# Lee County Board Of County Commissioners Agenda Item Summary

Blue Sheet No. 20050583

- 1. ACTION REQUESTED/PURPOSE: Accept four Quit-Claim Deeds for right-of-way necessary for the Dewberry Lane Special Improvement MSBU for maintenance of existing roads and streetlights; authorize the Division of County Lands to handle and accept all documentation necessary; authorize payment of recording fees.
- **2. WHAT ACTION ACCOMPLISHES:** Acquisition of right-of-way via Quit-Claim Deeds from benefitted property owners.
- 3. MANAGEMENT RECOMMENDATION: Management recommends Board approve the Action Requested.

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4. Departmental Category: (	Ó	C(a)	$\mathcal{S}$	5. Meeting Date	:05-17-20Q5
6. Agenda:	7. Requ	uirement/Purpos	e: (specify)	8. Request Initi	ated:
X Consent	X	Statute	125	Commissioner	
Administrative	X	Ordinance	02-17	Department	Independent
Appeals		Admin. Code		Division	County Lands 🚜
Public		Other		By: Karen	L.W. Forsyth, Director
Walk-On		_		1	na

### 9. Background:

The Board of County Commissioners created the Dewberry Lane Special Improvement MSBU on April 23, 2002, when it adopted Ordinance Number 02-17. The principal purpose of the project is maintenance of the existing roadway and streetlights for Dewberry Lane in St. James City, the cost of which will be assessed proportionately against benefitted property owners.

Attached is a list of four property owners who have executed the required Quit Claim Deeds. The original documents are in the files of County Lands and will be recorded upon approval by the Board of County Commissioners. There remains 9 more properties for which deed conveyances are required.

Funds are available in Account Number: GD5411810421.504925

Staff Recommends Board approve the Requested Motion.

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ATTACHMENTS: Copies of Quit Claim Deeds, In-House Title Searches, GIS Location Map

10. Review	v for Schedi	ıling:				_			
Department Director	Purchasing or Contracts	Human Resources	Other	County Attorney	Λ	<del> </del>	m 5/5		County Manager/P.W. Director
Ktorsych	Ma	n/a (	(h)	Min	Analyst	S/S/6'	Grants	Mgr.	water
11. Com	mission Acti		(	\				• '	
	Approve	1		Rec	y CoAtty		<del></del>		
	Deferred				COAETY		RECEIVE	ADMIN	
	Denied			Date:	12/01		5/2	05 4mp.	
	Other			Time:	· / [ ]		4.43		·
-				<b></b>			COUNTY	ADMIN /	
				Forward Co. F	ed To:		5/5	105	

# **DEWBERRY LANE SPECIAL IMPROVEMENT MSBU**

# EXHIBIT TO BLUE SHEET NO. 20050583

Parcel No.	Property Owner	Strap Number
129	John P. Myers & Joann K. Gelin, Joint	02-46-22-20-0000D.0320
	tenants with rights of survivorship	
144	Gilbert J. and Patricia H. Manz,	02-46-22-20-0000D.0480
	Husband and Wife	
156	Michael and Nadine Skinder, Husband and Wife	02-46-22-20-0000D.0600
158	Jean C. Miller, non homestead	02-46-22-20-0000D.0620

