

Agenda Item Summary

1. ACTION REQUESTED/PURPOSE: Accept Quit-Claim Deeds for Parcels 118A & 118B and 119 being right-of-way necessary for the Homestead Lane Road Paving MSBU #5059 for pavement of Homestead Lane; authorize the Division of County Lands to handle and accept all documentation necessary; authorize payment of recording fees.

2. WHAT ACTION ACCOMPLISHES: Acquisition of right-of-way via Quit-Claim Deeds from benefited property owners.

3. MANAGEMENT RECOMMENDATION: Approve.

4. Departmental Category: 6

C6E

5. Meeting Date: **08-01-2006**

6. Agenda:

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

7. Requirement/Purpose: (specify)

- Statute 125
- Ordinance
- Admin. Code
- Resolution 05-08-54

8. Request Initiated:

Commissioner _____
 Department Independent **KS**
 Division County Lands **7/19/06**
 By: Karen L.W. Forsyth, Director **KLF**

9. Background:

The Board of County Commissioners created the Homestead Lane Road Paving MSBU on August 9, 2005, when it adopted Resolution Number 05-08-54. The purpose of the project is to pave the existing unimproved (dirt/shell) roadway.

The following have executed the required Quit Claim Deeds. The original documents are in the files of County Lands and will be recorded upon approval by the Board of County Commissioners:

- 118A & 118B Betty J. Combs
- 119 Kenneth & Naomi Summerall.

There remains approximately 30 more properties to be acquired for this project.

Funds are available in Account Number: 80505910400

Staff Recommends Board approve the Requested Motion.

ATTACHMENTS: Copies of Quit Claim Deeds, In-House Title Searches, GIS Location Map

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>[Signature]</i>	<i>n/a</i>	<i>n/a</i>	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	<i>KS 7/19/06</i>

11. Commission Action:

- Approved
- Deferred
- Denied
- Other

RECEIVED BY
 COUNTY ADMIN: *[Signature]*
 7-17-06 11:25 *mp.*
 COUNTY ADMIN
 FORWARDED TO: *[Signature]*
 7-19-06
 4PM

Rec. by CoAtty
 Date: 7/19/06
 Time: 4:10pm
 Forwarded To: *[Signature]*
 7/19/06 10:45 AM

This Instrument Prepared by:

County Lands
Post Office Box 398
Fort Myers, Florida 33902-0398
Project: Homestead Lane Road Paving MSBU, Project No. 5059
STRAP No.: 07-44-26-01-00004.0010 & 07-44-26-01-00003.0010
Parcel: 118A & 118B

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

QUIT-CLAIM DEED

THIS Quit-Claim Deed, Executed this 3 day of July, 2006, by **Betty J. Combs, a single person**, whose address is 12050 Homestead Lane, Fort Myers, FL 33905, as **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, wherever the context so admits or requires)

WITNESSETH, The GRANTOR for good and valuable consideration provided by the GRANTEE, which is hereby acknowledged, does hereby remise, release and quit-claim to the GRANTEE forever, all the right, title interest, claim and demand which the GRANTOR has in and to the following described lot, piece or parcel of land, situate, lying and being in the County of Lee, State of Florida, to-wit:

SEE EXHIBIT "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 whatsoever 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:

[Signature]
1st Witness Signature

Betty J. Combs
Betty J. Combs

Chad Hodgins
Printed Name of 1st Witness

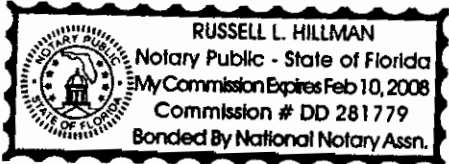
[Signature]
2nd Witness Signature

Stephen M. Whitener
Printed Name of 2nd Witness

STATE OF Florida

COUNTY OF Lee

The foregoing instrument was acknowledged before me this 3 day of July, 2006, by Betty J. Combs, who is personally known to me or who has produced Florida Drivers License as identification.
(type of identification)

