

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

Blue Sheet No. 20041284

1. REQUESTED MOTION:

ACTION REQUESTED: Declare vacant County-owned property identified as part of Block A, Buckingham Park, located in East Lee County, as surplus property; authorize Division of County Lands to sell the property pursuant to Ordinance 02-34, with no minimum bid required and to handle and accept all documentation necessary to complete the transaction, by approving and executing the attached Resolution for Sale of Surplus Property.

WHY ACTION IS NECESSARY: Board of County Commissioners must declare property as surplus land prior to being sold.

WHAT ACTION ACCOMPLISHES: Declares property as surplus and authorizes staff to proceed with disposition.

2. DEPARTMENTAL CATEGORY: 06
COMMISSION DISTRICT # 5

ClOB

3. MEETING DATE: *10-26-2004*

4. AGENDA:

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

5. REQUIREMENT/PURPOSE:
(Specify)

- STATUTE 125.35
- ORDINANCE 02-34
- ADMIN. CODE
- OTHER

6. REQUESTOR OF INFORMATION:

- A. COMMISSIONER
- B. DEPARTMENT *Independent*
- C. DIVISION *County Lands TLM 10/6/04*
- BY: *Karen L.W. Forsyth* *KLF*

7. BACKGROUND:

The property is approximately 1/2 acre, and identified as part of Block A, Buckingham Park, Plat Book 9, Pages 93 through 98, zoned AG-2, and located at 6950 School Lane in East Lee County, and further identified as STRAP Number 16-44-26-02-0000A.0000. The current assessed value of the property is \$7,000.

The County acquired this property by virtue of Tax Deed recorded 7/16/1999 in Official Record Book 3146, Page 2758. The prior owner failed to pay real estate taxes, and the property was offered for sale and no bids were received. The property was then placed on the lands available list for seven years and was not purchased by any party. After the expiration of the seven years, the property escheated to Lee County in accordance with FS 197.502(8).

The Division of County Lands has received numerous inquiries from individuals interested in purchasing this property. County departments were contacted to determine if the property was needed for any current or future projects. The responses indicate there is no County need for this site. Various non-profit agencies were also contacted and no responses were received.

Staff recommends Board approve the requested motion.

Attachments: Location Map, Resolution for Sale of Surplus Property, In-House Title Search

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>John J. Duggins</i> 10/11/04	OA	ADM	Risk	GC	<i>AS</i> 10/13/04
					<i>10/11/04</i>	<i>10/12/04</i>	<i>10/11/04</i>	<i>10/11/04</i>	

10. COMMISSION ACTION:

- APPROVED
- DENIED
- DEFERRED
- OTHER

Rec. by CoAtty
Date: <i>10/11/04</i>
Time: <i>2:00 PM</i>
Forwarded To: <i>10/11/04 4:44</i>

RECEIVED BY COUNTY ADMIN. <i>PM</i>
<i>10-11-04</i>
<i>\$:25</i>
COUNTY ADMIN FORWARDED TO: <i>PM</i>
<i>10/11/04</i>
<i>PM</i>

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RESOLUTION FOR SALE OF SURPLUS PROPERTY

WHEREAS, The Board of County Commissioners of Lee County, Florida, has been petitioned to sell a parcel of County-owned property, more specifically described on Exhibit "A" attached hereto.

WHEREAS, The Board of County Commissioners of Lee County, Florida, has carefully reviewed this parcel owned by Lee County, and has determined that the property is not needed for any County purpose.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY FLORIDA, that the Board is willing to sell this parcel of land, and authorizes that the necessary procedures be taken in accordance with Florida Statutes Chapter 125.35 and County Ordinance 02-34 to accomplish this sale.

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

- Robert Janes _____
- Douglas St. Cerny _____
- Ray Judah _____
- Andrew Coy _____
- John Albion _____

DULY PASSED AND ADOPTED this _____ day of _____, 2004.

ATTEST:
CHARLIE GREEN, CLERK

LEE COUNTY, FLORIDA, BY ITS
BOARD OF COUNTY COMMISSIONERS

By: _____
Deputy Clerk

Chairman

APPROVED AS TO FORM:

Office of County Attorney

EXHIBIT "A"

Block A, Buckingham Park, Entrance Roads, according to map or plat thereof recorded and on file in the office of the Clerk of the Circuit Court, in Plat Book 9, at Pages 93 through 98, Public Records of Lee County, Florida.

LESS AND EXCEPT THE FOLLOWING PARCELS:

Beginning at the Southeast corner of Block A, of that certain subdivision known as Buckingham Park, according to the map or plat thereof on file and recorded in the Public Records of Lee County, Florida, in Plat Book 9, at Pages 93-98 inclusive, for the Point of Beginning of the lands herein described; thence run North along the East line of said Block A for 100 feet; thence West parallel with the North line of said Block to the West line of said Block which is approximately 184 feet more or less; thence South along the West line of said Block 175 feet more or less to the Southwest corner of said Block; thence East along the South line of said Block to the Point of Beginning.

