

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

Blue Sheet No. 20041610

1. REQUESTED MOTION:

ACTION REQUESTED: Accept ten 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.

WHY ACTION IS NECESSARY: Dewberry Lane is currently a privately owned road and the County cannot initiate maintenance without obtaining ownership.

WHAT ACTION ACCOMPLISHES: Acquisition of right-of-way via Quit-Claim Deeds from benefitted property owners.

2. DEPARTMENTAL CATEGORY: 06
COMMISSION DISTRICT #: 1

C6D

3. MEETING DATE:
12-14-2004

4. AGENDA: <input checked="" type="checkbox"/> CONSENT <input type="checkbox"/> ADMINISTRATIVE <input type="checkbox"/> APPEALS <input type="checkbox"/> PUBLIC <input type="checkbox"/> WALK ON TIME REQUIRED:	5. REQUIREMENT/PURPOSE: (Specify) <input checked="" type="checkbox"/> STATUTE 125 <input checked="" type="checkbox"/> ORDINANCE 02-17 <input type="checkbox"/> ADMIN. <input type="checkbox"/> OTHER	6. REQUESTOR OF INFORMATION A. B. DEPARTMENT <u>Independent</u> C. DIVISION <u>County Lands KK 11/24/04</u> BY <u>Karen L. W. Forsyth, Director K307</u>
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7. 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 ten 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 46 more properties for which deed conveyances are required.

Funds are available in Account Number: GD5411810421.504925

Staff Recommends Board approve the Requested Motion.

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

8. MANAGEMENT RECOMMENDATIONS:

9. RECOMMENDED APPROVAL:

A Department Director	B Purchasing or Contracts	C Human Resources	D Other PR	E County Attorney	F Budget Services <i>Refer</i>				G County Manager
					OA	OM	RISK	GC	
<i>K. Forsyth</i>	<i>n/a</i>	<i>n/a</i>	<i>[Signature]</i>	<i>[Signature]</i>	<i>12-2-04</i>	<i>12/2/04</i>	<i>12/2/04</i>	<i>12/2/04</i>	<i>[Signature]</i>

10. COMMISSION ACTION:

- APPROVED
- DENIED
- DEFERRED
- OTHER

Rec. by CoAtty
Date: 11/30/04
Time: 4:08
Forwarded To:
 Admin.
 12/1/04 4:15pm

RECEIVED BY
 COUNTY ADMIN
 12/1/04
 4:35pm
 COUNTY ADMIN
 FORWARDED TO:
 12/2/04
 3pm

DEWBERRY LANE SPECIAL IMPROVEMENT MSBU

EXHIBIT TO BLUE SHEET NO. 20041610

Parcel No.	Property Owner	Strap Number
112	John W and Roxanne M. Rudolph, Husband & Wife	02-46-22-20-0000D.0150
117	Luis A and Bertha P. Oviedo, Husband & Wife, and Michael V. Oviedo, a Single Man	02-46-22-20-0000D.0200
120	Joseph T and Bernice Rostkowski, Husband & Wife	02-46-22-20-0000D.0230
121	Edward J. Bauer, Non Homestead	02-46-22-20-0000D.0240
145	Barbara Black Doyle, Non Homestead	02-46-22-20-0000D.0490
148	James E. Niles, Trustee and Joan M. Niles, Trustee	02-46-22-20-0000D.0520
152	Douglas W. and Janet M. Dack, Husband & Wife	02-46-22-20-0000D.0560
159	Laurel L. Anderson, Trustee	02-46-22-20-0000D.0630
162	Ronald and Kathleen Blair, Husband & Wife	02-46-22-20-0000D.0660
163	B. Scott and Beverly S. Stinnett, Husband & Wife	02-46-22-20-0000D.0670

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.0150

This Space for Recording

QUIT-CLAIM DEED

THIS Quit-Claim Deed, Executed this 12th day of November, 2004, by John W. Rudolph and Roxanne M. Rudolph, husband and wife whose address is 6662 East Rd, Three Oaks, MI 49128, 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 15, in Block D, Cherry Estates, an unrecorded subdivision, as shown in Official Record Book 687 Page 853, 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 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:

Linda Jayne Koth
1st Witness Signature

Linda Jayne Koth
Printed Name of 1st Witness

Stephanie Walton
2nd Witness Signature

Stephanie Walton
Printed Name of 2nd Witness

Linda Jayne Koth
1st Witness Signature

Linda Jayne Koth
Printed Name of 1st Witness

Stephanie Walton
2nd Witness Signature

Stephanie Walton
Printed Name of 2nd Witness

John W. Rudolph
John W. Rudolph

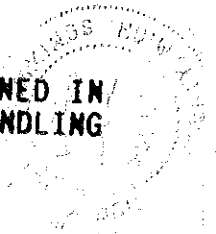
Roxanne M. Rudolph
Roxanne M. Rudolph

STATE OF Michigan

COUNTY OF Berrien

The foregoing instrument was acknowledged before me this 12th day of November, 2004, by John W Rudolph/Roxanne M who is personally known to me or who has produced Drivers License/customer as identification.
(name of person acknowledged) (type of identification)

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



Karen S. Cummings
Signature of Notary Public

Karen S. Cummings
(Name typed, printed or stamped)
(Title or Rank) Branch Manager
(Serial Number, if any)

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

Search No. 02-46-22-20-0000D.0150

Date: June 16, 2004

Parcel: 12

Project: Dewberry Special Improvement Unit

Project# 504925

To: Karen L.W. Forsyth, SR/WA
DirectorFrom: Kenneth Pitt
Title Examiner

STRAP: 02-46-22-20-0000D.0150

Effective Date: May 17, 2004, at 5:00 p.m.

Subject Property: Lot 15, 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 W. Rudolph and Roxanne M. Rudolph, husband and wife.

By that certain instrument dated February 28, 1999 recorded March 1, 1999, in Official Record Book 3082, Page 3278, 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.
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 to a mortgage in the original sum of \$76,000.00, between John Rudolph and Roxanne Rudolph (mortgagors) and New Buffalo Savings Bank (mortgagee), recorded in Official Record Book 3796 Page 4453, Public Records of Lee County, Florida.

