

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

Blue Sheet No. 20060226

**1. ACTION REQUESTED/PURPOSE:** Authorize Chairwoman to execute a County Deed for the purpose of correcting an erroneous Tax Deed and restoring title to the proper owner.

**2. WHAT ACTION ACCOMPLISHES:** Corrects erroneous Tax Deed and restores title of property to proper owner.

**3. MANAGEMENT RECOMMENDATION:**

**4. Departmental Category:** /2 **C12D** **5. Meeting Date:** 03-14-2006

<b>6. Agenda:</b> <input checked="" type="checkbox"/> Consent <input type="checkbox"/> Administrative <input type="checkbox"/> Appeals <input type="checkbox"/> Public <input type="checkbox"/> Walk-On	<b>7. Requirement/Purpose: (specify)</b>		<b>8. Request Initiated:</b>	
	<input type="checkbox"/> Statute	<input type="checkbox"/>	Commissioner	
	<input type="checkbox"/> Ordinance	<input type="checkbox"/>	Department	County Attorney
	<input type="checkbox"/> Admin. Code	<input type="checkbox"/>	Division	Land Use
<input checked="" type="checkbox"/> Other	County Clerk	By:		
	F.A.C. 112D-013.066(4)	Timothy Jones Chief Assistant County Attorney		

**9. Background:** The Clerk's Office has requested that the County issue a deed for the purpose of completing the process of restoring property title to the proper owner after the erroneous sale of a tax deed for the property. Please see attached letter from the Clerk's Office.

Attachment: Letter from Clerk's Office and Proposed County Deed

cc: Debbie Underwood, Delinquent Tax Office

**10. Review for Scheduling:**

Department Director	Purchasing or Contracts	Human Resources	Other	County Attorney	Budget Services				County Manager/P.W. Director
					Analyst	Risk	Grants	Mgr.	
					RK 2/27	3/1/06	4/1/06	2/27/06	3-2-06

**11. Commission Action:**

- Approved
- Deferred
- Denied
- Other

*[Handwritten signature]*

RECEIVED BY COUNTY ADMIN:	<i>[Signature]</i>
2-24-06	
2-07	
COUNTY ADMIN FORWARDED TO:	<i>[Signature]</i>
3/2/06	
9:30	

# Memorandum

CHARLIE GREEN  
CLERK CIRCUIT COURT  
LEE COUNTY  
P.O. BOX 2278  
FORT MYERS, FLORIDA 33902-2278

2006 FEB 17 AM 11:09  
RECEIVED BY  
LEE CO. ATTORNEY

DATE: February 17, 2006

TO: **Tim Jones, County Attorney**  
FROM: Debbie Underwood, Delinquent Tax Office, Manager

Re: **Restoring title of property due to erroneous Tax Deed 2005-001212  
Lot 24, Blk 19, Unit 5, Lehigh Acres. Strap# 25-44-27-05-00019.0240**

I have attached a County Deed for the purpose of restoring a title of property.

This property had delinquent taxes due and was scheduled to be sold at a Tax Deed auction on November 4<sup>th</sup>, 2005 by the Lee County Clerk of the Circuit. Property was sold on the scheduled date to Mr. Samuel Lurie in the amount of \$ 47,812.40.

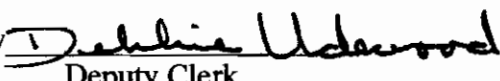
A few days after the sale of the Tax Deed property we were informed that redemption for the correct amount of delinquent taxes had been received Express Mail by the Clerk of Courts on November 1, 2005. We were able to track the express mail redemption from another part of the Clerks office.

Our Clerks Attorney deemed this an invalid issuance of a Tax Deed. We ask and received from the buyer Mr Sam Lurie a Quit Claim Deed transferring property to Lee County per Florida Administrative Code 12D-013.066 (4).

Per our discussion on February 17<sup>th</sup> I am releasing the County Deed to you for the attachment of the Blue Sheet required by BOCC . Once the Board has signed and approved please return the deed to me so that we can record the document restoring the property to the previous owner.

I want to thank you for your advice and help in this rare matter

Charlie Green, Clerk

By   
, Deputy Clerk  
Delinquent Tax Office

This Instrument Prepared By:  
Timothy Jones, Chief Asst. County Attorney  
Lee County Attorney's Office  
Post Office Box 398  
Fort Myers, Florida 33902-0398

STRAP No. 25-44-27-05-00019.0240  
Tax Deed No. 2005-001212

**THIS SPACE FOR RECORDING**

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**COUNTY DEED  
(Statutory)**

**THIS DEED**, executed this \_\_\_ day of \_\_\_\_\_, 2006, by **LEE COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA**, whose address is Post Office Box 398, Fort Myers, Florida 33902-0398, GRANTOR, to **YAMAL RAMIREZ ZIADEH**, whose address is 109 S. Whitmore, Port St. Lucie, FL 34984, GRANTEE.

**WITNESSETH:** The GRANTOR, for and in consideration of the sum of Ten (\$10.00) Dollars to it in hand paid by the GRANTEE, receipt whereof is hereby acknowledged, has granted, bargained and sold to the GRANTEE, its heirs and assigns forever, the following described land, lying and being in Lee County, Florida:

Lot 24, Blk 19, Unit 5, Lehigh Acres, PB 15 PG 36, according to the plat recorded in Lee County Public Records

The purpose of this deed is to restore title to the proper owner and thereby correct an erroneous tax deed, as provided in Rule 12D-13.066(4) of the Florida Administrative Code.

This grant conveys only the interest of the County and its Board of County Commissioners in the property herein described, and does not warrant the title or represent any state of facts concerning the same.

**IN WITNESS WHEREOF** the GRANTOR has caused these presents to be executed in its name by its Board of County Commissioners acting by the Chair or Vice Chair of said Board, the day and year above.

(OFFICIAL SEAL)  
ATTEST:  
CHARLIE GREEN, CLERK

By: \_\_\_\_\_  
Deputy Clerk

LEE COUNTY, FLORIDA, BY ITS  
BOARD OF COUNTY COMMISSIONERS

By: \_\_\_\_\_  
Chairwoman

APPROVED AS TO LEGAL FORM:

\_\_\_\_\_  
Office of County Attorney