

**Lee County Board Of County Commissioners
Agenda Item Summary**

Blue Sheet No. 20051122

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 **C67** **5. Meeting Date:** 08-23-2005

6. Agenda:		7. Requirement/Purpose: (specify)		8. Request Initiated:	
<input checked="" type="checkbox"/> Consent		<input checked="" type="checkbox"/> Statute	125	Commissioner	
<input type="checkbox"/> Administrative		<input checked="" type="checkbox"/> Ordinance	02-17	Department	Independent
<input type="checkbox"/> Appeals		<input type="checkbox"/> Admin. Code		Division	County Lands
<input type="checkbox"/> Public		<input type="checkbox"/> Other		By:	Karen L.W. Forsyth, Director
<input type="checkbox"/> Walk-On					

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 owners, Wolhuis and Redmond. The original document is in the file of County Lands and will be recorded upon approval by the Board of County Commissioners. There remains 7 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>K. Forsyth</i>				<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>

11. Commission Action:

- Approved
- Deferred
- Denied
- Other

RECEIVED BY
COUNTY ADMIN:
2-10-05
L. [Signature]
COUNTY ADMIN
FORWARDED TO:

RECVD.
by CO. ATTY.
3-9-05
CO. ATTY.
FORWARDED TO:
[Signature]

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.0060

This Space for Recording

QUIT-CLAIM DEED

THIS Quit-Claim Deed, Executed this _____ day of _____, 20____, by Mark G. Wolthuis and Robert Redmond, partner, _____ whose address is 3425 S 6th St, Kalamazoo, MI 49009, 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 6, in Block D, Cherry Estates, unrecorded 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 Grantors, nor contiguous to any homestead property of the Grantors.

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:

Sharon Trimmer
1st Witness Signature

Sharon Trimmer
Printed Name of 1st Witness

Sandra K Medema
2nd Witness Signature

Sandra K Medema
Printed Name of 2nd Witness

Sharon Trimmer
1st Witness Signature

Sharon Trimmer
Printed Name of 1st Witness

Sandra K Medema
2nd Witness Signature

Sandra K Medema
Printed Name of 2nd Witness

Rebecca Wolthuis
Mark G. Wolthuis
Rebecca Wolthuis,
as surviving spouse

Robert Redmond
Robert Redmond

STATE OF Michigan

COUNTY OF Kalamazoo

The foregoing instrument was acknowledged before me this 3rd day of January, 2005, by

Rebecca Wolthuis who is personally known to me or who has produced

Mark G. Wolthuis / Robert Redmond

Rebecca Wolthuis

(type of identification)

as identification.

Leslie A. Farrell
Signature of Notary Public

LESLIE A. FARRELL

(Name typed, printed or stamped)

(Title or Rank)

(Serial Number, if any)

LESLIE A. FARRELL
NOTARY PUBLIC Kalamazoo Co., MI
MY COM. # 1414 EXPIRES Jan 27, 2008

Division of County Lands**Ownership and Easement Search**

Search No. 02-46-22-20-0000D.0060

Date: June 15, 2004

Parcel: 3

Project: Dewberry Special Improvement Unit

Project# 504925

To: Karen L.W. Forsyth, SRWA
DirectorFrom: Kenneth Pitt
Title Examiner 

STRAP: 02-46-22-20-0000D.0060

Effective Date: ^{July 15, 2004} ~~May 17, 2004~~, at 5:00 p.m.**Subject Property: Lot 6, in Block D, Cherry Estates, unrecorded as shown in Official Record Book 687 Page 853, Public Records of Lee County, Florida. Together with a 1973 Homet Mobile Home, ID# 03612686G.**

Title to the subject property is vested in the following:

Mark C. Wolthuis and Robert Redmond.*Rebecca Wolthuis, its surviving spouse*

By that certain instrument dated March 15, 1999 recorded March 15, 1999, in Official Record Book 3089, Page 487, 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 in a deed 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): The 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.

Division of County Lands

Ownership and Easement Search

Search No. 02-46-22-20-0000D.0060

Date: June 15, 2004

Parcel: 3

Project: Dewberry Special Improvement Unit

Project# 504925

NOTE (3): Subject to a Federal Tax Lien vs. James R. Taylor in the sum of \$17, 042.20, recorded in Official Record Book 2456 Page 1815, Public Records of Lee County, Florida.

Tax Status: \$2,265.92 paid on 11/10/03 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.

POWERS PK

TRAWLER LN

SLOOP LN

SLOOP LN

SKIPPER LN

HARPOON LN

BOWSPRIT LN

DEWBERRY LN. MSBU

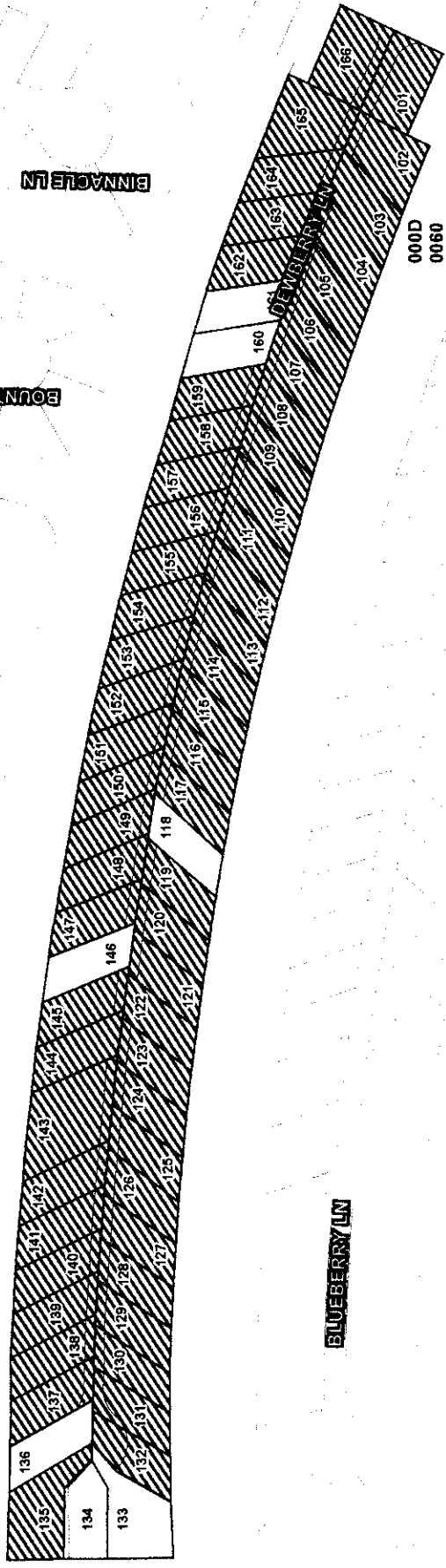
SI

BOUNTY LN

BINNACLE LN

BOUNTY LN

BINNACLE LN



000D
0060

CHERRY LN

TRAILER PARKOR

250 Feet

250 125 0



THIS IS NOT A SURVEY
 THE COUNTY LAND DIVISION HAS PREPARED THIS MAP
 FOR INFORMATIONAL PURPOSES ONLY. DETAILS SHOWN
 MAY BE UNREPRESENTATIVE OF THE ACTUAL SURVEY.
 THE DIVISION HAS MADE EVERY EFFORT TO PROVIDE THE
 CORRECT INFORMATION. INDEPENDENT VERIFICATION MAY
 BE REQUIRED.

REV. SEC. Aug. 2, 2005