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: \$2,118.04 paid on 1/15/04 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.**

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.0200

This Space for Recording

QUIT-CLAIM DEED

THIS Quit-Claim Deed, Executed this 3rd day of November, 2004, by Luis A. Oviedo and Bertha P. Oviedo, husband and wife and Michael V. Oviedo as joint tenants with full rights of survivorship whose address is 3803 Dewberry Ln, 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, 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 20, in Block D, Cherry Estates, an unrecorded subdivision, as shown in Official Record Book 687 Page 853, 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 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:

Angela Rippins
1st Witness Signature

ANGELA RIPPINS
Printed Name of 1st Witness

John Rippins
2nd Witness Signature

John Rippins
Printed Name of 2nd Witness

Angela Rippins
1st Witness Signature

ANGELA RIPPINS
Printed Name of 1st Witness

John Rippins
2nd Witness Signature

John Rippins
Printed Name of 2nd Witness

Angela Rippins
1st Witness Signature

ANGELA RIPPINS
Printed Name of 1st Witness

John Rippins
2nd Witness Signature

John Rippins
Printed Name of 2nd Witness

Luis A Oviedo
Luis A. Oviedo

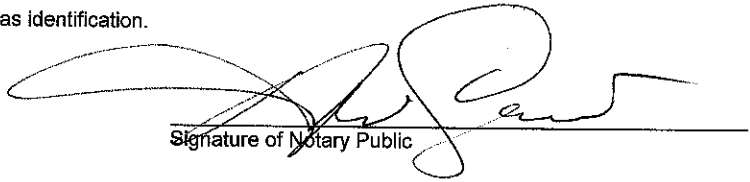
Bertha P Oviedo
Bertha P. Oviedo

Michael V. Oviedo
Michael V. Oviedo

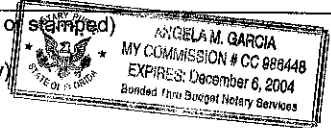
ORIGINAL DOCUMENTS RETAINED IN
COUNTY LANDS FILES FOR HANDLING
UPON BOARD ACCEPTANCE.

STATE OF FLA
COUNTY OF Collier

The foregoing instrument was acknowledged before me this 3 day of November, 2004, by
Luis A. Oriado, Bertha P. Oriado
Aracnel A. Oriado who is personally known to me or who has produced
(name of person acknowledged)
_____ as identification.
(type of identification)


Signature of Notary Public

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



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

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

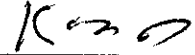
Search No. 02-46-22-20-0000D.0200

Date: June 29, 2004

Parcel: 17

Project: Dewberry Special Improvement Unit

Project# 504925

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

STRAP: 02-46-22-20-0000D.0200

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

Subject Property: Lot 20, 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:

Luis A. Oviedo and Bertha P. Oviedo, husband and wife and Michael V. Oviedo as joint tenants with full rights of survivorship.

By that certain instrument dated February 20, 2001 recorded February 28, 2001, in Official Record Book 3370 page 175, 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.
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 to a mortgage in the original sum of \$62,800.00, between Luis A. Oviedo, Bertha P. Oviedo and Michael A. Oviedo (mortgagors) and Southtrust Mortgage Corporation (mortgagees), recorded in Official Record Book 3370 Page 177, Public Records of Lee County, Florida.

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.0200

Date: June 29, 2004

Parcel: 17

Project: Dewberry Special Improvement Unit
Project# 504925

NOTE (3): Subject to a Judgment vs. James E. Davis in the sum of \$650.91, recorded in Official Record Book 1868 Page 2645, Public Records of Lee County, Florida.

NOTE (4): Subject to a Judgment vs. Barbara Wood in the sum of \$319,665.12, recorded in Official Record Book 2439 Page 2258 and re-recorded in Official Record Book 2444 page 3688, Public Records Of Lee County, Flroida.

Tax Status: \$1,365.48 11/24/03 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.

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.0230

This Space for Recording

QUIT-CLAIM DEED

THIS Quit-Claim Deed, Executed this 15th day of November, 2004, by Joseph T. Rostkowski and Bernice Rostkowski, husband and wife whose address is 9625 Reeck Rd. Allen Park, MI 48101, 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 23, in Block D, Cherry Estates, an unrecorded subdivision, as shown in Official Record Book 687 Page 853, 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 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:

Beth Smith
1st Witness Signature

Beth Smith
Printed Name of 1st Witness

Ruth Schultz
2nd Witness Signature

Ruth Schultz
Printed Name of 2nd Witness

Patricia La Cour
1st Witness Signature

Patricia La Cour
Printed Name of 1st Witness

Alice M. Bowman
2nd Witness Signature

ALICE M. BOWMAN
Printed Name of 2nd Witness

Joseph T. Rostkowski
Joseph T. Rostkowski

Bernice Rostkowski
Bernice Rostkowski

STATE OF Florida

COUNTY OF Lee

The foregoing instrument was acknowledged before me this 15 day of NOV, 2004, by Joseph & Bernice Rostkowski who is personally known to me or who has produced (name of person acknowledged)

Crew as identification. (type of identification)

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

Beth Smith
Signature of Notary Public
My Commission CC989798
Expires December 25, 2004
(Name typed, printed or stamped)
(Title or Rank)
(Serial Number, if any)

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

Search No. 02-46-22-20-0000D.0230

Date: June 30, 2004

Parcel: 20

Project: Dewberry Special Improvement Unit
Project# 504925To: Karen L.W. Forsyth, SR/WA
DirectorFrom: Kenneth Pitt
Title Examiner 

STRAP: 02-46-22-20-0000D.0230

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

Subject Property: Lot 23, 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:

Joseph T. Rostkowski and Bernice Rostkowski, husband and wife.

