

# CENTRAL FLORIDA EXPRESSWAY AUTHORITY

## MINUTES CENTRAL FLORIDA EXPRESSWAY AUTHORITY RIGHT OF WAY COMMITTEE MEETING May 28, 2025

Location: Central Florida Expressway Authority  
4974 ORL Tower Road  
Orlando, FL 32807  
Pelican Conference Room 107

### **Committee Members Present:**

Laura F. Carroll, City of Orlando Representative, Chairman  
Juan F. Diaz, Citizen Representative  
Anita Geraci-Carver, Lake County Representative  
Neil Newton, Seminole County Representative Alternate  
Aida T. Ortiz, Orange County Representative Alternate  
Paul Satchfield, Osceola County Representative

### **Committee Members Not Present:**

Tad Calkins, Brevard County Representative  
Christopher Murvin, Citizen Representative

### **CFX Staff Present:**

Michelle Maikisch, Executive Director  
Glenn Pressimone, Chief of Infrastructure  
Mimi Lamaute, Recording Secretary/Manager of Executive and Board Services  
Cristina Barrios, Deputy General Counsel

### **A. CALL TO ORDER**

The meeting was called to order at 2:01 p.m. by Chairman Carroll.

### **B. PUBLIC COMMENT**

There were no public comments or written public comments received by the deadline.

### **C. APPROVAL OF FEBRUARY 26, 2025 RIGHT OF WAY COMMITTEE MEETING MINUTES**

A motion was made by Mr. Newton and seconded by Mr. Satchfield to approve the February 26, 2025 Right of Way Committee meeting minutes. The motion carried unanimously with all six (6) Committee members present voting AYE by voice vote. Two (2) Committee members, Mr. Calkins and Mr. Murvin were not present.

Mr. Glenn Pressimone, Chief of Infrastructure, distributed maps of the projects being discussed on today's agenda and attached hereto as **Exhibit "A."** He provided 11x17 handouts to help illustrate the locations of various projects around the system. He referred back to a presentation given in May 2024 to the Right of Way Committee outlining anticipated work for the following year. While some attendees may recall that presentation, he noted that today's discussion will cover four of the six projects initially introduced. The maps provided are intended to give spatial context for these efforts.

#### **D. AGENDA ITEMS**

##### **D.1. RIGHT OF WAY ACQUISITION AGREEMENT BETWEEN MARIO CHIUCCARIELLO, TRUSTEE OF CHARLOTTE REALTY TRUST, U/D/T AND THE CENTRAL FLORIDA EXPRESSWAY AUTHORITY, PROJECT NUMBER: SR 538 POINCIANA PARKWAY EXTENSION, SEGMENT 538-235, PARCEL 53-218 A, B, C & D**

Mr. Richard Milian with Nelson Mullins Riley and Scarborough stated that, as part of the right-of-way acquisition for the SR 538 Poinciana Parkway Extension project, CFX seeks to acquire property located in Polk County owned by Mario Chiuccariello, Trustee of Charlotte Realty Trust. He said the property, approximately 8.46 gross acres identified as Parcel 53-218 Parts A, B, C & D, represents a full fee taking of the Seller's Overall Property. Based on appraisals by Pinel & Carpenter, Inc., the total appraised value of the property is \$1,032,830.00. He added that CFX negotiated a purchase price of \$1,205,000.00, representing a 16.67% increase over the appraised value, plus additional closing-related costs. The negotiated purchase is supported by CFX's appraiser and review appraiser and is considered in the best interest of CFX, avoiding litigation and related expenses. The Agreement provides CFX with 90 days from execution to inspect and close on the property.

Mr. Milian added that this item was brought back to the Committee due to timing and coordination matters that affected the initial board agenda process. The Seller, who had terminated a tenant in anticipation of the sale, is now requesting an additional \$5,000. Staff considers this request reasonable given the delay, and from a legal standpoint, the revised purchase price of \$1,205,000 remains justified and below the likely appraised value. The Committee is being asked to recommend Board approval of the updated purchase price, Agreement and authorize the Executive Director or her designee to execute all necessary documents, subject to final legal review.

**A motion was made by Mr. Satchfield and seconded by Mr. Newton for recommendation of Board approval of the Right of Way Acquisition Agreement between Mario Chiuccariello, Trustee of Charlotte Realty Trust and CFX and authorization to the Executive Director or her designee to execute all documents necessary to complete the transaction, with the authority to approve any non-substantial changes as approved by legal counsel. The motion carried unanimously with all six (6) Committee members present voting AYE by voice vote. Two (2) Committee members, Mr. Calkins and Mr. Murvin were not present.**

**D.2. REAL ESTATE PURCHASE AGREEMENT BETWEEN PAN AM COMMERCE PARK, LLC, AND THE CENTRAL FLORIDA EXPRESSWAY AUTHORITY, PROJECT: SR 538 POINCIANA PARKWAY EXTENSION, SEGMENTS 538-234 & 538-235, PARCEL: 53-351**

Mr. Glenn Pressimone, Chief of Infrastructure, provided context ahead of Ms. Leslie Even's presentation on the parcels, acquisition, and agreement. He referenced a previous update from a year ago, which included the SR 538 Poinciana Parkway Extension. At that time, the Committee and the Board approved the purchase of a 54.5-acre parcel from the Reedy Creek Mitigation Bank, along with its remaining mitigation credits, for approximately \$17.5 million. This purchase was a key component in securing right-of-way for the project.

Mr. Pressimone noted that today's discussion involves the South Florida Water Management District (SFWMD), which holds a conservation easement over the same mitigation bank and owns additional fee-simple property along the alignment heading north toward CR 532.

He explained Two specific parcels are under consideration: Parcel 351 (agenda item 2) and Parcel 352 (agenda item 3), which Ms. Evens will address in detail. Mr. Pressimone emphasized the significance of these parcels in advancing the Poinciana project, which is nearing final design and remains active in right-of-way acquisition and permitting efforts. Negotiations with SFWMD are ongoing, and the agency's cooperation is critical to the project's progress. A memorandum from Nicole Gough, Manager of Environmental Scientist with Dewberry Engineers, Inc. describing alternative mitigation was distributed and is attached hereto as **Exhibit "B."**

Ms. Leslie A. Evans with Dinsmore & Shohl, LLP explained that the following three items being presented are similar in that they require CFX acquire and convey parcels. She explained that the SR 538 Poinciana Parkway Extension Project requires CFX to obtain certain permits and approvals from the SFWMD, as well as to acquire property currently owned by SFWMD. In return, SFWMD requires CFX to acquire and convey specific property (the "Exchange Property") to SFWMD to offset the environmental impact of the project. CFX intends to acquire approximately 96.41 acres of undeveloped land currently owned by the Shell family trusts. Pan Am Commerce Park, LLC, which had an existing contract to purchase the land before SFWMD identified it as an Exchange Property, has agreed to sell the property to CFX for \$4.7 million under terms outlined in the Real Estate Purchase and Sale Agreement, with a targeted closing date of June 18, 2025.

The Committee is requested to recommend Board approval of the Agreement and to authorize the Executive Director or her designee to execute the necessary documents to complete the transaction, subject to legal counsel's final approval.

The Committee Members asked questions which were answered by Ms. Barrios and Ms. Nicole Gaugh, Manager Environmental Scientist with Dewberry Engineers, Inc.

