

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

Blue Sheet No. 20011321

1. REQUESTED MOTION:

ACTION REQUESTED: Declare the County's desire to accept donation of a State owned parcel of land in Section 1, Township 44 South, Range 24 East, Strap No. 01-44-24-00-00018.0010 consisting of approximately 47 acres; accept donation of the property; authorize the Division of County Lands to handle and accept all documentation necessary to complete this transaction.

WHY ACTION IS NECESSARY: The Board must formally accept all real estate conveyances to Lee County.

WHAT ACTION ACCOMPLISHES: Declares Lee County's intention to accept donation of State owned lands and authorizes staff to complete the transaction.

2. DEPARTMENTAL CATEGORY: 06
COMMISSION DISTRICT #: 4

C6A

3. MEETING DATE:
12-17-2002

4. AGENDA:

- CONSENT
- ADMINISTRATIVE
- APPEALS
- PUBLIC
- WALK ON

TIME REQUIRED:

5. REQUIREMENT/PURPOSE:

- (Specify)
- STATUTE 125
 - ORDINANCE _____
 - ADMIN. _____
 - OTHER _____

6. REQUESTOR OF INFORMATION

- A. COMMISSIONER _____
- B. DEPARTMENT Independent *11/18/02*
- C. DIVISION County Lands
- BY: Karen L. W. Forsyth, Director *KLF*

7. BACKGROUND:

The Florida Department of Transportation (FDOT) currently owns a 47 acre parcel in North Fort Myers originally acquired as a spoils site for the construction of the Edison Bridge. FDOT has indicated a willingness to donate the parcel to Lee County.

The property has approximately 2000 feet of frontage on the Caloosahatchee River and is bounded on the Northeast by Old Bridge Road. An Environmental Site Screen Process Inspection was performed in November 2001 and did not indicate any areas of concern. Recent site inspections by staff do not indicate any environmental concerns. According to the Lee County Property Appraiser's records, the current assessed value is \$545,700 and the property is wholly exempt from property taxes.

The Department of Transportation, the Division of Natural Resources and the Division of Parks and Recreation have identified potential cooperative uses for the property and support acceptance of the donation by FDOT. Funding for improvements and maintenance will be pursued through appropriate capital improvement projects and grants, as indicated by final plans for use as determined by the cooperating departments and divisions.

Necessary costs to close will be approximately \$100.00
Funds will be available in Account No. 20098330100.506199

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	E County Attorney	F Budget Services				G County Manager
<i>K. Forsyth</i>			<i>BP</i>	<i>John J. Ingle</i> 12-2-02	QA <i>ebw</i> 12-4-02	OM <i>12/4/02</i>	RISK <i>12/4/02</i>	GC <i>12-4-02</i>	<i>[Signature]</i>

10. COMMISSION ACTION:

- APPROVED
- DENIED
- DEFERRED
- OTHER

*A = For DCT
B = For N.R.
C = For P+R*

Rec. by CoAtty
Date: *12/2/02*
Time: *3:00 PM*
Forwarded To:
CO. ADM.
12/3/02 10 AM

11-300 EW
11:10
COUNTY ADMIN
FORWARDED TO: *[Signature]*
12/5 100



Florida Department of Transportation

JEB BUSH
GOVERNOR

THOMAS F. BARRY, JR.
SECRETARY

June 28, 2001

Lee County Government
Attn: Karen Forsyth, Lands Director
P.O. Box 398
Ft. Myers, Florida 33902


RE: FM #	: 1955231	County	: Lee
Section/Job	: 12001-2509	State Road #	: 739
FAP #	: N/A	Parcel #	: 100

Dear Ms. Forsyth:

It has been recently brought to the attention of the Florida Department of Transportation that Lee County may have an interest in the property referenced above. This property was originally acquired as a spoils site for the construction of the Edison Bridge. While no final decision on the disposal of this site has been completed we are contacting your office to determine if Lee County may have a need for obtaining this parcel for Public Purpose. For the County to establish Public Purpose a Resolution by the Board of Commissioners would be needed proposing and requesting the disposal, by FDOT, of the parcel.

Within the next two weeks this office will circulate, by procedures, a review memo to the various departments for their input on disposing of the site. I will notify your office of the results of FDOT review as soon as possible and provide any assistance necessary to complete this transfer.

