

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

Blue Sheet No. 20031194

1. REQUESTED MOTION:

ACTION REQUESTED: Approve conveyance of the County's interest in property identified as a part of IDD Canal A located between Canal Street and Hanson Street to the City of Fort Myers and direct staff to proceed with conveyance; authorize the Division of County Lands to handle all documentation necessary to complete transaction.

WHY ACTION IS NECESSARY: The Board must formally approve all real estate conveyances from Lee County.

WHAT ACTION ACCOMPLISHES: Conveys real estate to the City of Fort Myers.

2. DEPARTMENTAL CATEGORY: 6
COMMISSION DISTRICT # 2 *C6A* **3. MEETING DATE:** *12-09-2003*

<p>4. AGENDA:</p> <p><input checked="" type="checkbox"/> CONSENT <input type="checkbox"/> ADMINISTRATIVE <input type="checkbox"/> APPEALS <input type="checkbox"/> PUBLIC <input type="checkbox"/> WALK ON TIME REQUIRED:</p>	<p>5. REQUIREMENT/PURPOSE: (Specify)</p> <p><input checked="" type="checkbox"/> STATUTE 125 <input type="checkbox"/> ORDINANCE <input type="checkbox"/> ADMIN. CODE <input type="checkbox"/> OTHER</p>	<p>6. REQUESTOR OF INFORMATION:</p> <p>A. COMMISSIONER B. DEPARTMENT <u>Independent</u> C. DIVISION <u>County Lands</u> <i>10-23-03</i> BY: <u>Karen L.W. Forsyth, Director</u> <i>KLF</i></p>
----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

7. BACKGROUND:
The City of Fort Myers has submitted a request to the County for conveyance of the County's rights and interest in a portion of IDD Canal A.

This part of IDD Canal A is located between Canal Street and Hanson Street. The right of way contains a drainage canal. The City of Fort Myers currently has the responsibility to maintain this part of IDD Canal A and is requesting the County transfer its rights to the City so that they may enter into an agreement with an adjacent owner that is mutually beneficial to drainage in this area of Fort Myers.

There are no costs associated with this transaction.
Staff recommends Board approve 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
<i>K. Forsyth</i>				<i>John Fredyure</i> 11-20-03	OA <i>11-24-03</i>	OM <i>11/24/03</i>	Risk <i>11/24/03</i>	GC <i>11-27-03</i>	<i>AS</i> 11-24-03

10. COMMISSION ACTION:

APPROVED
 DENIED
 DEFERRED
 OTHER

Rec. by CoAtty
Date: 11-20-03
Time: 4:45
Forwarded To:
Co. Adm.
11/21/03 10AM

RECEIVED BY COUNTY ADMIN: *EW*
11/21/03
11:40 AM 5/7
COUNTY ADMIN FORWARDED TO:
11/21/03



City of Fort Myers, Florida

RECEIVED
OCT 07 2003

2200 Second Street
P.O. Box 2217
Fort Myers, FL 33902-2217
Telephone (941)332-6820
Fax (941)332-6604

COUNTY LANDS

October 3, 2003

Karen L.W. Forsyth, County Lands Director
Lee County Division of County Lands
P.O. Box 398
Fort Myers, FL 33902

RE: IDD Canal A - North of Hanson Street.

Dear Karen:

The referenced property lies within the city limits of Fort Myers and the City is responsible for maintenance of this portion of the canal.

I request the Division of County Lands handle the transfer of all County right, title and interest via County Deed to the City at this time.

It is the City's intention to work with an adjacent owner to develop a mutually beneficial drainage system within the property boundaries. This arrangement may require a subsequent conveyance of a portion of the property to private ownership.

A description of the subject property is attached.

Sincerely,
Saeed Kazemi, P.E., City Engineer

All of IDD Canal A lying north of Hanson Street in Sections 24 and 25, Township 44 South, Range 24 East, and Sections 19 and 30, Township 44 South, Range 25 East further described as:

The East 59 feet of Section 25, township 44 South, Range 24 East lying north of the right of way for Hanson Street.

AND

The East 59 feet of the South 62 feet of Section 24, Township 44 South, Range 24 East.

