

**Lee County Board of County Commissioners**

**Agenda Item Summary**

**Blue Sheet No. 20020455**

**1. REQUESTED MOTION:**

**ACTION REQUESTED:** Accept by donation, Parcel 12 for right-of-way necessary for the Charlee Road Special Improvements MSBU for paving and maintenance of the existing road; authorize the Division of County Lands to handle and accept all documentation necessary; authorize payment of recording fees.

**WHY ACTION IS NECESSARY:** Charlee Road is currently a privately owned road and the County cannot initiate paving and maintenance without a fee interest.

**WHAT ACTION ACCOMPLISHES:** Acquisition of right-of-way via Quit-Claim Deed by donation from benefitted property owner.

**2. DEPARTMENTAL CATEGORY:** 06  
**COMMISSION DISTRICT #:** 4

*C6E*

**3. MEETING DATE:**  
*05-14-2002*

**4. AGENDA:**  
 CONSENT  
 ADMINISTRATIVE  
 APPEALS  
 PUBLIC  
 WALK ON  
TIME REQUIRED:

**5. REQUIREMENT/PURPOSE:**  
(Specify)  
STATUTE 125  
ORDINANCE 98-25  
ADMIN.  
OTHER RSN 02-02-29

**6. REQUESTOR OF INFORMATION**  
A. COMMISSIONER  
B. DEPARTMENT Independent  
C. DIVISION County Lands  
BY: Karen L. W. Forsyth, Director  
*4-25-02*  
*KLW*

**7. BACKGROUND:**

The Board of County Commissioners created the Charlee Road Special Improvement MSBU on February 12, 2002, when it adopted Resolution Number 02-02-29. The principal purpose of the project is paving and maintenance of the currently existing roadway for Charlee Road in North Cape Coral, the cost of which will be assessed proportionately against benefitted property owners. A requirement for maintenance to be accepted by the County is to obtain Quit-Claim deeds from all benefitted property owners.

The attached is a copy of the deed received from the benefitted owners, John Gregory Rous and Roberta Lynn Rous, husband and wife. The original document is in the files of County Lands and will be recorded upon approval by the Board of County Commissioners.

There remains 19 more properties for which deed conveyances to the County are required.

Funds are available in Account Number: 80408235280.503150

Staff Recommends Board approve the Requested Motion.

**8. MANAGEMENT RECOMMENDATIONS:**

**9. RECOMMENDED APPROVAL:**

A Department Director	B Purchasing or Contracts	C Human Resources	D Other MSBU	E County Attorney	F Budget Services				G County Manager
					OA	COM	RISK	GC	
<i>K. Forsyth</i>	<i>N/A</i>	<i>N/A</i>	<i>4-29-02</i>	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>

**10. COMMISSION ACTION:**

APPROVED  
 DENIED  
 DEFERRED  
 OTHER

RECEIVED BY  
COUNTY ADMIN. *AK*  
*5/12 10:50AM*  
*TD*  
COUNTY ADMIN.  
FORWARDED TO: *bl*  
*5/12 330*

REC'D.  
by CO. ATTY.  
*4/29/02*  
*4:24 PM*  
CO. ATTY.  
FORWARDED TO:  
*[Signature]*  
*5/12/02 10:15*

This Instrument Prepared by:  
County Lands Division  
Post Office Box 398  
Fort Myers, Florida 33902-0398  
Project: Charlee Road MSEU  
STRAP No.: 06-43-23-00-00004.011B  
Parcel No: 12

This Space for Recording

**QUIT-CLAIM DEED**

**THIS Quit-Claim Deed**, executed this 23 day of April, A.D. 2002, by John Gregory Rous and Roberta Lynn Rous, husband and wife whose address is 17091 Charlee Road, Punta Gorda, FL 33955, 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.

