City of Stuart
121 SW Flagler Ave.
Stuart, FL 34994
development@ci.stuart.fl.us
(772) 288-5326

Received by: SM
Reviewed by: _____
Approved by: _____

Application for Right of Way Abandonment

Project ID# 219070001
(Staff Entry)

Pre-App Conference Date: June 21, 2019	Application Date:
Project Name: Molly's House abandonment of portion of alley.	
Parcel ID# N/A	Project Address: 430 SE Osceola St., Stuart, FL 34994
Zoning/CRA Sub-district: R-3	
Subdivision: Stypmann's Subdivision	Lot(s): Portion of alley in Block 1.
Fee: $768.00 plus 100% of appraised value *(This does not include fees that may be charged as a result of application reviews by the City's consultants)*	
Submittal Requirements: A completed application form, the payment of fees, and pertinent information as determined by the Development Director.	
Approving Authority: The Development Director is required to prepare a staff report and recommendation concerning this application for the City Commission public hearing.	
Justification: Please provide justification supporting the request for the abandonment, vacation or change of name of any street, alley, road, or public way *(include additional pages if needed):*	

See Attached:

1. Justification.
2. Legal Description of Abandonment Parcel.
3. "SUBJECT AERIAL MAP" showing Abandonment Parcel.
4. Appraisal of the Abandonment Parcel.
5. Addendum re Fees and Costs.

(over)

General Information

(Please Print or Type)

1. Property Owner, Lessee, Contract Purchaser, or Applicant (circle one):

Name: William West	City/State/Zip Code: Stuart, FL 34994
Title: Chief Executive Officer	Telephone Number: 772-223-6659
Company: Molly's House, Inc.	Facsimile Number: 772-223-9990
Company Address: 430 SE Osceola St.	Email Address (optional):

2. Agent of Record (if any): The following individual is designated as the Agent of Record for the property owner, lessee, or contract purchaser and should receive all correspondence related to the application review.

Name:	City/State/Zip Code:
Title:	Telephone Number:
Company:	Facsimile Number:
Company Address:	Email Address (optional):

3. The Undersigned, as the Property Owner, Lessee, Contract Purchaser, or Applicant (circle one), acknowledges responsibility for all City expenses associated with the referenced application (s) including time spent by the City's consultants and further acknowledges that payment of consultant fees will be made prior to the receipt of the consultant comments.

Name:	City/State/Zip Code:
Title:	Telephone Number:
Company:	Facsimile Number:
Company Address:	Email Address (optional):

I hereby certify that all information contained herein is true and correct.

4. Signed this 25th day of June, 20 19.

CEO, Molly's House, Inc.

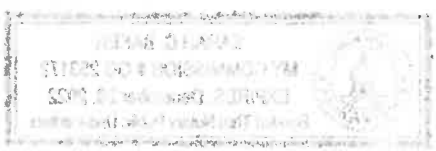
Signature of Property Owner, Lessee, Contract Purchaser or Applicant (circle one)

State of Florida, Martin County The foregoing instrument was acknowledged before me on this 25th day of June 2019 by William West who is personally known to me, or who has produced _____ as identification and who did/did not take an oath.

Notary Signature

Commission Expires:

SARAH C. BAKER
MY COMMISSION # GG 253172
EXPIRES: December 28, 2022
Bonded Thru Notary Public Underwriters



RE: Application for Right of Way Abandonment.

Justification:

The Applicant, Molly's House, Inc., is a 501(c)3 non-profit corporation, is a Hospital Hospitality House located at 430 S.E. Osceola Street, Stuart. Molly's House provides affordable (or free) temporary housing to patients and/or their families, while the patient is being treated at Cleveland Clinic Martin Hospital or other medical facilities in Stuart, Martin County and the Treasure Coast. Almost one hundred percent of funding for Molly's House comes from donations from the public.

In 1997 Molly's House acquired land, currently used as the "Memory Garden", located behind Molly's House and fronting on East Ocean Blvd. That land, consisted of the E ½ of Lot 5, and Lots 6, 7 and 8 Block 1, Stypmann's Subdivision, together with the closed alley abutting Lots 6, 7 and 8. For reasons currently unknown, the sale did not include the small portion of the alley abutting the E ½ of Lot 5 and we have found no indication that it has been abandoned by the City. That portion of the alley is the subject parcel of this application.

The subject parcel is measures 12 feet by 25 feet (300 sq.ft.).

It is bordered on three sides by the property of the applicant.

It is bordered on the west side by an unopened and unimproved portion of the remaining alley. Most of the alley in Block 1 has already been abandoned. There is no public access to the subject parcel.

No third parties own property abutting the subject parcel.

The applicant has for a number of years maintained a storage shed on the subject property and maintains the subject parcel as part of its parcel.

Applicant has been advised by City staff that no utilities are located within the subject parcel.

The subject parcel is of no potential public purpose to the City.

By this request for abandonment, Applicant desires to correct what Applicant believes to an oversight that has existed since at least 1997, and obtain legal ownership of the subject parcel.

The Applicant, Molly's House, Inc. respectfully requests that the City of Stuart grant the requested abandonment.

STEPHEN J. BROWN, INC.

LICENSED BUSINESS NUMBER: 6484

SURVEYORS • DESIGNERS • LANDPLANNERS • CONSULTANTS

619 EAST 5TH STREET, STUART, FLORIDA 34994 EMAIL: SJBINC@BELLSOUTH.NET (772) 288-7176

LEGAL DESCRIPTION

REVOCABLE LICENSE

A PORTION OF AN EXISTING ALLEY ABUTTING AND ADJACENT TO A PORTION OF THE SOUTH LINE OF LOT 22, BLOCK 1 AND THE NORTH LINE OF LOT 5, BLOCK 1, STYPMANN'S SUBDIVISION, AS RECORDED IN PLAT BOOK 5, PAGE 82, PUBLIC RECORDS OF PALM BEACH (NOW MARTIN) COUNTY, FLORIDA, AND BEING FURTHER DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF LOT 6, BLOCK 1, STYPMANN'S SUBDIVISION, AS RECORDED IN PLAT BOOK 5, PAGE 82, PUBLIC RECORDS OF PALM BEACH (NOW MARTIN) COUNTY, FLORIDA; THENCE SOUTH 89°57'27" WEST, ALONG THE NORTH LINE OF SAID LOT 5, BLOCK 1, FOR A DISTANCE OF 25.00 FEET TO THE POINT OF BEGINNING;
THENCE CONTINUE SOUTH 89°57'27" WEST, ALONG THE NORTH LINE OF SAID LOT 5, FOR A DISTANCE OF 25.00 FEET TO THE NORTHWEST CORNER OF SAID LOT 5; THENCE, DEPARTING SAID NORTH LINE, NORTH 00°30'27" EAST, FOR A DISTANCE OF 12.00 FEET, TO THE SW CORNER OF SAID LOT 22, BLOCK 1; THENCE NORTH 89°57'27" EAST, ALONG THE SOUTH LINE OF SAID LOT 22, FOR A DISTANCE OF 25.00 FEET;
THENCE SOUTH 00°30'27" WEST, FOR A DISTANCE OF 12.00 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 300.0 SQUARE FEET, +/-.

