

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

**Blue Sheet No. 20030988**

**1. REQUESTED MOTION:**

**ACTION REQUESTED:** Accept donation of real property for the Laurel Drive Sidewalk Project No. 6002. Authorize payment of recording fees and the Division of County Lands to handle all documentation necessary to complete transaction.

**WHY ACTION IS NECESSARY:** The Board must accept all Real Estate conveyances to Lee County.

**WHAT ACTION ACCOMPLISHES:** This will provide for the construction of a sidewalk.

2. **DEPARTMENTAL CATEGORY:** 06  
**COMMISSION DISTRICT #** 4 *C6C* 3. **MEETING DATE:** *09-09-2003*

<p>4. <b>AGENDA:</b></p> <p><input checked="" type="checkbox"/> CONSENT</p> <p><input type="checkbox"/> ADMINISTRATIVE</p> <p><input type="checkbox"/> APPEALS</p> <p><input type="checkbox"/> PUBLIC</p> <p><input type="checkbox"/> WALK ON</p> <p><b>TIME REQUIRED:</b></p>	<p>5. <b>REQUIREMENT/PURPOSE:</b> (Specify)</p> <p><input checked="" type="checkbox"/> STATUTE FS125</p> <p><input type="checkbox"/> ORDINANCE</p> <p><input type="checkbox"/> ADMIN. CODE</p> <p><input type="checkbox"/> OTHER</p>	<p>6. <b>REQUESTOR OF INFORMATION:</b></p> <p>A. COMMISSIONER</p> <p>B. DEPARTMENT <i>Independent</i></p> <p>C. DIVISION <i>County Lands</i></p> <p>BY: <i>Karen L. W. Forsyth, Director</i></p>
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**7. BACKGROUND:**

**Negotiated for:** Lee County Department of Transportation

**Interest to Acquire:** Fee interest in 252 square feet of land.

**Property Details:**

**Owner:** James R. and Martha B. Cail, husband and wife  
**Address:** 1571 Laurel Drive, North Fort Myers  
**STRAP No.:** 26-43-24-00-00028.0090

**Purchase Details:** Donation. Recording fees are estimated at \$15

**Staff Recommendation:** Staff recommends Board approve requested motion.

**Account:** 20600230700.506110  
 C.I.P., Countywide Bike Facility, Transportation, Capital Improvements, Land and Court Registry, Construction

**Attachments:** Copy of Quit Claim 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
<i>K. Forsyth</i>			<i>BAW</i>	<i>John</i>	OA	OM	Risk	GC	
			<i>8/25/03</i>	<i>8-25-03</i>	<i>8/26/03</i>	<i>8/27/03</i>	<i>8/24/07</i>	<i>8/24/07</i>	<i>8/26/03</i>

**10. COMMISSION ACTION:**

- APPROVED
- DENIED
- DEFERRED
- OTHER

Rec. by CoAtty  
 Date: *8/25/03*  
 Time: *3:00 PM*  
 Forwarded to:  
*Co. Adm.*  
*8/25/03 4:04*

RECEIVED BY  
 COUNTY ADMIN  
*9/26*  
 COUNTY ADMIN  
 FORWARDED TO:  
*HB 245 8/27*  
*PA 8/27 3:30*

This Instrument Prepared by:

Public Works/County Lands Division  
Post Office Box 398  
Fort Myers, Florida 33902-0398  
Project: Laurel Drive Sidewalk Project No. 6002  
STRAP No.: 26-43-24-00-00028.0090

**QUIT-CLAIM DEED**

**THIS Quit-Claim Deed**, executed this 18<sup>th</sup> day of August, A.D. 2003, by **JAMES R. CAIL** and **MARTHA S. CAIL**, husband and wife whose address is 1571 Laurel Drive, North Fort Myers, FL 33917, 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:

*Nicholas S. McNeill-Despot*  
1st Witness Signature

Michele S. McNeill-Despot  
Printed Name of 1st Witness

*Thomas L. Brewsagh*  
2nd Witness Signature

FERRY NETS  
Printed Name of 2nd Witness

*Nicholas S. McNeill-Despot*  
1st Witness Signature

Michele S. McNeill-Despot  
Printed Name of 1st Witness

*Thomas L. Brewsagh*  
2nd Witness Signature

Thomas L. Brewsagh  
Printed Name of 2nd Witness

*James R. Cail*  
James R. Cail Grantor

*Martha S. Cail*  
Martha S. Cail Grantor

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

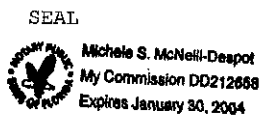
STATE OF FLORIDA)  
COUNTY OF Lee )

The foregoing instrument was acknowledged before me this 18<sup>th</sup> day of AUG, 2003 by James R. CAIL and MARTHA S. CAIL  
(name of persons acknowledged)

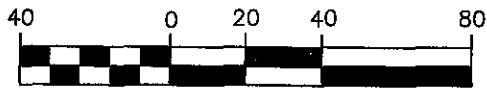
They are personally known to me or who have produced FL DRIVER'S LICENCE  
as identification. (type of identification)

*Nicholas S. McNeill-Despot*  
(Signature of Notary Public)

Michele S. McNeill-Despot  
(Name typed, printed or stamped)  
(Title or Rank)  
(Serial Number, if any)



**SIDEWALK EASEMENT LYING IN  
SECTION 26, TOWNSHIP 43 SOUTH, RANGE 24 EAST  
LEE COUNTY, FLORIDA**



DESCRIPTION: SCALE IN FEET

A PARCEL OF LAND LYING IN SECTION 26, TOWNSHIP 43 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA BEING A PORTION OF THOSE LANDS DESCRIBED IN OFFICIAL RECORD BOOK 1455 PAGE 633, LEE COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE NORTHEAST 1/4 OF SAID SECTION 26 ALSO BEING SURVEY BASE LINE POINT OF INTERSECTION EQUATION STATION 138+36.68 BACK EQUALS STATION 138+36.83 AHEAD AS SHOWN ON MAINTAINED RIGHT OF WAY MAPS PREPARED BY AIM ENGINEERING AND SURVEYING, INC. DATED APRIL 2003; THENCE NORTH, 25.00 FEET, TO THE EXISTING NORTH RIGHT OF WAY LINE OF LAUREL DRIVE; THENCE SOUTH 89°26'16" EAST, ALONG SAID NORTH RIGHT OF WAY LINE, 1666.00 FEET TO THE POINT OF BEGINNING OF THOSE LANDS DESCRIBED IN OFFICIAL RECORD BOOK 1455 PAGE 633; THENCE CONTINUE SOUTH 89°26'16" EAST, 85.00 FEET TO THE EAST LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORD BOOK 1455 PAGE 633; THENCE NORTH 11°59'47" WEST, ALONG SAID EAST LINE, 14.87 FEET TO THE NORTHERLY MAINTAINED RIGHT OF WAY OF LAUREL DRIVE BEING 39.52 FEET LEFT OF STATION 155+84.34 AND THE POINT OF BEGINNING;