By that certain instrument dated April 1, 1989 recorded May 2, 1989 in Official Record Book 2066 page 4575, 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.
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: \$2,400.16 10/31/03 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.**

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.0240

This Space for Recording

QUIT-CLAIM DEED

THIS Quit-Claim Deed, Executed this 13th day of November, 2004 by Edward J. Bauer whose address is 301 Mt Hope Ln, Grasonville, MD 21638, 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 24, in Block D, Cherry Estates, an unrecorded subdivision, as shown in Official Record Book 687 Page 853, 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 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:

[Signature]
1st Witness Signature

Jaswant J. Luvinek
Printed Name of 1st Witness

[Signature]
2nd Witness Signature

Rick Caparosa
Printed Name of 2nd Witness

[Signature]
Edward J. Bauer

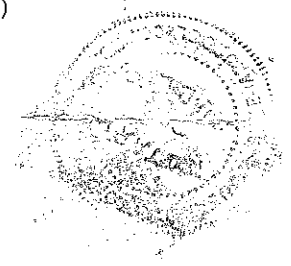
The above-described property is not now, nor has it ever been, the homestead property of the Grantor, nor contiguous to any homestead property of the Grantor.

STATE OF Maryland
COUNTY OF Howard

The foregoing instrument was acknowledged before me this 13th day of November, 2004 by Edward J. Bauer who is personally known to me or who has produced MD License as identification.

[Signature]
Signature of Notary Public
James A. Tuben
(Name typed, printed or stamped)
(Title or Rank)
(Serial Number, if any)

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



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

Search No. 02-46-22-20-0000D.0240

Date: June 30, 2004

Parcel: 21

Project: Dewberry Special Improvement Unit
Project# 504925To: Karen L.W. Forsyth, SRWA
DirectorFrom: Kenneth Pitt *KMP*
Title Examiner

STRAP: 02-46-22-20-0000D.0240

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

Subject Property: Lot 24, 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:

Edward J. Bauer.

By that certain instrument dated February 26, 2004 recorded March 3, 2004 in Official Record Book 3885 page 3887, 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.
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.

NOTE (3): Subject to a Judgment vs. Helen White in the sum of \$200.00 plus costs of \$27.00, recorded In Official Record Book 1807 Page 1745, Public Records of Lee County, Florida.

NOTE (4): Subject to a an Amended Order of Support vs. Richard Bills, recorded in Official Record Book 1778 Page 4755, Public Records of Lee County, Florida.

Division of County Lands

Ownership and Easement Search

Search No. 02-46-22-20-0000D.0240

Date: June 30, 2004

Parcel: 21

Project: Dewberry Special Improvement Unit
Project# 504925

NOTE (5): Subject to a Judgment vs. Richard Bills in the sum of \$9,310.00, recorded in Official Record Book 1968 Page 432, Public Records of Lee County, Florida.

Tax Status: \$2,209.98 11/24/03 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.

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,0490

This Space for Recording

QUIT-CLAIM DEED

THIS Quit-Claim Deed, Executed this 10th day of November, 2004, by Barbara Black Doyle whose address is 10536 Woodland Ridge W. Ft Wayne IN 46804, 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 southerly 12.5 feet of Lot 49, in Block D, Cherry Estates, an unrecorded subdivision, as shown in Official Record Book 687 Page 853, 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 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:

Raymond E. Doyle
1st Witness Signature

Raymond E. Doyle
Printed Name of 1st Witness

Deborah Stiger
2nd Witness Signature

Deborah Stiger
Printed Name of 2nd Witness

Barbara Black Doyle
Barbara Black Doyle

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

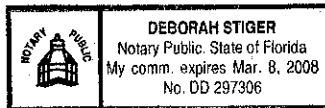
STATE OF FL

COUNTY OF Lee

The foregoing instrument was acknowledged before me this 10th day of November, 2004, by

Barbara Doyle who is personally known to me or who has produced (name of person acknowledged)

Ind DR License as identification. (type of identification)



Deborah Stiger
Signature of Notary Public

Deborah Stiger
(Name typed, printed or stamped)
(Title or Rank) Notary
(Serial Number, if any) 000297306

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

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

Search No. 02-46-22-20-0000D.0490

Date: July 8, 2004

Parcel: 45

Project: Dewberry Special Improvement Unit

Project# 504925

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

STRAP: 02-46-22-20-0000D.0490

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

Subject Property: Lots 49, 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:

Barbara Black Doyle.

By that certain instrument dated March 11, 1991, recorded March 19, 1991, in Official Record Book 2209 page 353, 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: \$2,101.51 paid on 10/31/2003 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.**

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.0520

This Space for Recording

QUIT-CLAIM DEED

THIS Quit-Claim Deed, Executed this 10TH day of NOVEMBER, 2004, by James E. Niles, Trustee of "The James E. Niles Trust", as to an undivided one half interest, Joan M. Niles, Trustee of "The Joan M. Niles Trust", as to an undivided one half interest whose address is 6985 S Glazier Beach Rd, Cedar, MI 49621, 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 southerly 12.5 feet of Lot 52, in Block D, Cherry Estates, an unrecorded subdivision, as shown in Official Record Book 687 Page 853, 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 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:

James Taylor
1st Witness Signature

JENNIFER TAYLOR
Printed Name of 1st Witness

Patrice A Soper
2nd Witness Signature

Patrice A Soper
Printed Name of 2nd Witness

James Taylor
1st Witness Signature

JENNIFER TAYLOR
Printed Name of 1st Witness

Patrice A Soper
2nd Witness Signature

Patrice A Soper
Printed Name of 2nd Witness

James E. Niles, Sr.
James E. Niles, Sr., Trustee

Joan M. Niles
Joan M. Niles, Trustee

STATE OF MI

COUNTY OF Grand Traverse

The foregoing instrument was acknowledged before me this 10 day of November, 20 04, by James + Joan Niles who is personally known to me or who has produced (name of person acknowledged)

Drivers License as identification. (type of identification)

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

Robin M. Ahart
Signature of Notary Public
ROBIN M AHART
Notary Public, Grand Traverse County, MI
My Commission Expires May 2, 2005.
(Name typed, printed or stamped)
(Title or Rank)
(Serial Number, if any)

RECORD VERIFIED - CHARLIE GREEN, CLERK
By: J. Miller, D.C.