NOTE: THIS LAND DESCRIPTION SHALL NOT BE VALID UNLESS:

A. PROVIDED IN ITS ENTIRETY CONSISTING OF 2 SHEETS, WITH SHEET 2 BEING THE SKETCH OF DESCRIPTION.

B. REPRODUCTIONS OF THIS DESCRIPTION AND SKETCH ARE SIGNED AND SEALED WITH AN EMBOSSED SURVEYOR'S SEAL.

JOB #:	2304-01-02
DRAWN BY:	S.J.B.
CHECKED BY:	S.J.B.
DATE:	03/05/2019
SCALE:	N/A
SHEET:	1 OF 2

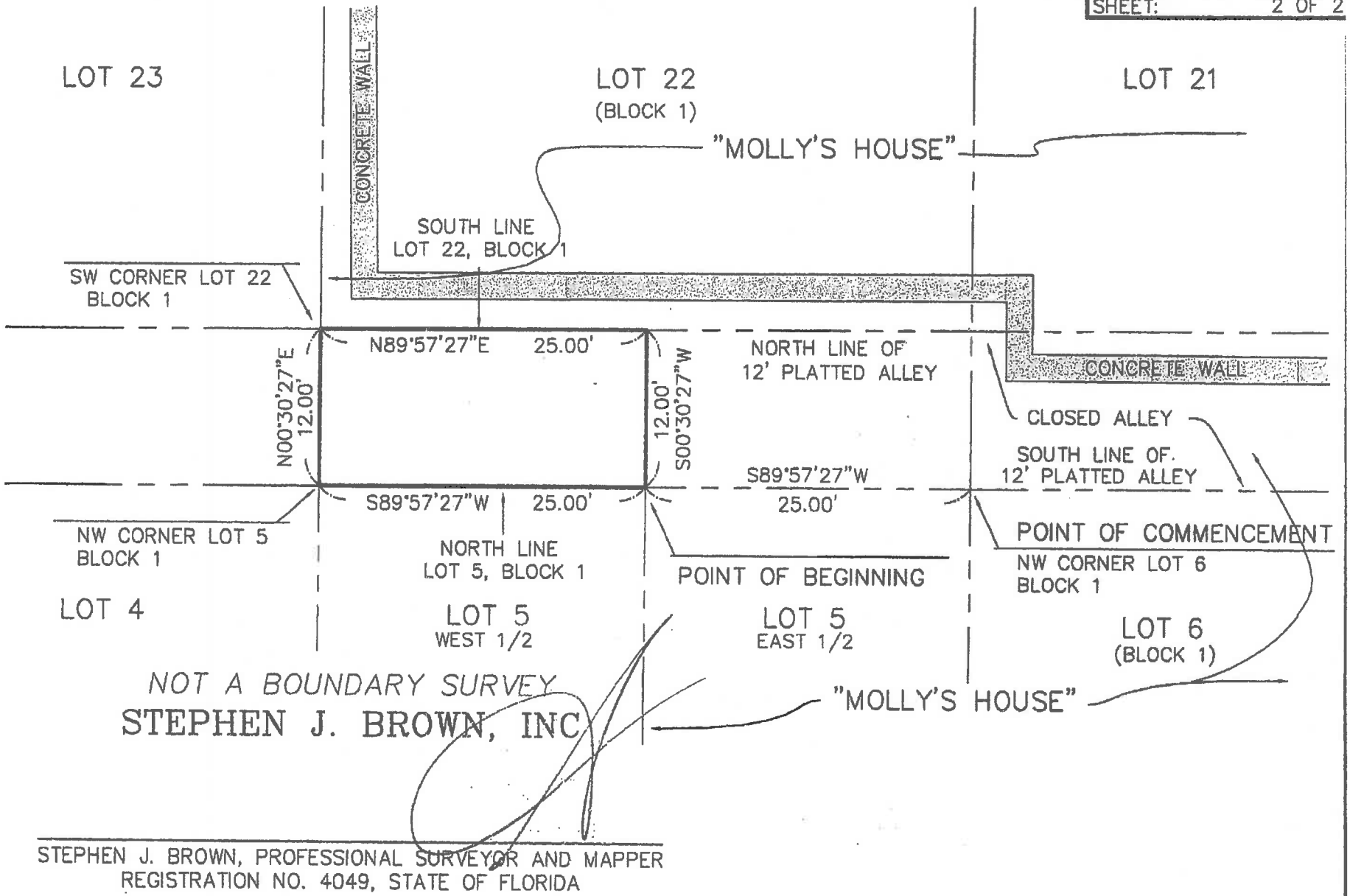
STEPHEN J. BROWN, INC.

LICENSED BUSINESS NUMBER: 6484

SURVEYORS • DESIGNERS • LANDPLANNERS • CONSULTANTS

619 EAST 5TH STREET, STUART, FLORIDA 34994 EMAIL: SJBINC@BELLSOUTH.NET (772) 288-7176

JOB #:	2304-01-02
DRAWN BY:	S.J.B.
CHECKED BY:	S.J.B.
DATE:	03/05/2019
SCALE:	1" = 10'
SHEET:	2 OF 2

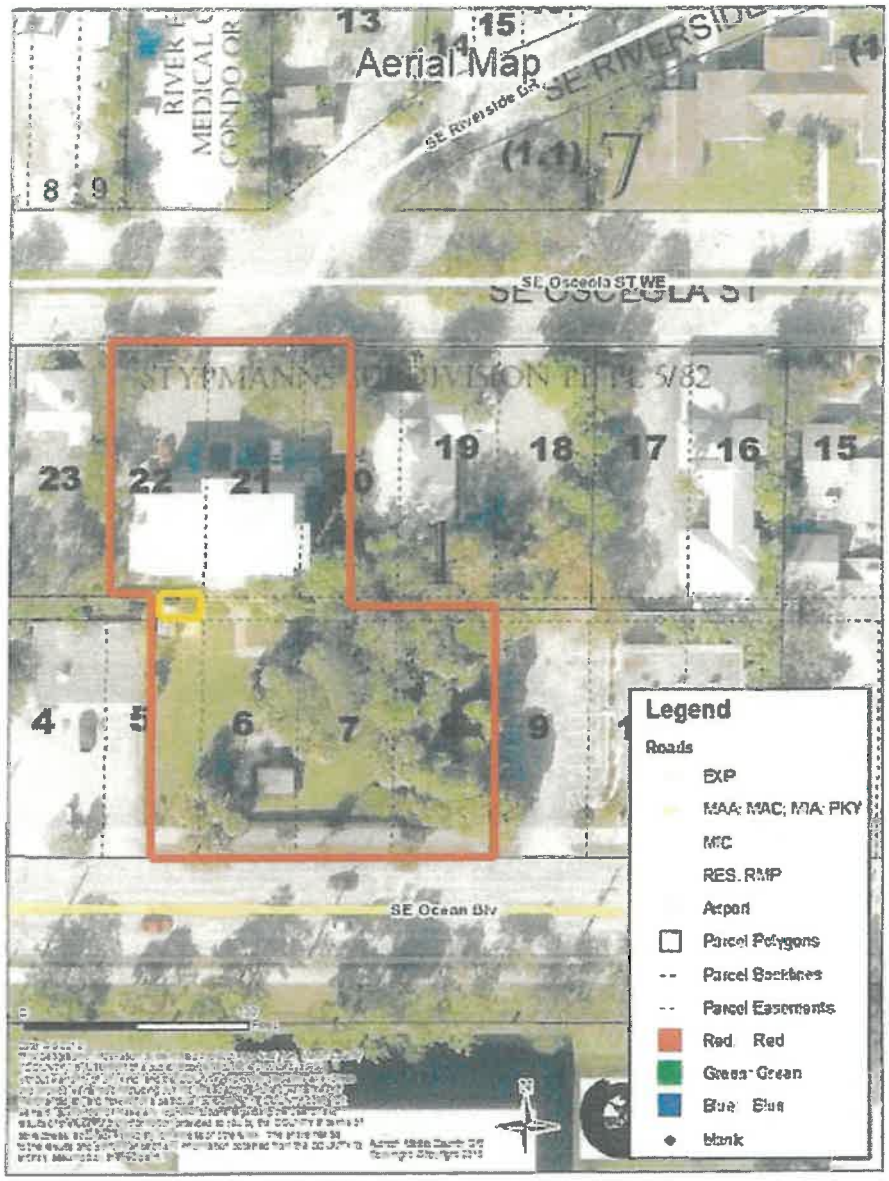


NOT A BOUNDARY SURVEY

STEPHEN J. BROWN, INC

STEPHEN J. BROWN, PROFESSIONAL SURVEYOR AND MAPPER
REGISTRATION NO. 4049, STATE OF FLORIDA

SUBJECT AERIAL MAP



Red outline is Molly's House, for reference purposes only.
Yellow outline is proposed abandonment area, for reference purposes only.

