

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

Blue Sheet No. 20060572

1. ACTION REQUESTED/PURPOSE: Authorize: 1) Board to declare 1,937 square feet of County-owned Conservation 2020 property within the City of Bonita Springs, located adjacent to 5100 Esplanade Street, known as a portion of STRAP No. 31-47-25-B3-00408.0390 as surplus property; 2) Resolution for Sale of Surplus Property; 3) Division of County Lands to negotiate a private sale, according to Lee County Ordinance 02-34, Section 5, D, with Buyer to pay all closing costs.

2. WHAT ACTION ACCOMPLISHES: Declares parcel surplus and grants permission to sell property at private sale to the only adjacent property owners.

3. MANAGEMENT RECOMMENDATION: Approve

4. Departmental Category:

C6A

5. Meeting Date:

06-13-2006

6. Agenda:

- Consent
- Administrative
- Appeals
- Public
- Walk-On

7. Requirement/Purpose: (specify)

- Statute FS 125.35 (2)
- Ordinance 02-34, Sec 5.D
- Admin. Code
- Other

8. Request Initiated:

Commissioner _____
Department Independent
Division County Lands
By: Karen L.W. Forsyth, Director

9. Background: As a result of the Reahard court case, the County acquired Parcel 81 containing approximately 39 acres within the Imperial Shores Subdivision, an Unrecorded Plat, as part of the Conservation Lands Program known as the Imperial River Preserve. At the time of acquisition in March of 1998, an encroachment of rip rap and sod existed on Lot 39 which is a part of the overall 39 acres, that was apparently installed by the previous owner of the adjacent Lot 38 (privately owned site) at or near the time the home was constructed in 1992. To avoid future liability, reduce maintenance, time and money, minimize management time, and expense of fencing, staff recommended selling the small parcel and the Conservation Lands Acquisition and Stewardship Advisory Committee (CLASAC) approved a motion to surplus and sell the 1937 square feet surveyed to include the rip rap and avoid involving any water frontage.

The current owners of the only adjacent private property acquired the property in June 2000. They have indicated an interest in acquiring the 1937 square feet to add to their lot. The current land use designation of the 39 acres is Conservation with AG-2 zoning for single family residential. It is Staff's opinion, that due to the size, shape, location, and assessed value of the property, its market appeal is only to the adjacent property owner.

The assessed value of the entire Lot 39 consisting of 1.15 acres of wetlands is \$1,150; staff recommends the Board not set a minimum price. Upon board authorization, staff will follow Ordinance 02-34, 5, D and FS 125.35(2) to effectuate the disposition of the subject parcel. Staff will return to the Board for acceptance/rejection of any Real Estate Sales Agreements.

Staff recommends the Board approve the Requested Motion.

Attachment: Resolution for Sale of Surplus Property

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.	
<i>H. Forsyth</i>				<i>Robert Spackman</i> <small>5-31-06</small>	<i>John</i>	<i>6/1/06</i>	<i>6/1/06</i>	<i>6/1/06</i>	<i>HS cel/06</i>

11. Commission Action:

- Approved
- Deferred
- Denied
- Other

RECEIVED BY
 COUNTY ADMIN:
6/1/06 9am
 COUNTY ADMIN
 FORWARDED TO:
6/1/06
4:30pm

Rec. by CoAtty
 Date: *6/1/06*
 Time: *11:15am*
 Forwarded To:
Admin
6/31/06 4:30pm

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 as follows:

See Exhibit "A"

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 Lee County Ordinance 02-34 to accomplish this sale, subject to the successful bidder reimbursing the County for all costs incurred.

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:

Bob Janes	_____
Douglas St. Cerny	_____
Ray Judah	_____
Tammara Hall	_____
John Albion	_____

DULY PASSED AND ADOPTED this _____ day of _____, 20 ____.

