

Agenda Item Summary

1. ACTION REQUESTED/PURPOSE: Accept Quit-Claim Deeds for Parcels 107 and 109 being right-of-way necessary for the Homestead Lane Road Paving MSBU #5059 for pavement of Homestead Lane; authorize the Division of County Lands to handle and accept all documentation necessary; authorize payment of recording fees.

2. WHAT ACTION ACCOMPLISHES: Acquisition of right-of-way via Quit-Claim Deeds from benefited property owners.

3. MANAGEMENT RECOMMENDATION: Approve.

4. Departmental Category: 6		CLCA	5. Meeting Date: 8-22-2006	
6. Agenda: X Consent Administrative Appeals Public Walk-On	7. Requirement/Purpose: (specify)		8. Request Initiated:	
	X	Statute 125	Commissioner <i>SS</i>	
		Ordinance	Department Independent <i>SS</i>	
	X	Resolution 05-08-54	Division County Lands <i>7/28/06</i>	
			By: Karen L.W. Forsyth, Director <i>KLF</i>	

9. Background:

The Board of County Commissioners created the Homestead Lane Road Paving MSBU on August 9, 2005, when it adopted Resolution Number 05-08-54. The purpose of the project is to pave the existing unimproved (dirt/shell) roadway.

The following have executed the required Quit Claim Deed. The original documents are in the files of County Lands and will be recorded upon approval by the Board of County Commissioners:

- Parcel 107 Edna Spencer
- Parcel 109 Leonard K. Barshinger & Susan L. Barshinger, husband and wife

There remains approximately 27 more properties to be acquired for this project.

Funds are available in Account Number: 80505910400

Staff Recommends Board approve the Requested Motion.

ATTACHMENTS: Copy of Quit Claim Deed, In-House Title Search, GIS Location Map

10. Review for Scheduling:

Department Director	Purchasing or Contracts	Human Resources	Other	County Attorney	Budget Services				County Manager/P.W. Director
					Analyst	Risk	Grants	Mgr.	
<i>KLF</i>			<i>PA</i>	<i>Robert Spukerman</i> 8-4-06	<i>8/8/06</i>	<i>8/7/06</i>	<i>8/8/06</i>	<i>8/7/08</i>	<i>S 8/8/06</i>

11. Commission Action:

- Approved
- Deferred
- Denied
- Other

Rec. by <i>COAT</i>
Date: <i>8/4/06</i>
Time: <i>9:10</i>
Forwarded To:

RECEIVED BY COUNTY ADMIN. <i>SS</i>
<i>7/28/06</i>
COUNTY ADMIN FORWARDED TO <i>SS</i>
<i>7/28/06</i>

This Instrument Prepared by:

County Lands
Post Office Box 398
Fort Myers, Florida 33902-0398
Project: Homestead Lane Road Paving MSBU, Project No. 5059
STRAP No.: 12-44-25-00-00008.0010
Parcel: 107

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

QUIT-CLAIM DEED

THIS Quit-Claim Deed, Executed this 21st day of July, 2006, by **Edna Spencer, a single person**, whose address is 11700 Homestead Lane, Fort Myers, FL 33905, as **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, wherever the context so admits or requires)

WITNESSETH, The GRANTOR for good and valuable consideration provided by the GRANTEE, which is hereby acknowledged, does hereby remise, release and quit-claim to the GRANTEE forever, all the right, title interest, claim and demand which the GRANTOR has in and to the following described lot, piece or parcel of land, situate, lying and being in the County of Lee, State of Florida, to-wit:

SEE EXHIBIT "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 whatsoever 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:

Delilah Palmer
1st Witness Signature

Delilah Palmer
Printed Name of 1st Witness

Linda J. Goebelt
2nd Witness Signature

LINDA J. GOEBELT
Printed Name of 2nd Witness

Edna Spencer
Edna Spencer

STATE OF Florida
COUNTY OF Lee

The foregoing instrument was acknowledged before me this 21 day of July, 2006, by Edna Spencer, who is personally known to me or who has produced FLID as identification.