AN APPRAISAL REPORT OF A THREE HUNDRED SQUARE FOOT VACANT PARCEL

FOR POSSIBLE ABANDONMENT

LOCATED AT
430 SE OSCEOLA STREET
STUART, FLORIDA

AS OF
MARCH 25, 2019

FILE NUMBER DKD-2019-004

PREPARED FOR

MOLLY'S HOUSE, INC.
ATTN.: MR. BILL WEST, CEO
430 SE OSCEOLA STREET
STUART, FLORIDA 33994

PREPARED BY

DEIGHAN CONSULTANTS
14 EMARITA WAY
STUART, FLORIDA 34996

DEIGHAN CONSULTANTS

14 EMARITA WAY
Stuart, FL 34996

Daniel K. Deighan, MAI
Cert. Gen. RZ244
PHONE: (772) 221-3650

dandeighan@comcast.net

Robert W. Kunkle
Cert. Gen. RZ3185
FAX: (772) 221-3649

April 29, 2019

Molly's House, Inc.
Attn.: Mr. Bill West, CEO
430 SE Osceola Street
Stuart, FL 34994

RE: Market Value of a 300 SF Parcel
For Possible Abandonment
Molly's House
430 SE Osceola Street
Stuart, Florida 34994
Our File #DKD-2019-004

Dear Mr. Parz:

As requested, to provide an opinion of the market value of the fee simple estate of the above-cited subject property, we have inspected the property, the economic environment and surrounding neighborhood, researched and inspected sales and offers of similar properties, and studied all other pertinent factors.

The **purpose** of this assignment has been to develop an opinion of the market value of the Fee Simple Estate of the subject property, as of March 25, 2019. The **function** of this report, or its intended use, is for your use in decision-making. The opinions and conclusions have been developed solely with consideration, therefore, for that function and do not address requirements for any other use or by any other party. Please refer to the assumptions and limiting conditions in this regard.

This is an appraisal report in accordance with all the exercises, procedures, and analyses necessary therefore and stipulated by USPAP Std. 1. The report is intended to conform to the appropriate and pertinent rules and regulations for appraisal as promulgated by USPAP, the Appraisal Institute, the State of Florida, and the Appraisal Foundation and associated Standards Board. A report is provided, intended to comply with the USPAP guidelines therefore -- Std. 2-2[b] – wherein the data and analyses inherent to the complete appraisal are summarized with no excessive or extraneous discussions.

Mr. Parz
April 29, 2019

Based on all pertinent information, the investigation, and analyses, we have concluded the following market value of the fee simple estate for the subject property, as of March 25, 2019:

$1,175

The preceding statement of value is predicate upon any and all assumptions and limiting conditions contained within this appraisal report.

The scope of this assignment includes analyzing a reasonable exposure time for the subject property, which is stated at the end of this report under *Reconciliation*. In regard to compliance with the Competency Provision of the USPAP, we have been appraising these types of properties in this area for more than 35 years.

Enclosed is an appraisal report, which describes the property appraised, and shows the valuation procedures used in arriving at the preceding value conclusion.

We appreciate the opportunity to have been of service to you. If you have any questions, please call.

Very truly yours,

Robert W. Kunkle
Cert. Gen. #3185

Daniel K Deighan
Daniel K. Deighan, MAI
Cert. Gen. #244

rk/dkd
Enclosure

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CERTIFICATION

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

1. The statements of fact contained in this report are true and correct.

2. The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and are our personal, impartial, and unbiased professional analyses, opinions, and conclusions.

3. We have no present or prospective interest in the property which is the subject of this report, and no personal interest with respect to the parties involved.

4. We have no bias with respect to the property which is the subject of this report, or to the parties involved with this assignment.

5. Our engagement in this assignment was not contingent upon developing or reporting predetermined results.

6. Our compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value which favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.

7. Our analyses, opinions and conclusions were developed, and this report has been prepared in conformity with the Uniform Standards of Professional Appraisal Practice [USPAP].

8. Daniel K. Deighan, MAI, and Robert w. Kunkle, made a full personal inspection of the property, which is the subject of this report.

9. Other than the undersigned, no one has provided significant professional assistance in the analyses, conclusions and opinions of real estate values, as set forth in this appraisal report, except as may be specifically set forth elsewhere herein.

10. The Appraisal Institute conducts a voluntary program of continuing education for its designated members. MAI's who meet the minimum standards of this program are awarded periodic educational certification. As of the date of this report, Daniel K. Deighan, MAI, has completed the requirements of the continuing education program of the Appraisal Institute.

11. A list of Assumptions and Limiting Conditions is shown elsewhere in this appraisal report and is made a part hereof by reference thereto and these "Assumptions and Limiting Conditions" are a part of the valuable consideration between appraiser and client for this report.

12. A list of definitions including the definition of the term Market Value is included elsewhere herein and this list of definitions is made a part hereof by reference thereto.

13. Deighan Consultants has not had any professional assignments concerning any of these parcels in the past three years.

14. Based upon our independent appraisal and exercise of our professional judgment, we conclude the market value of the fee simple estate of the subject property, as of March 25, 2019, to be:

$1,175

Date: April 29, 2019

Robert W. Kunkle
Cert. Gen. #3185

Daniel K Deighan

Daniel K. Deighan, MAI
Cert. Gen. #244

ASSUMPTIONS AND LIMITING CONDITIONS

The following assumptions and limiting conditions apply to the attached appraisal report, our file #DKD-2019-004:

HYPOTHETICAL ASSUMPTIONS **None**

EXTRAORDINARY ASSUMPTIONS **None**

ORDINARY ASSUMPTIONS & LIMITING CONDITIONS

1. No responsibility is assumed for the legal description or for matters including legal or title considerations. Title to the property is assumed to be good and marketable unless otherwise stated.

2. Legal access to the site is available unless otherwise stated.

3. It is assumed that all licenses, certificates of occupancy, consents, or other legislative or administrative authority from local, state or national government, or private entity or organization, have been or can be obtained or renewed for any use on which the value estimate contained in this report is based.

4. Only limited legal descriptions or surveys were furnished, so the appraiser used the county tax plat to ascertain the physical dimensions and acreage of the property. Should a survey prove these characteristics inaccurate, it may be necessary for the appraisal to be adjusted.

5 Any proposed improvements are assumed to have been completed unless otherwise stipulated; any construction is assumed to conform to building plans, if any, referenced in this report.

6. Information, estimates, and opinions furnished to the appraiser, and contained in the report, were obtained from sources considered reliable and believed to be true and correct; however, no responsibility for accuracy of such items furnished to the appraiser can be assumed by the appraiser.

7. The property is appraised free and clear of any or all liens or encumbrances, unless otherwise stated.

8. Responsible ownership and competent property management are assumed.

9. It is assumed that all applicable zoning and use regulations and restrictions have been complied with, unless a non-conformity has been stated, defined and considered in the appraisal report.

10. It is assumed that there are no hidden or unapparent conditions of the property, subsoil, or structures which would render it more or less valuable. The appraiser assumes no responsibility for such conditions, if any.

11. It is assumed that there is full compliance with all applicable federal, state and local environmental regulations and laws unless non-compliance is stated, defined and considered in the appraisal report.