Rec. 15.00
DS .70

4169392

Prepared by and return to:
Paul H. Waggoner
Paul H. Waggoner, P.A.
5400 Pine Island Road
Suite D
Bokeelia, Florida 33922
(941) 283-1076

Documentary Tax Pd. \$.70
Intangible Tax Pd.
CHARLIE GREEN, CLERK, LEE COUNTY
By *J. Miller* Deputy Clerk

Grantee S.S. No.

Property Appraiser
Parcel Identification
No. 02-46-22-20-0000D.0520

WARRANTY DEED

THIS WARRANTY DEED, made 6th day of May, 1997, between JAMES E. NILES, SR. and JOAN M. NILES, individually and as husband and wife (with no minor children) of 6985 South Glazier Beach Drive, Cedar, Michigan 49621, GRANTORS, and JAMES E. NILES, Trustee of "THE JAMES E. NILES TRUST" dated May 6, 1997, GRANTEE, whose post office address is 6985 South Glazier Beach Drive, Cedar, Michigan 49621. GRANTORS' and GRANTEE'S addresses are the same.

THE GRANTORS, in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable considerations, to said GRANTORS in hand paid by GRANTEE, the receipt of which is hereby acknowledged, have granted, bargained and sold to said GRANTEE and GRANTEE'S successors, and assigns forever the following described land situate in Lee County, Florida to wit:

An undivided one-half (1/2) interest in and to Lot 52, Block D, CHERRY ESTATES, an unrecorded subdivision located in Section 2, Township 46 South, Range 22 East, Lee County, Florida; as recorded in Official Record Book 687, Page 853, in the Public Records of Lee County, Florida.

and said GRANTORS do hereby fully warrant the title to said land and will defend the same against the lawful claims of all persons whomsoever. Where used herein the terms GRANTOR, GRANTEE and TRUSTEE shall be construed as singular or plural as the context requires.

JAMES E. NILES, as TRUSTEE, acting alone shall have the independent power and authority to protect, conserve, and to sell, or to lease, or to encumber or otherwise to manage and dispose of the real property conveyed by this deed.

OR2824 Pg288j

In the event JAMES E. NILES can not continue to serve as TRUSTEE, the Successor TRUSTEE shall be the GRANTORS' daughter, JANICE L. NILES.

Any person dealing with the TRUSTEE shall deal with said TRUSTEE in the order as set forth above. However, no person shall deal with a Successor TRUSTEE until one or more of the following have been received by said person or placed of record in the aforementioned county:

A. The written resignation of the prior TRUSTEE sworn to and acknowledged before a notary public.

B. A certified death certificate of the prior TRUSTEE.

C. The order of a court of competent jurisdiction adjudicating the prior TRUSTEE incompetent, or removing said TRUSTEE for any reason.

D. The written certificates of two physicians currently practicing medicine that the TRUSTEE is physically or mentally incapable of handling the duties of TRUSTEE.

E. The written removal of a Successor TRUSTEE and/or the appointment of an additional Successor TRUSTEE by GRANTOR sworn to and acknowledged before a notary public; this right being reserved to GRANTOR, JAMES E. NILES, SR.

This conveyance is subject to restrictions, reservations, limitations, and easements of record, taxes for year 1997 and subsequent years, and all mortgages of record which the GRANTEE herein assumes and agrees to pay.

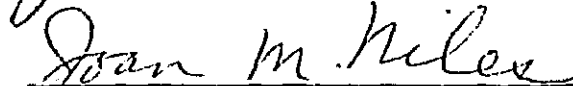
EXECUTED this 6th day of May, 1997.

Signed, sealed, and delivered in the presence of:


Printed Name: Dennis L. Huntley


James E. Niles, Sr.


Printed Name: Mary E. Shank


Joan M. Niles

97 MAY 19 AM 10:00

STATE OF MICHIGAN
COUNTY OF GRAND TRAVERSE

I HEREBY CERTIFY on this day before me, an officer duly qualified to take acknowledgments, personally appeared JAMES E. NILES, SR. and JOAN M. NILES, (X) who are personally known to me or () who have produced driver's license as identification and who did take an oath and who executed the foregoing instrument and acknowledged before me that they executed the same.

WITNESS my hand and official seal in the County and State last aforesaid 6th day of May, 1997.

MARY E. SHANK
Notary Public, Gr Traversa County, MI
My Commission Expires Dec. 13, 2000

Mary E. Shank
Notary Public
State of Michigan
Mary E. Shank
Printed Name

My commission expires: 12/13/2000

N.B. This deed has been prepared at the Grantors' request without title examination or legal opinion of title.

OR2824 PG2885

RECORD VERIFIED - CHARLIE GREEN, CLERK
Sgt. J. FACIL. D.C.

DR2824 PG2886

Rec. 15.00
DS 70

4169393

Prepared by and return to:
Paul H. Waggoner
Paul H. Waggoner, P.A.
5400 Pine Island Road
Suite D
Bokeelia, Florida 33922
(941) 283-1076

Documentary Tax Pd. \$ 70
Intangible Tax Pd)
CHARLIE GREEN, CLERK, LEE COUNTY
Security Clerk

Grantee S.S. No.

Property Appraiser
Parcel Identification
No. 02-46-22-20-0000D.0520

WARRANTY DEED

THIS WARRANTY DEED, made 6th day of May, 1997, between JAMES E. NILES, SR. and JOAN M. NILES, individually and as husband and wife (with no minor children) of 6985 South Glazier Beach Drive, Cedar, Michigan 49621, GRANTORS, and JOAN M. NILES, Trustee of "THE JOAN M. NILES TRUST" dated May 6, 1997, GRANTEE, whose post office address is 6985 South Glazier Beach Drive, Cedar, Michigan 49621. GRANTORS' and GRANTEE'S addresses are the same.

