

Lee County Board of County Commissioners

Agenda Item Summary

Blue Sheet No. 20020527

1. REQUESTED MOTION:

ACTION REQUESTED: Accept by donation, Parcel 10 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 *CLL*

3. MEETING DATE:

05-28-2002

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
- 5/10/02*
KWF

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 owner, the Shipman Family Limited Partnership. The original document is in the files of County Lands and will be recorded upon approval by the Board of County Commissioners.

There remains 17 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 <i>MST/BU</i>	E County Attorney	F Budget Services <i>Admin 5/16</i>				G County Manager
					OA	OM	RISK	GC	
<i>K. Forsyth</i>	<i>N/A</i>		<i>[Signature]</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

REC'D 5/13/02
by CO. ATTY.
2:15pm
CO. ATTY.
[Signature]
5/13/02 3:45

RECEIVED BY
COUNTY ADMIN. *PMC*
5/13 *4:00*
COUNTY ADMIN. *TD*
FORWARDED TO: *bv*
5/16 *2:30*

This Instrument Prepared by:
County Lands
Post Office Box 398
Fort Myers, Florida 33902-0398
Project: Charlee Road MSBU
STRAP No.: 06-43-23-00-00004.0000
Parcel: 10

THIS SPACE FOR RECORDING

QUIT-CLAIM DEED

THIS Quit-Claim Deed, executed this 18 day of April, 2002, by Shipman Family Limited Partnership, a Florida Limited Partnership and having its principal place of business at 3331 Diamond Key Court, 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, 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 that the Grantor has in the following described parcel of land located in Lee County, Florida.

SEE SCHEDULE "X" 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:

Joyell Punt
1st Witness Signature
JOYCE A. PUNT
Printed Name of 1st Witness

Johanna DiMartino
2nd Witness Signature
JOHANNA DIMARTINO
Printed Name of 2nd Witness

Shipman Family Limited Partnership

By Jack A. Shipman
Name: Jack A. Shipman
Title: General Partner

By Deceased May 3 2001
Name: Jayne H. Shipman
Title: General Partner

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was acknowledged before me this 18th day of APRIL, 2002, by Jack A. Shipman, General Partner and Jayne H. Shipman, General Partner of Shipman Family Limited Partnership (name of officer or agent, title of officer or agent) on behalf of the partnership. They are personally known to me or has produced Keys as identification.
(type of identification)

Carol A. Centanne
(Signature of Notary Public)

SEAL
CAROL A. CENTANNE
Notary Public, State of Florida (Name typed, printed or stamped)
My comm. exp May 25, 2003 (Title or Rank)
Comm No CC910209 (Serial Number, if any)

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

Ink Engineering

A Division of
LBFH, Inc.

CIVIL
AGRICULTURAL
WATER RESOURCES
WATER & WASTEWATER
TRANSPORTATION
SURVEYING & MAPPING
GIS

"Partners for Results
Value by Design"

1400 Colonial Blvd., Suite 31
Fort Myers, FL 33907
(941) 931-0455
Fax: (941) 931-0456
www.lbfh.com

Parcel 10

APRIL 9, 2002
JOB NO. 01-7001
01-7001SK12B.doc

Schedule X
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. 2969, PAGE 2119, PUBLIC RECORDS OF LEE COUNTY, FLORIDA.
LOT 12, LEGALLY DESCRIBED AS FOLLOWS TO WIT: THE SOUTH 415.00 FEET OF THE EAST 565.71 FEET OF THE WEST 3959.97 FEET OF THE NORTH 830.00 FEET OF THE SOUTH 1660.00 FEET OF SECTION 6, TOWNSHIP 43 SOUTH, RANGE 23 EAST.