This Instrument Prepared by:	
Public Works/County Lands Division Post Office Box 398 Fort Myers, Florida 33902-0398 Project:Dewberry Lane, MSBU #129	
STRAP No.: 02-46-22-20-0000D.0320	This Space for Recording
	CUIT OLAUM DEED
THIS Quit-Claim Deed, Executed this Joann K. Gelin, joint tenants with rights of survivorship 33956. GRANTOR, to LEE COUNTY, a prost Office Box 398, Fort Myers, FL 33902-0398, GRA	day of, 20, 20, by <u>John P. Myers and</u> , whose address is <u>3923 Dewberry Ln, St James City, FL</u> olitical subdivision of the State of Florida, whose post office address is NTEE:
(The terms "GRANTOR" and "GRANTEE" include sing and the successors and assigns of corporations, where	ular and plural, heirs, legal representatives, and assigns of individuals, ever the context so admits or requires)
does hereby remise, release and quit-claim to the GRA	onsideration provided by the GRANTEE, which is hereby acknowledged, INTEE forever, all the right, title interest, claim and demand which the see or parcel of land, situate, lying and being in the County of Lee, State of
The northerly 12.5 feet of Lot 32, in Block D, Cherry Record Book 687 Page 853, Public Records of Lee	Estates, an unrecorded subdivision, as shown in Official County, Florida.
TO HAVE and to HOLD the same together with all appertaining, and all the estate, right, title interest, lien, $\epsilon$ the only proper use, benefit and behoof of the GRANTE	and singular the appurtenances thereunto belonging or in anywise quity and claim whatsoever of the GRANTOR, either in law or equity, to EE forever.
	and sealed these presents the day and year first above written.
Signed, sealed and delivered in presence of two separate witnesses:	al amilia
1st Witness Signature DUSLY Smith	John P. Myers
Printed Name of 1st Witness  2nd Witness Signature	
SUSAN HOLLEN 266  Printed Name of 2nd Witness	
1st Witness Signature	Joann K. Glein
Printed Name of 1st Witness,	
2nd Witness Signature	) N.W. BUCUMENTS RETAINED IN ANDS FILES FOR HANDLING
Printed Name of 2nd Witness	SWARD ACCEPTANCE.
STATE OF Florida	
COUNTY OF LLL	
	efore me this <u>5</u> day of <u>HDril</u> , 20 <u>05</u> , by who is personally known to me or who has produced
Orivas license as identification)	tion.
	Signature of Notary Public
	(Name typed, printed or stamped) (Title or Rank)
	(Serial Number, if any)
	My Commission DD311670 Expires November 19, 2007

## Ownership and Easement Search

Search No. 02-46-22-20-0000D.0320

Date: July 2, 2004

Parcel: 29

Project: Dewberry Special Improvement Unit

Project# 504925

To: Karen L.W. Forsyth, SR/WA

Director

From: Kenneth Pitt

Title Examiner

STRAP: 02-46-22-20-0000D.0320

Effective Date: May 29, 2004, at 5:00 p.m. 4/12/05 KK

Subject Property: Lot 32, in Block D, Cherry Estates, an unrecorded subdivision, as shown in Official Record Book 687 Page 853, Public Records of Lee County, Florida.

Title to the subject property is vested in the following:

John P. Myers and Joann K. Gelin, joint tenants with rights of survivorship.

By that certain instrument dated November 21, 2000 recorded November 22,2000, in Official Record Book 3330 page 2428, Public Records of Lee County, Florida.

#### Easements:

- 1. Subject to a Roadway Easement, 25 feet in width, 12.5 feet along the northerly property line, as shown on the plat of Cherry Estates, recorded in Official Record Book 687 Page 853, Public Records of Lee County, Florida.
- Subject to a 6 foot utility and drainage easement along the entire boundary of subject 2. parcel, as recorded in a Declaration of Conditions, Covenants, Charges, Restrictions and Reservations affecting property located in Cherry Estates and recorded in Official Record Book 692, Page 482, Public Records of Lee County, Florida. Said Declaration was later terminated by that certain instrument recorded in Official Record Book 3401 Page 4258, public Records of Lee County, Florida.
- **NOTE (1):** Subject property is unencumbered by a mortgage.
- Subject to Lee County Ordinance No. 86-14, relating to garbage and solid waste **NOTE (2):** Collection, recorded in Official Record Book 2189 Page 3281 and amended by Official Record Book 2189 Page 3334, Public Records of Lee County, Florida.
- NOTE (3): Subject to Amended Code Enforcement Order, in the sum of \$100.00, recorded in Official Record Book 3451 Page 4173, Public Records of Lee County, Florida.
- **NOTE (4):** Subject to a Judgment vs. Marcia Groth in the sum of \$2,442.90, plus costs of \$52.50, recorded In Official Record Book 2086 Page 2688, Public Records of Lee County, Florida.