12. This analysis has been prepared by the appraisers during the normal course of their inspection of the property and resulting preparation of a real estate appraisal report. Only a visual observation of the property has been made. Any form of environmental audit is both beyond the scope of this assignment and the particular expertise of the appraisers, who have not searched title, interviewed the current or prior owners of the site, or researched the property *beyond* the scope normally associated with the appraisal process, unless otherwise stated herein. The appraiser is neither trained nor qualified to identify and/or quantify any existing or potential environmental problems. The presence of hazardous waste or materials on the site and/or in any improvements thereon may affect the value of the property. The value conclusions and other related opinions expressed in this report are based, therefore, upon the assumption that the site and improvements, if any, are clean and free of any and all forms of contamination. Any statements made in this report, relative to the existence of or potential for existence of contamination or any other environmental problems, are made only to assist the users in their own determination as to whether the site requires further investigation by an appropriate environmental expert/professional. The appraisers cannot be held liable for lack of detection and/or identification of possible environmental problems.

13. The *Americans with Disabilities Act* [ADA, effective Jan. 26, 1992] is not applicable as the property being valued is vacant land.

14. Where the value of the various components of the property is shown separately, the value of each is segregated only as an aid to better estimate the value of the whole; the independent value of the various components may, or may not, be the market value of the component. The separate valuations for land and building must not be used in conjunction with any other appraisal and are invalid if so used.

15. Any value estimates provided in the report apply to the entire property and any proration or division of the total into fractional interests will invalidate the value estimate, unless such proration or division of interests has been set forth in the report.

16. This appraisal report covers only the property described, and any values or rates used are not to be construed as applicable to any other property, however similar the properties might be. Further, it is assumed that the utilization of the land and improvements is within the boundaries of the property lines of the property described and that there is no encroachment or trespass, unless noted in the report.

17. Any sketch in the report may show approximate dimensions and is included to assist the reader in visualizing the property. The appraiser has made no survey of the property.

18. The forecasts, projections, or operating estimates contained herein are based upon current market conditions, anticipated short-term supply and demand factors, and a continued stable economy. These forecasts are, therefore, subject to changes in future conditions.

19. Disclosure of the contents of the appraisal report is governed by the By-laws and Regulations of the professional appraisal organizations with which the appraisers are affiliated.

20. The contents of this appraisal are for the exclusive use and reliance upon by the client for whom it has been prepared and to whom it has been certified. Neither all, nor any part of the content of the report, or copy thereof (including conclusions as to property value, the identity of the appraiser, professional designations, reference to any professional appraisal organizations or the firm with which the appraiser is connected) shall be used for any purpose by anyone but the client specified in the report, without prior written consent of the appraiser; nor shall it be conveyed by anyone to the public through advertising, public relations, news, sales, or other media, without the prior written consent of the appraiser.

21. If the appraiser is required to give testimony of any nature whatsoever because of having made the appraisal with reference to the property in question, arrangements for payment of fees for the appraiser's services as an expert witness must be made in advance of such testimony.

22. The appraisal expresses the opinion of the signers and is not contingent upon a predetermined value. Neither the employment to make the appraisal nor the compensation in any way determined the amount of the valuation reported.

23. The contract for this appraisal of the property legally described herein is fulfilled by the signer upon delivery of this appraisal.

24. This appraisal report, including format, style, spreadsheet and tabular data, as well as Addenda, is the property of Deighan Consultants and no portion of the report may be reproduced without their express written permission.

APPRAISAL OVERVIEW

Owner of Record:	City of Stuart
Property Type:	Vacant land with a shed installed in 1998 and landscaping that includes a palm tree and hedge.
Property Inspection(s):	Daniel K. Deighan, MAI, inspected the subject March 25, 2019, at which time he was unaccompanied.
Land Area:	300 SF (Source – Stephen J. Brown survey dated 1/31/2014).
Area Appraised:	300 SF
Tax Folio No:	04-38-41-020-001-00050.9 is Molly's House parcel.
Property Rights Appraised:	Fee simple
Land Use and Zoning:	Subject is at the west end of the SE Ocean Boulevard overlay zone. The land use is Office/Residential and the zoning is R-3 Multifamily/Office
Utilities Available:	Telephone, electric, water and sewer.
Highest & Best Use:	
As Vacant	Assembled to adjoining property
As Improved	N/A
Intended Users:	Molly's House, Inc., City of Stuart
Valuation:	**$1,175**
Date of Value	March 25, 2019
Date of Report	April 29, 2019
Reasonable Exposure Time:	12 months or less

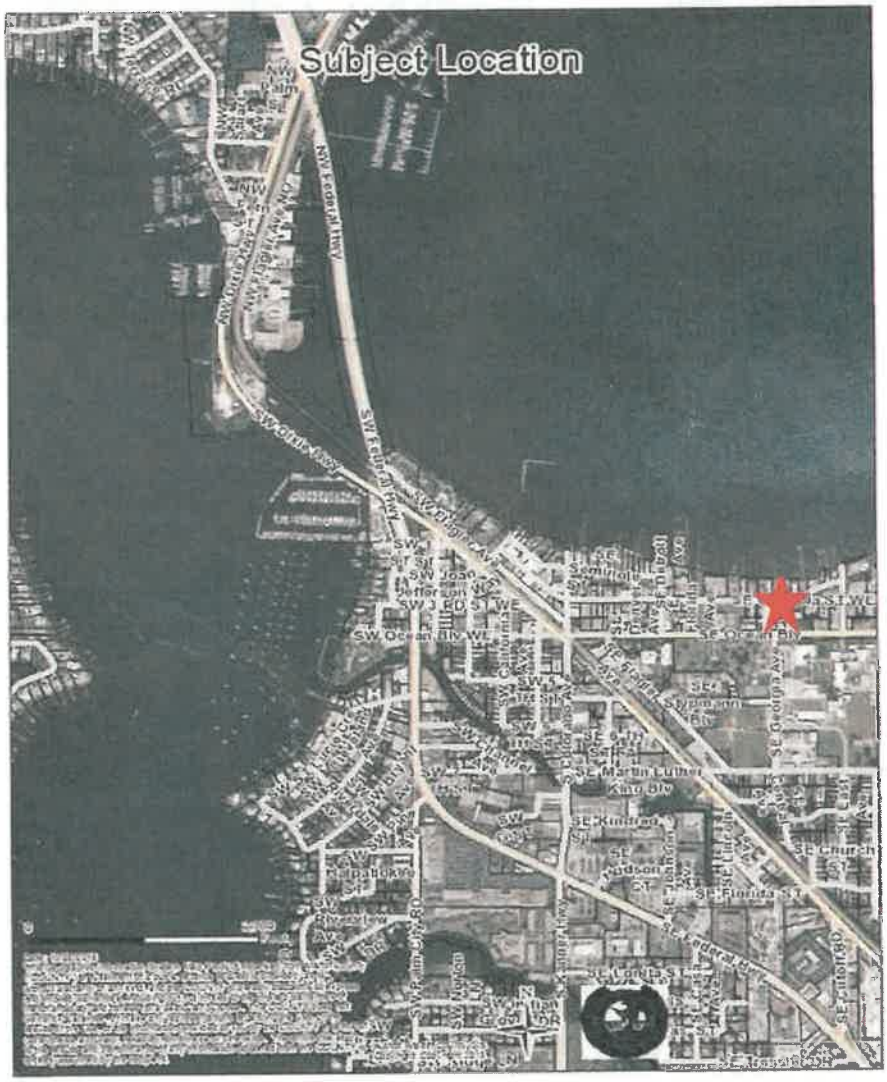
INTRODUCTION

Location/Address:	430 SE Osceola Street, Stuart, FL 34994 (Molly's House).
Legal Description:	Metes and bounds as described on the Stephen J. Brown Survey. A portion of an existing alley.
Property Inspection:	Daniel K. Deighan, MAI, inspected the subject March 25, 2019, unaccompanied.
Type of Property:	Vacant land with a shed installed in 1998 and landscaping that includes a palm tree and hedge.