Donna M. McCormick
Signature of Notary Public

Notary Seal

My Commission Expires:


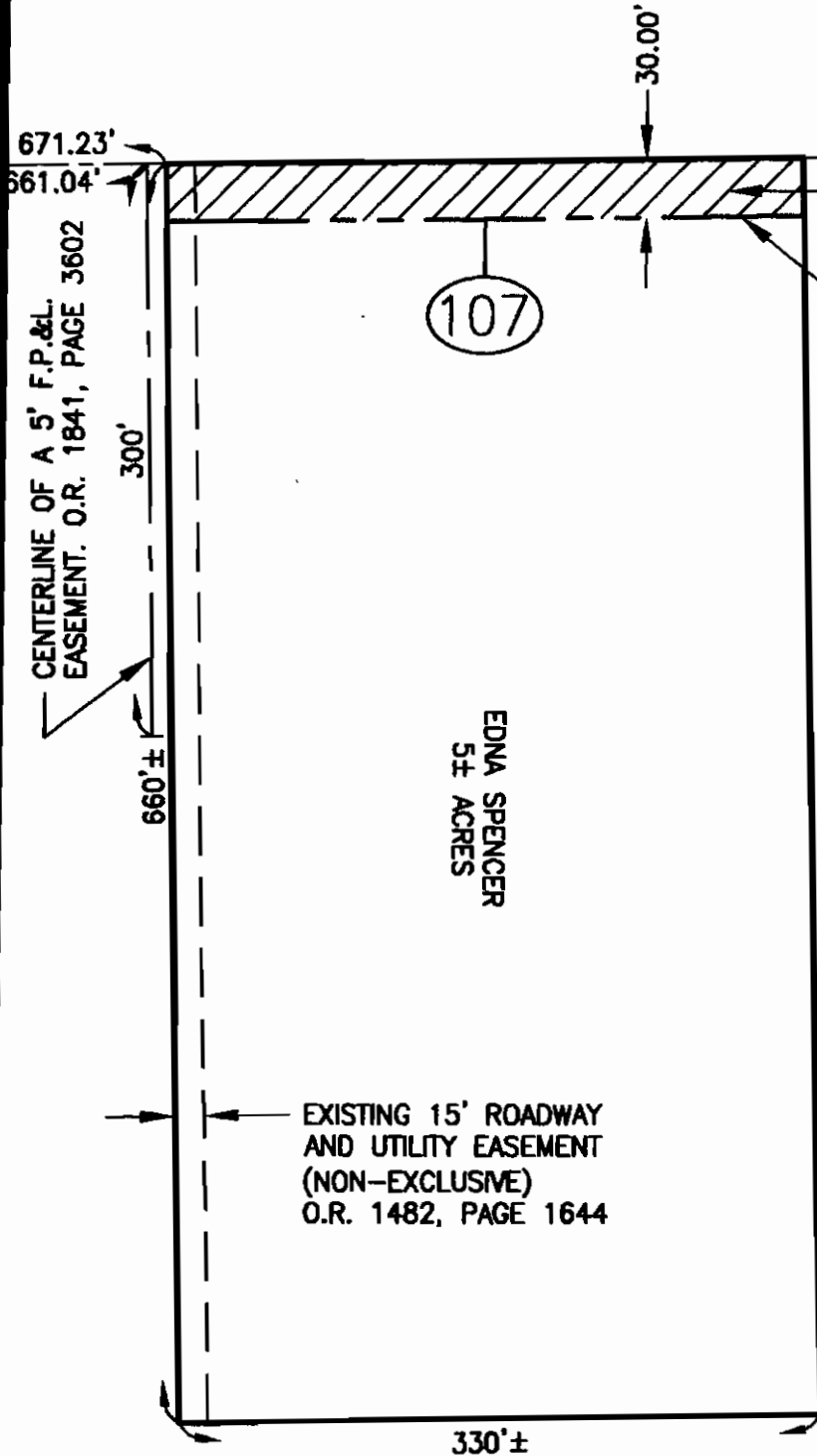
 Donna M. McCormick
Commission #DD330768
Expires: Jun 20, 2008
Bonded Thru
Atlantic Bonding Co., Inc.