See Schedule "A" attached hereto

**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:

[Signature]  
1st Witness Signature

Susan Proctor  
Printed Name of 1st Witness

[Signature]  
2nd Witness Signature

MARQUELINE KNOTSON  
Printed Name of 2nd Witness

[Signature]  
1st Witness Signature

Susan Proctor  
Printed Name of 1st Witness

[Signature]  
2nd Witness Signature

MARQUELINE KNOTSON  
Printed Name of 2nd Witness

[Signature]  
John Gregory Rous Grantor

[Signature]  
Roberta Lynn Rous Grantor

STATE OF Florida )  
COUNTY OF Charlotte )

The foregoing instrument was acknowledged before me this 23 day of April, 2002 by John Gregory Rous and Roberta Lynn Rous. They are personally known to me or who have produced [Signature] (name of person acknowledged) as identification. [Signature] (type of identification)



[Signature]  
(Signature of Notary Public)  
Carolyn L. Racco  
(Name typed, printed or stamped)  
(Title or Rank)  
(Serial Number, if any)

# Ink Engineering

A Division of  
**LBFH, Inc.**

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Fax: (941) 931-0456  
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Parcel 12

APRIL 9, 2002  
JOB NO. 01-7001  
01-7001SK11B.doc

Schedule A  
SHEET 1 OF 2

A 30 FOOT WIDE PARCEL OF LAND LYING IN SECTION 6, TOWNSHIP 43  
SOUTH, RANGE 23 EAST, LEE COUNTY, FLORIDA.

## DESCRIPTION OF PARCEL

A 30 FOOT WIDE PARCEL OF LAND LYING IN SECTION 6, TOWNSHIP 43  
SOUTH, RANGE 23 EAST, LEE COUNTY, FLORIDA, BEING MORE  
PARTICULARLY DESCRIBED AS FOLLOWS:

THE NORTH 30.00 FEET OF THE FOLLOWING DESCRIBED PARCEL OF  
LAND:

O.R. 2283, PAGE 4318, PUBLIC RECORDS OF LEE COUNTY, FLORIDA.  
THE WEST 1/2 OF LOT 11, CHAR-LEE RANCHETTES, UNRECORDED  
LOCATED IN SECTION 6, TOWNSHIP 43 SOUTH, RANGE 23 EAST, LEE  
COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
FROM THE SOUTHEAST CORNER OF SAID SECTION 6, RUN N.0°41'43"E.,  
ALONG THE EAST LINE OF SAID SECTION 6, A DISTANCE OF 830.68 FEET;  
THENCE S.88°22'18"W., 1057.88 FEET TO THE POINT OF BEGINNING;  
THENCE CONTINUE S.88°22'18"W., 282.59 FEET TO THE SOUTHWEST  
CORNER OF SAID LOT 11; THENCE N.0°42'25"E., ALONG THE WEST LINE OF  
SAID LOT 11, A DISTANCE OF 415.35 FEET; THENCE N.88°22'18"E., 282.59  
FEET; THENCE S.0°42'25"W., 415.35 FEET TO THE POINT OF BEGINNING.

