

Date Critical

Lee County Board Of County Commissioners
Agenda Item Summary

Blue Sheet No. 20061029

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: 8/15/06 @ 9:30 a.m.

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: <i>Robert D. Spickerman</i>
	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				County Manager/P.W. Director
				<i>Smith</i>	Analyst	Risk	Grants	Mgr.	<i>8-3-06</i>
				<i>Boice</i>	<i>8/3/06</i>	<i>8/3/06</i>	<i>8/3/06</i>	<i>8/3/06</i>	<i>8-3-06</i>

11. Commission Action:

- Approved
- Deferred
- Denied
- Other

CO. ATTY. FORWARDED TO CO. ADMIN. 8/3/06 7:30 am

RECEIVED BY COUNTY ADMIN: 8/3/06 9:45 AM
COUNTY ADMIN FORWARDED TO: 8-3-06
P. K. 2100

2006 JUL 21 AM 11:09
LEE CO. ATTORNEY

Memorandum

DATE: July 18, 2006

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

Re: Restoring title of property due to erroneous Tax Deed # 2006-000105
East half of Lot 13, Block 26, Unit 9, Section 13, Township 44 South, Range 27 East, Lehigh Acres.

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

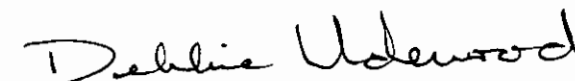
This property was scheduled and sold at a Tax Deed auction on June 30, 2006 by the Lee County Clerk of Circuit Court. The property was sold to Jeffrey W. Pence in the amount of \$ 14,218.50

The day of the sale Clerks Office received an airmail from France, but we did not see it in our mail basket until July 13th 2006. The funds were received prior to the recording of the sold Tax Deed.

We asked and received from the buyer Jeffrey W. Pence 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
Lee County Clerk of Circuit Court



By Debbie Underwood
Delinquent Tax Manager

This Instrument Prepared by:

Robert D. Spickerman
Lee County Attorney's Office
Post Office Box 398
Fort Myers, FL 33902-0398

STRAP No. 13-44-27-09-00026.013A
Tax Deed No. 2006-000105

THIS SPACE FOR RECORDING

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 GRANTOR, to John Dekl and Anna Dekl, Husband and Wife as an Estate by the Entirety with full rights of survivorship as Grantee whose address is 141 Rue De Clignancourt 75018 Paris, France, GRANTEE.

WITNESSETH: The GRANTOR, 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:

East half of Lot 13, Block 26, Unit 9, Section 13, Township 44 South, Range 27 East,
Lehigh Acres,

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 does not warrant the title or to represent any state of facts concerning the same.

IN WITNESS WHEREOF the GRANTOR 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:

Office of County Attorney