Exhibit "A"



EXISTING 30' ROADWAY AND UTILITY EASEMENT (NON-EXCLUSIVE)
O.R. 1462, PAGE 591

DESCRIPTION OF PARCEL 107

THE NORTH 30.00 FEET OF THE FOLLOWING DESCRIBED PARCEL:

The West Half ($W\frac{1}{2}$) of the East Half ($E\frac{1}{2}$) of the North Half ($N\frac{1}{2}$) of the Northwest Quarter ($NW\frac{1}{4}$) of the Northeast Quarter ($NE\frac{1}{4}$) of Section 12, Township 44 South, Range 25 East, Lee County, Florida.

* THIS IS NOT A SURVEY *

O.R. INDICATES OFFICIAL RECORD BOOK
F.P.&L. INDICATES FLORIDA POWER & LIGHT COMPANY

Ronald Kerfoot
RONALD KERFOOT 6/23/06
PROFESSIONAL LAND SURVEYOR #2994
REVISED 06-22-06

JRI Engineering, Inc.

Planning Engineering Surveying Aerial Photography & Photogrammetry Services

2328 Hancock Bridge Parkway, Suite 114, Cape Coral, Florida 33900
Phone: 239.458.5544 Fax: 239.458.2233 www.jriengineeringinc.com
Surveying Business Certificate of Authorization No. 6873

LEE COUNTY MSBU - HOMESTEAD LANE

SKETCH AND DESCRIPTION - PARCEL 107

SCALE: 1"=100' Dwg: HmstdLn-Parcel Map-Takes-1 DATE: 4-18-06 SHEET 1 OF 1

This Instrument Prepared by:

County Lands
Post Office Box 398
Fort Myers, Florida 33902-0398
Project: Homestead Lane Road Paving MSBU, Project No. 5059
STRAP No.: 12-44-25-00-00008.001A
Parcel: 109

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

QUIT-CLAIM DEED

THIS Quit-Claim Deed, Executed this 20th day of July, 2006, by **Leonard K. Barshinger and Susan L. Barshinger, husband and wife**, whose address is P. O. Box 50971, Fort Myers, FL 33994, as **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, wherever the context so admits or requires)

WITNESSETH, The GRANTOR for good and valuable consideration provided by the GRANTEE, which is hereby acknowledged, does hereby remise, release and quit-claim to the GRANTEE forever, all the right, title interest, claim and demand which the GRANTOR has in and to the following described lot, piece or parcel of land, situate, lying and being in the County of Lee, State of Florida, to-wit:

SEE EXHIBIT "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 whatsoever 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:

Kara R. Winton
1st Witness Signature

Kara R. Winton
Printed Name of 1st Witness

L. Chuffo
2nd Witness Signature

Lora L. Chuffo
Printed Name of 2nd Witness

Kara R. Winton
1st Witness Signature

Kara R. Winton
Printed Name of 1st Witness

L. Chuffo
2nd Witness Signature

Lora L. Chuffo
Printed Name of 2nd Witness

Leonard K. Barshinger
Leonard K. Barshinger

Susan L. Barshinger
Susan L. Barshinger

STATE OF FL

COUNTY OF Lee

The foregoing instrument was acknowledged before me this 20 day of July, 2006, by Leonard K. Barshinger, who is personally known to me or who has produced _____ as identification.

(type of identification)



Linda A. Hatch
Commission # DD341440
Expires September 13, 2008
Bonded Troy Palm - Insurance, Inc. 800-365-7010

Linda A. Hatch
Signature of Notary Public

Notary Seal

My Commission Expires: 9-13-08

STATE OF FL

COUNTY OF Lee

The foregoing instrument was acknowledged before me this 20 day of July, 2006, by Susan L. Barshinger, who is personally known to me or who has produced _____ as identification.

(type of identification)



Linda A. Hatch
Commission # DD341440
Expires September 13, 2008
Bonded Troy Palm - Insurance, Inc. 800-365-7010

Linda A. Hatch
Signature of Notary Public

Notary Seal

My Commission Expires: 9-13-08

Division of County Lands**Ownership and Easement Search**

Search No. 12-44-25-00-00008.0010

Date: February 3, 2006

Parcel: 107

Project: Homestead Lane MSBU, Project 5059

To: Michele S. McNeill, SRWA
Property Acquisition AgentFrom: Bill Abramovich *BA*
Real Estate Title Examiner

STRAP: 12-44-25-00-00008.0010

Effective Date: January 11, 2006, at 5:00 p.m.