LESS THE FOLLOWING:

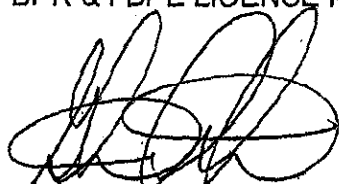
THE EASTERLY 2.1558 ACRES OF LOT 12, OF CHAR-LEE RANCHETTES, UNRECORDED LOCATED IN SECTION 6, TOWNSHIP 43 SOUTH, RANGE 23 EAST, LEE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: FROM THE NORTHEAST CORNER OF SAID LOT 12 ALSO BEING THE POINT OF BEGINNING, RUN S.0°42'25"W., 415.35 FEET; THENCE S.88°22'18"W., 226.28 FEET; THENCE N.0°42'25"E., 415.35 FEET; THENCE N.88°22'18"E., 226.28 FEET TO THE POINT OF BEGINNING.

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

CONTAINING 10183 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

NORTH LINE, SOUTH 1660', SECTION 6

WEST LINE, SECTION 6, TOWNSHIP 43 SOUTH, RANGE 23 EAST

60' ROAD EASEMENT
UNRECORDED PLAT OF
"CHAR-LEE RANCHETTES"

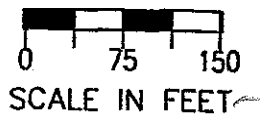
N.88°22'18"E.
226.28'

CHARLEE RD.

30'

10183± S.F.

N.E. CORNER
LOT 12



SCALE IN FEET

830.00'
1660.00'

O.R. 2969
PAGE 2119

12

CHAR-LEE
RANCHETTES
(UNRECORDED)

415.00'

N.00°42'25"E.
415.35'

S.00°42'25"W.
415.35'

565.71'

226.28'

SOUTH LINE, NORTH 830', SOUTH 1660', SECTION 6

S.88°22'18"W.

S.W. CORNER
SECTION 6

N.88°22'18"E.

SOUTH LINE, SECTION 6, TOWNSHIP 43 SOUTH, RANGE 23 EAST

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"E.

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

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FILE: 01-7001SK12B

JOB NO.:

01-7001

THIS INSTRUMENT PREPARED BY:

Division of County Lands
Post Office Box 398
Fort Myers, Florida 33902

Strap No.: 06-43-23-00-00004.0000
Parcel 10, Charlee Road MSBU

PARTNERSHIP AFFIDAVIT

STATE OF Florida
COUNTY OF LCC

Before me, a notary public, appeared Jack A. Shipman, who, being first duly sworn, deposes and says as follows:

1. The Shipman Family Limited Partnership is currently in existence under a valid partnership agreement; has not been dissolved; and has been in full force and effect during the entire time the partnership has held title to the real property.
2. Jayne H. Shipman, general partner of the Shipman Family Limited Partnership is deceased. A copy of her death certificate is recorded in Official Record Book 3439, page 3014, Public Records of Lee County, Florida.
3. Jack A. Shipman is the sole surviving and managing general partner of the Shipman Family Limited Partnership and is fully empowered, in accordance with the partnership agreement, to execute any and all documents necessary to convey title to the real property, described in Exhibit "A", to Lee County.

FURTHER AFFIANT SAYS NOT.

Jack A Shipman
AFFIANT

Printed Name: Jack A. Shipman

Sworn to and subscribed before me this 9th day of May, 2002, by Jack A. Shipman as General Partner of the Shipman Family Limited Partnership.

Carola Gentanne

Notary Signature

CAROLA GENTANNE

Print, Type or Stamp Name of Notary

Personally Known
OR Produced Identification _____
Type of Identification _____

CAROLA GENTANNE
Notary Public, State of Florida
My comm. exp May 25, 2003
Comm No CC910209

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UPON BOARD ACCEPTANCE.