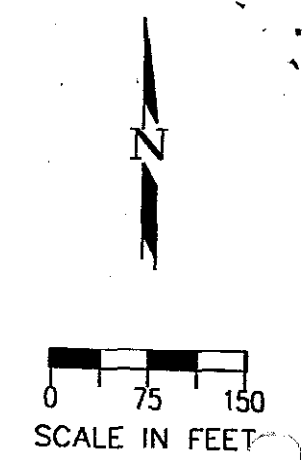
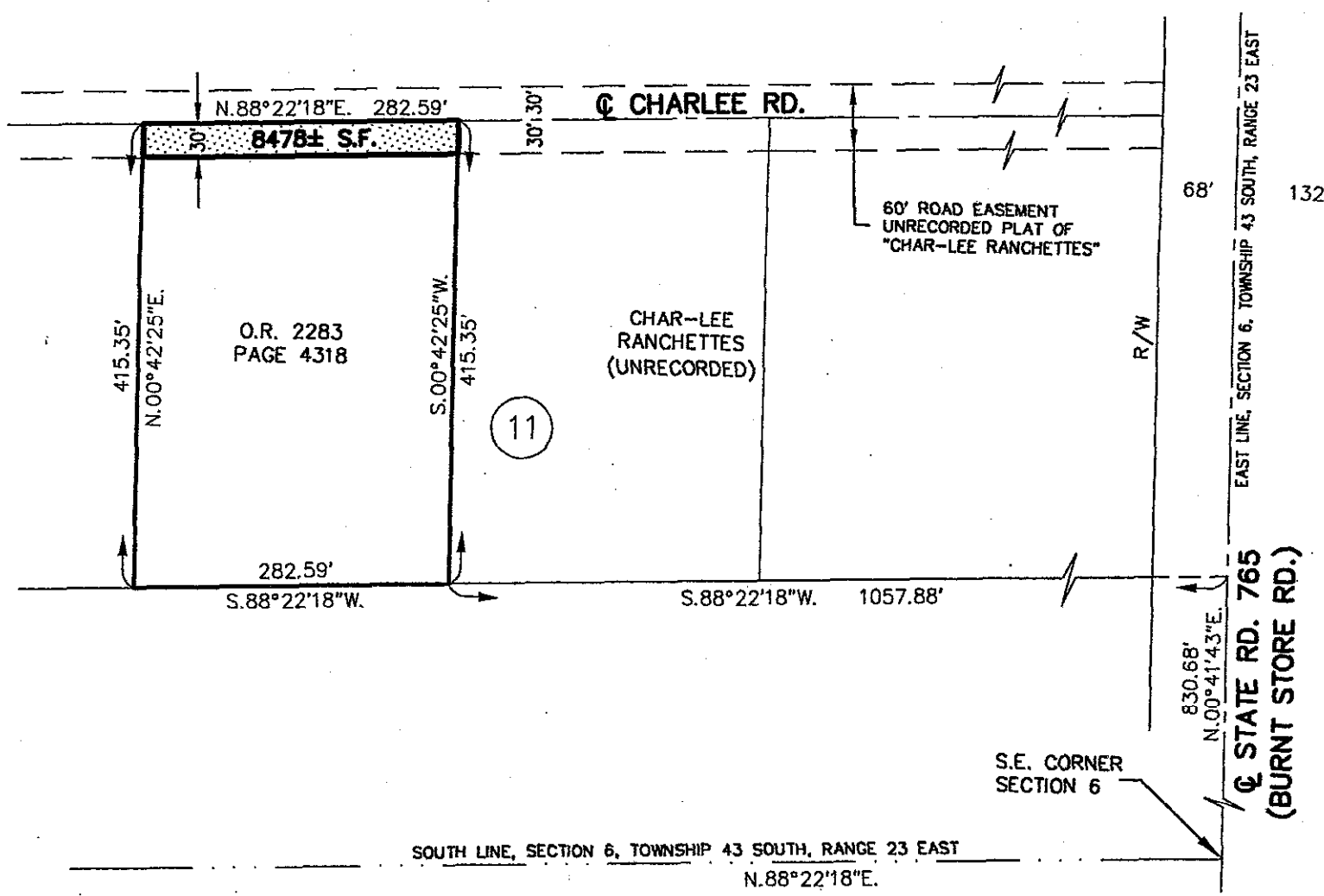
SUBJECT TO ALL EASEMENTS, RESTRICTIONS, RESERVATIONS AND  
RIGHTS OF WAY OF RECORD.

CONTAINING 8478 SQUARE FEET MORE OR LESS.

REFER TO 8 1/2" X 11" SKETCH. (SHEET 2 OF 2)

INK ENGINEERING, A DIVISION OF LBFH INC.  
BPR & FBPE LICENSE NO. 959

  
GLENN C. ADAMS, FOR THE FIRM  
PROFESSIONAL LAND SURVEYOR  
FL. CERT. NO. 6062



LEGEND	
O.R.	OFFICIAL RECORD
S.F.	SQUARE FEET

REFER TO ATTACHED DESCRIPTION

THIS SKETCH IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS, AND RIGHTS OF WAY OF RECORD.