Subject Property: The West Half (W1/2) of the East Half (E1/2) of the North Half (N1/2) of the Northwest Quarter (NW1/4) of the Northeast Quarter (NE1/4) of Section 12, Township 44 South, Range 25 East, Lee County, Florida.

Title to the subject property is vested in the following:

Edna Spencer as surviving spouse of Paul E. Spencer, deceased

By that certain instrument dated May 24, 1982, recorded May 27, 1982, in Official Record Book 1608, Page 69, Public Records of Lee County, Florida.

Easements:

1. Reservation for Sub-Surface minerals recorded in Official Record Book 615, Page 133, Public Records of Lee County, Florida.
2. 10 foot wide Florida Power & Light Easement along East line recorded in Official Record Book 1341, Page 900, Public Records of Lee County, Florida.
3. Roadway Easement over North 30 feet recorded in Official Record Book 1462, Page 591, Public Records of Lee County, Florida.
4. Roadway Easement over North 30 feet recorded in Official Record Book 1482, Page 1642, Public Records of Lee County, Florida.
5. Roadway Easement over East 15 feet recorded in Official Record Book 1514, Page 269, Public Records of Lee County, Florida.
6. 5 foot wide Florida Power & Light Easement recorded in Official Record Book 1841, Page 3602, Public Records of Lee County, Florida.
7. Road Maintenance Agreement recorded in Official Record Book 2308, Page 2628, Public Records of Lee County, Florida.

Division of County Lands

Ownership and Easement Search

Search No. 12-44-25-00-00008.0010

Date: February 3, 2006

Parcel:

Project: Homestead Lane MSBU, Project 5059

8. 30 foot pipeline Right-of-Way Easement recorded in Official Record Book 2354, Page 4379, Public Records of Lee County, Florida.

Note (1): Lee County Ordinances relating to garbage and solid waste collection, recorded in Official Record Book 2189, Pages 3281 and 3334, Public Records of Lee County, Florida.

Note (2): Mortgage executed by Paul E. Spencer and Edna Spencer, husband and wife in favor of First Federal Savings and Loan Association of Fort Myers, dated March 11, 1986, recorded March 18, 1986, in Official Record Book 1834, Page 4731, Public Records of Lee County, Florida.

Note (3): Death certificate for Paul Edward Spencer, recorded June 27, 1994, in Official Record Book 2513, Page 3042, Public Records of Lee County, Florida.

Tax Status: Taxes paid.

(The end user of this report is responsible for verifying tax and/or assessment information.)

The Division of County Lands has made a diligent search of the Public Record. However, this report contains no guarantees nor warranty as to its accuracy.

Division of County Lands**Ownership and Easement Search**

Search No. 12-44-25-00-00008.001A

Date: February 14, 2006

Parcel: 109

Project: Homestead Lane MSBU 5059

To: Michele S. McNeill, SRWA
Property Acquisition Agent

From: Bill Abramovich *BA*
Real Estate Title Examiner

STRAP: 12-44-25-00-00008.001A

Effective Date: January 11, 2006, at 5:00 p.m.

Subject Property: The East Half (E ½) of the East Half (E ½) of the North Half (N ½) of the Northwest Quarter (NW ¼) of the Northeast Quarter (NE ¼) of Section 12, Township 44 South, Range 25 East, Lee County, Florida.

Title to the subject property is vested in the following:

Leonard K. Barshinger and Susan L. Barshinger, husband and wife

By that certain instrument dated February 10, 2000, recorded February 14, 2000, in Official Record Book 3220, Page 1545, and re-recorded February 24, 2000, in Official Record Book 3223, Page 4157, Public Records of Lee County, Florida.

Easements:

1. Reservation for sub-surface minerals recorded in Official Record Book 615, Page 133, Public Records of Lee County, Florida.
2. 10 foot wide Florida Power and Light Easement along east line recorded in Official Record Book 1341, Page 900, Public Records of Lee County, Florida.
3. Roadway Easement over North 30 feet recorded in Official Record Book 1462, Page 591, Public Records of Lee County, Florida.
4. Roadway Easement over North 30 feet recorded in Official Record Book 1482, Page 1642, Public Records of Lee County, Florida.
5. Roadway Easement over East 15 feet recorded in Official Record Book 1514, Page 269, Public Records of Lee County, Florida.
6. Lee County Ordinances relating to garbage and solid waste collection, recorded in Official Record Book 2189, Pages 3281 and 3334, Public Records of Lee County, Florida.