History of the Property:

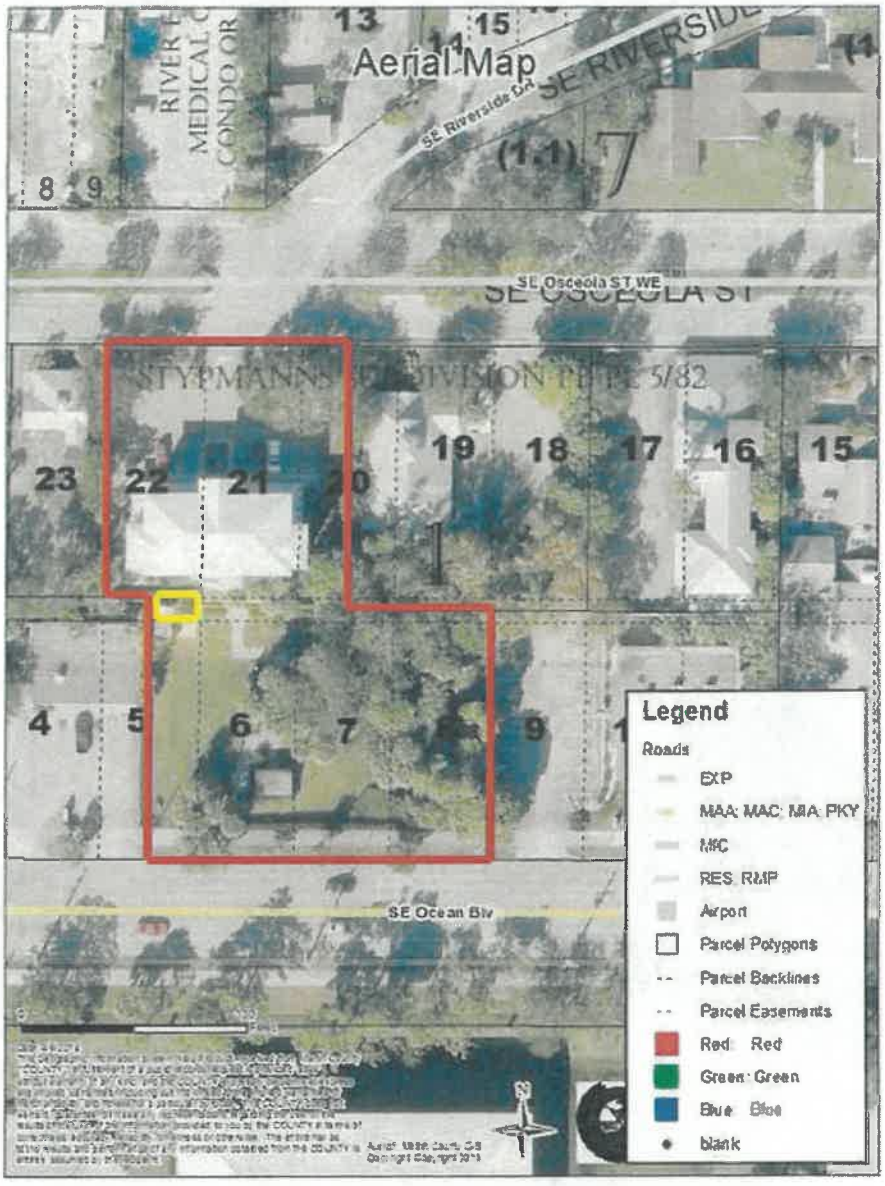
The property is part of an alley running east off Georgia Avenue that is owned by the City of Stuart. The subject property is at the dead end of the alley.

SUBJECT LOCATION



Subject location indicated by red star.

SUBJECT AERIAL MAP



Red outline is Molly's House, for reference purposes only.
Yellow outline is proposed abandonment area, for reference purposes only.

PHOTOGRAPHS OF THE SUBJECT PROPERTY

All photographs taken by Daniel K. Deighan, Mai, on March 25, 2019.



SE Osceola Street looking east.



SE Osceola Street looking west.

PICTURES OF THE SUBJECT PROPERTY



Shed that that has been placed on the subject 300 SF Parcel, with palm tree and hedge. Shed is easily moveable.



Molly's House grounds showing gardens and one of several areas for guests to sit and relax (in background).

PHOTOGRAPHS OF THE SUBJECT PROPERTY



Gazebo where guests can sit and relax.



Fountain on the grounds in the gardens.

PHOTOGRAPHS OF THE SUBJECT PROPERTY



Front of Molly's House



Rear of Molly's House. The yellow shed to the right is in the 300 SF subject parcel.

DESCRIPTION OF THE PROPERTY

LAND:

Sewer	Yes	Public water	Yes
Septic tank	No	Well	No
Electricity	Yes	Other water supply	No
Telephone	Yes	Curbs	Yes
Public sidewalks	Yes	Paved street	Yes

Size: 300 SF

Shape: The subject parcel is rectangular in shape.

Ingress/Egress: The subject has no improved access, but has legal access off Georgia Avenue. Molly's House has 125 FF on Osceola Street. The parcel fronts on East Ocean but does not have a driveway.

Utilities: Telephone, electricity, water, sewer.

Topography: Level at road grade

Drainage: Appears adequate.

Soils: Urban land. This is described in the addenda.

Flood Plain: Zone X, from Map Panel 12085C0134F, revised 10/04/2002

Site Improvements: A shed installed in 1998 and landscaping that includes a palm tree and hedge.

Easements: None.

Encroachments: None noted.

Environmental: The appraiser has noted no overt signs of contamination having occurred on the subject tract. Please refer to Item 12 in the Assumptions and Limiting Conditions.

ZONING/LAND USE/CONCURRENCY

Subject is at the west end of the SE Ocean Boulevard overlay zone. The land use is Office/Residential and the zoning is R-3 Multifamily/Office. The S.E. Ocean Boulevard Overlay Zone Design Standards are designed to encourage redevelopment along S.E. Ocean Boulevard as described below by offering development incentives that are not otherwise available by this Code. These shall include the promotion of pedestrian friendly streets, the development of a coordinated and aesthetic streetscape, and the promotion of traditional building types with arcades, porches and balconies situated to screen the street from parking lots. **The S.E. Ocean Boulevard Overlay Zone Design Standards do not change the future land use designation or zoning in effect on any property.** (Source: Stuart Land Development Regulations, Section 3.01.03).

Tables of allowed uses and Land Use/Zoning compatibility are in the Stuart LDR's, 2.01.02.

Land Use/Zoning Authority:	City of Stuart
Zoning/LDR:	Subject is at the west end of the SE Ocean Boulevard overlay zone. The land use is Office/Residential and the zoning is R-3 Multifamily/Office
Uses Allowed:	The Land Development Regulations (LDR's) for the overlay zone describe 25 allowable uses and another 4 conditional uses. Most residential and commercial uses are allowed. See section 2.02.02 of the LDR's.
Subject Conforms:	Yes
Concurrency:	Subject is concurrent. Central water and sewer are hooked up.
Future Zoning Change:	None foreseen for development as there is an overlay zone designation on the area.

HIGHEST AND BEST USE

Highest and best use is defined in the Addenda. Our conclusions as to highest and best use for the subject property are based on the following criteria which summarize the four tests inherent in Highest and Best Use analyses:

1. **Legal uses**
2. **Physically possible uses**
3. **Financially feasible uses**
4. **Maximally productive uses**

Highest and Best Use as Vacant: **Assemble with neighboring property**
Highest and Best Use as Improved: **N/A**

Reasoning:

1) The highest and best use concluded and identified above is legally permissible. The SE Ocean Overlay Zone designation allows for numerous residential and commercial uses. The small size of the property precludes any development. Assemblage to Molly's House is the only private use possible.

2) The subject site is 300 SF. It has no improved access. It is too small to be developed as it stands now. Assembled with Molly's House is the only possible use as no other adjacent parcel owners have legal access.

