

Agenda Item Summary

1. **ACTION REQUESTED/PURPOSE:** Accept Quit-Claim Deed 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.

4. Departmental Category: 6 <b>C66</b>		5. Meeting Date: <b>08-23-2005</b>
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	02-17
	<input type="checkbox"/> Admin. Code	
	<input type="checkbox"/> Other	
		8. Request Initiated: Commissioner _____ Department Independent Division County Lands <i>LF</i> By: Karen L.W. Forsyth, Director <i>KLF</i>

**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.

The attached is a copy of the deed from the benefitted owner, Paula Spatz. The original document is in the file of County Lands and will be recorded upon approval by the Board of County Commissioners. There remains 8 more properties for which deed conveyances are required.

Funds are available in Account Number: GD5411810421.504925

Staff Recommends Board approve the Requested Motion.

ATTACHMENTS: Copy of Quit Claim Deed, In-House Title Search, GIS Location Map

**10. Review for Scheduling:**

Department Director	Purchasing or Contracts	Human Resources	Other	County Attorney	Budget Services				County Manager/P.W. Director
					Analyst	Risk	Grants	Mgr.	
<i>KLF</i>			<i>LF</i>	<i>LF</i>	<i>LF</i>	<i>LF</i>	<i>LF</i>	<i>LF</i>	<i>LF</i>

- 11. Commission Action:**  
 Approved  
 Deferred  
 Denied  
 Other

RECEIVED BY COUNTY ADMIN: <i>CA</i>
8-5-05
11:30
COUNTY ADMIN FORWARDED TO: <i>LF</i>
8/18/05
9:10 AM

*MS*

This Instrument Prepared by:

Public Works/County Lands Division

Post Office Box 398

Fort Myers, Florida 33902-0398

Project: Dewberry Lane, MSBU

STRAP No.: 02-46-22-20-0000D.0250

This Space for Recording

QUIT-CLAIM DEED

THIS Quit-Claim Deed, Executed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by Paul Spatz, whose address is 5100 Highway 42, #314, Louisville, KY 40241 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, wherever the context so admits or requires)

WITNESSETH, The GRANTOR for good and valuable consideration provided by the GRANTEE, which is hereby acknowledged, does hereby remise, release and quit-claim to the GRANTEE forever, all the right, title interest, claim and demand which the GRANTOR has in and to the following described lot, piece or parcel of land, situate, lying and being in the County of Lee, State of Florida, to-wit:

The northerly 12.5 feet of Lot 25, in Block D, Cherry Estates, an unrecorded subdivision, as shown in Official Record Book 687 Page 853, Public Records of Lee County, Florida.

The above-described property is not now, nor has it ever been, the homestead property of the Grantor, not contiguous to any homestead property of the Grantor.

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

Leslie M Bowles
1st Witness Signature
Printed Name of 1st Witness

Paula Spatz
Paula Spatz

Vicki J Woods
2nd Witness Signature
Printed Name of 2nd Witness

STATE OF Kentucky
COUNTY OF Jefferson

The foregoing instrument was acknowledged before me this 11th day of May, 2005, by Paula Spatz who is personally known to me or who has produced license as identification.

Deborah M McCoy Alcorn
Signature of Notary Public
Deborah McCoy Alcorn, Notary Public
(Name typed, printed or stamped)
(Title or Rank)
(Serial Number, if any)

My commission expires Dec.16,2008

COPIES OF THIS INSTRUMENT WILL BE FILED IN COUNTY LANDS FILES FOR HANDLING UPON BOARD ACCEPTANCE

**Division of County Lands**

**Ownership and Easement Search**

Search No. 02-46-22-20-0000D.0250

Date: July 1, 2004

Parcel: 22

Project: Dewberry Special Improvement Unit  
Project# 504925

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

From: Kenneth Pitt  
Title Examiner

*1800 P*

STRAP: 02-46-22-20-0000D.0250

*July 4, 2005*

Effective Date: ~~May 29, 2004~~, at 5:00 p.m. *KK*

**Subject Property: Lot 25, 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:

~~Eugene Spatz~~ *Paula Spatz*

*January 17, 2005 February 9, 2005*

By that certain instrument dated ~~April 14, 1998~~ recorded ~~April 23, 1998~~ in Official Record Book ~~2950~~ page ~~2422~~, Public Records of Lee County, Florida.

