

Lee County Board of County Commissioners

Agenda Item Summary

Blue Sheet No. 20020477

1. REQUESTED MOTION:

ACTION REQUESTED: Accept by donation, Parcel 4 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 *C6D*

3. MEETING DATE:

05-21-2002

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*
 - 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, Christopher L. Burke and Betty F. Burke, 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 18 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 MSB/BU	E County Attorney	F Budget Services <i>Cap 316</i>				G County Manager
					OA	OM	RISK	GC	
<i>K. Forsyth</i>			<i>[Signature]</i>	<i>[Signature]</i>	<i>5/16/02</i>	<i>5/16/02</i>	<i>5/17/02</i>	<i>5/16/02</i>	<i>[Signature]</i>

10. COMMISSION ACTION:

- APPROVED
- DENIED
- DEFERRED
- OTHER

RECEIVED BY
COUNTY ADMIN. *PMC*
5/16/02
10:50 am
FORWARDED TO:
5/17/02

REC'D 5/13/02
By CO. ATTY.
12:00 PM
CO. ATTY.
FORWARDED TO:
ADMIN
5-6-02 8:30

This Instrument Prepared by:
County Lands Division
Post Office Box 398
Fort Myers, Florida 33902-0398
Project: Charlee Road MSBU
STRAP No.: 06-43-23-00-00004.0090
Parcel No: 4

This Space for Recording

QUIT-CLAIM DEED

THIS Quit-Claim Deed, executed this 21st day of April, A.D. 2002, by Christopher L. Burke and Betty F. Burke, husband and wife whose address is 17261 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:

[Signature]
1st Witness Signature

Tawana willard
Printed Name of 1st Witness

[Signature]
2nd Witness Signature

Karen L Kraft
Printed Name of 2nd Witness

[Signature]
1st Witness Signature

Tawana willard
Printed Name of 1st Witness

[Signature]
2nd Witness Signature

Karen L Kraft
Printed Name of 2nd Witness

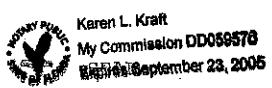
C.L. Burke
Christopher L. Burke Grantor

Betty F. Burke 4-29-02
Betty F. Burke Grantor

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

STATE OF Florida)
COUNTY OF Lee)

The foregoing instrument was acknowledged before me this 21st day of April, 2002 by Christopher L. Burke and Betty F. Burke. They are personally known to me or who have produced FL Drivers License as identification.
(name of person acknowledged) (type of identification)



[Signature]
(Signature of Notary Public)
KAREN L KRAFT
(Name typed, printed or stamped)
(Title or Rank)
(Serial Number, if any)

Ink Engineering

A Division of
LBFH, Inc.

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1400 Colonial Blvd., Suite 31
Fort Myers, FL 33907
(941) 931-0455
Fax: (941) 931-0456
www.lbfh.com

Parcel 4

APRIL 9, 2002
JOB NO. 01-7001
01-7001SK15.doc

Schedule A
SHEET 1 OF 2

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. 3026, PAGE 3355, PUBLIC RECORDS OF LEE COUNTY, FLORIDA.
THE SOUTH 415.00 FEET OF THE EAST 565.71 FEET OF THE WEST
2262.84 FEET OF THE NORTH 830.00 FEET OF THE SOUTH 1660.00
FEET OF SECTION 6, TOWNSHIP 43 SOUTH, RANGE 23 EAST, LEE
COUNTY, FLORIDA.