**A motion was made by Ms. Geraci-Carver and seconded by Mr. Satchfield for recommendation of Board approval of the Real Estate Purchase Agreement between Pan Am Commerce Park, LLC and CFX and authorization to the Executive Director or her designee to execute all documents necessary to complete the transaction, with the authority to approve any non-substantial changes**

**as approved by legal counsel. The motion carried unanimously with all six (6) Committee members present voting AYE by voice vote. Two (2) Committee members, Mr. Calkins and Mr. Murvin were not present.**

**D.3. REAL ESTATE PURCHASE AGREEMENT BETWEEN J. ACQUISITIONS OSCEOLA, LLC, AND THE CENTRAL FLORIDA EXPRESSWAY AUTHORITY, PROJECT: SR 538, POINCIANA PARKWAY EXTENSION, SEGMENT 538-234, PARCEL: 53-352**

Ms. Leslie A. Evans with Dinsmore & Shohl, LLP explained that just as in the prior item presented, the development of the SR 538 Poinciana Parkway Extension Project requires CFX to obtain certain permits and approvals from the South Florida Water Management District (SFWMD) and to acquire property currently owned by SFWMD. In exchange, SFWMD requires CFX to acquire and convey other property, referred to as Exchange Property, to offset the loss of SFWMD land and any environmental impacts caused by the Project. CFX plans to acquire approximately 81 acres of undeveloped land in Osceola County owned by J Acquisitions Osceola, LLC, as part of this Exchange Property. Under the Real Estate Purchase and Sale Agreement, the negotiated purchase price is \$2,500,000, and J Acquisitions will also provide temporary access rights. The transaction includes a due diligence and title review period, with a targeted closing date of July 27, 2025. Each party will cover its own legal and expert fees, while J Acquisitions will handle title insurance and deed preparation costs. A recommendation was requested for the Right of Way Committee to approve the Agreement and authorize the Executive Director or designee to execute all necessary documents, subject to legal counsel's final approval.

**A motion was made by Mr. Newton and seconded by Mr. Satchfield for recommendation of Board approval of the Real Estate Purchase Agreement between J. Acquisitions Osceola, LLC and CFX and authorization to the Executive Director or her designee to execute all documents necessary to complete the transaction, with the authority to approve any non-substantial changes as approved by legal counsel. The motion carried unanimously with all six (6) Committee members present voting AYE by voice vote. Two (2) Committee members, Mr. Calkins and Mr. Murvin were not present.**

**D.4. REAL ESTATE PURCHASE AGREEMENT BETWEEN KPB CATTLE LLC AND THE CENTRAL FLORIDA EXPRESSWAY AUTHORITY, PROJECT: SR 534, SEGMENT 534-243 PARCELS: 534-350 & 534-850**

Ms. Leslie A. Evans with Dinsmore & Shohl, LLP explained that in connection with the development of the SR 534 Project, CFX is collaborating with the South Florida Water Management District to support CFX's objective to offset or mitigate impacts to conservation, wetlands, and other environmentally sensitive areas. To that end, CFX seeks to acquire approximately 882 acres of property located in Osceola County. The Property, owned by KPB Cattle LLC, will be used to secure the release of a conservation easement in support of the Project. As part of the transaction, KPB Cattle has also agreed to procure and convey to CFX a 30-foot-wide permanent access easement from Canoe Creek Road.

Ms. Evans stated CFX and KPB Cattle have negotiated a purchase price of \$9,702,000.00, as set forth in the Real Estate Purchase Agreement. The transaction includes a traditional due diligence period of thirty days and a closing to occur fifteen days thereafter. Under the Agreement, KPB Cattle will acquire and convey certain oil, gas, and mineral rights to CFX and will procure the permanent access easement for CFX's benefit. The purchase price is consistent with comparable sales and appraisals developed by CFX's appraiser, Pinel & Carpenter, Inc. Each party will bear its own legal and expert fees, with KPB Cattle responsible for the cost of title insurance and preparation and recordation of the deed and closing documents.

Ms. Evens is requesting the Committee recommend Board approval of the Real Estate Purchase Agreement between KPB Cattle LLC and CFX, and authorization for the Executive Director or her designee to execute all documents necessary to complete the transaction, with the authority to approve any non-substantial changes as approved by legal counsel.

Mr. Pressimone provided context and background on this purchase. The Committee members asked questions which were answered by Mr. Pressimone.

**A motion was made by Mr. Satchfield and seconded by Mr. Newton for recommendation of Board approval of the Real Estate Purchase Agreement between KPB Cattle LLC and CFX and authorization to the Executive Director or her designee to execute all documents necessary to complete the transaction, with the authority to approve any non-substantial changes as approved by legal counsel. The motion carried unanimously with all six (6) Committee members present voting AYE by voice vote. Two (2) Committee members, Mr. Calkins and Mr. Murvin were not present.**

**D.5. A RESOLUTION OF CENTRAL FLORIDA EXPRESSWAY AUTHORITY ("CFX") DECLARING  
PROPERTY AS NECESSARY FOR ACQUISITION FOR EXPRESSWAY SYSTEM  
PROJECT: SR 516 LAKE/ORANGE EXPRESSWAY, SEGMENT 516-236  
PARCELS: 51-114A-B, 51-122A-B, 51-127A-B**

Mr. Chip Skambis with Dinsmore & Shohl, LLP provided location of parcels and background on the SR 516 Lake/Orange Expressway Project, noting that right-of-way acquisition is required. He stated the requested Resolution identifies Parcels 51-114A, 51-114B, 51-122A, 51-122B, 51-127A, and 51-127B necessary for acquisition under Florida eminent domain law. Mr. Small requested the Right-of-Way Committee's recommendation for Board approval of the Resolution, subject to minor or clerical revisions by General Counsel, the General Engineering Consultant, or their designee.

**A motion was made by Ms. Geraci-Carver and seconded by Mr. Satchfield for recommendation of Board approval and adoption of the Resolution Declaring Property as Necessary for Parcels 51-114A, 51-114B, 51-122A, 51-122B, 51-127A and 51-127B for the SR 516 Lake/Orange Expressway Project, subject to any minor or clerical revisions approved by legal counsel, General Engineering Consultant, or designee. The motion carried unanimously with all six (6) Committee members**

**present voting AYE by voice vote. Two (2) Committee members, Mr. Calkins and Mr. Murvin were not present.**

**D.6. A RESOLUTION OF CENTRAL FLORIDA EXPRESSWAY AUTHORITY (“CFX”) DECLARING PROPERTY AS NECESSARY FOR ACQUISITION FOR EXPRESSWAY SYSTEM, PROJECT: SR 516 LAKE/ORANGE EXPRESSWAY, SEGMENT 516-237, PARCELS: 51-131E, 51-131F, 51-131G, 51-131H, 51-131I and 51-132C**

Mr. David A. Shontz with Shutts & Bowen LLP stated in the following items before the Committee he is requesting two resolutions concerning a total of seven parcels related to the SR 516 project, also known as the Lake/Orange Expressway. These parcels fall within Segment 516-237 located in Lake County. The acquisitions in this item include parcel 51-131E, a fee-simple right-of-way totaling 4.380 acres; parcel 51-131F, a fee-simple limited-access right-of-way of 1,786 square feet; and parcel 51-131G, a fee-simple limited-access right-of-way of 0.595 acres. Parcels 51-131H and 51-131I involve the release of previously established limited-access rights due to the relocation of the Lake County Trail from the south to the north side of the project. Additionally, parcel 51-132C is a fee-simple right-of-way acquisition totaling 1.285 acres. Mr. Shontz recommended that the Committee move to approve and adopt the resolution declaring the properties—51-131E, 51-131F, 51-131G, 51-131H, 51-131I, and 51-132C as necessary for the project, subject to any minor or clerical revisions as approved by legal counsel, the general engineering consultant, or their designee.