AND

The West 74 feet of Section 30, Township 44 South Range 25 East lying north of the right of way for Hanson Street

AND

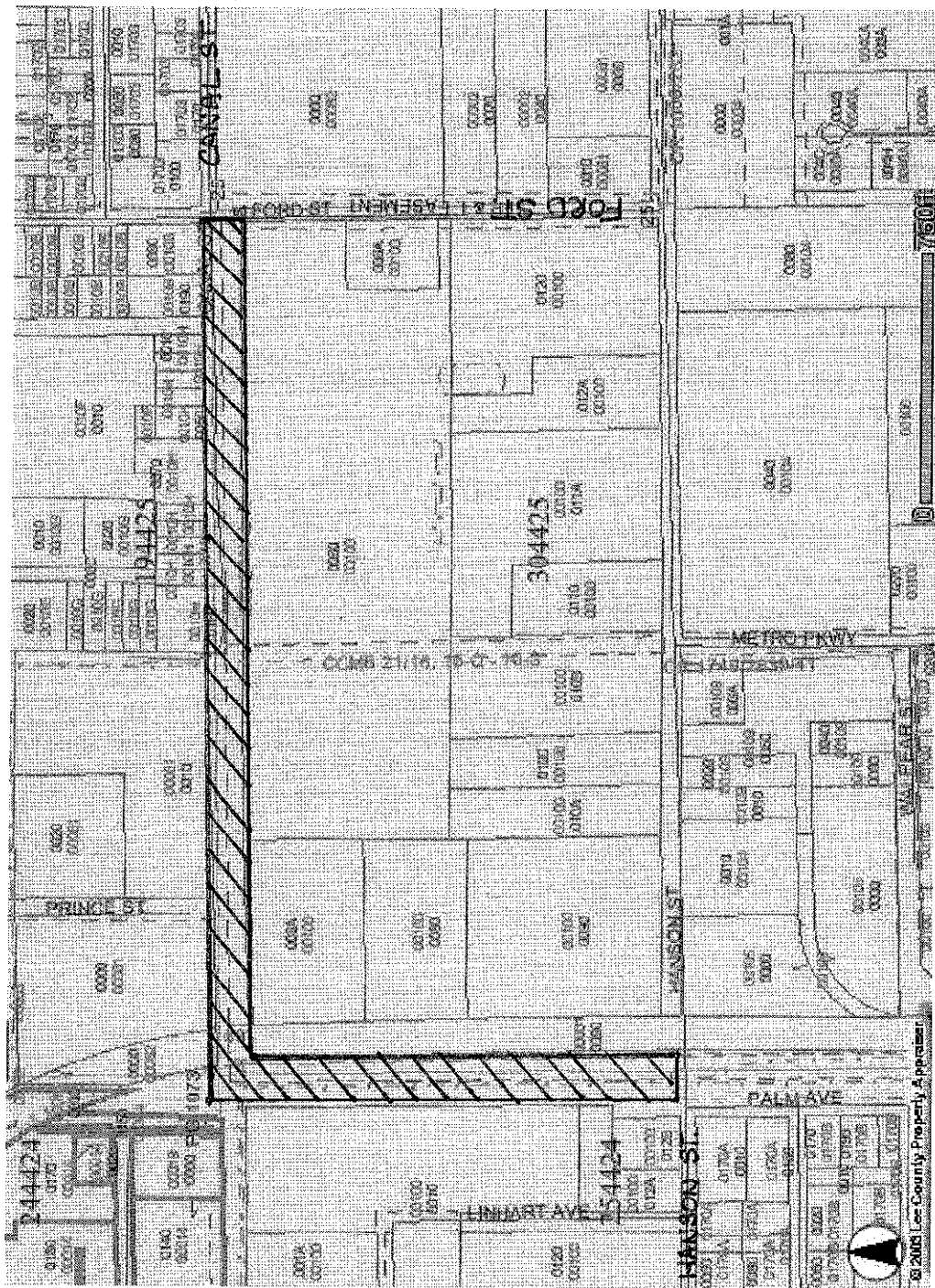
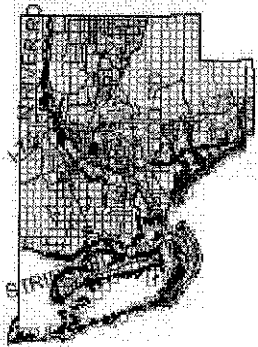
Beginning at the Southwest corner of Section 19, Township 44 South, Range 25 East; thence run North 62 feet to the north line of IDD Canal A; thence run East to the 1/4 section line of section 19; Thence run South 57 feet to the South 1/4 corner of Section 19; thence run West along the south line of the section to the point of beginning.

