

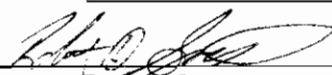
Lee County Board Of County Commissioners
Agenda Item Summary

Blue Sheet No. 20060681

1. ACTION REQUESTED/PURPOSE: Authorize Chairwoman to execute a County Deed for the purpose of correcting an erroneous Tax Deed and restoring title to the proper owner.

2. WHAT ACTION ACCOMPLISHES: Corrects erroneous Tax Deed and restores title of property to proper owner.

3. MANAGEMENT RECOMMENDATION:

4. Departmental Category: CIZA				5. Meeting Date: 06-06-2006	
6. Agenda:		7. Requirement/Purpose: (specify)		8. Request Initiated:	
<input checked="" type="checkbox"/>	Consent		Statute	Commissioner	
	Administrative		Ordinance	Department	County Attorney
	Appeals		Admin. Code	Division	Land Use
	Public	<input checked="" type="checkbox"/>	Other	County Clerk	By: 
	Walk-On		F.A.C. 12D-013.066(4)	Robert D. Spickerman Assistant County Attorney	

9. Background: The Clerk's Office has requested that the County issue a deed for the purpose of completing the process of restoring property title to the proper owner after the erroneous sale of a tax deed for the property. Please see attached letter from the Clerk's Office.

Attachment: Letter from Clerk's Office and Proposed County Deed

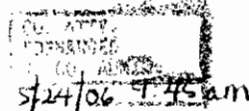
cc: Debbie Underwood, Delinquent Tax Office

10. Review for Scheduling:

Department Director	Purchasing or Contracts	Human Resources	Other	County Attorney	Budget Services <i>5/24</i>				County Manager/P.W. Director
				<i>JMC</i>	Analyst	Risk	Grants	Mgr.	<i>5-24-06</i>
					<i>RK 5/24</i>	<i>5/24</i>	<i>5/24</i>	<i>5/24/06</i>	

11. Commission Action:

- Approved
- Deferred
- Denied
- Other



RECEIVED BY
COUNTY ADMIN: *2/10*
5-24-06
9:55
COUNTY ADMIN
FORWARDED TO:

P.R. 5/24/06 1:10

Memorandum

DATE: May 16, 2006

TO: **Tim Jones, County Attorney**
FROM: Debbie Underwood, Delinquent Tax Office, Manager

RE: **Restoring title of property due to erroneous Tax Deed 2004-003861**
Lots 8 & 9, Blk 4319, Unit 61, Cape Coral, Strap # 31-43-23-C1-04319.0080

2006 MAY 16 PM 1:41
RECEIVED BY
LEE CO. ATTORNEY

I have attached a County Deed for the purpose of restoring a title to property.


This property was scheduled and sold at a Tax Deed auction on December 17, 2004 by the Lee County Clerk of Circuit Court. The property was sold to Carol McEntee in the amount of \$ 115,018.50

A few days after the sale we were aware that due process as stated in FS 197. was not completed.

Our Clerks Attorney deemed this an invalid issuance of a Tax Deed. We ask and received from the buyer Carol McEntee a Quit Claim Deed transferring property to Lee County per Florida Administrative Code 12D-013.066 (4).

I am releasing the County Deed to you for the attachment of the Blue Sheet required by BOCC. Once the Board has signed and approved please return the deed to me so that we can record the document restoring the property to the previous owner.

Charlie Green, Clerk


By Debbie Underwood
, Deputy Clerk

This Instrument Prepared by:
Delinquent Tax Department
Clerk of Court, Charlie Green
Post Office Drawer 2278
Fort Myers, Florida 33902

STRAP No. 31-43-23-C1-04319.0080
Tax Deed No. 2004-003861

THIS SPACE IS FOR RECORDING

COUNTY DEED
(Statutory)

THIS DEED, executed this 16th day of May, A.D., 2006, by **LEE COUNTY, FLORIDA**, a political subdivision of the State of Florida, whose address is Post Office Box 398, Fort Myers, Fl, 33902-0398, Grantor, to **Rolando Santacruz & Rosa I. Rodriguez, Husband and Wife**, whose address is 11890 S.W 8th Street #502, Miami, FL 33184, Grantee.

Grantor, for and in consideration of the sum of Ten (\$10.00) Dollars to it in hand paid by 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:

**Lots 8 & 9, Blk 4319, Unit 61, Cape Coral, Florida, PB 21 Page 16
Lee County Public Records**

The purpose of this deed is to restore title to the proper owner and thereby correct an erroneous tax deed, as provided in Rule 12D-13.066(4) of the Florida Administrative Code.

This grant conveys only the interest of the County and its Board of County Commissioners in the property herein described and shall not be deemed to warrant the title or to represent any state of facts concerning the same.

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

ATTEST:
CHARLIE GREEN, CLERK

LEE COUNTY, FLORIDA, BY ITS
BOARD OF COUNTY COMMISSIONERS

By: _____
Deputy

By: _____
Chairman

APPROVED AS TO LEGAL FORM:

Office of County Attorney