**A motion was made by Ms. Geraci-Carver and seconded by Mr. Newton for recommendation of Board approval and adoption of the Resolution Declaring Property as Necessary for Parcels 51-131E, 51-131F, 51-131G, 51-131H, 51-131I and 51-132C for the SR 516 Lake/Orange Expressway Project, subject to any minor or clerical revisions approved by the legal counsel, General Engineering Consultant, or designee. The motion carried unanimously with all six (6) Committee members present voting AYE by voice vote. Two (2) Committee members, Mr. Calkins and Mr. Murvin were not present.**

**D.7. A RESOLUTION OF CENTRAL FLORIDA EXPRESSWAY AUTHORITY (“CFX”) DECLARING PROPERTY AS NECESSARY FOR ACQUISITION FOR EXPRESSWAY SYSTEM, PROJECT: SR 408 WIDENING PROJECT, SEGMENT 408-315A, PARCEL: 31-203**

Mr. David A. Shontz with Shutts & Bowen LLP presented the resolution related to the SR 408 widening project, which extends from US 441 (Orange Blossom Trail) to I-4. The focus is on parcel 31-203, located in Orange County, totaling 3,267 square feet, identified for fee simple acquisition for right-of-way purposes. The motion before the Committee is to recommend board approval and adoption of the resolution declaring this property necessary for the project, subject to minor or clerical revisions approved by legal counsel, the general engineering consultant, or their designee.

**A motion was made by Mr. Satchfield and seconded by Mr. Newton for recommendation of Board approval and adoption of the Resolution Declaring Property as Necessary for Parcel 31-203 for the SR 408 Widening Project, subject to any minor or clerical revisions approved by the legal counsel, General Engineering Consultant, or designee. The motion carried unanimously with all six (6) Committee members present voting AYE by voice vote. Two (2) Committee members, Mr. Calkins and Mr. Murvin were not present.**

**E. OTHER BUSINESS**

There was no other business discussed.

**F. ADJOURNMENT**

Chairman Carroll announced there will be no meeting in June. The next Right of Way Committee Meeting is scheduled for July 23, 2025.

She reminded the Committee that the meeting schedule has been revised from monthly to bi-monthly to coincide with the CFX Board meeting schedule.

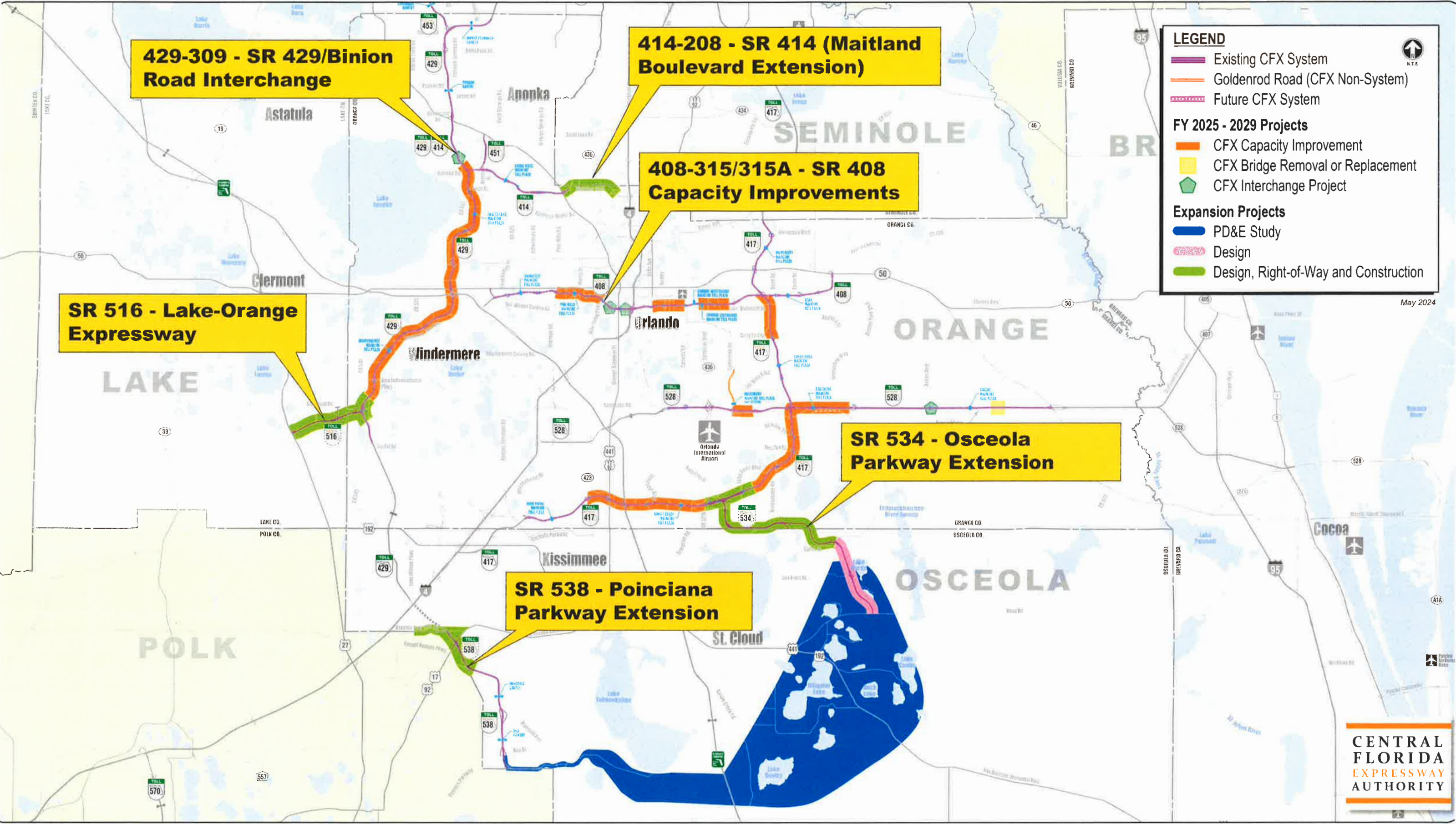
Chairman Carroll adjourned the meeting at 2:43 p.m.

Minutes approved on July 23, 2025.