3) The subject is too small to be leased for anything. The cost to assemble is low enough for Molly's House to benefit from the additional land by adding to their gardens or private spaces for guests. It currently has a shed, palm tree, and hedge on the parcel.

4) Assemblage is a means of allowing the public to enjoy the land when they are guests at Molly's House. The gardens and private areas are places for guests to relax while relatives are in the hospital. The shed can be used for holding landscaping equipment.

In summary, the highest and best use of the subject site is for assemblage with Molly's House. This use is legally permissible, physically possible, appropriately supported in the market, and maximally productive.

APPRAISAL PROCESS

We are only using the Sales Comparison Approach as the land is vacant. The techniques and methods used in appraising the subject property are described and explained in the Addenda.

SALES COMPARISON APPROACH

The area of the subject is 300 SF. This area was determined by a survey by Stephen J. Brown dated January 31 2015. There are no sales of vacant land in the area that are not waterfront. We have extracted the land value from recent sales of improved properties. The Property Appraiser's card separately lists the current Market Values of the land and improvements. The percentage of land value of the current market value is then applied to the sale price of the property to yield the value of the land for that transaction.

Here is an example of this technique. The Property Appraiser lists the Market Total Value of a property at $2,000,000. The land size for this property is 20,000 SF. This is the sum of the Market Land Value and the Market Improvement Value. If the Land Value is $400,000 then the percentage of land value is:

Market Land Value divided by the Market Total Value:
$400,000 / $2,000,000 = 20.0%

If the property sells for $2,500,000, the percentage of the sale price allocated to land is then:

$2,500,000 x 20.0% = $500,000

This is then divided by the land size to yield at $/SF value.

$500,000 / 20,000 SF = $25.00/SF

This technique will be applied to the comparable sales to determine a land value per square foot that will then be applied to the subject size of 300 SF.

Sale #1 is the October 2017 transfer for $540,000. The medical office at 823 SE Osceola Street currently has a market value for the land of $189,283 and a total market value of $414,630. The 45.7% land value percentage applied to the $540,000 sale price yields $246,780 for the land. The land size of the property is 13,630 SF, for a $18.11/SF land value.

Sale #2 is the November 2015 transfer for $297,500. The office building at 205 SE Osceola Street currently has a market value for the land of $103,649 and a total market value of $208,480. The 49.7% land value percentage applied to the $297,500 sale price yields $147,858 for the land. The land size of the property is 5,000 SF, for a $29.57/SF land value.

Sale #3 is the November 2015 transfer for $2,650,000. The convalescent center at 201 SE Detroit Avenue currently has a market value for the land of $947,340 and a total market value of $3,020,340. The 34.2% land value percentage applied to the $2,650,000 sale price yields $906,300 for the land. The land size of the property is 29,930 SF, for a $30.28/SF land value.

Sale #4 is a current listing for $1,675,000. The office building at 500 SE Osceola Street currently has a market value for the land of $219,000 and a total market value of $1,006,280. The 21.8% land value percentage applied to the $1,675,000 list price yields $365,150 for the land. The land size of the property is 18,252 SF, for a $20.01/SF land value.

The following table summarizes the data presented above.

	Sale 1	Sale 2	Sale 3	Sale 4
Sale Price	$540,000	$297,500	$2,650,000	$1,675,000
Sale Date	Oct. 2017	Nov. 2015	Nov. 2015	Current Listing
Land Value	$189,283	$103,649	$947,340	$219,000
Total Value	$414,630	$208,480	$3,020,340	$1,006,280
% Land Value	45.7%	49.7%	34.2%	21.8%
Land $ of Sale Price	$246,780	$147,858	$906,300	$365,150
Land Size SF	13,630 SF	4,500 SG	29,930 SF	18,252 SF
Indicated $/SF	$18.11	$32.86	$30.28	$20.01

Based upon the preceding analyses, we accord greatest weight to Sale 1, with lesser weight to Sales 2 and 4, and least weight to Sale 3 due to its large size. We conclude a value for the subject property would fall in the middle of the indicated unadjusted $18.11/SF to $32.86/SF range after adjustments are made. Thus, I have concluded a value for the subject per unit value ($/SF), prior to reductions due to lack of developability, of:

$23.00/SF

This value has been derived from properties that are usable, developable, and capable of standing alone in the market. A 300 SF portion of an unimproved dead-end alley is not usable, developable, or capable of standing alone in the market. The alley itself is 12 feet wide and cannot be used for 2-way traffic. One-way traffic needs a 12-foot pavement width which leaves no room for a shoulder. "The minimum pavement width shall be 20 feet for two-way street and 12 feet for a one-way street." Per the City of Stuart Land Development Code Section 6.01.02 E-1-a.

The northern one-half of the Molly's House parcel has the building and parking. The southern one-half along East Ocean Boulevard is developed into gardens that provide serenity and tranquility areas for families to destress from visiting loved ones at the hospital. Since the southern half provides the peace and quiet required for the successful environment of the northern half, we feel the total property at present is 100% built out.

The subject has legal, but not improved, access. The alley dead ends with the subject at Molly's House. It is highly unlikely the alley will be improved as it would serve no purpose. We therefore consider the parcel to have no access. We have completed numerous assignments for St. Lucie County that required appraising wetlands that had no improved or legal access, or legal access that will never be improved. These parcels, using paired sales analysis, have consistently shown a 50% reduction in value. We were the lead real estate appraisers for Martin County when they were purchasing Pal Mar lots at the south end of the county. These parcels had no access and consistently showed a 50% reduction in value. It is our opinion the subject 300 SF should be reduced in value by 50% for lack of access.

The size of 300 SF makes the parcel undevelopable by itself. The market has shown surplus land to be less valuable that a parent tract. The loss in value ranges considerably depending on the size, with smaller parcels worth less as they have less chances of development. There is some limited value in the parcel in what is its current use, storage. The shed on the parcel now is not a permanent structure, but one could be constructed. Outdoor storage for materials or equipment is also possible.

There is only one potential buyer for the parcel. The convenience store only touches the parcel at a corner which means the Ocean Market cannot legally cross to the subject and therefore would have no incentive to purchase it. Molly's House is the only other land owner around. It makes no economic sense for Molly's House to pay $23.00/SF ($6,900) for such a small parcel, they do not need it. The increase in value to the parent tract is vey minimal as Molly's House already has 36,124 SF of property. This would increase their property size by only 0.008%, a minimal amount. Studies have shown parcels with only one potential buyer would be discounted anywhere from 24% to 41% with an average of 33%. This is because a potential buyer can walk away from a deal without receiving a discount.

Other studies by firms experienced with low utility parcels have published in appraisal magazines such as *Valuation* and *The Appraisal Journal* that show a limited buyers' market can reduce a parcel's value by an average of 24% to 50%. The discount can vary by as little as 15% to as much as 83%.

The Firm's experience with low utility parcels

Deighan Consultants, for Martin County, has appraised thousands of isolated, limited access parcels in Pal Mar, where owners had a quarter-, half-, and one-acre parcels and zoning required a minimum of 20 contiguous acres.

Deighan Consultants, for St, Lucie County, has appraised severely limited-use parcels acquired for the Savannahs Reserve, north of Port St. Lucie and south of Fort Pierce.

We will apply a 33% discount because of the very limited buyers' market.

Section 36-2(b) of the City of Stuart Land Development Regulations states "The privilege fee shall be determined and fixed by computing 100 percent of the value added to the adjoining real property of the petitioner by the resulting addition of the interest abandoned by the city;". This means the City of Stuart requires the Grantee pay an amount equal to the added value the abandonment would bring to the parent tract.

The 300 SF subject is located at the rear of the property, without frontage on SE Osceola Street or East Ocean Boulevard. It has no improved access, although it does have legal access being part of an alley that connects to SE Georgia Avenue. The alley dead-ends at the subject. The parcel is not developable because of its size. It would also not be developable because of the access and exposure.