### **Ownership and Easement Search**

Search No. 02-46-22-20-0000D.0320

Date: July 2, 2004

Parcel: 29

Project: Dewberry Special Improvement Unit

Project# 504925

NOTE (5):

Subject to a Judgment vs. Andrew A. Jendrusiak in the sum of \$760.67, recorded in Official Record Book 2507 Page 28 and re-recorded in Official Record Book 2508 Page 3549, Public

Records of Lee County, Florida.

NOTE (6):

Subject to a Judgment vs. Andrew A. Jendrusiak in the sum of \$1,501.30, recorded in Official Record Book 2772 Page 1361 and re-recorded in Official Record Book 2788 Page 543, Public Records of Lee County, Florida.

2,812.872/9/05

2004

Tax Status: \$2,863.80-3/15/04 for Tax Year 2003.

(The end user of this report is responsible for verifying tax and/or assessment information.)

The Division of County Lands has made a diligent search of the Public Record. However, this report contains no guarantees nor warranty as to its accuracy.

PRIGINAL DOCUMENTS RETAINED IN COUNTY LANDS FILES FOR

FL DL as identification. (type of identification)



Signature of Notary Public (Name typed, printed or stamped)

(Title or Rank) 10+61i

(Serial Number, if any)

### Ownership and Easement Search

Search No. 02-46-22-20-0000D.0480

Date: July 8, 2004

Parcel: 44

Project: Dewberry Special Improvement Unit

Kmp

Project# 504925

To: Karen L.W. Forsyth, SR/WA

Director

From: Kenneth Pitt

Title Examiner

STRAP: 02-46-22-20-0000D.0480

Effective Date: May 29, 2004, at 5:00 p.m. 4/12/05 KK

Subject Property: Lots 48, in Block D, Cherry Estates, an unrecorded subdivision, as shown in Official Record Book 687 Page 853, Public Records of Lee County, Florida.

Title to the subject property is vested in the following:

Gilbert J. Manz, Jr. and Patricia H. Manz, husband and wife.

By that certain instrument dated December 27, 1990, recorded December 28, 1990, in Official Record Book 2194 page 3458, Public Records of Lee County, Florida.

#### Easements:

- 1. Subject to a Roadway Easement, 25 feet in width, affecting the Southerly 12.5 feet of the subject property as shown on the plat of Cherry Estates, recorded in Official Record Book 687 Page 853, Public Records of Lee County, Florida.
- 2. Subject to a 6 foot utility and drainage easement along the entire boundary of subject parcel, as recorded in a Declaration of Conditions, Covenants, Charges, Restrictions and Reservations affecting property located in Cherry Estates and recorded in Official Record Book 692, Page 482, Public Records of Lee County, Florida. Said Declaration was later terminated by that certain instrument recorded in Official Record Book 3401 Page 4258. public Records of Lee County, Florida.

**NOTE** (1): Subject property is not encumbered by a mortgage.

**NOTE (2):** Subject to Lee County Ordinance No. 86-14, relating to garbage and solid waste Collection, recorded in Official Record Book 2189 Page 3281 and amended by Official

Record Book 2189 Page 3334, Public Records of Lee County, Florida.

Tax Status: \$2,265.63 paid on 3/31/2004 for Tax Year 2003. \$2,537.43 pd on 3/29/05 for (The end user of this report is responsible for verifying tax and/or assessment information.) Tax year 2004

The Division of County Lands has made a diligent search of the Public Record. However, this report contains no guarantees nor warranty as to its accuracy.