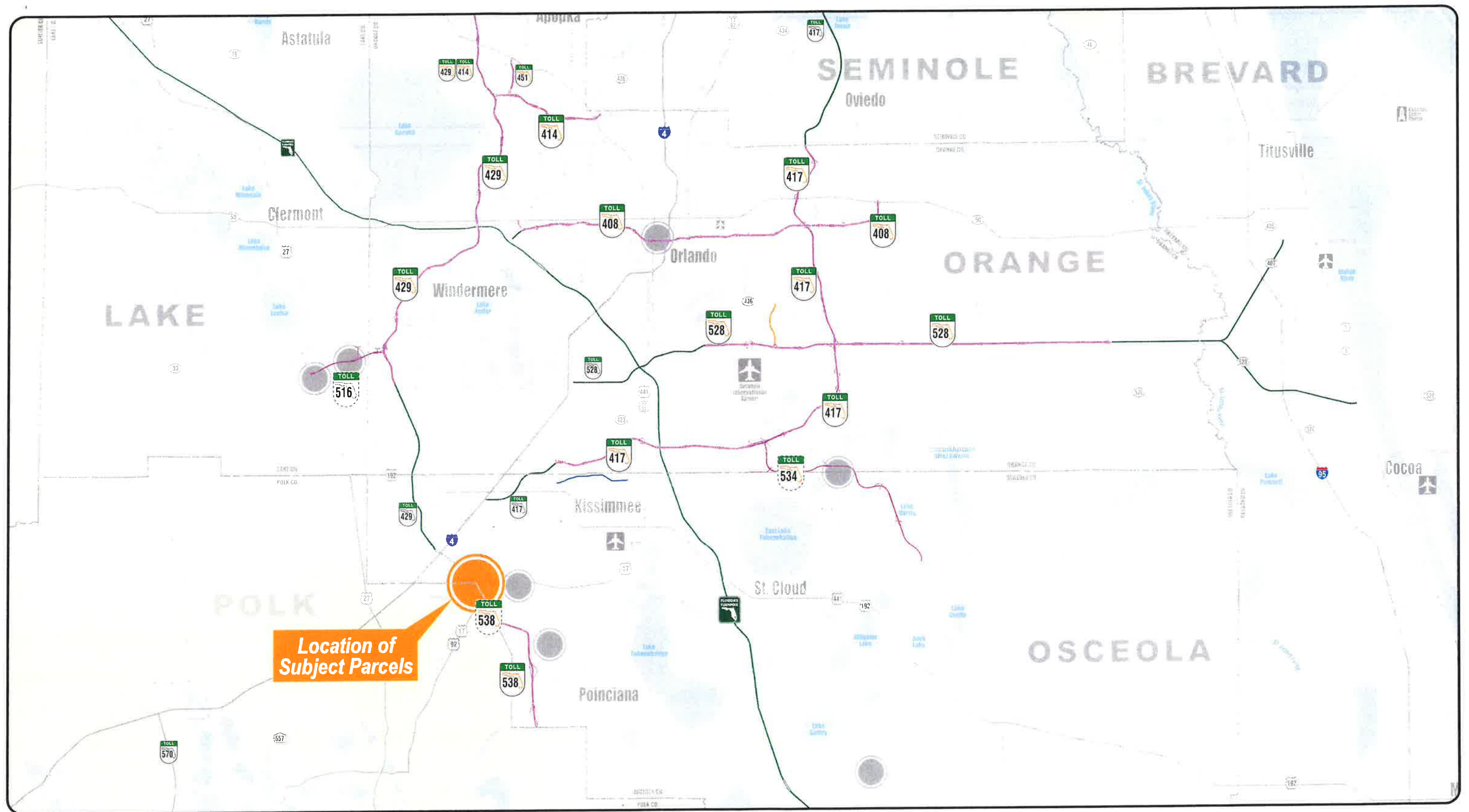
*Pursuant to the Florida Public Records Law and Central Florida Expressway Authority Records and Information Management Program Policy, audio tapes of all Board and applicable Committee meetings are maintained and available upon request to the Custodian of Public Records at (407) 690-5326, [publicrecords@CFXWay.com](mailto:publicrecords@CFXWay.com)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

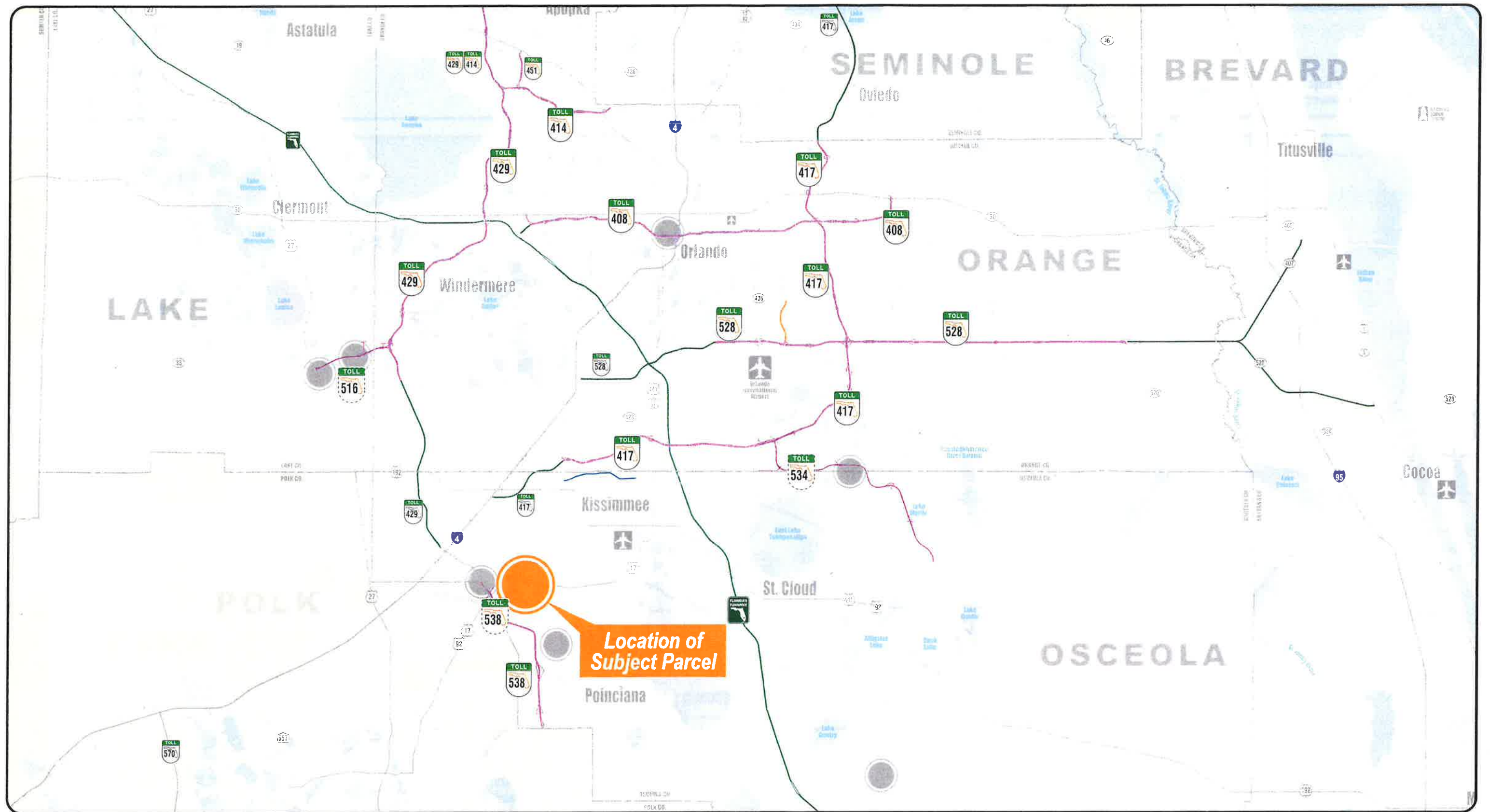


Exhibit "A"