ATTEST:
CHARLIE GREEN, CLERK

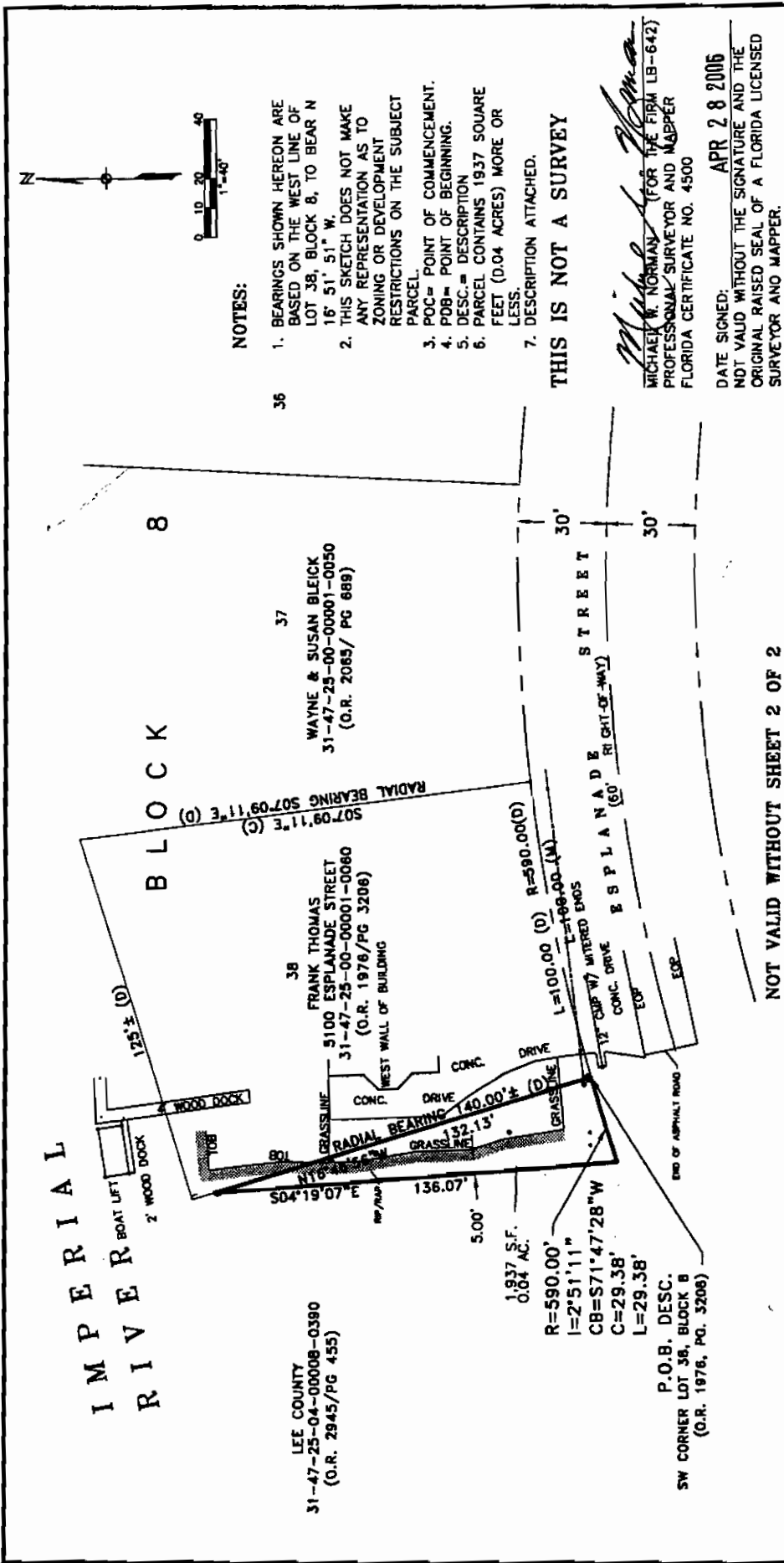
LEE COUNTY, FLORIDA, BY ITS
BOARD OF COUNTY COMMISSIONERS

By: _____
Deputy Clerk

Tammara Hall, Chairwoman

APPROVED AS TO FORM:

