

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

Blue Sheet No. 20020973

1. REQUESTED MOTION:

ACTION REQUESTED: Accept by donation, Parcel 15 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

C6A

3. MEETING DATE:
09-17-2002

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* *8-20-02*
- C. DIVISION *County Lands*
- BY: *Karen L. W. Forsyth, Director*

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, Richard C. Hoffman, Jr. and Wendy B. Hoffman, 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 9 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	E County Attorney	F Budget Services				G County Manager
					OA	COM	RISK	GC	
<i>K. Forsyth</i>		<i>m/k</i>	<i>[Signature]</i>	<i>[Signature]</i>	<i>8/23/02</i>	<i>8/28/02</i>	<i>8/27/02</i>	<i>8/28/02</i>	<i>[Signature]</i>

10. COMMISSION ACTION:

- APPROVED
- DENIED
- DEFERRED
- OTHER

RECEIVED BY
COUNTY ADMIN.
8/23 9:53
COUNTY ADMIN.
FORWARDED TO: *BL*
9/4 9:40

RECEIVED
BY CO. ATTY.
8/22/02
2:15 PM
CO. ATTY.
FORWARDED TO:
Admin
8-23-02 8:30

This Instrument Prepared by:
County Lands Division
Post Office Box 398
Fort Myers, Florida 33902-0398
Project: Charlee Road MSBU
STRAP No.: 06-43-23-00-00004.0120
Parcel No: 15

This Space for Recording

QUIT-CLAIM DEED

THIS Quit-Claim Deed, executed this 19 day of AUGUST, A.D. 2002, by Richard C. Hoffman, Jr. and Wendy B. Hoffman, husband and wife whose address is 17041 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:

Georganna Jennings
1st Witness Signature

Georganna Jennings
Printed Name of 1st Witness

Janice Cunningham
2nd Witness Signature

Janice Cunningham
Printed Name of 2nd Witness

Georganna Jennings
1st Witness Signature

Georganna Jennings
Printed Name of 1st Witness

Janice Cunningham
2nd Witness Signature

Janice Cunningham
Printed Name of 2nd Witness

Richard C. Hoffman Jr.
Richard C. Hoffman, Jr. Grantor

Wendy B. Hoffman
Wendy B. Hoffman Grantor

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

STATE OF FLORIDA)
COUNTY OF CHARLOTTE)

The foregoing instrument was acknowledged before me this 19 day of AUGUST, 2002 by Richard C. Hoffman and Wendy B. Hoffman. They are personally known to me or who have produced FLORIDA DRIVER'S LICENSES as identification.
(name of person acknowledged)
(type of identification)

OFFICIAL NOTARY SEAL
MARJORIE A REYNOLDS
NOTARY PUBLIC STATE OF FLORIDA
COMMISSION NO. CC773393 SEAL
MY COMMISSION EXP. SEPT 27, 2002

Marjorie A. Reynolds
(Signature of Notary Public)
Marjorie A. Reynolds
(Name typed, printed or stamped)
(Title or Rank)
(Serial Number, if any)

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. 2330, page 4336, Public Records of Lee County, Florida **(as corrected)**.

A parcel of land being part of Lot 10, Char-Lee Ranchettes (unrecorded) lying in Section 6, Township 43 South, Range 23 East, Lee County, Florida, being more particularly described as follows: Commence at the Southeast corner of said Section 6, thence on the East line thereof; North 0 degrees 41'43" East, 830.68 feet; thence **South 88 degrees 22' 18" West 68.06 feet to the West Right of Way line of Burnt Store Road (S.R. 765; thence continue** South 88 degrees 22' 18" West 523.55 feet; thence North 0 degrees 42' 25" East 140.00 feet to the point of beginning; thence continue North 0 degrees 42' 25" East 275.35 feet to the centerline of a 60 foot wide roadway easement; thence on said centerline, North 88 degrees 22'18 East 253.53 feet; thence South 0 degrees 42'25" West 275.35 feet; thence South 88 degrees 22' 18" West, 253.53 feet to the Point of Beginning.

Containing 7606 square feet more or less.

Executive Title Insurance Services, Inc.

15

1136 NE Pine Island Road
Cape Coral, Florida 33909

Revised as of 8-19-02
[Signature]

File No.: LTP-1313

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.**, Richard C. Hoffman, Jr., and Wendy B. Hoffman, 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:

A parcel of land being part of Lot 10, Char-Lee Ranchettes (unrecorded) lying in Section 6, Township 43 South, Range 23 East, Lee County, Florida, being more particularly described as follows: Commence at the Southeast corner of said Section 6, thence, on the East line thereof; North 0 degrees 41' 43" East, 830.68 Feet; thence South 88 degrees 22' 18" West 523.55 Feet; thence North 0 degrees 42' 25" East, 140.00 Feet to the Point of Beginning; thence continue North 0 degrees 42' 55" East, 275.35 Feet to the centerline of a 60 Foot wide Roadway Easement; thence on said centerline, North 88 degrees 22' 18" East, 253.53 Feet; thence South 0 degrees 42' 25" West, 275.35 Feet; thence South 88 Degrees 22' 18" West, 253.53 Feet to Point of the Beginning; Subject to a Roadway Easement over and across the North 30 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 2330, Page 4336.

~~2. Mortgage recorded in Official Record Book 2330, Page 4338.~~

SM - OR 3631-462 Z

3. Mortgage recorded in Official Record Book 3517, Page 1485.

4. Affidavit recorded in Official Record Book 3521, Page 4298.

5. Subordination Agreement recorded in Official Record Book 3534, Page 4184.

6. Mortgage recorded in Official Record Book 3540, Page 220.

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

OWNERSHIP AND ENCUMBRANCE REPORT (continued)

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 12, 2002.

Executive Title Insurance Services, Inc.

BY:

A handwritten signature in black ink, appearing to be 'J. R. [unclear]', written over a horizontal line.

Authorized Signature