Division of County Lands

Ownership and Easement Search

Search No. 12-44-25-00-00008.001A

Date: February 14, 2006

Parcel:

Project: Homestead Lane MSBU 5059

NOTE (1): Mortgage executed by Leonard K. Barshinger and Susan L. Barshinger, husband and wife in favor of Citibank Federal Savings Bank, dated September 21, 2005, recorded November 10, 2005, in Instrument #2005000113613, Public Records of Lee County, Florida.

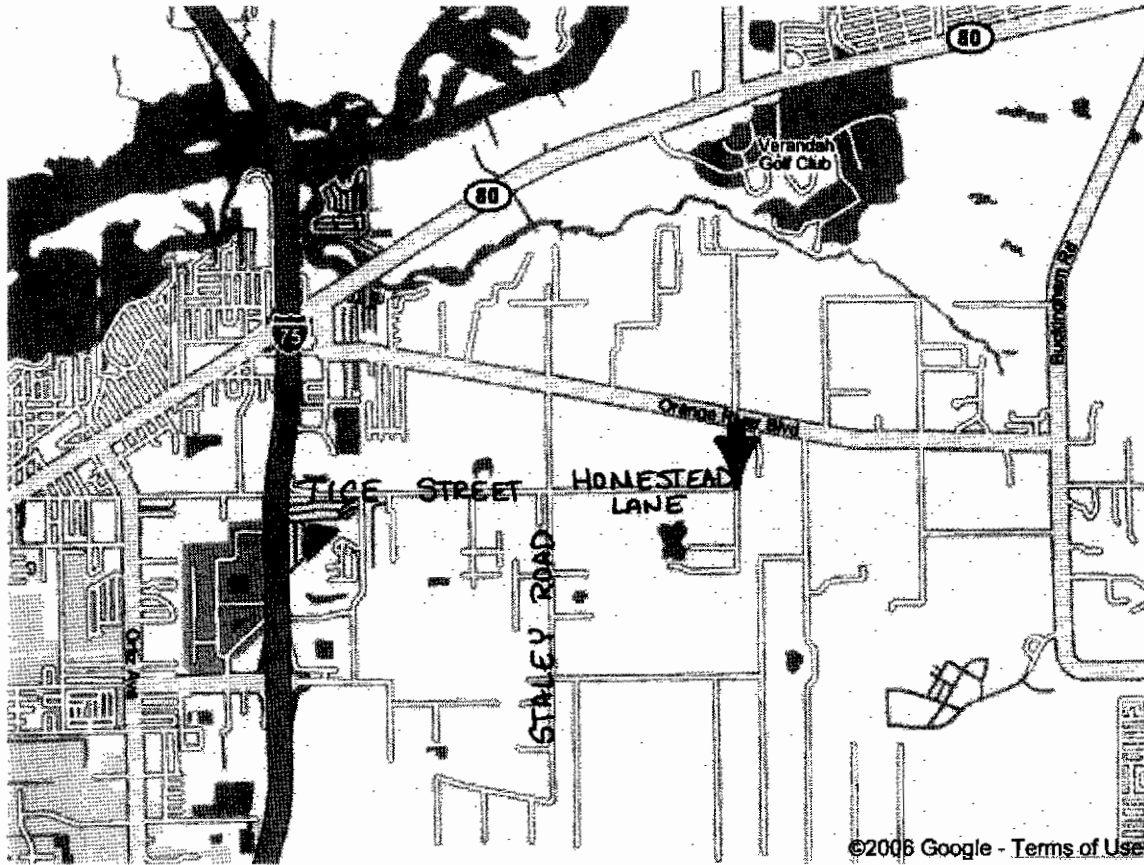
Tax Status: Taxes paid.

(The end user of this report is responsible for verifying tax and/or assessment information.)

The Division of County Lands has made a diligent search of the Public Record. However, this report contains no guarantees nor warranty as to its accuracy.



Address **Homestead Ln**
Fort Myers, FL 33905



LOCATION MAP