

Date Critical

Lee County Board Of County Commissioners
Agenda Item Summary

Blue Sheet No. 20050404

1. ACTION REQUESTED/PURPOSE: Accept by donation, a Quit Claim Deed for Part of Strap No. 02-46-22-19-00000.0240 necessary for the Cherry/Blueberry Lanes Special Improvement MSBU for maintenance of the existing roads and street lighting; authorize the Division of County Lands to handle and accept all documentation necessary; authorize payment of recording fees. Cherry and Blueberry Lanes are currently privately owned roads and the County cannot initiate maintenance without a fee interest.

2. WHAT ACTION ACCOMPLISHES: Acquires right-of-way via Quit-Claim Deed by donation from benefited owner.

3. MANAGEMENT RECOMMENDATION: Management recommends Board approve the Action Requested.

4. Departmental Category: 6

CLOB

5. Meeting Date: 04-05-2005

6. Agenda:
<input checked="" type="checkbox"/> Consent
<input type="checkbox"/> Administrative
<input type="checkbox"/> Appeals
<input type="checkbox"/> Public
<input type="checkbox"/> Walk-On

7. Requirement/Purpose: (specify)
<input checked="" type="checkbox"/> Statute 125
<input checked="" type="checkbox"/> Ordinance 96-07
<input type="checkbox"/> Admin. Code
<input checked="" type="checkbox"/> Other 96-04-160, 96-04-161

8. Request Initiated:
Commissioner _____
Department _____ Independent
Division _____ County Lands TLM
By: Karen L.W. Forsyth, Director

9. Background: The Board of County Commissioners created the Cherry/Blueberry Lane Special Improvement MSBU on April 3, 1996, when it adopted Resolution Nos. 96-04-160 and 96-04-161. The principal purpose of the project is maintenance of the currently existing roadways and street lighting for Cherry and Blueberry Lanes in St. James City, the cost of which will be assessed proportionately against benefited property owners. A requirement for maintenance to be accepted by the County is to obtain Quit-Claim deeds from all benefited property owners.

There is now only one remaining property for which a deed conveyance to the County is required.

Interest to Acquire: Fee and Easement

Property Details:

Owner: Alan R. Schaub and Bernedette I. Paul, husband and wife
Address: 3902 Blueberry Lane, St. James City

Purchase Details:

The property owners are granting this interest to the County without requiring compensation for the real estate value. Recording costs will be approximately \$15.

Funds are available in Account: GD5411810417.504925

Attachments: Copy of Quit-Claim Deed, Ownership and Easement Search.

10. Review for Scheduling:

Department Director	Purchasing or Contracts	Human Resources	Other	County Attorney	Budget Services	County Manager/P.W. Director								
<i>[Signature]</i>				<i>[Signature]</i>	<table border="1"> <tr><td>Analyst</td><td>Risk</td><td>Grants</td><td>AMgr.</td></tr> <tr><td><i>[Signature]</i></td><td><i>[Signature]</i></td><td><i>[Signature]</i></td><td><i>[Signature]</i></td></tr> </table>	Analyst	Risk	Grants	AMgr.	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>
Analyst	Risk	Grants	AMgr.											
<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>											

11. Commission Action:

- Approved
- Deferred
- Denied
- Other

Rec. by CoAtty
Date: 3/23/05
Time: 1:30
Forwarded To: *[Signature]*

RECEIVED BY COUNTY ADMIN: *[Signature]*
3-23-05 MP
2:15
COUNTY ADMIN
FORWARDED TO: *[Signature]*
3/24/05
4PM

QUIT-CLAIM DEED

THIS Quit-Claim Deed, executed this 16th day of March, A.D. 2005, by Alan R. Schaub and Bernedette I. Paul, husband and wife, whose address is 3902 Blueberry Lane, St. James City, FL 33956, Grantor, to LEE COUNTY, a political subdivision of the State of Florida, whose post office address is Post Office Box 398, Fort Myers, FL 33902-0398, Grantee:

(The terms "Grantor" and "Grantee" include singular and plural, heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations.)