THE GRANTORS, in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable considerations, to said GRANTORS in hand paid by GRANTEE, the receipt of which is hereby acknowledged, have granted, bargained and sold to said GRANTEE and GRANTEE'S successors, and assigns forever the following described land situate in Lee County, Florida to wit:

An undivided one-half (1/2) interest in and to Lot 52, Block D, CHERRY ESTATES, an unrecorded subdivision located in Section 2, Township 46 South, Range 22 East, Lee County, Florida; as recorded in Official Record Book 687, Page 853, in the Public Records of Lee County, Florida.

and said GRANTORS do hereby fully warrant the title to said land and will defend the same against the lawful claims of all persons whomsoever. Where used herein the terms GRANTOR, GRANTEE and TRUSTEE shall be construed as singular or plural as the context requires.

JOAN M. NILES, as TRUSTEE, acting alone shall have the independent power and authority to protect, conserve, and to sell, or to lease, or to encumber or otherwise to manage and dispose of the real property conveyed by this deed.

In the event JOAN M. NILES can not continue to serve as TRUSTEE, the Successor TRUSTEE shall be the GRANTORS' daughter, JANICE L. NILES.

Any person dealing with the TRUSTEE shall deal with said TRUSTEE in the order as set forth above. However, no person shall deal with a Successor TRUSTEE until one or more of the following have been received by said person or placed of record in the aforementioned county:

A. The written resignation of the prior TRUSTEE sworn to and acknowledged before a notary public.

B. A certified death certificate of the prior TRUSTEE.

C. The order of a court of competent jurisdiction adjudicating the prior TRUSTEE incompetent, or removing said TRUSTEE for any reason.


D. The written certificates of two physicians currently practicing medicine that the TRUSTEE is physically or mentally incapable of handling the duties of TRUSTEE.

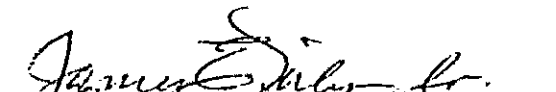
E. The written removal of a Successor TRUSTEE and/or the appointment of an additional Successor TRUSTEE by GRANTOR sworn to and acknowledged before a notary public; this right being reserved to GRANTOR, JOAN M. NILES.


This conveyance is subject to restrictions, reservations, limitations, and easements of record, taxes for year 1997 and subsequent years, and all mortgages of record which the GRANTEE herein assumes and agrees to pay.

EXECUTED this 6th day of May, 1997.

Signed, sealed, and delivered
in the presence of:


Printed Name: Dennis L. Huntley


James E. Niles, Sr.


Printed Name: Mary E. Shank


Joan M. Niles

OR2824 Pg2887

97MAY 19 AM 10:00

STATE OF MICHIGAN
COUNTY OF GRAND TRAVERSE

I HEREBY CERTIFY on this day before me, an officer duly qualified to take acknowledgments, personally appeared JAMES E. NILES, SR. and JOAN M. NILES, (^X) who are personally known to me or () who have produced driver's license as identification and who did take an oath and who executed the foregoing instrument and acknowledged before me that they executed the same.

WITNESS my hand and official seal in the County and State last aforesaid 6th day of May, 1997.

MARY E SHANK
Notary Public, Grand Traverse County, MI
My Commission Expires Dec. 13, 2000

Mary E. Shank
Notary Public
State of Michigan
Mary E. Shank
Printed Name

My commission expires: 12/13/2000

N.B. This deed has been prepared at the Grantors' request without title examination or legal opinion of title.

OR2824 PG2888

Division of County Lands

Ownership and Easement Search

Search No. 02-46-22-20-0000D.0520

Date: July 8, 2004

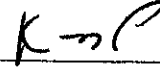
Parcel: 48

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.0520

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

Subject Property: Lots 52, 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:

James E. Niles, Trustee of "The James E. Niles Trust", as to an undivided one half interest.

By that certain instrument dated May 6, 1997, recorded May 19, 1997 in Official Record Book 2824 page 2883, Public Records of Lee County, Florida.

Joan M. Niles, Trustee of "The Joan M. Niles Trust", as to an undivided one half interest.

By that certain instrument dated May 6, 1997, recorded May 19, 1997 in Official Record Book 2824 page 2886, 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.0520

Date: July 8, 2004

Parcel: 48

Project: Dewberry Special Improvement Unit

Project# 504925

Tax Status: \$2,216.67 on 11/10003 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.

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.0560

This Space for Recording

QUIT-CLAIM DEED

THIS Quit-Claim Deed, Executed this 12th day of November, 2004, by Douglas W. Dack and Janet M. Dack, husband and wife whose address is 2815 Zion Rd, Rives Junction, MI 49277, 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 southerly 12.5 feet of Lot 56, in Block D, Cherry Estates, an unrecorded subdivision, as shown in Official Record Book 687 Page 853, 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 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:

Tracy A. Miller
1st Witness Signature

Tracy A. Miller
Printed Name of 1st Witness

Corey Chase
2nd Witness Signature

Corey Chase
Printed Name of 2nd Witness

Tracy A. Miller
1st Witness Signature

Tracy A. Miller
Printed Name of 1st Witness

Corey Chase
2nd Witness Signature

Corey Chase
Printed Name of 2nd Witness

Douglas W. Dack
Douglas W. Dack

Janet M. Dack
Janet M. Dack

STATE OF Michigan
COUNTY OF Jackson

The foregoing instrument was acknowledged before me this 12 day of November, 2004, by Janet M. Dack & Douglas W. Dack who is personally known to me or who has produced Michigan Drivers License as identification.
(name of person acknowledged)
(type of identification)

Linda L. McBee
Signature of Notary Public
Linda L. McBee, Notary Public
(Name typed, printed or stamped)
(Title or Rank)
(Serial Number, if any)
LINDA L. McBEE
Notary Public, Jackson County, MI
Acting in Jackson Co., MI
My Commission Expires 01/23/2007

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

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

Search No. 02-46-22-20-0000D.0560

Date: July 8, 2004

Parcel: 52

Project: Dewberry Special Improvement Unit

Project# 504925

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

STRAP: 02-46-22-20-0000D.0560

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

Subject Property: Lots 56, 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:

Douglas W. Dack and Janet M. Dack, husband and wife.