AND

Commencing at the Northwest corner of Section 30, Township 44 South, Range 25 East; thence run East 74 feet to the point of beginning; thence continue East along the section line to the North 1/4 corner of section 30; Thence run South 63 feet; thence run West to a point 74 east of the west line of Section 30; thence north 69 feet to the point of beginning.

All being in Lee County, Florida.

Part of IDD Canal A



This Instrument Prepared by:
PUBLIC WORKS/COUNTY LANDS DIVISION
Post Office Box 398
Fort Myers, Florida 33902-0398

STRAP No. None

**COUNTY DEED
(Statutory)**

THIS DEED, executed this ___ day of _____, 20___, by **LEE COUNTY, FLORIDA, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA**, whose address is Post Office Box 398, Fort Myers, Florida 33902-0398, COUNTY, to **THE CITY OF FORT MYERS, A MUNICIPAL CORPORATION OF THE STATE OF FLORIDA**, whose address is Post Office Box 2217, Fort Myers, FL 33902-2217, Grantee.

WITNESSETH: The COUNTY, for and in consideration of the sum of Ten (\$10.00) Dollars to it in hand paid by the Grantee, receipt whereof is hereby acknowledged, has granted, bargained and sold to the Grantee, its heirs and assigns forever, the following described land, lying and being in Lee County, Florida:

SEE ATTACHED EXHIBIT "A"

This grant conveys only the interest of the County and its Board of County Commissioners in the property herein described, and does not warrant the title or represent any state of facts concerning the title.

IN WITNESS WHEREOF the COUNTY has caused these presents to be executed in its name by its Board of County Commissioners acting by the Chair or Vice Chair of said Board, the day and year above.

(OFFICIAL SEAL)

ATTEST:
CHARLIE GREEN, CLERK

LEE COUNTY, FLORIDA, BY ITS
BOARD OF COUNTY COMMISSIONERS

By: _____
Deputy Clerk

By: _____
Chairman

APPROVED AS TO LEGAL FORM:

By: _____
Office of County Attorney

Exhibit A

All of IDD Canal A lying north of Hanson Street in Sections 24 and 25, Township 44 South, Range 24 East, and Sections 19 and 30, Township 44 South, Range 25 East further described as:

The East 59 feet of Section 25, township 44 South, Range 24 East lying north of the right of way for Hanson Street.

AND

The East 59 feet of the South 62 feet of Section 24, Township 44 South, Range 24 East.

AND

The West 74 feet of Section 30, Township 44 South Range 25 East lying north of the right of way for Hanson Street

AND

Beginning at the Southwest corner of Section 19, Township 44 South, Range 25 East; thence run North 62 feet to the north line of IDD Canal A; thence run East to the 1/4 section line of section 19; Thence run South 57 feet to the South 1/4 corner of Section 19; thence run West along the south line of the section to the point of beginning.

AND

Commencing at the Northwest corner of Section 30, Township 44 South, Range 25 East; thence run East 74 feet to the point of beginning; thence continue East along the section line to the North 1/4 corner of section 30; Thence run South 63 feet; thence run West to a point 74 east of the west line of Section 30; thence north 69 feet to the point of beginning.

All being in Lee County, Florida.

From: Donald Chamblee
To: Wingard, Paul
Date: 10/28/03 2:07PM
Subject: Blue Sheet 2003-1194, IDD A

Paul,

We have reviewed the "IDD A conveyance to CFM" Bluesheet. The only concern may be to make FDOT aware of the transaction. They will be extending Metro Parkway north and there will be an overlap with Metro crossing the IDD. The County may also wish to exchange this IDD with FDOT for their water quality and storage for the Metro project.

This is also the upper end of Ten Mile, so DNR may have a use. DNR may alternatively wish to place some use or discharge restrictions on the conveyance of the IDD to help reduce pollutant loadings and drainage impacts to Ten Mile.

Thanks

Donald Chamblee, PE
LC DOT Operations
ChambIDV@LeeGov.com
Phone: (239) 694-3334
Fax: (239) 694-3332

CC: Ottolini, Roland; Simmons, Clay