Office of County Attorney



NOTES:

- BEARINGS SHOWN HEREON ARE BASED ON THE WEST LINE OF LOT 38, BLOCK 8, TO BEAR N 16° 51' 51" W.
- THIS SKETCH DOES NOT MAKE ANY REPRESENTATION AS TO ZONING OR DEVELOPMENT RESTRICTIONS ON THE SUBJECT PARCEL.
- POC = POINT OF COMMENCEMENT.
- PDB = POINT OF BEGINNING.
- DESC. = DESCRIPTION
- PARCEL CONTAINS 1937 SQUARE FEET (D.04 ACRES) MORE OR LESS.
- DESCRIPTION ATTACHED.

THIS IS NOT A SURVEY

Michael R. Norman
MICHAEL R. NORMAN (FOR THE FIRM LB-642)
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERTIFICATE NO. 4500

DATE SIGNED: **APR 28 2006**
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
3/28/05	20053256	32-47-25	1"=40'	1 OF 2

2158 JOHNSON STREET
P.O. BOX 1550
FORT MYERS, FLORIDA 33902-1550
PHONE (239) 334-0046
FAX (239) 334-3681
E.B. #642 & L.B. #642

JOHNSON ENGINEERING

A PARCEL OF LAND BEING A PART OF
UNRECORDED IMPERIAL SHORES
SECTION 32, TOWNSHIP 47 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA

NOT VALID WITHOUT SHEET 2 OF 2

3:200525259:052526-SKETCH.dwg (SKETCH) LRS May 11, 2005 - 3:25pm

DESCRIPTION

**A PARCEL OF LAND BEING A PART OF
UNRECORDED IMPERIAL SHORES
SECTION 32, TOWNSHIP 47 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA**

A tract or parcel of land lying in Section 32, Township 47 South, Range 25 East, being a part of unrecorded Imperial Shores as recorded in Official Record Book 53 at Page 128, Public Records of Lee County, Florida, which tract or parcel is described as follows:

From the southwest corner of Lot 38, Block 8, unrecorded Imperial Shores, as recorded in Official Record Book 1976 at Page 3208, Public Records of Lee County, Florida, run N 16° 46' 56" W along the westerly line of said Lot 38 for 132.13 feet; thence run S 04° 19' 07" E departing said lot line for 136.07 feet to an intersection with the westerly prolongation of the northerly curved right-of-way line of Esplanad Street, also being the southerly curved line of said Lot 38, thence run southwesterly along said northerly curved right-of-way line to the right of radius 590.00 feet (delta 02° 51' 11") (chord bearing S 71° 47' 28" W) (chord 29.38 feet) for 29.38 feet to the Point of Beginning.
Parcel contains 1,937 square feet, more or less.
Subject to easements, restrictions and reservations of record.

Bearings hereinabove mentioned are based on the deed recorded in Official Record Book 1976, Page 3208, wherein the west line of said Lot 38, Block 8, bears N 16° 51' 51" W.

**A PARCEL OF LAND BEING A PART OF
UNRECORDED IMPERIAL SHORES
SECTION 32, TOWNSHIP 47 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA**

**JOHNSON
ENGINEERING**

2158 JOHNSON STREET
P.O. BOX 1550
FORT MYERS, FLORIDA 33902-1550
PHONE (239) 334-0046
FAX (239) 334-3861
E.B. #642 & L.B. #642

NOT VALID WITHOUT SHEET 1 OF 2

DESCRIPTION

DATE 3/28/05 PROJECT NO. 20055258 FILE NO. 32-47-25 SCALE N/A SHEET 1 OF 2