Notary Seal


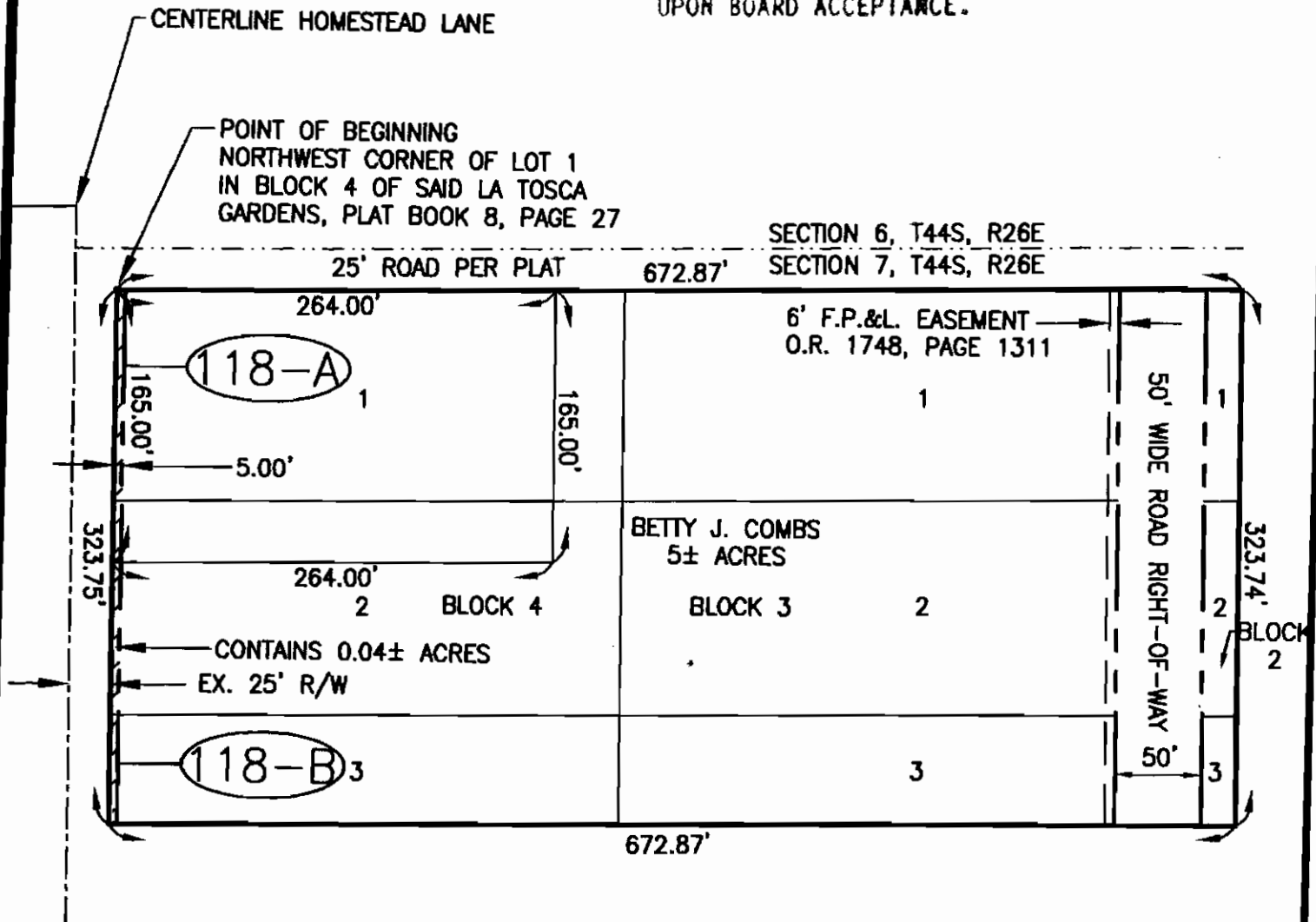
[Signature]
Signature of Notary Public

My Commission Expires:

Exhibit "A"



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



* THIS IS NOT A SURVEY *
O.R. INDICATES OFFICIAL RECORD BOOK
F.P.&L. INDICATES FLORIDA POWER & LIGHT COMPANY

Ronald Kerfoot
RONALD KERFOOT 6/23/06
PROFESSIONAL LAND SURVEYOR #2994

JRI Engineering, Inc.

Planning Engineering Surveying Aerial Photography & Photogrammetry Services

2328 Hancock Bridge Parkway, Suite. 114, Cape Coral, Florida 33900
Phone: 239.458.5544 Fax: 239.458.2233 www.jriengineeringinc.com
Surveying Business Certificate of Authorization No. 6673

LEE COUNTY MSBU - HOMESTEAD LANE

SKETCH AND DESCRIPTION - PARCEL 118

SCALE: 1"=100' | Dwg: HmstdLn-Parcel Map-Takes-1 | DATE: 4-18-06 | SHEET 1 OF 2

Exhibit "A"

ORIGINAL DOCUMENTS DEPOSITED
COUNTY LANDS FILES FOR HANDLING
UPON BOARD ACCEPTANCE.