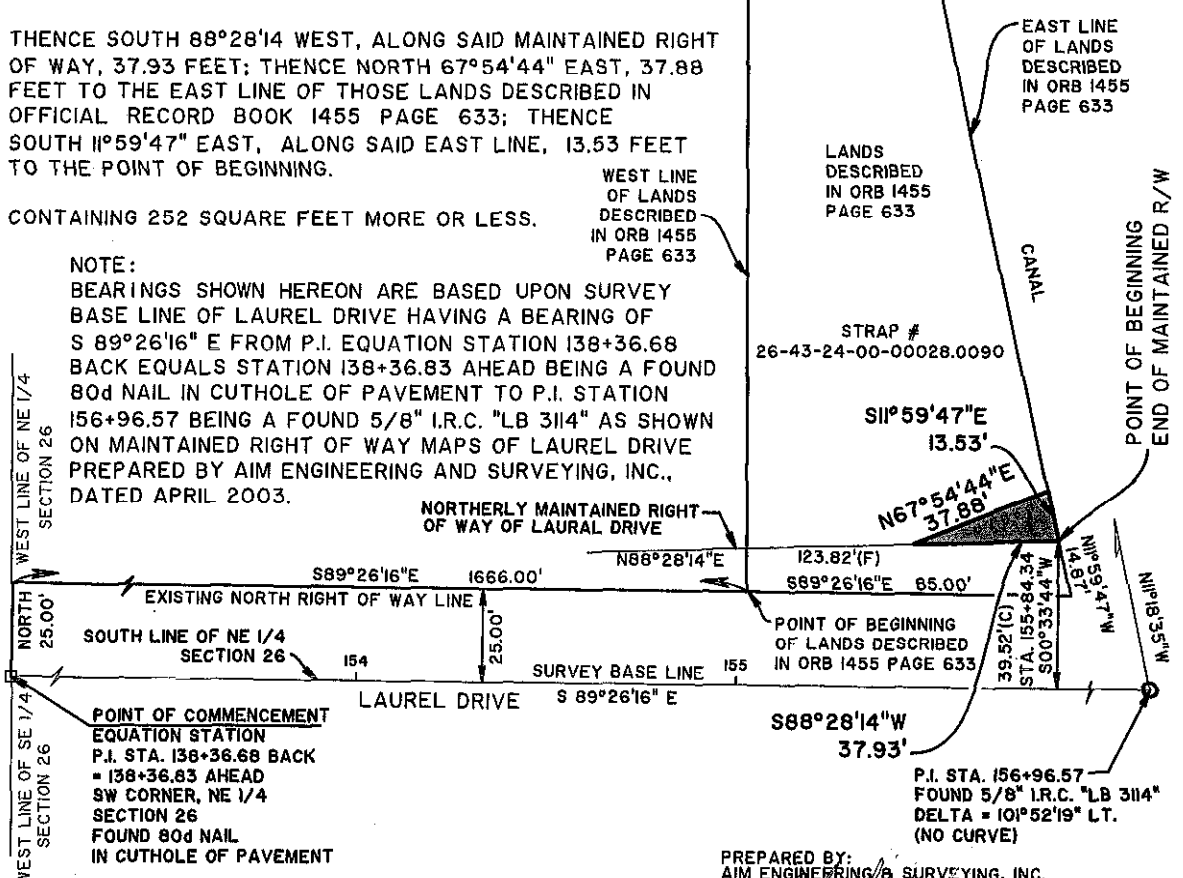
THENCE SOUTH 88°28'14" WEST, ALONG SAID MAINTAINED RIGHT OF WAY, 37.93 FEET; THENCE NORTH 67°54'44" EAST, 37.88 FEET TO THE EAST LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORD BOOK 1455 PAGE 633; THENCE SOUTH 11°59'47" EAST, ALONG SAID EAST LINE, 13.53 FEET TO THE POINT OF BEGINNING.

CONTAINING 252 SQUARE FEET MORE OR LESS.

**NOTE:**

BEARINGS SHOWN HEREON ARE BASED UPON SURVEY BASE LINE OF LAUREL DRIVE HAVING A BEARING OF S 89°26'16" E FROM P.I. EQUATION STATION 138+36.68 BACK EQUALS STATION 138+36.83 AHEAD BEING A FOUND 80d NAIL IN CUTHOLE OF PAVEMENT TO P.I. STATION 156+96.57 BEING A FOUND 5/8" I.R.C. "LB 3114" AS SHOWN ON MAINTAINED RIGHT OF WAY MAPS OF LAUREL DRIVE PREPARED BY AIM ENGINEERING AND SURVEYING, INC., DATED APRIL 2003.