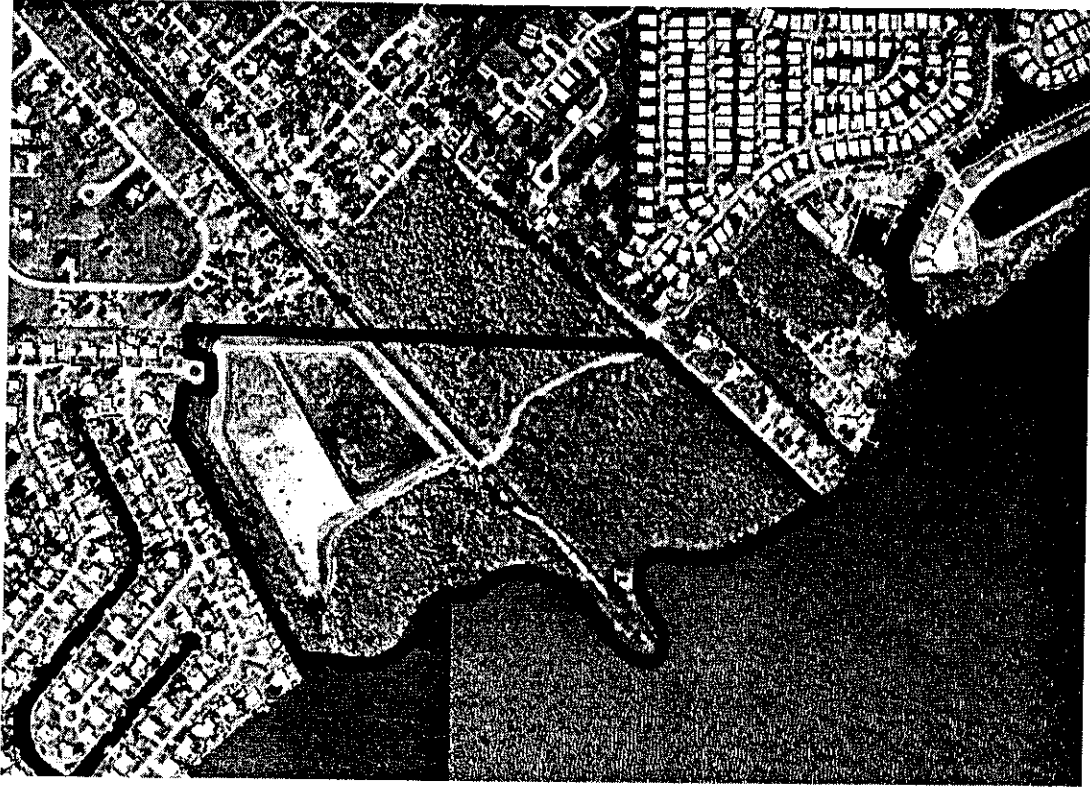
Thank you for your attention to this matter and if this office can be of future service please call at 863-519-2423.

Sincerely,

Brian L. Toune
Property Management

cc: J.W. Dunsford, Records, Daily, File

attachments

District One-Right of Way Department-Property Management
801 North Broadway Avenue*Post Office Box 1249*Bartow, FL 33831-1249
(941)519-2413 *(941)534-7168 (Fax)*MS 1-66
www.dot.state.fl.us



SURVEY MAP
 PARCEL IN THE NW 1/4, SW 1/4
 AND
 IN GOV'T LOT 6
 SECTION 1, T. 44S, R. 24E,
 LEE COUNTY, FLORIDA
 ACQUIRED BY OR. 1890, PG. 1000