WITNESSETH, That the Grantor, for and in consideration of the sum of \$1.00 in hand paid by the Grantee, the receipt whereof is hereby acknowledged, does hereby remise, release and quit-claim to the Grantee, all the right, title interest, claim and demand which the Grantor has in and to the following described parcel of land, located in Lee County, Florida:

The Southerly ten (10) feet of Lot 24, Block C, Cherry Estates, according to the map or plat thereof recorded in Official Records Book 576, Pages 462 and 463, Public Records of Lee County, Florida.

Together with a perpetual right-of-way for construction and maintenance of the roadway along the Northerly two and one-half (2 1/2) feet of the Southerly twelve and one-half (12 1/2) feet of Lot 24, Block C, Cherry Estates, according to the map or plat thereof recorded in Official Records Book 576, Pages 462 and 463, Public Records of Lee County, Florida.

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

IN WITNESS WHEREOF, The Grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in presence of two separate witnesses:

M. O'Donnell
1st Witness Signature

Alan R. Schaub
Alan R. Schaub Grantor

M. O'Donnell
Printed Name of 1st Witness

Colleen L. Campbell
2nd Witness Signature

Colleen L. Campbell
Printed Name of 2nd Witness

Bernedette I. Paul
Bernedette I. Paul Grantor

M. O'Donnell
1st Witness Signature

MARSHA O'DONNELL
Printed Name of 1st Witness

Colleen L. Campbell
2nd Witness Signature

Colleen L. Campbell
Printed Name of 2nd Witness

STATE OF Fla)
COUNTY OF Lee)

The foregoing instrument was acknowledged before me this 16 day of March, 2005, by Alan R. Schaub and Bernedette I. Paul. They are personally known to me (name of person acknowledged) or who have produced FL DR LIC as identification. (type of identification)

M. O'Donnell
(Signature of Notary Public)

SEAL



(Name typed, printed or stamped)
(Title or Rank)
(Serial Number, if any)

ORIGINAL DOCUMENTS RETAINED IN COUNTY LANDS FILES FOR HANDLING UPON BOARD ACCEPTANCE.

**UPDATED
OWNERSHIP AND EASEMENT
LEE COUNTY PUBLIC WORKS DEPARTMENT
DIVISION OF COUNTY LANDS**

TO: Teresa L. Mann SR/WA
Property Acquisition Agent

SEARCH NO: 21159/B

PARCEL: 80

FROM: Kenneth Pitt
Real Estate Title Examiner

PROJECT: Cherry/Blueberry MSBU

EFFECTIVE DATE: March 14, 2005

DATE DELIVERED: March 23, 2005



STRAP No: 02-46-22-19-00000.0240

Subject Property: *See Schedule "X" Attached*

Title to subject property is vested in the following:

Alan R. Schaub and Bernedette I. Paul as Joint Tennants With Rights of Survivorship

By that certain instrument dated October 24, 2000, recorded October 24, 2000 in Official Record Book 3318, Page 4458, Public Records of Lee County, Florida.

Easements:

1. Twelve and one-half foot (12.5') Easement Roadway along Southerly (front) lot line, as shown on Plat recorded in Official Record Book 576, Pages 462 and 463, Public Records of Lee County, Florida.
2. Five foot (5') Public Utility Easement along the Southerly (front) lot line, as shown on Plat, recorded in Official Record Book 576, Pages 462 and 463, Public Records of Lee County, Florida.
3. **NOTE:** For information purposes, attention is directed to the fact that subject property does not appear to abut a public road or highway. Access to property is by easements reserved across adjoining parcels. Sufficiency of said easements has not been determined by this report.
4. Subject to a Mortgage in the sum of \$78,400.00, recorded in Official Record Book 3527 Page 2724, which was assigned by Official Record Book 3607 Page 3385, Public Records of Lee County, Florida.

This is a specific purpose search limited to showing the current owner of record and easements for the subject property. This report contains no guarantees nor warranty as to its accuracy. Taxes: \$932.15 paid on 11/22/04 for Tax Year 2004.

SCHEDULE "X"

**Cherry/Blueberry MSBU
Search No. 21159/B**

Lot 24, Block C, Cherry Estates, according to the map or Plat thereof filed and recorded in the Office of the Clerk of the Circuit Court, in Official Record Book 576, Pages 462 and 463, Public Records of Lee County, Florida.