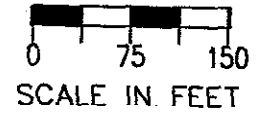
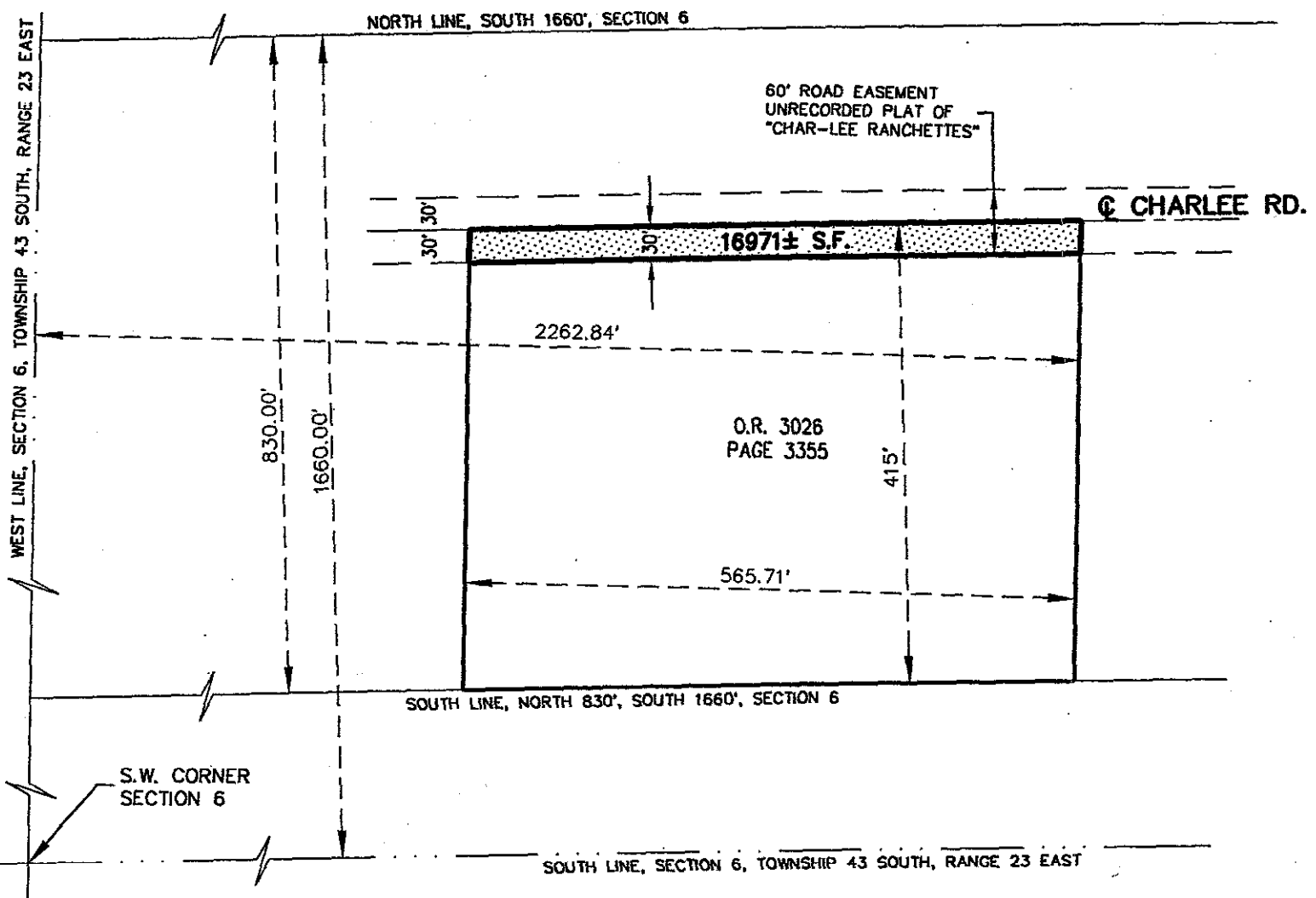
SUBJECT TO ALL EASEMENTS, RESTRICTIONS, RESERVATIONS AND
RIGHTS OF WAY OF RECORD.

CONTAINING 16971 SQUARE FEET MORE OR LESS.

REFER TO 8 1/2" X 11" SKETCH. (SHEET 2 OF 2)

INK ENGINEERING, A DIVISION OF LBFH INC.
BPR & FBPE LICENSE NO. 959


GLENN C. ADAMS, FOR THE FIRM
PROFESSIONAL LAND SURVEYOR
FL. CERT. NO. 6062



LEGEND	
O.R.	OFFICIAL RECORD
S.F.	SQUARE FEET

REFER TO ATTACHED DESCRIPTION

THIS SKETCH IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS, AND RIGHTS OF WAY OF RECORD.

BEARINGS (IF SHOWN HEREON) ARE BASED UPON THE CENTERLINE OF CHARLEE ROAD BEING N.88°22'18"E.

[Signature]
 GLENN C. ADAMS, FOR THE FIRM
 PROFESSIONAL LAND SURVEYOR
 FLA. CERTIFICATE NO. 6062

SHEET 2 OF 2

SKETCH (NOT A SURVEY)

A 30' WIDE PARCEL OF LAND

LYING IN
 SECTION 6, TOWNSHIP 43 SOUTH, RANGE 23 EAST
 LEE COUNTY, FLORIDA

DATE	4/09/02
SCALE	1"=150'
DRAWN	G.C.A.
CHECK	
APPROVED	


Ink Engineering CONSULTING CIVIL ENGINEERS,
 SURVEYORS & MAPPERS
"Partners For Results, Value By Design"
 A Division of LBFH, Inc.
 1400 Colonial Blvd., Suite 31, Fort Myers, Florida 33907
 (941) 931-0455 Fax: (941) 931-0456
 BPR & FBPE License No: 959 www.lbfh.com

FILE: 01-7001SK15
 JOB NO.:
01-7001

Executive Title Insurance Services, Inc.

4

1136 NE Pine Island Road
Cape Coral, Florida 33909

No Charges as of
4/23/02


File No.: LTP-1298

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.**, Christopher L. Burke and Betty F. Burke, 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:

The South 415.00 feet of the East 565.71 feet of the West 2262.84 feet of the North 830.00 feet of the South 1660.00 feet of Section 6, Township 43 South, Range 23 East, of the Public Records of Lee County, Florida; Subject to a 30 foot Easement on the North Side.

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 2237, Page 302.
2. Quit-Claim Deed recorded in Official Record Book 2736, Page 1867.
3. Quit-Claim Deed recorded in Official Record Book 3026, Page 3355.
4. Mortgage recorded in Official Record Book 3026, Page 3356.

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 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.

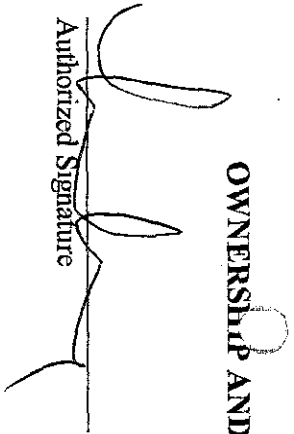
Date: March 11, 2002.

Executive Title Insurance Services, Inc.

OWNERSHIP AND ENCUMBRANCE REPORT (continued)

BY:

Authorized Signature

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke, is written over a horizontal line. The signature is positioned to the right of the text 'Authorized Signature'.