The lack of access, undevelopable size, and lack of open market (one potential buyer) devalues the parcel considerably. Our data indicates an 83% reduction in value is appropriate (50% + 33%). Therefore, the value of the 300SF subject parcel, as of March 25, 2019, is:

$23.00/SF x (100% - 83% =)17% = $3.91/SF

$3.91/SF x 300 SF = $1,175 (R)

It is therefore our opinion the abandoned parcel, when annexed, would have much less value than the rest of the parent tract. The increase in value of the parent tract is equal to the value of abandonment, which, as of March 25, 2019, is:

$1,175

RECONCILIATION

Cost Approach:	N/A
Income Approach:	N/A
Sales Comparison Approach	$1,175

Only the Sales Comparison Approach was utilized so reconciliation is unnecessary. Based on the above analysis and discussion, we conclude the following value of the fee simple interest for the subject property, as is, as of March 25, 2019:

ONE THOUSAND ONE HUNDRED SEVENTY-FIVE DOLLARS ($1,175)

Reasonable Exposure Time and Reasonable Marketing Period: Based on our analyses, and upon the definitions of these concepts [supplied in the Addenda], we would conclude a reasonable exposure time for the subject of 12 months or more, which is also representative of the reasonable marketing period.

ADDENDA


NEIGHBORHOOD MAP

NEIGHBORHOOD DESCRIPTION

USPAP requires inclusion of a neighborhood and area description in appraisal reports. The *Regional Analysis* has been relegated to the Addenda. Following is a brief neighborhood description pertaining to the subject of this report.

Neighborhood Data

The neighborhood boundaries are considered to be:

North:	St. Lucie River
South:	East Ocean Boulevard
East:	Palm Beach Road
West:	Colorado Avenue intersection with Osceola Street

The neighborhood consists mainly of medical related uses, doctor's offices, medical services, etc., along with legal offices and sporadic commercial uses on SE Osceola Street. East Ocean Boulevard has a much more diverse variety of land uses. Many older homes in the neighborhood have been remodeled into professional offices such as doctors and lawyers.

Along the St. Lucie River on the west side of the neighborhood there are some residences along Seminole Street. SE Osceola Street has the Lou Ronzo Restaurant, older homes converted to medical offices, law offices, and some real estate uses. The Acacia Fraternal Lodge is also here. Continuing east along Osceola are a small bookstore, hair salon and the large Gary Law offices. The Martin Memorial (now Cleveland Clinic) Hospital is a large presence on SE Osceola Street, along with several related buildings such as the Cancer Center and parking garage. Molly's House is about one-half block west of the hospital, across the street. East of the hospital is a small enclave of residences up to Palm Beach Road.

East Ocean Boulevard is the main east-west corridor through this part of Stuart. From Colorado Avenue going east is a retail strip center and office condos on the south side of the road. Next is the large Martin County Courthouse Complex with Memorial Park to the east. Stuart Middle School and the Martin County School Board complex are between Georgia Avenue and High School Avenue. Further east is a dental office, real estate office, Christian Science Church and a 3-story professional office building.

The north side of East Ocean Boulevard is very similar with a retail strip center at Colorado Avenue, 3-story office condos, law office, health spa, former gas/convenience store (now Ocean Market), dental office and the Christian Science Church. Continuing east is a Martin Memorial Health building, St. Mary's Church, Lucido land planning, Patty Downing Interiors and the Wells Fargo Bank Building. Approaching Palm Beach Road there is the Boulevard Animal Hospital and dental offices.

In summary, because of the wide variety of land uses, we felt a more detailed description of the businesses was necessary. This area has been nearly completely built out with medical, dental and law offices, churches, schools, and retail uses. New construction is generally remodeling and repurposing existing buildings. Any future growth would likely be in this same vein.

MARTIN COUNTY REGIONAL ANALYSIS – MAP OF REGION



Red star approximates subject location.

REGIONAL ANALYSIS –MARTIN COUNTY

Size:	555.7 square miles land area, 197.2 square miles water area
Population:	159,923 in 2017 (Florida Demographics by Cubit). Florida population is 20,984,400 as of July 2017. Stuart has 16,204 residents while 14,318 people live in Hobe Sound.
Location:	Martin County, Treasure Coast Region, along the east coast of South Florida, between St. Lucie and Palm Beach counties, east of Okeechobee County.
MSA:	Port St. Lucie Metropolitan Statistical Area [MSA], which includes Martin County.
County Seat:	Stuart
Ocean Front:	The mainland is separated from the Atlantic Ocean by barrier islands and the Indian River, which runs the length of the tri-county area, offering three inlets to the Atlantic Ocean.
Median Income:	The per capita income was $52,262 in 2016 (Florida Demographics by Cubit). Stuart median income was $39,470 and Hobe Sound has a median income of $40,060. The Florida per capita income was $48,900.
Employment:	In February 2019 the unemployment rate for Martin County was 3.4%, compared to 3.8% in January and 3.7% in February 2018. The unemployment rate in February 2019 for the State of Florida was 3.5% per the Florida Department of Economic Opportunity.
Housing:	February 2019 median sale prices for homes in Martin County were down 7.9% over February 2018 at $327,000 and the number of homes sold was down 0.6% at 168 units. The inventory of homes for sale was up 15.7%. Condominium sales for February 2019 were down 27.8% at a median sale price of $155,000, up 14.3% year over year. (Florida Realtors).

DEFINITIONS AND EXPLANATIONS

Property Rights Appraised: **Fee simple estate**, which is absolute ownership unencumbered by any other interest or estate; subject only to the limitations imposed by the governmental powers of taxation, eminent domain, police power, and escheat. (Source: The Dictionary of Real Estate Appraisal, Fifth Edition)

Property Interest Appraised: **Permanent Easement – a** (perpetual) interest in real property that conveys use, but not ownership, of a portion of an owner's property. Or: An easement conveyed in perpetuity. (Source: The Dictionary of Real Estate Appraisal, Fifth Edition)

Property Interest Appraised: **Temporary Construction Easement** – this is an easement granted for a specific purpose and applicable for a specific time period, that is terminated after the construction of the improvement and the unencumbered fee interest in the land reverts to the owner. (Source: The Dictionary of Real Estate Appraisal, Fifth Edition)

Definition of Reasonable Exposure Time: Reasonable exposure time is one of a series of conditions in most definitions of market value and is always presumed to **precede** the effective date of appraisal. it may be defined thus: "The estimated length of time the property interest being appraised would have been offered on the market, prior to the hypothetical consummation of a sale at market value on the effective date of the appraisal; a retrospective estimate based upon an analysis of past events, assuming a competitive and open market." It is noted that the concept encompasses adequate, sufficient and reasonable time [on the market], as well as adequate, sufficient and reasonable effort [to expose said property to the market].
[Source: USPAP, 2010]

Definitions of Value:
Market Value -- The most probable price which a property should bring in a competitive and open market, under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

1. buyer and seller are typically motivated;
2. both parties are well informed or well advised, and acting in what they consider their best interests;
3. a reasonable time is allowed for exposure in the open market;
4. payment is made in terms of cash in United States dollars, or in terms of financial arrangements comparable thereto; and
5. the price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.

(Source: Uniform Standards of Professional Appraisal Practice, 2010, The Appraisal Foundation.)

Neighborhood Definition A group of complementary land uses; a congruous grouping of inhabitants, buildings, or business enterprises. [*The Dictionary of Real Estate Appraisal*, Fifth Ed.] Byrl N. Boyce, ed., *Real Estate Appraisal Terminology*, explains further - A portion of a larger community, or an entire community, in which there is a homogeneous grouping of inhabitants, buildings, or business enterprises. Inhabitants of a neighborhood usually have more than a casual community of interests. Neighborhood boundaries may consist of well-defined natural or man-made barriers, or they may be more or less well defined by a distinct change in land use or in the character of the inhabitants.