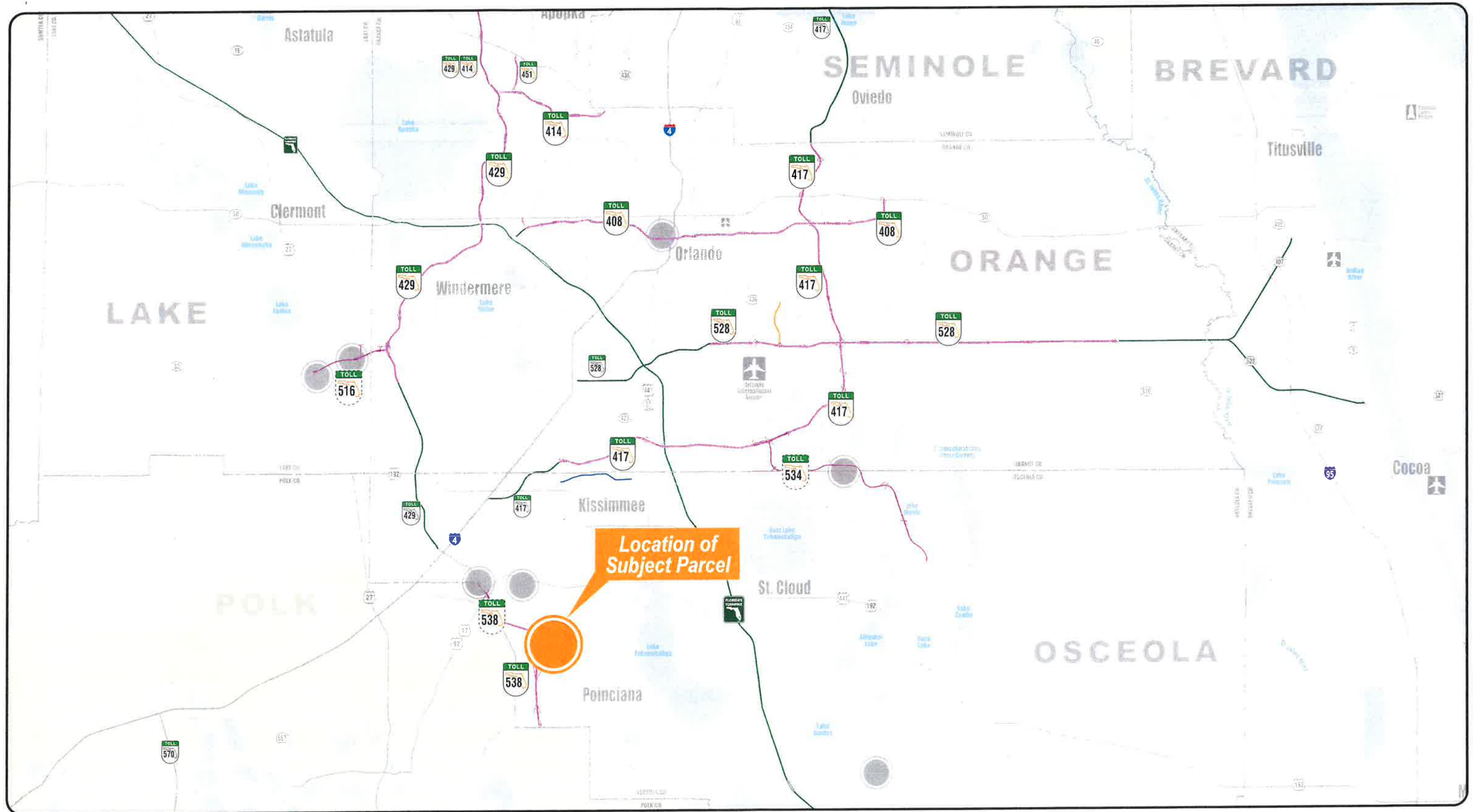


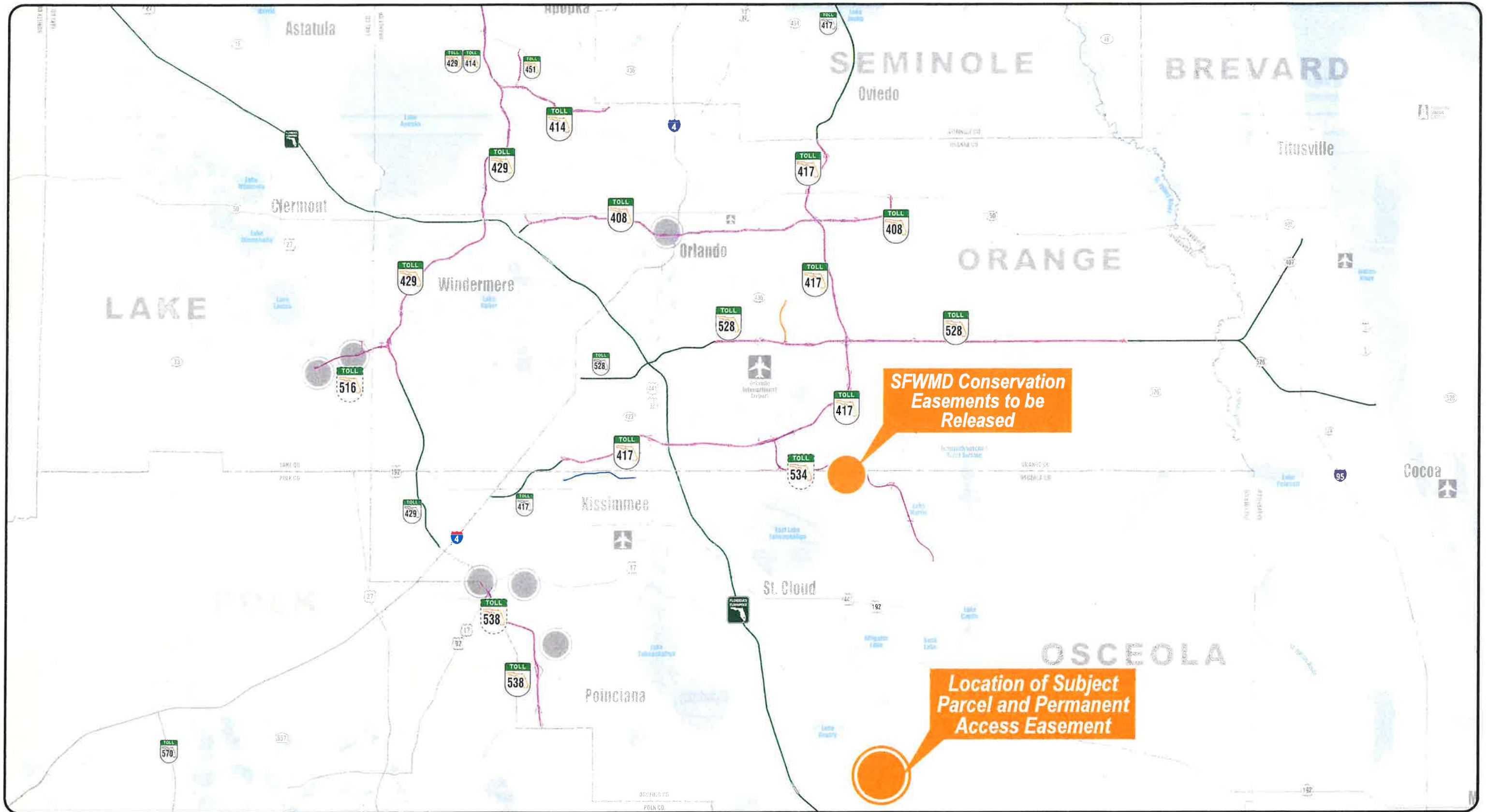




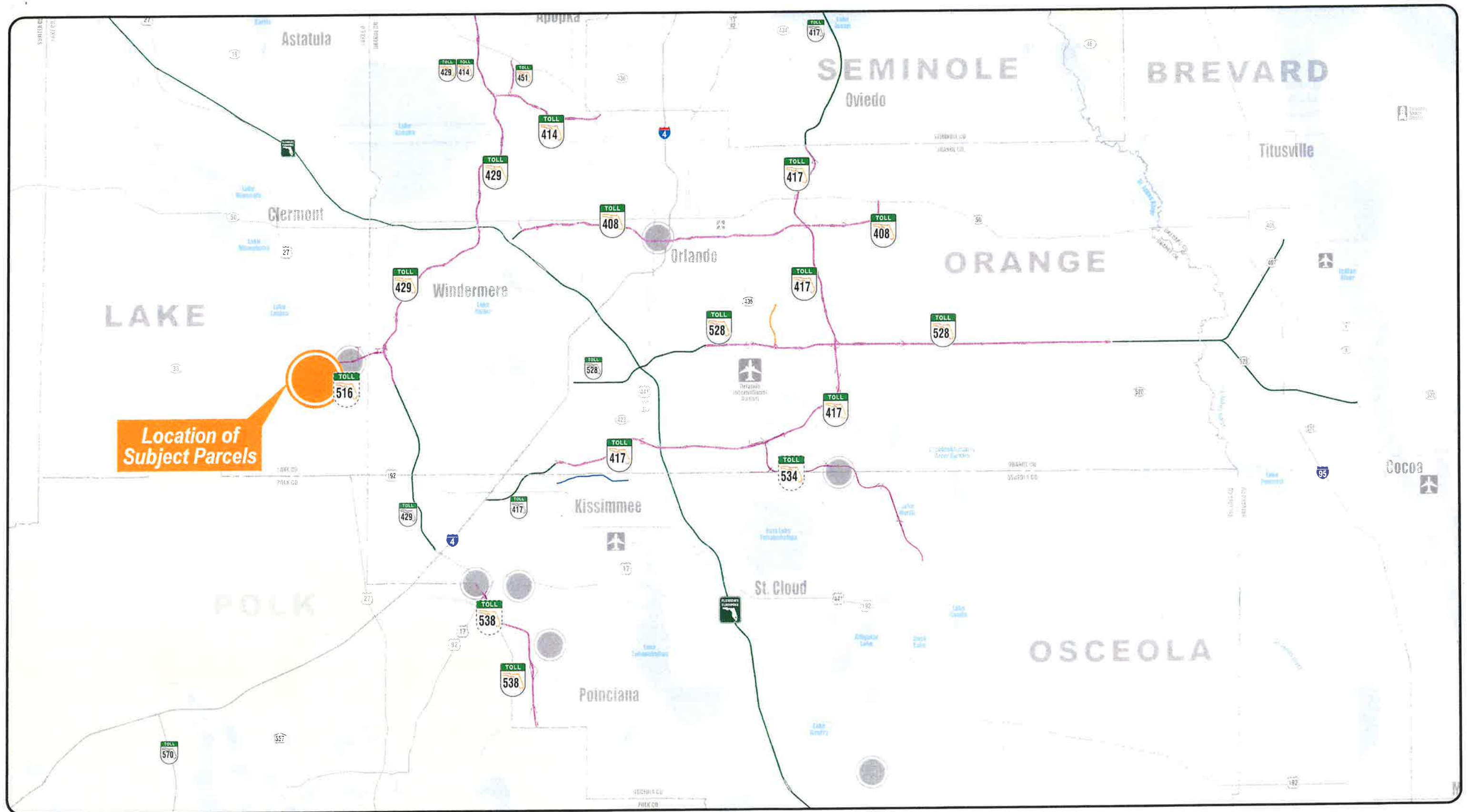


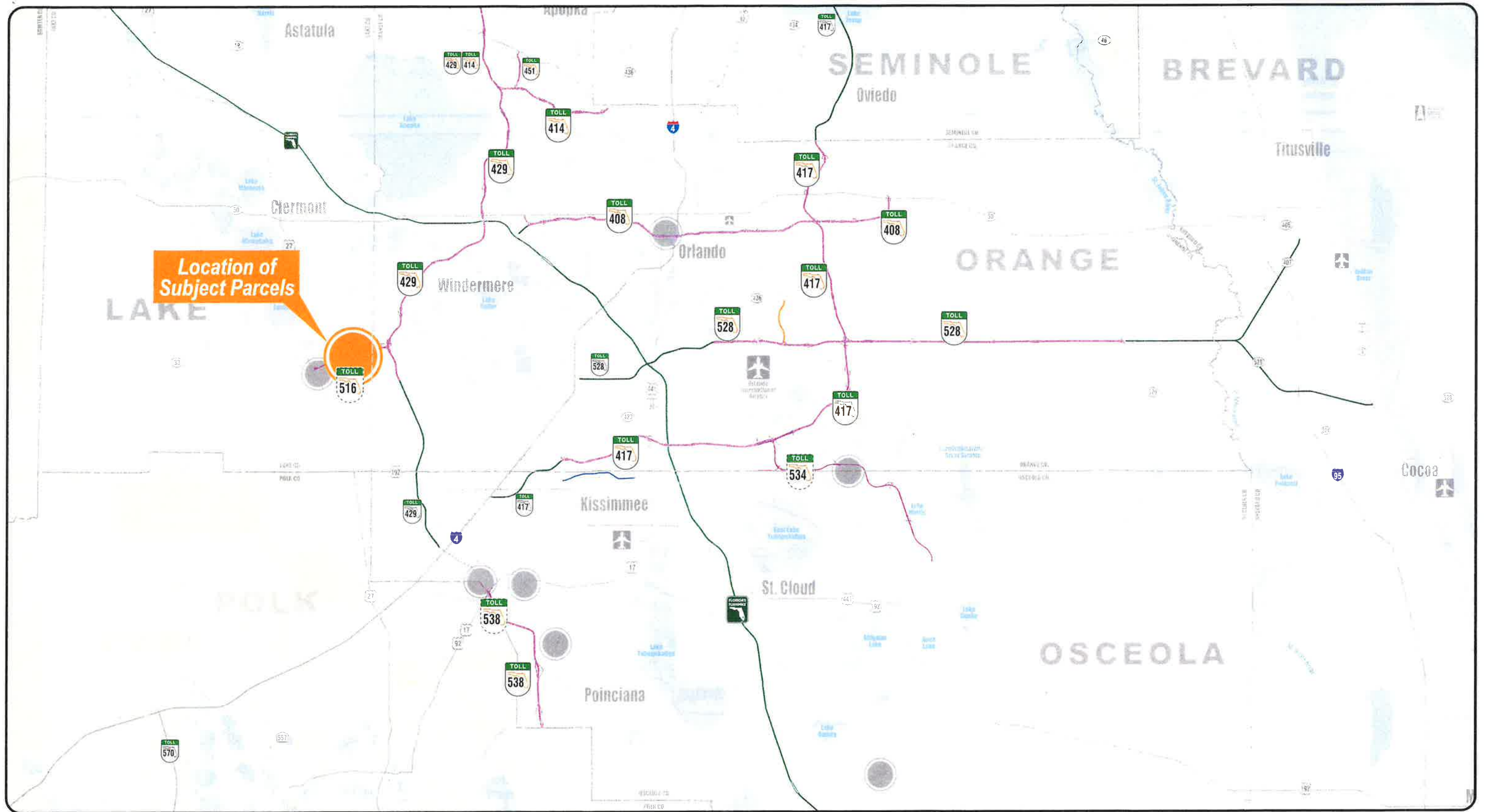






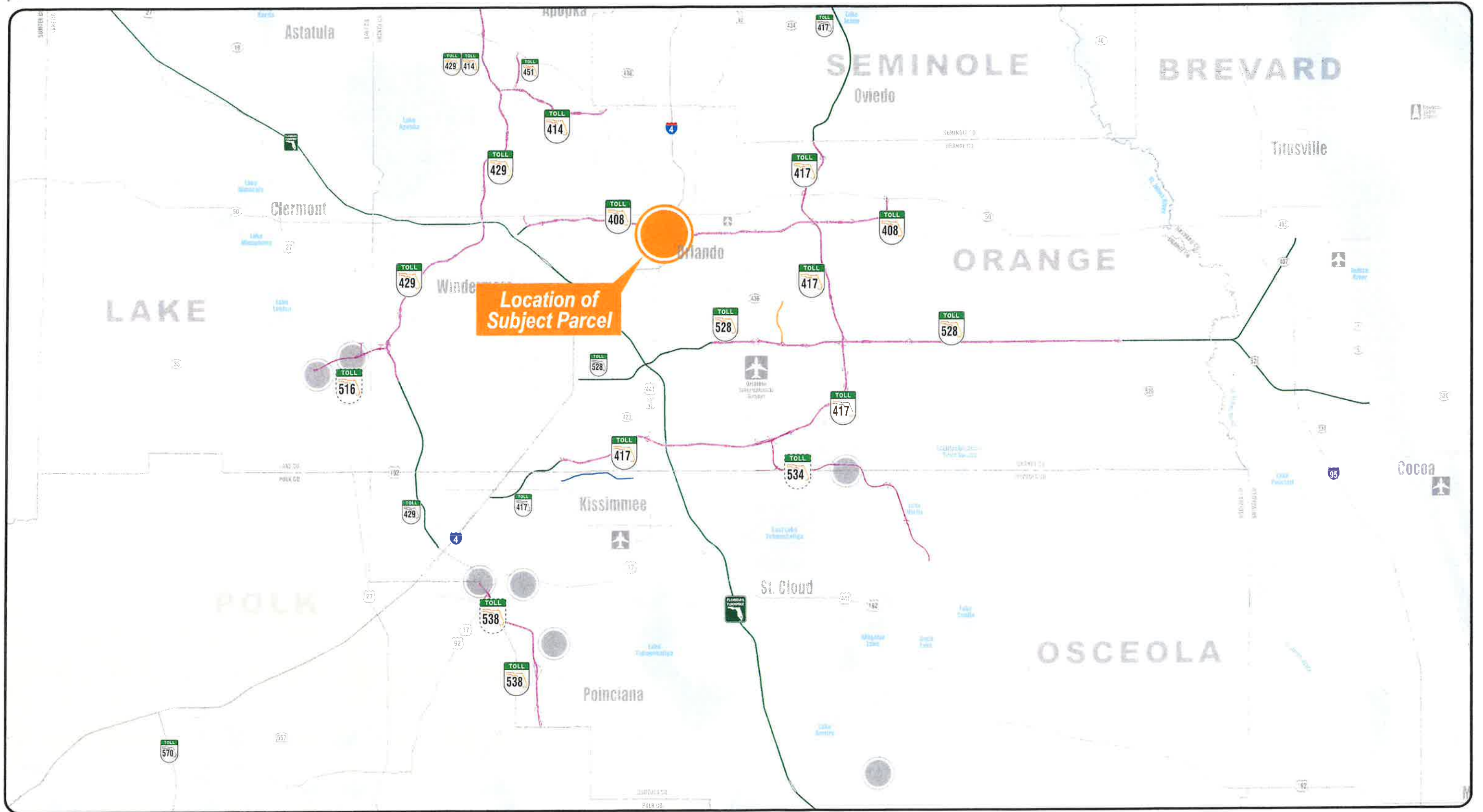






Location of  
Subject Parcels







MEMORANDUM

**Date:** April 10, 2025  
**To:** Mr. Glenn Pressimone, CFX – Chief of Infrastructure  
**From:** Nicole Gough, Dewberry – Environmental Manager  
**Subject:** CFX 538-234, 235 Alternative Mitigation

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**Message:**

The subject project extensions are currently undergoing environmental regulatory permitting for impacts associated with the roadway development with the South Florida Water Management District (SFWMD) for state and US Army Corps of Engineers (USACE) for federal. As part of these projects, authorization from SFWMD is required to remove Conservation Easement encumbrances (54.50 acres) and conservation land designations (30.12 acres) from a portion of the project's proposed right-of-way (ROW). In ongoing coordination with SFWMD it was required for CFX to permit the partial release of the easements held by SFWMD that are within the ROW and provide property in exchange of the protected acreage released.

The District determined that they would accept property of equal habitat replacement to the areas affected ("in kind") within the Reedy Creek Swamp in close proximity or adjacency to Reedy Creek Mitigation Bank (RCMB) and existing SFWMD property. This replacement property is considered an alternative form of mitigation