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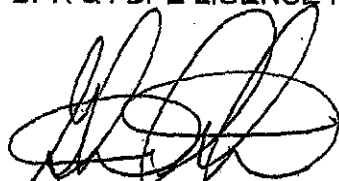
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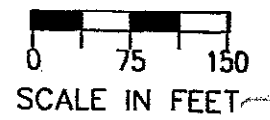
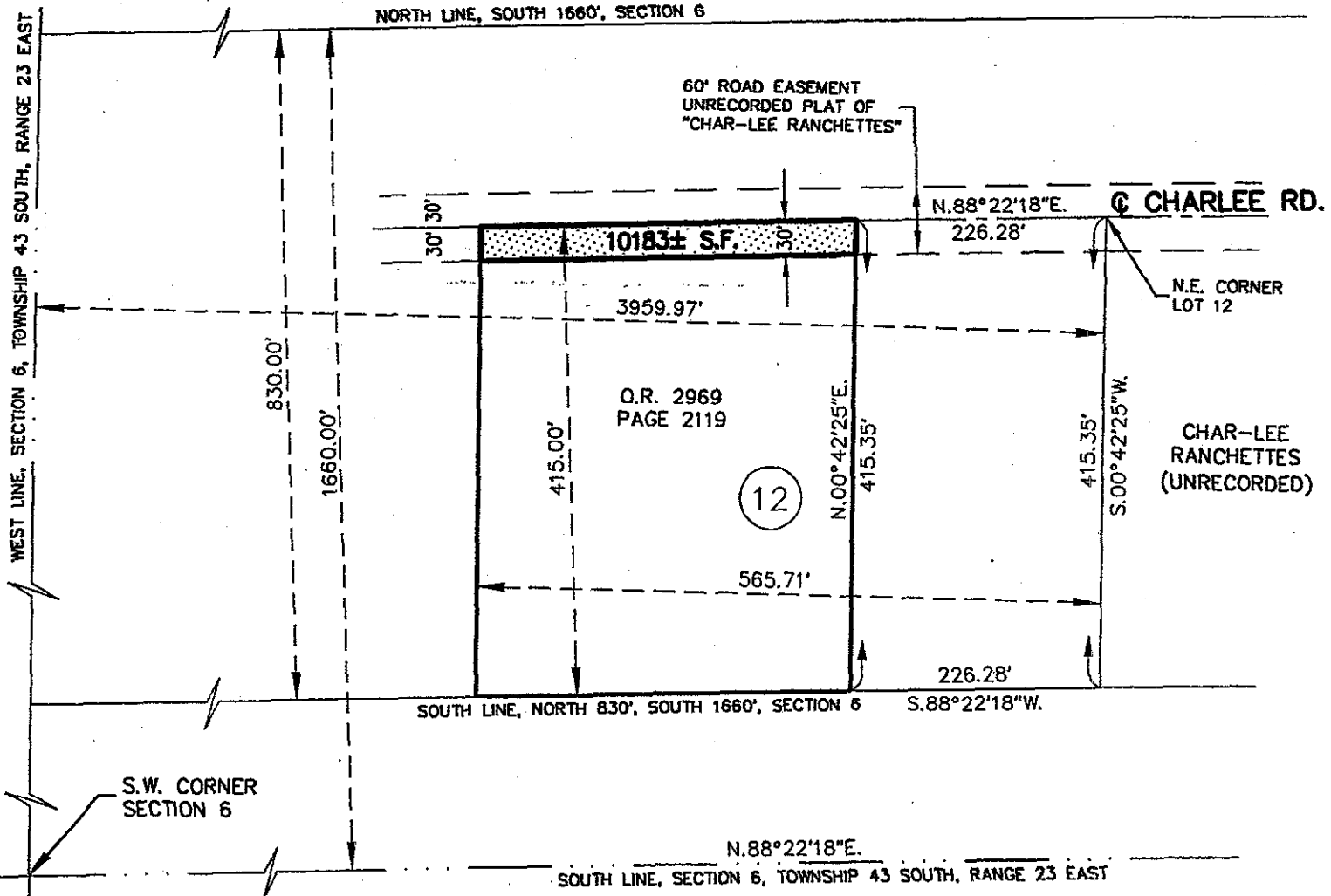
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SECTION 6, TOWNSHIP 43 SOUTH, RANGE 23 EAST
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DATE	4/09/02
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FILE: 01-7001SK12B

JOB NO.:

01-7001

OWNERSHIP AND ENCUMBRANCE REPORT (continued)

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 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 11, 2002.

Executive Title Insurance Services, Inc.

BY:


Authorized Signature