- LEGEND**  
 ORB = OFFICIAL RECORD BOOK  
 P.I. = POINT OF INTERSECTION  
 I.R.C. = IRON ROD WITH CAP  
 STA. = STATION  
 (F) = FIELD DATA  
 = SIDEWALK EASEMENT



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

**AIM Engineering & Surveying, Inc.**  
 5300 LEE BLVD.  
 P.O. BOX 1235  
 LEHIGH ACRES  
 FLORIDA 33970  
 239/332-4569  
 FX:239/332-8734  
 Licensed Business Number 3114

PREPARED BY:  
 AIM ENGINEERING & SURVEYING, INC.  
  
 BOB POTTER, P.S.M. DATE 8/11/03  
 PROFESSIONAL SURVEYOR AND MAPPER  
 FLORIDA CERTIFICATE NO. 5688

**THIS IS NOT A SURVEY SHEET 1 OF 1**

PROJECT NUMBER: 02-B209	DESCRIPTION: SIDEWALK EASEMENT	FILE: 8209-ESMT	COUNTY: LEE COUNTY
DRAWN BY: LWC	CLIENT: LEE COUNTY	DATE: 8/4/03	SEC-TWP-RGE: 26-43S-24E

**Division of County Lands**

**Ownership and Easement Search**

Search No. 22103

Date: July 12, 2002

Parcel:

Project: Laurel Drive Sidewalk Project

To: Michele S. McNeill, SR/WA

Property Acquisition Agent

From: Linda K. Fleming, CLS. SR/WA *LKF*

Real Estate Title Examiner

STRAP: 26-43-24-00-00028.0090

Effective Date: July 6, 2002, at 5:00 p.m.

*No changes as of 8/14/03* *[Signature]*

**Subject Property:** See attached Schedule "X"

Title to the subject property is vested in the following:

**James R. Cail**

by that certain instrument dated August 15, 1980, recorded September 23, 1980, in Official Record Book 1455, Page 633, Public Records of Lee County, Florida.

**Easements:**

None of record.

**Tax Status:** 2001 Ad Valorem Taxes are PAID IN FULL.

(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.**

# Schedule X

Parcel

Project: Laurel Drive Sidewalk Project

Search No. 22103

Beginning at the Southwest corner of the Northeast quarter of Section 26, Township 43 South, Range 24 East, as same is found on the center line of the County Road commonly called Laurel Drive, thence run North a distance of 25 feet to the Northern boundary line of the County Road right-of-way (Laurel Drive); thence run East along said Northerly right-of-way a distance of 1666 feet to the Point of Beginning of the land herein described; thence deflect 90° to the left and run a distance of 400 feet, more or less, to an intersection with the Westerly side of the Seaboard Airline Railroad right-of-way; thence run Southeasterly along the Westerly side of said right-of-way a distance of 420 feet, more or less, to its intersection with the Northerly right-of-way of Laurel Drive; thence run West along said Northerly right-of-way of Laurel Drive a distance of 85 feet, more or less, to the Point of Beginning.

Less and except that portion conveyed to Lee County in Official Record Book 1128, Page 124, Public Records of Lee County, Florida described as follows;

A parcel of land lying in the Northeast quarter of Section 26, Township 43 South, Range 24 East, to be used for road construction and maintenance purposes, more particularly described as follows:

Beginning at the intersection of the North right-of-way line of Laurel drive and the West right-of-way line of the abandoned Seaboard Air Line Railroad, said point of intersection being 888.40 feet Westerly and 25 feet Northerly of the Southeast corner of the Northeast quarter (NE 1/4) of said Section 26; thence proceed Northwesterly along Westerly right-of-way line of said railroad for distance of 18 feet; thence Southwesterly along a curve with a radius of 145.05 feet to a point of intersection with the North right-of-way line of Laurel Drive, said point of intersection being 64 feet West of Westerly right-of-way line of said S.A.L. R.R.; thence Easterly along said North right-of-way line of Laurel Drive for distance of 64 feet to Point of Beginning.