By that certain instrument dated January 5, 1998, recorded January 21, 1998 in Official Record Book 2911 page 3157, 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 and as recited in a deed recorded in Official Record Book 680 Page 768, Public Records of Lee County, Florida.
2. Subject to an easement for public utilities, lying over and across the Northerly 5 feet of the Southerly 17.5 feet of the subject property as recited in a deed recorded in Official Record Book 680 Page 768, Public Records of Lee County, Florida.
3. 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.

INSTR # 4851463
OR BK 03241 PG 2888

RECORDED 04/10/00 11:51 AM
CHARLIE GREEN CLERK OF COURT
LEE COUNTY
RECORDING FEE 19.50
DEPUTY CLERK G Sherwood

4

This instrument prepared by:
Albert L. Tidwell ✓
Attorney at Law
10480 Stringfellow Road, Suite #2
St. James City, Florida 33956

Property Appraiser's Parcel
Identification Number: 02-46-22-2-0000D.0630
Grantee's Social Security No. 339-12-1034

WARRANTY DEED to TRUST
(Section 689.071, Florida Statutes)

THIS INDENTURE, made March 31, 2000, between Laurel L. Anderson and Elaine L. Anderson, husband and wife, residing at 3714 Dewberry Lane, St. James City, Florida 33956, Grantor, and Laurel L. Anderson Trustee, U/A March 31, 2000, who is hereby vested with full power and authority either to protect, conserve and to sell, or to lease or to encumber or otherwise manage and dispose of the real property pursuant to F.S. 689.071 (1981), Grantee, and whose post office address is 3714 Dewberry Lane, St. James City, Florida 33956.

Witnesseth:

That the Grantor, for and in consideration of the sum of TEN and 00/100 Dollars (\$10.00) and other good and valuable consideration, to Grantor in hand paid by the Grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the Grantee, and Grantee's heirs and assigns forever, the following described land, situate, lying in Lee County, Florida, to wit:

LOT 63 of that certain subdivision known as Block D, CHERRY ESTATES, according to the map or plat thereof on file and attached to Official Record Book 687, Page 853, Public Records of Lee County, Florida.

Subject to restrictions, reservations and easements of record, if any.

This deed prepared without title examination.

This deed is executed subject to restrictions, reservations and easements of record and taxes for the current year.

- (1) **TO HAVE AND TO HOLD**, this real estate in fee simple to the Grantee and the Grantee's heirs, successors, and assigns, forever, with the appurtenances upon the trust and for the purposes set forth in this Deed and in the Trust Agreement or Declaration of Trust.

- (2) Laurel L. Anderson, Trustee, shall have the independent power and authority to protect, conserve, sell, lease, encumber or otherwise manage and dispose of the real estate or any part of it, conveyed in this deed pursuant to Florida Statute 689.071.

In the event that Laurel L. Anderson does not continue to serve as TRUSTEE, the Successor TRUSTEE shall be Elaine L. Anderson. All Successors TRUSTEES are hereby granted the power to protect, conserve, and to sell, or to lease, or to encumber or otherwise to manage and dispose of the real property described in this deed.

Any person dealing with the TRUSTEE shall deal with said TRUSTEE in the order as set forth above. However, no person shall deal with a Successor TRUSTEE until one or more of the following have been received by said person or placed of record in the aforementioned County:

- a. The written resignation of the prior TRUSTEE sworn to and acknowledged before a Notary Public.
 - b. A certified Death Certificate of the prior TRUSTEE.
 - c. The order of a Court of competent jurisdiction adjudicating the prior TRUSTEE incompetent or removing said TRUSTEE for any reason.
 - d. The written certificate of two physicians currently practicing medicine that the TRUSTEE is physically or mentally incapable of handling the duties of TRUSTEE.
 - e. The written removal of a Successor TRUSTEE and/or the appointment of an additional Successor TRUSTEE by either of the TRUSTEES sworn to and acknowledged before a Notary Public, this right being reserved to either TRUSTEE.
- (3) In no case shall any party dealing with the TRUSTEE in relation to the real estate or to whom the real estate or any part of it shall be conveyed, contracted to be sold, leased, or mortgaged by TRUSTEE be obligated to see to the application of any purchase money, rent or money borrowed or advanced on the premise or be obligated to see that the terms of the Trust have been complied with, or be obliged to inquire into the necessity or expediency of any act of the TRUSTEE, or be obliged or privileged to inquire into any of the terms of the Trustee Agreement or Declaration of Trust, and every deed, trust deed, mortgage, lease or other instrument executed by TRUSTEE in relation to the real estate shall be conclusive evidence in favor of every person relying upon or claiming under any such conveyance, lease or other instrument (a) that at the time of its delivery the

Trust credited by this Deed and by the Trust Agreement or Declaration of Trust was in full force and effect, (b) that the conveyance or other instrument was executed in accordance with the Trusts, conditions and limitations contained in the deed and in the Trust Agreement or Declaration of Trust and is binding upon all beneficiaries under those instruments; (c) that TRUSTEE was duly authorized and empowered to execute and deliver every such deed, trust deed, lease, mortgage and other instrument and (d) if the conveyance is made to a successor or successors in trust have been appointed properly and vested with all the title, estate, right, powers, duties and obligations of the predecessor in trust.

- (4) That Grantor, by this deed, fully warrants the title to the above described real estate and will defend the title against the claims of all persons.

AND, the Grantor hereby covenants with said Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good and lawful authority to sell and convey said land; that the Grantor fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December, 1999, and easements and restrictions of record, if any, but this reference to said restrictions shall not serve to reimpose the same.