AND

Commencing at the Southwest corner of Block A, Buckingham Park, Northwest Section, as recorded in Plat Book 9, Pages 93-98, Public Records of Lee County, Florida; thence run N $0^{\circ}15'40''$ W along the West line of said Block A for 178.2 feet to the Point of Beginning; thence from said Point of Beginning, continue N $00^{\circ}15'40''$ W 113.03 feet to a point 113.77 feet South of the Northwest corner of said Block A; thence run S $62^{\circ}09'00''$ E, parallel to the North line of said Block A for 215.65 feet to the West line of School Lane, at a point 100.48 feet from the Northeast corner of said Block A; thence run Southwesterly along the arc of a curve to the left having a radius of 1230 feet for an arc distance of 100.48 feet (delta angle $4^{\circ}40'50''$, chord bearing S $20^{\circ}49'50''$ W, 100.45 feet); thence run N $62^{\circ}09'00''$ W, parallel to the North line of said Block A to the Point of Beginning. Containing 0.445 acres, more or less.

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

Search No. 16-44-26-02-0000A.0000

Date: July 8, 2003

Parcel:

Project: Surplus Land #8617

To: Teresa L. Mann, SR/WA
Property Acquisition AgentFrom: Kenneth Pitt 
Real Estate Title Examiner

STRAP: 16-44-26-02-0000A.0000

Effective Date: June 3, 2003, at 5:00 p.m.

Subject Property: See attached Schedule "X"

Title to the subject property is vested in the following:

Lee CountyBy that certain instrument dated July 16th, 1999, recorded July 16, 1999, in Official Record Book 3146, Page 2758, Public Records of Lee County, Florida.**Easements:**

1. Reservation of Oil, Gas and Mineral Rights by Lee County and the City of Ft. Myers, in a deed recorded in Deed Book 219, Page 403, Public Records of Lee County, Florida.
2. Subject to a perpetual drainage easement recorded in Miscellaneous Book 32, Page 335, Public Records of Lee County, Florida.
3. Subject to Sewer and Water Covenants and Restrictions recorded in Official Record Book 10, Page 695 and amended by Official Record Book 41, Page 264, Public Records of Lee County, Florida.

NOTE(1): Subject property is not encumbered by a mortgage.

NOTE(2): Subject to Lee County Ordinance No. 86-14 relating to garbage and solid waste collection recorded in Official Record Book 2189, Page 3281 and amended by Official Record Book 2189, Page 3334, Public Records of Lee County, Florida.

NOTE(3): Subject to a Special Assessment lien vs. the subject property in the sum of \$4,322.00 recorded in Official Record Book 2448, Page 4114, Public Records of Lee County, Florida.

NOTE(4): Subject to a fine of \$100.00 a day beginning on September 6, 1995 vs. the subject property, recorded in Official Record Book 2636, Page 2877, Public Records of Lee County, Florida.

Tax Status: Zero tax.*(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.**

EXHIBIT "A"

Block A, Buckingham Park, Entrance Roads, according to map or plat thereof recorded and on file in the office of the Clerk of the Circuit Court, in Plat Book 9, at Pages 93 through 98, Public Records of Lee County, Florida.

LESS AND EXCEPT THE FOLLOWING PARCELS:

Beginning at the Southeast corner of Block A, of that certain subdivision known as Buckingham Park, according to the map or plat thereof on file and recorded in the Public Records of Lee County, Florida, in Plat Book 9, at Pages 93-98 inclusive, for the Point of Beginning of the lands herein described; thence run North along the East line of said Block A for 100 feet; thence West parallel with the North line of said Block to the West line of said Block which is approximately 184 feet more or less; thence South along the West line of said Block 175 feet more or less to the Southwest corner of said Block; thence East along the South line of said Block to the Point of Beginning.

AND

Commencing at the Southwest corner of Block A, Buckingham Park, Northwest Section, as recorded in Plat Book 9, Pages 93-98, Public Records of Lee County, Florida; thence run N $0^{\circ}15'40''$ W along the West line of said Block A for 178.2 feet to the Point of Beginning; thence from said Point of Beginning, continue N $00^{\circ}15'40''$ W 113.03 feet to a point 113.77 feet South of the Northwest corner of said Block A; thence run S $62^{\circ}09'00''$ E, parallel to the North line of said Block A for 215.65 feet to the West line of School Lane, at a point 100.48 feet from the Northeast corner of said Block A; thence run Southwesterly along the arc of a curve to the left having a radius of 1230 feet for an arc distance of 100.48 feet (delta angle $4^{\circ}40'50''$, chord bearing S $20^{\circ}49'50''$ W, 100.45 feet); thence run N $62^{\circ}09'00''$ W, parallel to the North line of said Block A to the Point of Beginning. Containing 0.445 acres, more or less.