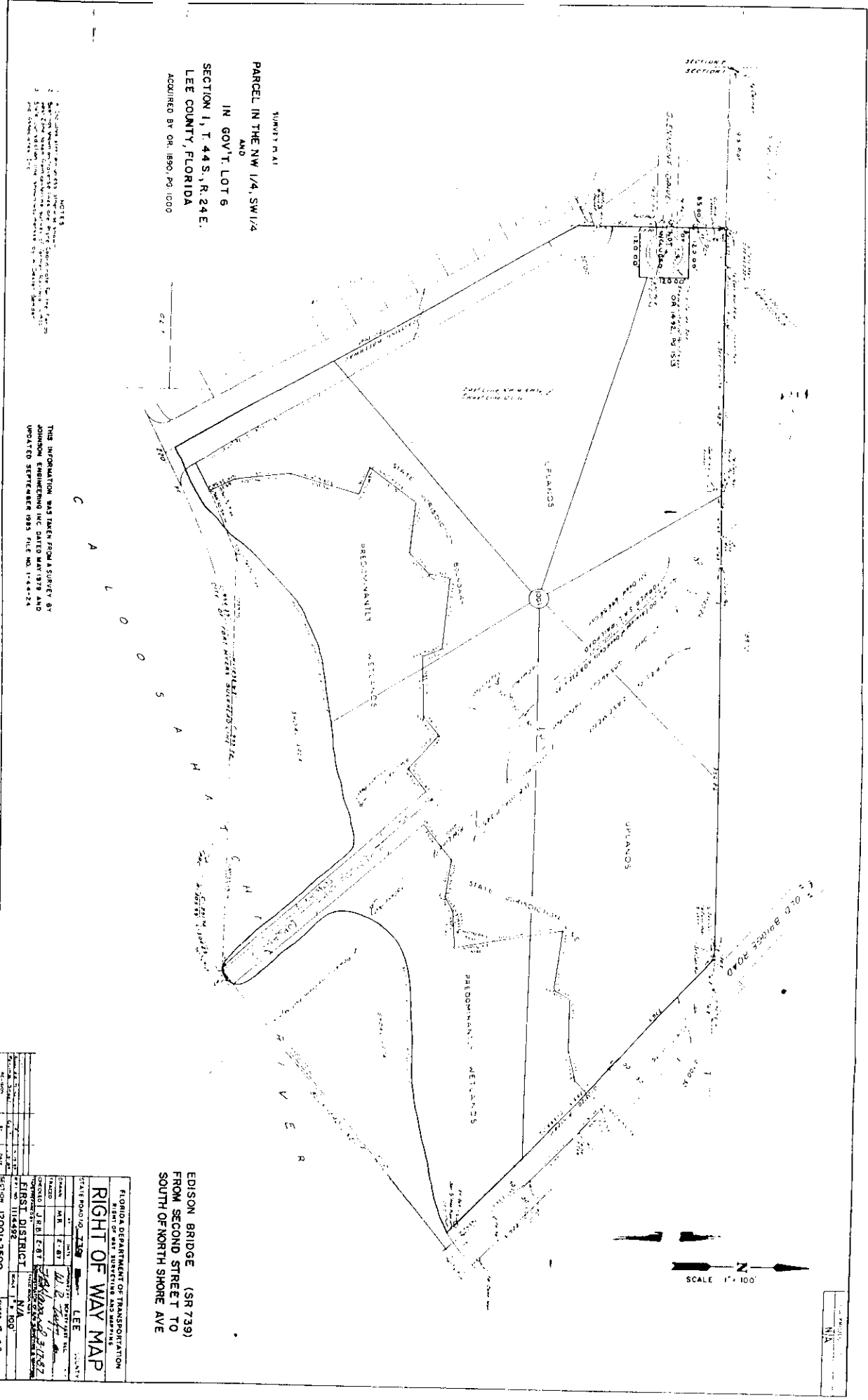
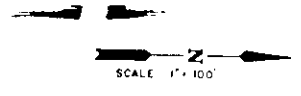
NOTES:
 1. THIS SURVEY WAS MADE BY THE ENGINEER IN CHARGE OF THE SURVEYING DIVISION OF THE FLORIDA DEPARTMENT OF TRANSPORTATION AND MAPS, AND IS SUBJECT TO THE APPROVAL OF THE BOARD OF SURVEYING ENGINEERS OF THE STATE OF FLORIDA.
 2. THIS SURVEY WAS MADE IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 349, F.S., AND THE RULES AND REGULATIONS OF THE BOARD OF SURVEYING ENGINEERS OF THE STATE OF FLORIDA.
 3. THE INFORMATION WAS TAKEN FROM A SURVEY BY JOHNSON ENGINEERING INC DATED MARCH 1979 AND UPDATED SEPTEMBER 1983 FILE NO. 1-44-24

THIS INFORMATION WAS TAKEN FROM A SURVEY BY
 JOHNSON ENGINEERING INC DATED MARCH 1979 AND
 UPDATED SEPTEMBER 1983 FILE NO. 1-44-24

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EDISON BRIDGE (SR 739)
 FROM SECOND STREET TO
 SOUTH OF NORTH SHORE AVE

FLORIDA DEPARTMENT OF TRANSPORTATION	
BUREAU OF SURVEYING AND MAPPING	
STATE ROAD NO. 739	
RIGHT OF WAY MAP	
DATE	11/14/82
BY	LEE
PROJECT NO.	12001-2509
SECTION	12001-2509
SHEET	7 OF 9



RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS, LEE COUNTY, FLORIDA REQUESTING CONVEYANCE BY DONATION OF LANDS IN SECTION 1, TOWNSHIP 44 S, RANGE 24 E, OWNED BY THE STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION, TO LEE COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA.