IN WITNESS WHEREOF, the said Grantor has hereunto set Grantor's hand and seal the day and year first above written:

Signed, sealed and delivered in our presence:

[Signature]
Witness: A. L. Trowell
[Signature]
Witness: Dianna Davis Trowell

[Signature]
Laurel L. Anderson
[Signature]
Elaine L. Anderson

STATE OF FLORIDA)
):SS
COUNTY OF LEE)

I HEREBY CERTIFY that on this date, before me, an officer duly qualified in the State aforesaid and in the County aforesaid to take acknowledgments, personally appeared Laurel L. Anderson and Elaine L. Anderson, husband and wife who executed the foregoing instrument in their personal or authorized representative capacity(ies) indicated above, and

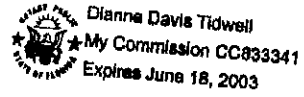
[X] who is personally known to me by ongoing acquaintance of five (5) years/months, or

[] who has produced a Driver's License as identification,

WITNESS my hand and official seal in the County and State last aforesaid
this 31 day of March, 2000.

Dianne Davis Tidwell

Notary Public



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

Search No. 02-46-22-20-0000D.0630

Date: July 12, 2004

Parcel: 59

Project: Dewberry Special Improvement Unit

Project# 504925

To: Karen L.W. Forsyth, SR/WA
DirectorFrom: Kenneth Pitt
Title Examiner 

STRAP: 02-46-22-20-0000D.0630

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

Subject Property: Lots 63, 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:

Laurel L. Anderson Trustee, U/A March 31, 2000.

By that certain instrument dated March 31, 2000, recorded April 10, 2000 in Official Record Book 3241 page 2888, 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.0630

Date: July 12, 2004

Parcel: 59

Project: Dewberry Special Improvement Unit

Project# 504925

Tax Status: \$939.04 paid on 11/12/03 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.

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.0660

This Space for Recording

QUIT-CLAIM DEED

THIS Quit-Claim Deed, Executed this 10th day of November, 2004, by Ronald Blair and Kathleen Blair, husband and wife whose address is 526 Fulton St, Medford, MA 02155. 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 southerly 12.5 feet of Lot 66, in Block D, Cherry Estates, an unrecorded subdivision, as shown in Official Record Book 687 Page 853, 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 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:

Monica Murphy
1st Witness Signature

Ronald Blair
Ronald Blair

Monica Murphy
Printed Name of 1st Witness

Karin Nystrom
2nd Witness Signature

KARIN H. NYSTROM
Printed Name of 2nd Witness

Kathleen Blair
Kathleen Blair

Monica Murphy
1st Witness Signature

Monica Murphy
Printed Name of 1st Witness

Karin Nystrom
2nd Witness Signature

KARIN H. NYSTROM
Printed Name of 2nd Witness

STATE OF MASS

COUNTY OF MIDDLESEX

The foregoing instrument was acknowledged before me this 10 day of NOVEMBER, 2004, by Ronald Blair and Kathleen R. Blair who is personally known to me or who has produced (name of person acknowledged)

MASS. LICENSES as identification. (type of identification)

Richard A. Pelosi
Signature of Notary Public

Richard A. Pelosi
(Name typed, printed or stamped)
(Title or Rank)
(Serial Number, if any)

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

RICHARD A. PELOSI
Notary Public
Commonwealth of Massachusetts
Commission Expires
December 27, 2007

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

Search No. 02-46-22-20-0000D.0660

Date: July 12, 2004

Parcel: 62

Project: Dewberry Special Improvement Unit

Project# 504925

To: Karen L.W. Forsyth, SR/WA
DirectorFrom: Kenneth Pitt
Title Examiner

STRAP: 02-46-22-20-0000D.0660

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

Subject Property: Lots 66, 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:

Ronald Blair and Kathleen Blair, husband and wife.

By that certain instrument dated November 30, 2000, recorded December 11, 2000 in Official Record Book 3524 page 4283, 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.

NOTE (3): Subject to a Judgment vs. William Allen in the sum of \$3,087.97, recorded in Official Record Book 2140 Page 3840, Public Records of Lee County, Florida.

Division of County Lands

Ownership and Easement Search

Search No. 02-46-22-20-0000D.0660

Date: July 12, 2004

Parcel: 62

Project: Dewberry Special Improvement Unit

Project# 504925

Tax Status: \$2,212.59 paid on 11/30/03 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.

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.0670

This Space for Recording

QUIT-CLAIM DEED

THIS Quit-Claim Deed, Executed this 16th day of November, 2004, by B. Scott Stinnett and Beverly S. Stinnett, husband and wife whose address is PO Box 1202, Labelle, FL 33975. 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 southerly 12.5 feet of Lot 67, in Block D, Cherry Estates, an unrecorded subdivision, as shown in Official Record Book 687 Page 853, 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 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:

Derek Beck
1st Witness Signature

B. Scott Stinnett
B. Scott Stinnett

Derek Beck
Printed Name of 1st Witness

Darren Lee Williams
2nd Witness Signature

Darren Lee Williams
Printed Name of 2nd Witness

Derek Beck
1st Witness Signature

Beverly S. Stinnett
Beverly S. Stinnett

Derek Beck
Printed Name of 1st Witness

Darren Lee Williams
2nd Witness Signature

Darren Lee Williams
Printed Name of 2nd Witness

STATE OF FL

COUNTY OF Hendry

The foregoing instrument was acknowledged before me this 16 day of Nov, 2004, by Beverly S. Stinnett & B. Scott Stinnett who is personally known to me or who has produced (name of person acknowledged)

DL as identification. (type of identification)

Ricky R. Redish
Signature of Notary Public

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

RICKY R. REDISH
(Name typed, printed or stamped) Notary Public, State of Florida
(Title or Rank) My comm. exp. July 31, 2008
(Serial Number, if any) Comm. No. DD 308300

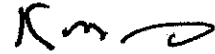
Division of County Lands

Updated Ownership and Easement Search

Search No. 02-46-22-20-0000D.0670

Date: October 15, 2004

Parcel: 63

Project: Dewberry Special Improvement Unit
Project# 504925To: Karen L.W. Forsyth, SR/WA
DirectorFrom: Kenneth Pitt
Title Examiner

STRAP: 02-46-22-20-0000D.0670

Effective Date: September 16, 2004, at 5:00 p.m.

