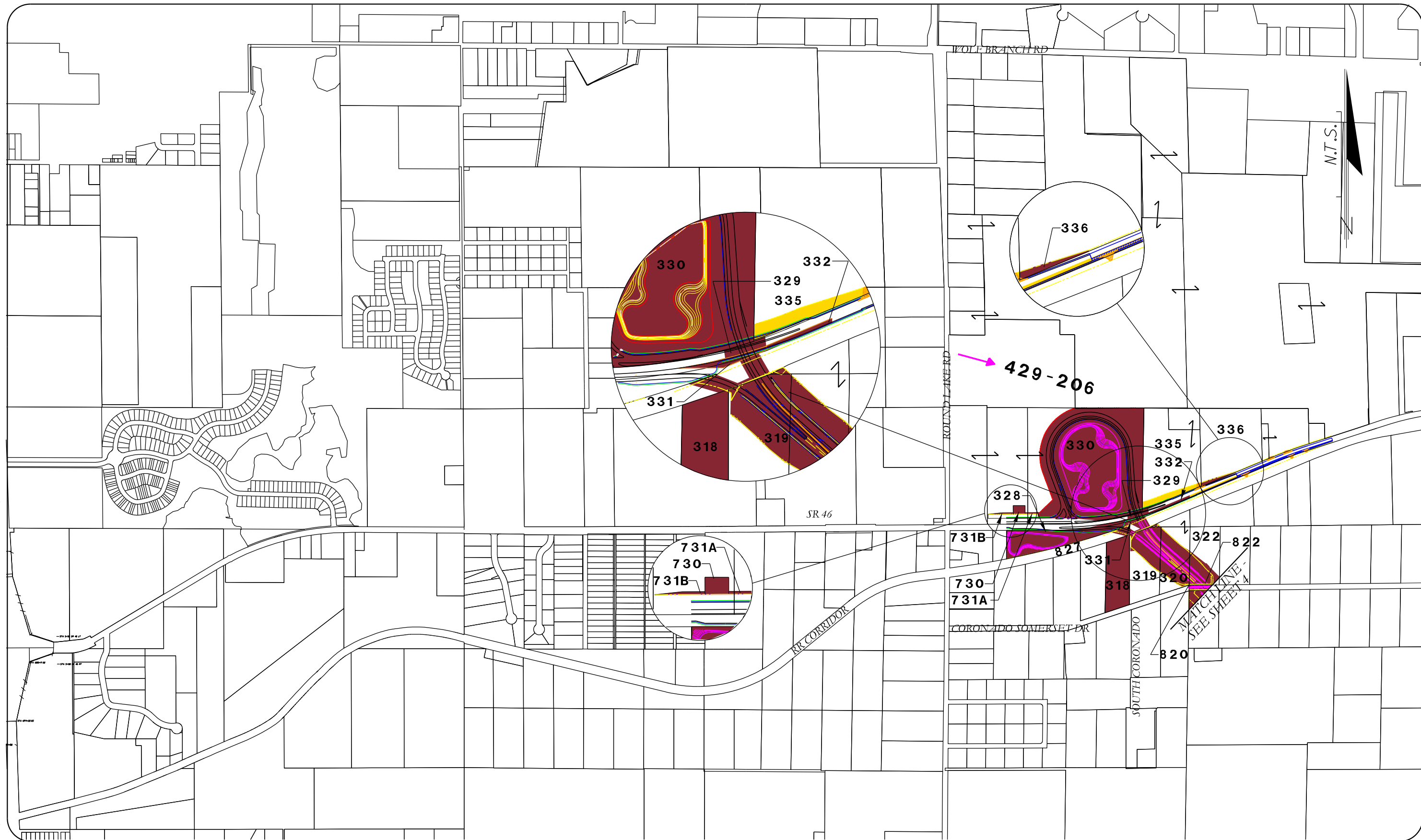
WEKIVA PARKWAY

Legend

	ACQUIRED/COMPLETE
	ACQUIRED/PENDING LITIGATION
	ACQUIRED/PENDING FEES & COSTS

RIGHT-OF-WAY EXHIBIT

March 27, 2019
SUBJECT TO CHANGE



CFX Project Section Map