Highest and Best Use Highest and best use is defined as "the reasonably probable and legal use of vacant land or improved property, which is physically possible, appropriately supported, financially feasible, and which results in the highest value." [The Appraisal of Real Estate, 12th. Ed.]

When the purpose of an appraisal is the estimation of market value, the Highest and Best Use of the subject must be determined to identify the most profitable, competitive use to which the property can be put. Highest and best use is shaped by competitive forces within the subject market. As the Cost Approach requires valuation of the property as if vacant, the highest and best use of the property, as if vacant, must be identified. Many appraisals include an allocation of value between the land and its associated improvements, also requiring the determination of highest and best use as if vacant. Land value, therefore, depends upon the uses to which the property can be put.

The highest and best use of a property as improved is determined to identify a projected (or present) use that will produce the highest capital return to the property, and to identify and use comparable properties in valuation procedures.

The highest and best use concept is based on traditional appraisal theory and reflects the attitudes of typical buyers and sellers who recognize that value is predicated on future benefits. This theory is based on the wealth maximization of the owner, with consideration to community goals. A use which does not meet public needs, will not meet the above highest and best use criteria.

APPRAISAL PROCESS/DESCRIPTION OF VALUATION METHODS

In any estimation of value, the local market is researched for sales and offerings of properties and contracts similar to the subject, rentals of similar properties and their operating expenses, current rates of return on investments, construction costs and factors of depreciation, demand for property types similar to the subject, and general economic conditions. The cost, sales comparison, and income capitalization approaches are used to process these data into a final estimate of value. The three approaches are interdependent, requiring that data and assumptions from all three are reciprocal. Generally, however, insufficient market data render varying value conclusions that must be reconciled into a final estimate of value.

The sales comparison approach compares recent transactions of similar, competitive properties on the basis of various units, including land and improvements, as well as

gross income. This approach directly reflects the actions of buyers and sellers in the open market.

Flood Zone Zone B is an area between limits of the 100-year flood and 500-year flood, or certain areas subject to 100-year flooding with depths of less than one foot or contributing drainage area is less than one square mile, or areas protected by levees from the base flood.

Soils

Urban land is more than 70 percent covered by development. The natural soils cannot be observed. Unoccupied areas have generally been altered by fill, grading and shaping.

(Source: U.S. Department of Agriculture)

DANIEL K. DEIGHAN, MAI
FLORIDA STATE-CERTIFIED GENERAL APPRAISER #RZ244
PROFESSIONAL QUALIFICATIONS

Professional Designations

MAI American Institute of Real Estate Appraisers [now known as the Appraisal Institute]
Daniel K. Deighan has completed the requirements of the continuing education program of the Appraisal Institute including all ordinary, normal and required courses and seminars.

Professional Experience

State-Certified General Appraiser, Florida, #RZ244; Member of the Appraisal Institute

2004-Present	Deighan Consultants, Stuart, Florida
1982-2004	Licensed Broker and Owner of Deighan Appraisal Associates, Inc., Stuart, Florida
1980-1982	Broker-Salesman and Appraiser, Geisinger Realty, Inc., Stuart, Florida
1971-1981	President, Deighan Real Estate, Inc., Lake Placid, New York
1967-1971	Chief Appraiser, John M. Wilkins, MAI, Lake Placid, New York
1966-1971	Review Appraiser, NY State Dept. of Mental Hygiene
1965-1966	Staff Appraiser, NY State Dept. of Transportation

Qualified as Consultant Appraiser with the Following Agencies/Authorities and Utilities

FL Dept. of Environmental Protection and FL Communities Trust; South Florida Water Management District; FL Dept. of Revenue; FL Dept. of Transportation; FHA; US GSA [General Services Admin.]; Veterans Admin.; Martin County; St. Lucie County; Palm Beach County; Florida Power & Light; US Bureau of Census; FL Turnpike Authority; BellSouth; Cities of Stuart, Port St. Lucie, and Fort Pierce; Treasure Coast Regional Planning Council

Private-Industry Appraisal Clients [Partial List]

Local – First Peoples Bank; Riverside National Bank; First National Bank & Trust; Coldwell Banker Co.; Bank of Indiantown; Wachovia; Harbor Federal; Palm Beach Bank & Trust; Martin Memorial Hospital

National -- American Oil Company; McDonald's Corp.; Mobil Oil Company; Walgreen's; Shell Oil Company; Texaco, U.S.A.

Property Types Appraised [Partial List]

Automobile dealerships, citrus groves, gas stations, power centers, mini-power centers, all forms of commercial space including restaurants and banks, all forms of residential uses including subdivisions, apartment complexes, mobile home parks, and condominiums, hospitals, resorts and hotels/motels, mines, numerous easements including conservation and power line, wetlands, batch plants and other heavy industrial uses, industrial subdivisions, schools, leasehold interests, and riparian rights.

Expert Witness Testimony: Circuit Courts of Volusia, Indian River, St. Lucie, Martin, Palm Beach, Broward, and Miami-Dade counties, Florida; New York State Court of Claims and Supreme Court; and before various Commissioners on tax assessment cases.

Educational Background

- Bachelor of Arts Degree, Siena College, Loudonville, NY, 1965
- All required and necessary continuing education courses to achieve and maintain MAI.
- Taught Real Estate Principles, Practices and Law (REE 1000) course at Indian River Community College, Ft. Pierce, Florida.
- Guest Lecturer, University of Florida
- Guest Lecturer, Florida Association of Realtors

Professional Association

- MAI
- Licensed Real Estate Broker in Florida and New York
- Former Chairman, Grievance Committee, Stuart Board of Realtors.
- Past President, Economic Development Council of Martin County

- Past President, Tri-County Tec, Martin County

ROBERT KUNKLE, CGA
FLORIDA STATE-CERTIFIED GENERAL APPRAISER #3185

PROFESSIONAL QUALIFICATIONS

EDUCATION:

Associate of Arts, Indian River Community College, June 2000
Certified General Appraiser, May 2008

CONTINUING EDUCATION SEMINARS & COURSES:

Florida Law and Regulations
USPAP
Manufactured Housing
FHA Standards
Cost Approach
Income Approach
Mortgage Fraud
Hotel Valuation
Apartments Valuation

PROFESSIONAL EXPERIENCE:

- Real Estate Appraisal Research – Florida Property Consultants Group, June 1997 to March 2000
- Real Estate Appraisal – Deighan Consultants, January 2002 to Present

HAS APPRAISED:

Commercial Space	Restaurants	Office Buildings
Residential Subdivisions	Vacant Land	Industrial Buildings
Gas Stations	Condominiums	Leasehold Interests
Easements	Homes	Churches
Multi-Family Housing	Marinas	Road Right-of-Way
Riparian Rights	Airport Hangar	

PARTIAL LIST OF APPRAISAL CLIENTS

Martin County	St. Lucie County	City of Stuart
City of Port St. Lucie	Gulfstream Bank	Core Communities
Independent Bank	City of Fort Pierce	Trust for Public Land
Florida Communities Trust	Law Firms	Private Individuals

Application for Right of Way Abandonment

Addendum Re Fees and Costs:

The Applicant, Molly's House, Inc., requests that the City of Stuart, in considering this application, understand that Molly's House is a charitable organization that benefits the community, and exists almost entirely because of donations by the citizens of the City of Stuart, Martin County and the Treasure Coast. As such every dollar spent on this application is a dollar that we do not have available to provide services to the patients and families that Molly's House serves.

We therefore respectfully request that the City Commission, to every extent possible, waive or minimize, any and all City fees and costs pertaining to this application.

As of the date of this application, the following fees and costs are known to the Applicant:

1. City of Stuart Application Fee: $768.00
2. Appraised Value of the Abandonment Parcel: $1,175.00

Thank you.

Molly's House