N/C-

TAX DEED

STATE OF FLORIDA
COUNTY OF LEE

4677493

OR3146 P62758

The following tax certificate numbered 02633 issued on May 19th, 1986, was filed in the Office of the Tax Collector of this County and application made for the issuance of a tax deed, the applicant having paid or redeemed all other taxes or tax sale certificates on the land described as required by law to be paid or redeemed, and the costs and expenses of this sale, and due notice of sale having been published as required by law, and no person entitled to do so having appeared to redeem said land, such land was on the 09th day of July, 1992, offered for sale as required by law for cash to the highest bidder. No bids having been offered, the lands, pursuant to Florida Statutes 197.502 (7) were entered on the "Lands Available for Taxes" list and were offered to the County for an exclusive period of ninety days. The property, not having been purchased by the County Commissioners during that ninety day period, has been available for purchase by any person or governmental unit for the past seven (7) years. Title to the property described below is being transferred to Lee County, the Grantee, by virtue of the escheatment provisions of Florida Statutes 197.502 (8).

RECORDED BY
CINDY KELLER, D.C.

NOW, this 16th day of July, 1999, the County of Lee, State of Florida, in consideration of the sum of (S None) Dollars, being the amount pursuant to the Laws of Florida, does hereby transfer to: Lee County, a political subdivision, P O Box 398, Fort Myers, Florida 33902, the following lands situated in the County and State and described as follows:

Blk A, Buckingham Park, PB 9 PG 98, Desc in DB 231 PG 86, Less A.001 and A.002, OR 1672 PG 1327, OR 1140 PG 2184, OR 1710 PG 4419, See Exhibit "A"

Witnesses:

Helen Carroll
HELEN CARROLL

Print name:

Betty J. Rosine

Print name: BETTY J. ROSINE

Debbie Underwood
Debbie Underwood, Deputy Clerk
Clerk of Circuit Court
Lee County, Florida

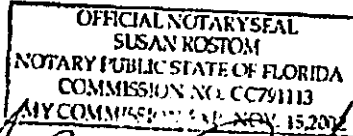
STATE OF FLORIDA
COUNTY OF LEE

On this 16th day of July, 1999, before me Susan Rostom personally appeared Debbie Underwood, Deputy Clerk in and for the State and this County known to me to be the person described in, and who executed the foregoing instrument, and acknowledged the execution of this instrument to be his own free act and deed for the use and purposes therein mentioned, and is personally known to me.

Witness my hand and official seal date aforesaid.

This instrument prepared by:

Jamie Vincenzo
Print name: Jamie Vincenzo



Susan Rostom
Print name: Susan Rostom
Notary Public

CLERK OF CIRCUIT COURT
P O Box 2278
Fort Myers Florida 33902

STATE OF FLORIDA
COUNTY OF LEE
OFFICE OF THE TAX COLLECTOR



DICK STEELE
TAX COLLECTOR
P. O. BOX 850
FORT MYERS, FLORIDA 33902

EXHIBIT "A"

BLOCK A of BUCKINGHAM PARK SUBDIVISION, Entrance
Roads, according to the plat recorded in Plat Book
9, Pages 93-98 of the Public Records of Lee County,
Florida. LESS that portion of Block A sold by the
parties as described in Official Record Book 25,
Page 304 of the Public Records of Lee County, Florida.

Less: A.001 (0025-0304)

Beginning at the Southeast corner of Block A, of that certain
subdivision known as BUCKINGHAM PARK, according to the map or
plat thereof on file and recorded in the public records of
Lee County, Florida, in Plat Book 9, at pages 93-98 inclusive,
for the point of beginning of the lands herein described;
thence run North along the East line of said Block A for
100 feet; thence West parallel with the North line of said
Block to the West line of said Block which is approximately
184 feet more or less; thence South along the West line
of said Block 178 feet more or less to the Southwest corner
of said Block, thence East along the South line of said
Block to the point of beginning.

+ Less: A.002 (001447-1506)

Commencing at the SW Corner of Block A, Buckingham Park, Northwest Section, as
recorded in Plat Book 9, pages 93-98, Public Records of Lee County, Florida;
thence run N 0°15'40" W along the West line of said Block A for 178.2 feet to
the Point of Beginning; thence from said point of beginning, continue N 0°15'40"
W 113.03 feet; to a point 113.77 feet South of the NW Corner of said Block A;
thence run S 82°09'00" E, parallel to the North line of said Block A for 215.65
feet to the West line of School Lane; at a point 100.48 feet from the NE corner
of said Block A; thence run Southwesterly along the arc of a curve to the left
having a radius of 1230 feet for an arc distance of 100.48 feet (Delta Angle
4°40'50", Chord Bearing S 20°49'50" W, 100.48 feet); thence run N 82°09'00" W,
parallel to the North line of said Block A to the Point of Beginning. Contain-
ing 0.445 Acres, more or less. Also includes a 1959 RICHMOND mobile home, FD #
147832995.

DR3 146 PG2759

1999 JUL 16 PM 2:34

CHARLIE GREEN, CLERK
LEE COUNTY, FL