Post Office Box 398 Fort Myers, Florida 33902-0398	
Project: Dewberry Lane, MSBU #158	
STRAP No.: <u>02-46-22-20-0000D.0620</u>	This Space for Recording
,	QUIT-CLAIM DEED
	2011-CLAIM DEED
THIS Quit-Claim Deed, Executed this	day of, 20, by <u>Jean C. Miller, a</u> 216
(The terms AGRANTOR@ and AGRANTEE@ include singuand the successors and assigns of corporations, wherever	ular and plural, heirs, legal representatives, and assigns of individuals, er the context so admits or requires)
does hereby remise, release and quit-claim to the GRAN	nsideration provided by the GRANTEE, which is hereby acknowledged, TEE forever, all the right, title interest, claim and demand which the or parcel of land, situate, lying and being in the County of Lee, State of
The southerly 12.5 feet of Lot 62, in Block D, Che Official Record Book 687 Page 853, Public Reco	erry Estates, an unrecorded subdivision, as shown in rds of Lee County, Florida.
The above-described property is not now, nor ha contiguous to any homestead property of the Gr	as it ever been, the homestead of the Grantor, nor antor.
	nd singular the appurtenances thereunto belonging or in anywise uity and claim whatsoever of the GRANTOR, either in law or equity, to forever.
IN WITNESS WHEREOF, The GRANTOR has signed an	nd sealed these presents the day and year first above written.
Signed, sealed and delivered in	
presence of two separate witnesses:	~ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \
MALUX	jan C. Miller
1st Witness Signature	Jean C. Miller
Printed Name of 1st Witness	V
Court Hair Manager	
2nd Witness Signature	
Ounthia Rapsik	
Printed Name of 2nd Witness	
e-1 ',	
STATE OF Florida	
COUNTY OF LEC	
The foregoing instrument was acknowledged bef	fore me this 22 day of April 2005, by
10- 1 mills -	
(name of person acknowledged)	who is personally known to me or who has produced
FLX as identificati	on
(type of identification)	<b>5</b> 11.
ORIGINAL DOCUMENTS RETAINED IN	Signature of Notary Public Mmberly Crews
COUNTY LANDS FILES FOR HANDLING	(Name typed, printed or stamped)
UPON BOARD ACCEPTANCE,	(Title or Rank) (Serial Number, if any)
	MY COMMISSION # DD340071 EXPIRES; July 21, 2008

This Instrument Prepared by:

Public Works/County Lands Division

### Ownership and Easement Search

Search No. 02-46-22-20-0000D.0620

Date: July 12, 2004

Parcel: 58

Project: Dewberry Special Improvement Unit

Project# 504925

To: Karen L.W. Forsyth, SR/WA

Director

From: Kenneth Pitt

Title Examiner

STRAP: 02-46-22-20-0000D.0620

Effective Date: May 29, 2004, at 5:00 p.m. 4/12/05 KK

Subject Property: Lots 62, in Block D, Cherry Estates, an unrecorded subdivision, as shown in Official Record Book 687 Page 853, Public Records of Lee County, Florida.

Title to the subject property is vested in the following:

Jean C. Miller.

By that certain instrument dated January 15, 2004, recorded January 22, 2004 in Official Record Book 4178 page 1418. Public Records of Lee County, Florida.

#### Easements:

- 1. Subject to a Roadway Easement, 25 feet in width, affecting the Southerly 12.5 feet of the subject property as shown on the plat of Cherry Estates, recorded in Official Record Book 687 Page 853, Public Records of Lee County, Florida.
- 2. Subject to a 6 foot utility and drainage easement along the entire boundary of subject parcel, as recorded in a Declaration of Conditions, Covenants, Charges, Restrictions and Reservations affecting property located in Cherry Estates and recorded in Official Record Book 692, Page 482, Public Records of Lee County, Florida. Said Declaration was later terminated by that certain instrument recorded in Official Record Book 3401 Page 4258. public Records of Lee County, Florida.

NOTE (1): Subject property is not encumbered by a mortgage.

NOTE (2): Subject to Lee County Ordinance No. 86-14, relating to garbage and solid waste Collection, recorded in Official Record Book 2189 Page 3281 and amended by Official Record Book 2189 Page 3334, Public Records of Lee County, Florida.

