

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

Blue Sheet No. 20020650

1. REQUESTED MOTION:

ACTION REQUESTED: Execute a Quit Claim Deed to extinguish any County interest that may exist in a 100 foot easement strip running along the South side of Daniels Parkway and across property located at the corner of Eagle Ridge and Daniels Parkway.

WHY ACTION IS NECESSARY: The Board approval is necessary to properly execute a County Deed.

WHAT ACTION ACCOMPLISHES: It clears any cloud on the title to the property created by a "subject to" reference in the Deed recorded at O.R. Book 1552, Page 2357.

2. DEPARTMENTAL CATEGORY:
COMMISSION DISTRICT #

C12B

3. MEETING DATE:

06-18-2002

4. AGENDA:

- CONSENT
- ADMINISTRATIVE
- APPEALS
- PUBLIC
- WALK ON
- TIME REQUIRED:

5. REQUIREMENT/PURPOSE:
(Specify)

- STATUTE
- ORDINANCE
- ADMIN. CODE
- OTHER

6. REQUESTOR OF INFORMATION:

- A. COMMISSIONER
- B. DEPARTMENT County Attorney
- C. DIVISION
- BY: Dawn E. Perry-Lehnert
Assistant County Attorney *[Signature]*

7. BACKGROUND:

The property owner (William Maddox, Trustee) has approached the County staff requesting a Quit Claim Deed to clear the title on his property located on the corner South of Daniels Parkway and East of Eagle Ridge Road. This apparent cloud on the title was created by a Deed recorded at O.R. Book 1552, Page 2357.

Based upon review of the request, the Department of Transportation and the County Attorney's Office have concluded that no County interest exists in the apparent 100 foot easement. Therefore, execution of the Quit Claim Deed to clear the title is appropriate.

Attachment:
County Deed

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
N/A	N/A	N/A	N/A	<i>[Signature]</i>	OA 6/4/02	OM 6/4/02	RISK 6/6/02	GC 6/3/02	<i>[Signature]</i>

10. COMMISSION ACTION:

- APPROVED
- DENIED
- DEFERRED
- OTHER

**RECEIVED BY
COUNTY ADMIN.**
6/4/02

**COUNTY ADMIN.
FORWARDED TO:**
6/4/02

CO. ATTY.
FORWARDED TO:
CO. ADMIN.
6-4-02 3:00

This Instrument Prepared by:

Dawn E. Perry-Lehnert, Esq.
Lee County Attorney's Office
Post Office Box 398
Fort Myers, FL 33902-0398

STRAP No.

THIS SPACE FOR RECORDING

COUNTY DEED

THIS DEED, executed this ___ day of _____, 2002, 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 WILLIAM E. MADDOX, as Trustee, of the Declaration of Trust, dated 10/15/81 with full power and authority having been granted to the Trustee to protect, conserve, sell, lease, encumber or otherwise manage and dispose of the real property, whose address is P.O. Box 18389, Asheville, NC 28814, 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 Grantee, its heirs and assigns forever, the following described land, lying and being in Lee County, Florida:

The North 100 feet of the following described parcel:

FROM the South ¼ corner of Section 20, Township 45 South, Range 25 East, run N 0°12'11" W along the North-South ¼ Section line, being also the centerline of a 100 foot road easement, a distance of 1736.37 feet; Thence S 89°47'49" W 50 feet to the P.O.B. of the lands herein described; THENCE continue S 89°47'49" W 200 feet; Thence N 0°12'11" W 599.54 feet, passing through a concrete monument at 100 feet, to a concrete monument on the South right-of-way line of Daniels Road (100' from centerline). Thence easterly by a curve to the left along said South right-of-way line, with the following elements; radius 5829.58 feet, Arc 200.01 feet, Chord bearing and distance N 89°39'52" E 200.01 feet to a concrete monument; Thence S 0°12'11" E 600 feet, passing through a concrete monument at 500 feet, to the P.O.B.

This grant conveys only the interest of the County and its Board of County Commissioners in the property herein described, and is 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 Clerk

By: _____
Chairman

APPROVED AS TO LEGAL FORM:

Office of County Attorney