BEARINGS (IF SHOWN HEREON) ARE BASED UPON THE CENTERLINE OF CHARLEE ROAD BEING N.88°22'18\"/>

*[Signature]*  
 GLENN C. ADAMS, FOR THE FIRM  
 PROFESSIONAL LAND SURVEYOR  
 FLA. CERTIFICATE NO. 6062

SHEET 2 OF 2

# SKETCH (NOT A SURVEY)

A 30' WIDE PARCEL OF LAND  
 LYING IN  
 SECTION 6, TOWNSHIP 43 SOUTH, RANGE 23 EAST  
 LEE COUNTY, FLORIDA

DATE	4/09/02
SCALE	1"=150'
DRAWN	G.C.A.
CHECK	
APPROVED	

**Ink Engineering**  
 CONSULTING CIVIL ENGINEERS,  
 SURVEYORS & MAPPERS  
*"Partners For Results,  
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 A Division of LBFH, Inc.  
 1400 Colonial Blvd., Suite 31, Fort Myers, Florida 33907  
 (941) 931-0455 Fax: (941) 931-0456  
 BPR & FBPE License No: 959 www.lbfh.com

FILE: 01-7001SK11B

JOB NO.:

01-7001

12

# Executive Title Insurance Services, Inc.

1136 NE Pine Island Road  
Cape Coral, Florida 33909

Charges as of 4/17/02  
ESG.

File No.: LTP-1312

## OWNERSHIP AND ENCUMBRANCE REPORT

THIS CERTIFIES, that according to the records in the Office of the Clerk of the Circuit Court Lee County, State of Florida, effective date **March 3, 2002 at 5:00 PM.**, John Gregory Rous and Roberta Lynn Rous, Husband and Wife, is/are the apparent record owner(s) of the following described land (hereinafter referred to as the "Property"), situate, lying and being in the County of Lee, State of Florida, to-wit:

### LEGAL DESCRIPTION:

The West ½ of Lot 11, Char-Lee Ranchettes unrecorded, located in Section 6, Township 43 South, Range 23 East, Lee County, Florida; more particularly described as follows: from the Southeast corner of said Section 6, run North 0 degrees 41' 43" East, along East line of said Section 6, a distance of 830.68 Feet; thence South 88 degrees 22' 18" West, 1057.88 Feet to the Point of Beginning; thence continue South 88 degrees 22' 18" West, 282.59 Feet, to the Southwest corner of said Lot 11; thence North 0 degrees 42' 25" East, along the West line of said Lot 11, a distance of 415.35 Feet; thence North 88 degrees 22' 18" East, 282.59 Feet, thence South 0 degrees 42' 25" West, 415.35 Feet to the Point of Beginning; subject to Road Easement over and across the North 30.0 Feet, thereof.

### SUBJECT TO THE FOLLOWING:

(The items shown herein are the only pertinent instruments affecting the above land, for the period stated above)

1. Warranty Deed recorded in Official Record Book 2283, Page 4318.
2. Corrective Deed recorded in Official Record Book 2307, Page 812.
3. Affidavit recorded in Official Record Book 2796, Page 3756.
4. Affidavit recorded in Official Record Book 3111, Page 3801.
5. Mortgage recorded in Official Record Book 3111, Page 3806.

6. Mortgage recorded in O.R. BOOK 3590-1467.

*THIS COMPANY, in issuing this O & E Report (hereinafter referred to as the "Report"), assumes no liability on account of any instrument or proceedings, in the chain of title to the Property, which may contain defects that would render such instrument or proceedings null and void or defective. All instruments in the chain of title to the Property are assumed to be good and valid.*

*The Company's liability for this Report is limited to \$1,000 and extends only to the Customer who placed the order with the Company. No one else may rely upon this Report. Customer, by accepting this Report, agrees to indemnify and hold Company harmless from any claims or losses in excess of the limited amount stated above. This Report contains no expressed or implied opinion, warranty, guarantee, insurance or other*

**OWNERSHIP AND ENCUMBRANCE REPORT (continued)**

*similar assurance as to the status of title to real property. This report should only be relied upon for title information and, therefore, should be verified by a commitment for title insurance.*

**Date:** March 12, 2002.

**Executive Title Insurance Services, Inc.**

**BY:**

A handwritten signature in black ink, appearing to be a stylized name, written over a horizontal line.

Authorized Signature