to address the regulatory impacts. The SFWMD will not accept traditional mitigation of mitigation bank credit purchase for the purposes of this easement release. CFX and its consultants worked with SFWMD staff to determine the potential eligibility of replacement lands and have coordinated to identify appropriate parcels to satisfy the conservation easement replacement and land exchange requirements for the permits.

Criteria for replacement property for these projects included location of properties within the same cumulative impact basin as the subject projects, contributing to the Florida Wildlife Corridor and its connectivity, relation to existing conservation lands and easements for continuity, as well as existing ownership for acquisition purposes (willing sellers). Potential properties were further evaluated for suitability for having similar land use and habitat quality as the easements and protected properties. Sources initially sought to determine potential parcels included Florida Forever acquisition priorities, including various available Florida Forever associated databases, such as the Rural and Family Lands Protection Program and Rare Species Habitat Conservation Priorities by the Florida Natural Areas Inventory (FNAI). Property suitability for habitat replacement value was determined through evaluation of available data and limited field review.

Coordination with SFWMD has identified two proposed properties appropriate for consideration as an exchange for SFWMD owned conservation land and conservation easement replacement associated with RCMB.

- Lorene & Greene Site: See attached exhibit: (app. 95.30 total acres, with 76.44 wetland acres and 18.86 upland acres). Parcels 322528000000300000 and 3225284520000B0010



## MEMORANDUM

These privately-owned parcels are located south of US 17-92 and north of the SR 538 Poinciana Parkway project area, situated adjacent to existing SFWMD conservation lands associated with the Reedy Creek Swamp (Upper Lakes Basin Watershed) and where they may provide a continuation and expansion of natural habitat. The property shares similar characteristics and location to the SR 538 project wetlands and are a continuation of the Reedy Creek Swamp floodplain that runs east of the project. As this parcel fronts on US 17-92, it would be anticipated that development pressures from the surrounding Intercession City community will eventually impact the upland portions of the property. Placing the parcels into conservation would provide valuable buffer to the existing SFWMD lands and offer potential connectivity to protected lands north of US 17-92.

- Osceola 80 Site: See attached exhibits: (app. 80.37 total acres with 0.34 SSL acres). Parcel 232628000000400000

Reedy Creek runs through this property and it is surrounded on all four sides by publicly owned lands. This privately-owned parcel is located between District-owned and other conservation parcels and contains Reedy Creek proper. This parcel fills in a matrix of conservation and creates connectivity of protected lands through Reedy Creek at the core of the Florida Wildlife Corridor.