*4506*

*3617*

**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.
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.

*\$ 2,414.30 5/16/2005 2004*

**Tax Status: \$2,126.36 3/29/04 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.**

WATER ST

TRAWLER LN

SLOOP LN

SKIPPER LN

HARPOON LN

BOWSPRIT LN

BOUNTY LN

BINNACLE LN

# DEWBERRY LN. MSBU

2

BOUNTY LN

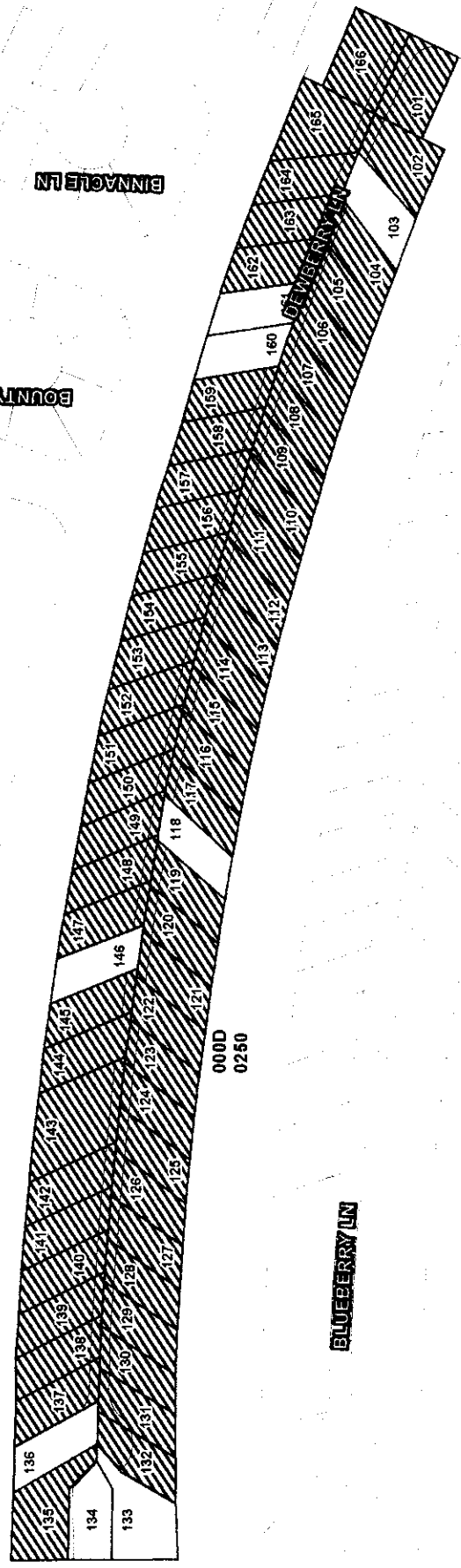
BINNACLE LN

YORK RD

BLUEBERRY LN

CHERRY LN

TRAILER PARK DR



000D  
0250

THIS IS NOT A SURVEY  
 THE QUALITY AND ACCURACY OF THIS MAP  
 AND THE INFORMATION CONTAINED THEREIN  
 CAN BE UNRELIABLE. THE INFORMATION  
 IS PROVIDED AS IS WITHOUT WARRANTY  
 OF MERCHANTABILITY OR FITNESS FOR  
 ANY PARTICULAR PURPOSE. THE  
 DIVISION HAS MADE EVERY EFFORT TO  
 PROVIDE THE MOST ACCURATE  
 INFORMATION AVAILABLE. CORRECT  
 INFORMATION SHOULD BE OBTAINED  
 FROM THE SOURCE OF THE ORIGINAL  
 INFORMATION.

REVISED APRIL 29, 2005 BY PAUKA@EEG.OV.COM

250 Feet



0 125 250