Subject Property: Lots 67, 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:

B. Scott Stinnett and Beverly S. Stinnett, husband and wife.

By that certain instrument dated May 21, 2004, recorded June 3, 2004 in Official Record Book 4322 page 4115, 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 to a Mortgage in the original sum of \$159,750.00, between B. Scott Stinnett and Beverly S. Stinnett (mortgagors) and Riverside Bank of the Gulf Coast (mortgagee), recorded in Official Record Book 4322 Page 4117, Public Records of Lee County, Florida.

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.

NOTE (3): Subject to a Judgment vs. James Duncan in the sum of \$256.50, recorded in Official Record Book 2630 Page 2111, Public Records of Lee County, Florida.

Division of County Lands

Updated Ownership and Easement Search

Search No. 02-46-22-20-0000D.0670

Date: October 15, 2004

Parcel: 63

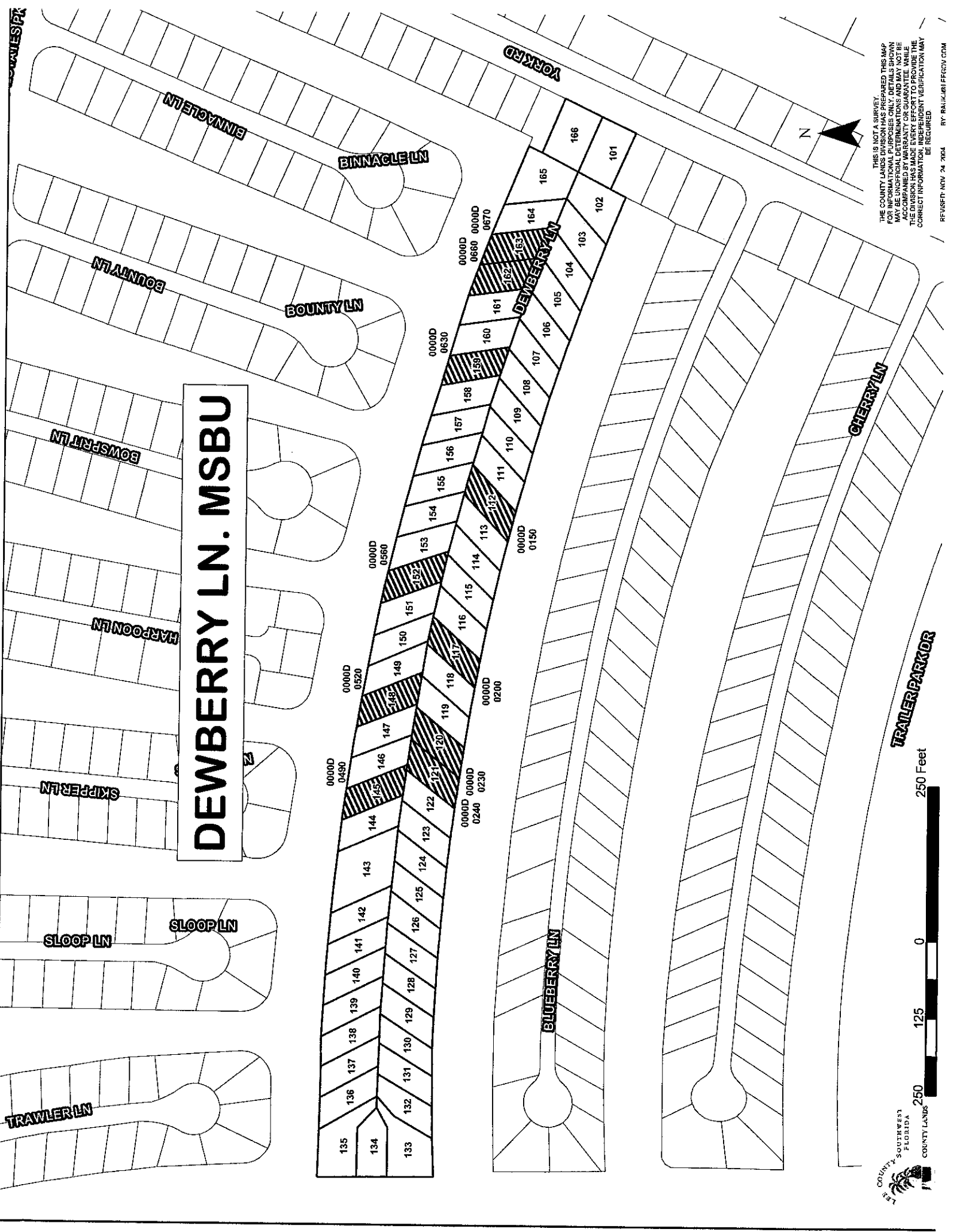
Project: Dewberry Special Improvement Unit

Project# 504925

Tax Status: \$852.94 paid on 11/19/03 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.



DEWBERRY LN. MSBU

THIS IS NOT A SURVEY.
 THE COUNTY LANDS DIVISION HAS PREPARED THIS MAP
 FOR INFORMATIONAL PURPOSES ONLY. DETAILS SHOWN
 ON THIS MAP ARE NOT TO BE USED FOR ANY OTHER
 ACCOMPANIED BY WARRANTY OR GUARANTEE. THE
 THE DIVISION HAS MADE EVERY EFFORT TO PROVIDE THE
 CORRECT INFORMATION. INDEPENDENT VERIFICATION MAY
 BE REQUIRED.

TRAILER PARK DR

LEE COUNTY SOUTHWEST FLORIDA
 COUNTY LANDS
 250
 125 0 250 Feet
 REFUSED: NOV 24 2004 BY: BAUK/601 PFC/IV GDM