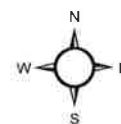
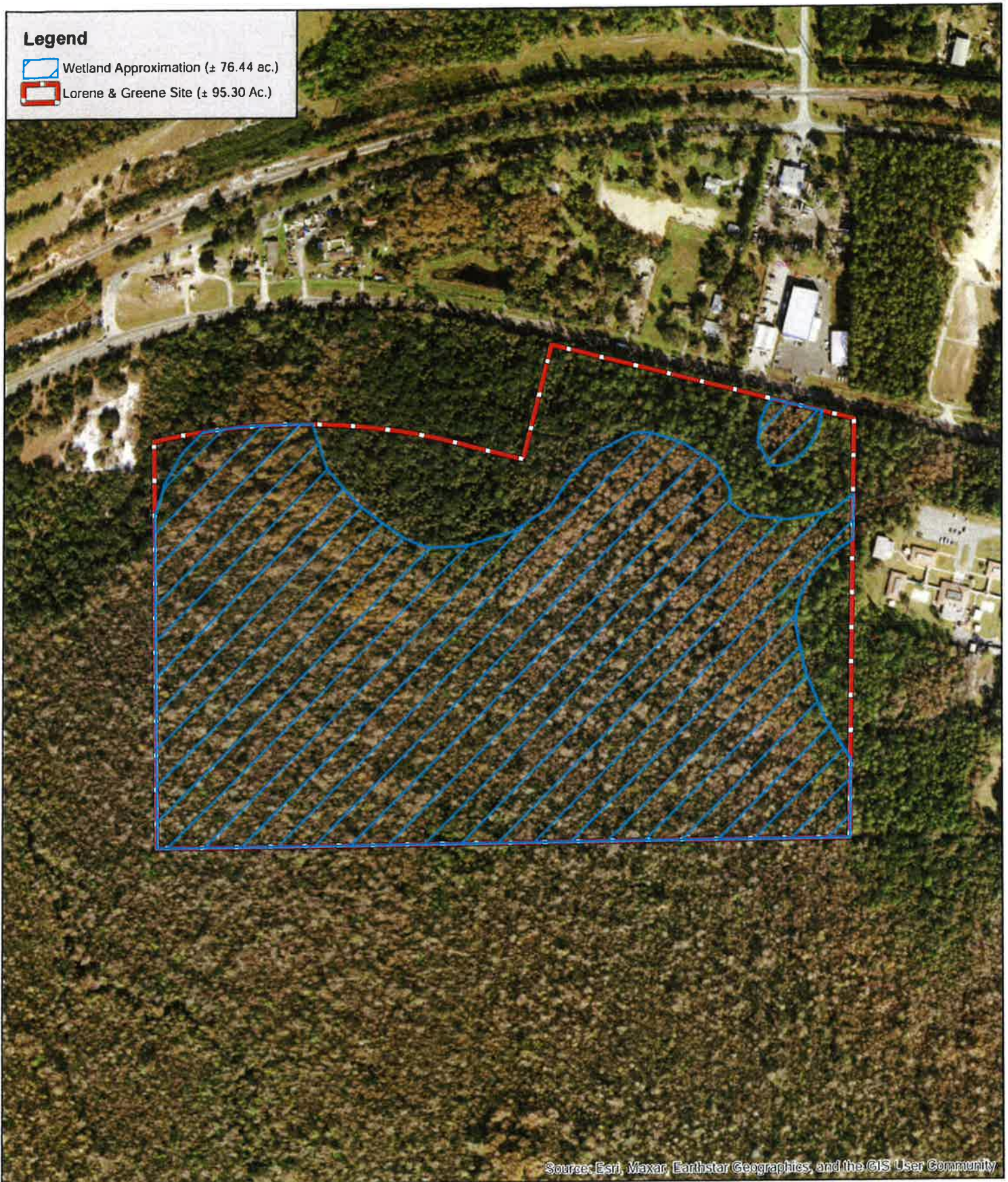
Potential mitigative values and acquisition values are not an equitable measure, rather, alternative mitigation is based in suitability to offset impacts.

UMAM value equivalency: If the required Conservation Easement replacement acreage for the RCMB and the mitigation credit value of SFWMD-owned ROW for the project were allowed to be resolved using traditional mitigation bank credits, the cost would be in the range of \$12,370,000\*. The SFWMD has indicated that a qualitative or ratio based (acre for acre) comparison is not applicable for replacement properties for this project, rather the replacement standard of "equal or greater" in acreage and quality should be used.

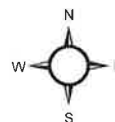
Please note, the replacement properties cannot be valued in the same way other vacant parcels are. Given the criteria that SFWMD requires for CFX to obtain permits for this project, there is a scarcity of parcels that qualify for replacement lands due to geography, land type, and proximity to the affected lands that are being offered for sale by willing sellers. By statute, CFX cannot condemn these properties by eminent domain and as such, there is a premium to pay to close on these properties.

All property in this region for conservation or development has increased in cost, dramatically in the past few years due to development demand. In addition, the Reedy Creek cumulative impact basin currently does not have available state mitigation bank credits in amounts required for this project, even if SFWMD would allow CFX to pursue mitigation credits, which they are not.

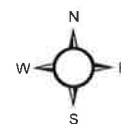
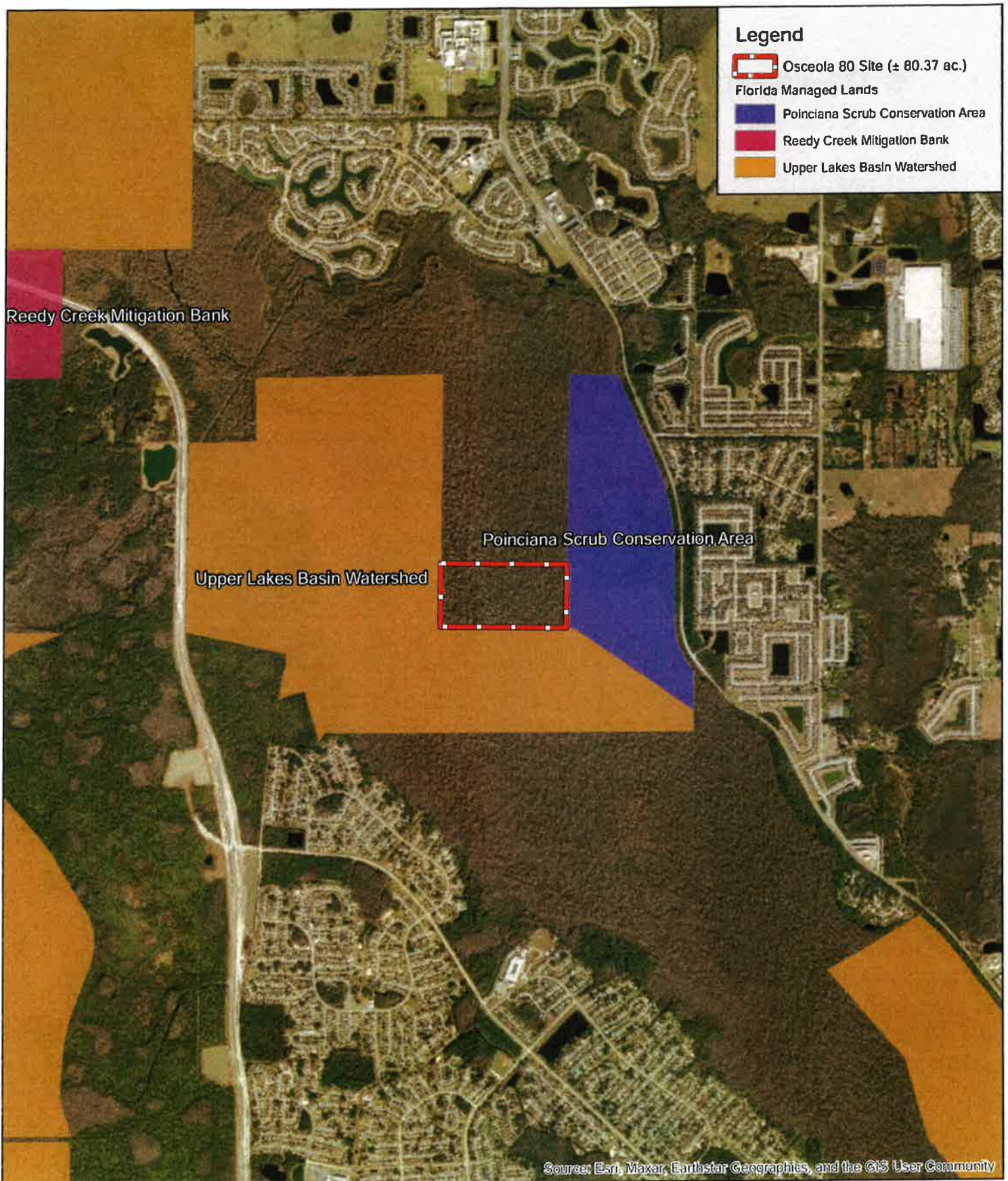
















## MEMORANDUM

\* approximately 56 UMAM credits required to mitigate 54.50 acres of RCMB and 30.12 acres of SFWMD. UMAM credit pricing is assumed at \$220,000 per credit (median of recent mitigation pricing in the region)

CE release over RCMB: 54.50 acres- 32.70 UMAM

SOR replacement-30.12 acres- 23.50 UMAM