Ownership and Easement Search

Search No. 02-46-22-20-0000D.0620

Date: July 12, 2004

Parcel: 58

Project: Dewberry Special Improvement Unit

Project# 504925

\$2,221.06 3/31/05 for Tax Year 2004

Tax Status: Paid for Tax Year 2003.

(The end user of this report is responsible for verifying tax and/or assessment information.)

The Division of County Lands has made a diligent search of the Public Record. However, this report contains no guarantees nor warranty as to its accuracy.

Printed Name of 2nd Witness FLURIDA STATE OF COUNTY OF LEE The foregoing instrument was acknowledged before me this  $\frac{1}{2}$ 

ADING SKINDER MICHAEL personally known to me or who has who is produced (name of person acknowledged)

as identification. (type of identification)

> Linda A. Fechter Commission #DD256438 Expires: Oct 07, 2007 Atlantic Bonding Co., Inc

nature of Notary Public

20

by Michael Skinder and

(Name typed, printed or stamped)

(Title or Rank) (Serial Number, if any) RIGINAL DOCUMENTS COUNTY

Kno

## **Division of County Lands**

### **Ownership and Easement Search**

Search No. 02-46-22-20-0000D.0600

Date: July 8, 2004

Parcel: 56

Project: Dewberry Special Improvement Unit

Project# 504925

To: Karen L.W. Forsyth, SR/WA

Director

Director

From: Kenneth Pitt

Title Examiner

STRAP: 02-46-22-20-0000D.0600

Effective Date: May 29, 2004, at 5:00 p.m. 4/12/05 xx

Subject Property: Lots 60, in Block D, Cherry Estates, an unrecorded subdivision, as shown in Official Record Book 687 Page 853, Public Records of Lee County, Florida.

Title to the subject property is vested in the following:

### Michael Skinder and Nadine Skinder, husband and wife.

By that certain instrument dated March 1, 1996, recorded March 4, 1996 in Official Record Book 2682 page 748, Public Records of Lee County, Florida.

#### Easements:

- 1. Subject to a Roadway Easement, 25 feet in width, affecting the Southerly 12.5 feet of the subject property as shown on the plat of Cherry Estates, recorded in Official Record Book 687 Page 853, Public Records of Lee County, Florida.
- Subject to a 6 foot utility and drainage easement along the entire boundary of subject parcel, as recorded in a Declaration of Conditions, Covenants, Charges, Restrictions and Reservations affecting property located in Cherry Estates and recorded in Official Record Book 692, Page 482, Public Records of Lee County, Florida. Said Declaration was later terminated by that certain instrument recorded in Official Record Book 3401 Page 4258, public Records of Lee County, Florida.
- NOTE (1): Subject to a mortgage in the original sum of \$45,810.00 between James Leslie Amerman and Patricia M. Amerman (mortgagors) and The First National Bank In Fort Myers (mortgagee), recorded in Official Record Book 1763 Page 2564. Said mortgage was later modified by agreements recorded in Official Record Book 1857 Page 2211, Official Record Book 2090 Page 3381 and Official Record Book 2323 Page 1767. There is a satisfaction of record, Official Record Book 2693 Page 192, however it mistakenly refers to a satisfaction of the last modification agreement recorded in Official Record Book 2323 Page 1767, Public Records of Lee County, Florida and not the original mortgage.

### **Ownership and Easement Search**

Search No. 02-46-22-20-0000D.0600

Date: July 8, 2004

Parcel: 56

Project: Dewberry Special Improvement Unit

Project# 504925

NOTE (2): Subject to Lee County Ordinance No. 86-14, relating to garbage and solid waste

Collection, recorded in Official Record Book 2189 Page 3281 and amended by Official

Record Book 2189 Page 3334, Public Records of Lee County, Florida.

\$ 2100.29 on 11/17/04 for fax year 2004.

Tax Status: \$2,210.36 on 11/14/2003 for Tax Year 2003.

(The end user of this report is responsible for verifying tax and/or assessment information.)

The Division of County Lands has made a diligent search of the Public Record. However, this report contains no guarantees nor warranty as to its accuracy.