WHEREAS, Lee County declares that the purpose of this Resolution is to request donation of a State owned parcel of land consisting of approximately 47 acres to Lee County, a political subdivision of the State of Florida and;

WHEREAS, pursuant to Section 253.783 (2)(a) F.S., the State of Florida may offer any land declared to be surplus to the county in which the surplus land lies, to be used for a specific public purposes and the county, at its option, may elect to acquire the lands so offered without monetary payment, and;

WHEREAS, the Board of County Commissioners has determined that the property is needed for County purposes and that by virtue of conveyance to Lee County, the property will benefit the public or community interest and welfare and will be in public ownership.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA, that this Board hereby formally requests the conveyance of said land as described in Exhibit "A" to Lee County without payment of any consideration and declares that said lands will serve a valid public purpose. If said lands are not used for a public purpose, all rights, title and interest will revert back to the State of Florida, Department of Transportation.

The foregoing Resolution was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____, and upon being put to a vote, the vote was as follows:

BOB JANES	_____
DOUGLAS ST. CERNY	_____
RAY JUDAH	_____
ANDREW W. COY	_____
JOHN E. ALBION	_____

THIS RESOLUTION WAS DULY PASSED AND ADOPTED THIS _____ day of _____, 20__.

ATTEST:
CHARLIE GREEN, CLERK

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

By: _____
Deputy Clerk

By: _____
Chairman or Vice-Chairman

APPROVED AS TO FORM:

By: _____
Office of County Attorney

SECTION 12001-2509

PARCEL 100

PARCEL 1

Government Lots 6 & 7 and the north west quarter (NW $\frac{1}{4}$) of the southwest quarter (SW $\frac{1}{4}$) of Section 1, Township 44 South, Range 24 East, excepting therefrom the right of way of the former Seaboard Air Line Railway as described in Deed Book 232, Page 188, Public Records of Lee County, Florida, and existing public roads or rights of way previously dedicated and excepting therefrom that portion of Government Lot 6 lying easterly of the right of way for public road conveyed by Caloosahatchee Bridge Company to Lee County, Florida, less the following:

That part of Section 1, Township 44 South, Range 24 East, described as follows:

From the southwest corner of said Section 1, run north along the west line thereof for 840 feet more or less to the center line of Powell Creek; thence run southeasterly and southerly along the meanders of said line to an intersection with a line 785 feet, as measured on a perpendicular, northeasterly from and parallel to the line dividing Lots 18 & 19 of said Block "A" of HARBOR ESTATES; thence run southeasterly along said parallel line to the waters of the Caloosahatchee River; thence run southwesterly along said waters for 530 feet more or less to the south line of said Section 1; thence run west along said Section line for 320 feet more or less to the POINT OF BEGINNING, together with all riparian rights thereunto belonging.

LESS

A parcel of land situated in Section 1, Township 44 South, Range 24 East, Lee County, Florida. Said parcel more particularly described as follows:

Commencing at the northeast corner of Lot 28, Port Edison Subdivision, as recorded in Plat Book 11 at Pages 19 & 20 in the Public Records of Lee County; thence South $0^{\circ}11'30''$ West along east line of said Lot 28 for distance of 85 feet to the POINT OF BEGINNING of herein described parcel. From point of beginning go South $89^{\circ}48'30''$ East for a distance of 120 feet; thence South $0^{\circ}11'30''$ West for distance of 120 feet; thence North $89^{\circ}48'30''$ West for distance of 120 feet to east line of Lot 27 of said subdivision; thence North $0^{\circ}11'30''$ East along east line said subdivision for distance of 120 feet to the POINT OF BEGINNING.

LESS

ALSO EXCEPTING that part of said property previously conveyed by first parties to Sam Goldman and W. L. Berger by deed recorded in Deed Book 274, at Page 381, Public Records of Lee County, Florida.

PARCEL 2

BEGINNING at a point in the north line of the northeast quarter of the southwest quarter of Section 1, Township 44 South, Range 24 East, Lee County, Florida, distance 937.2 feet westerly from the northeast corner thereof running thence in a southeasterly direction on a straight line marking an angle of 47 degrees and 33 minutes with said north line a distance of 601 feet; thence at right angles in a northeasterly direction 50 feet; thence at right angles continuing at a southeasterly direction a distance of 550 feet, more or less to shore line of Caloosahatchee River; thence southwesterly along said shore line 210 feet; thence northwesterly parallel to and 200 feet southwesterly from second above described course 390 feet; thence at right angles in a northeasterly direction 50 feet; thence at right angles in a northwesterly direction parallel and 100 feet southwesterly from first described course 701 feet to north line of said northeast quarter of southwest quarter, Section 1, thence along said north line 135.6 feet to POINT OF BEGINNING.

Upland acreage 33 acres more or less.

Wetland acreage 14 acres, more or less.

Subject to FL Power & Light easement recorded in D.B. 104, pg. . 345.