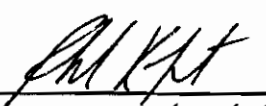
DESCRIPTION OF PARCEL 118

THE WESTERLY 5.00 FEET OF THE FOLLOWING DESCRIBED PARCEL:

A parcel of land being part of Block 2, Block 3 and Block 4 and part of a 50 foot wide road right-of-way as shown on a plat entitled "LA TOSCA GARDENS, Unit A" as recorded in Plat Book 8 at Page 27 of the Lee County Public Records and located in Section 7, Township 44 South, Range 26 East, Lee County, Florida being more particularly described as follows:

Begin at the northwest corner of Lot No. 1 in Block 4 of the aforesaid subdivision plat said point being 25 feet south of and 25 feet east of the northwest corner of said Section 7; thence run N 88° 42' 50" E, parallel with and 25 feet south of the north line of said Section 7 for 672.87 feet; thence run S 01° 01' 49" E for 323.74 feet; thence run S 88° 43' 06" W for 672.87 feet to a point 25 feet east of the west line of said Section 7; thence run N 01° 01' 49" W, parallel with and 25 feet east of said west line of Section 7 for 323.68 feet to the Point of Beginning.

* THIS IS NOT A SURVEY *


RONALD KERFOOT
PROFESSIONAL LAND SURVEYOR #2994

REVISED 06-22-06

JRI Engineering, Inc.

Planning Engineering Surveying Aerial Photography & Photogrammetry Services

2328 Hancock Bridge Parkway, Suite. 114, Cape Coral, Florida 33990
Phone: 239.458.5544 Fax: 239.458.2233 www.jriengineeringinc.com
Surveying Business Certificate of Authorization No. 8673

LEE COUNTY MSBU - HOMESTEAD LANE

SKETCH AND DESCRIPTION - PARCEL 118

SCALE: 1"=100' Dwg: HmstdLn-Parcel Map-Takes-1 DATE: 4-18-06 SHEET 2 OF 2

This Instrument Prepared by:

County Lands
Post Office Box 398
Fort Myers, Florida 33902-0398
Project: Homestead Lane Road Paving MSBU, Project No. 5059
STRAP No.: 07-44-26-01-00003.0040
Parcel: 119

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

QUIT-CLAIM DEED

THIS Quit-Claim Deed, Executed this 5th day of JULY, 2006, by **Kenneth Summerall and Naomi R. Summerall, husband and wife**, whose address is 12070 Homestead Lane, Fort Myers, FL 33905, as **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, wherever the context so admits or requires)

WITNESSETH, The GRANTOR for good and valuable consideration provided by the GRANTEE, which is hereby acknowledged, does hereby remise, release and quit-claim to the GRANTEE forever, all the right, title interest, claim and demand which the GRANTOR has in and to the following described lot, piece or parcel of land, situate, lying and being in the County of Lee, State of Florida, to-wit:

SEE EXHIBIT "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 whatsoever 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:

Jackie Trammell
1st Witness Signature

Kenneth Summerall
Kenneth Summerall

Jackie Trammell
Printed Name of 1st Witness

Jill Thirion
2nd Witness Signature

Jill Thirion
Printed Name of 2nd Witness

Jackie Trammell
1st Witness Signature

Naomi R. Summerall
Naomi R. Summerall

Jackie Trammell
Printed Name of 1st Witness

Jill Thirion
2nd Witness Signature

Jill Thirion
Printed Name of 2nd Witness

STATE OF FL

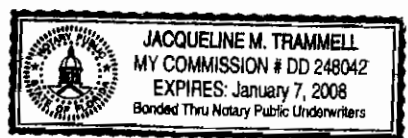
COUNTY OF LEE

The foregoing instrument was acknowledged before me this 5 day of July, 2006, by Kenneth Summerall, who is personally known to me or who has produced FL DRIVERS LICENSE as identification.
(type of identification)

Jacqueline M. Trammell
Signature of Notary Public

Notary Seal

My Commission Expires:



STATE OF FL

COUNTY OF LEE

The foregoing instrument was acknowledged before me this 5 day of July, 2006, by Naomi R. Summerall, who is personally known to me or who has produced FL DRIVERS LICENSE as identification.
(type of identification)

Jacqueline M. Trammell
Signature of Notary Public

Notary Seal

My Commission Expires:

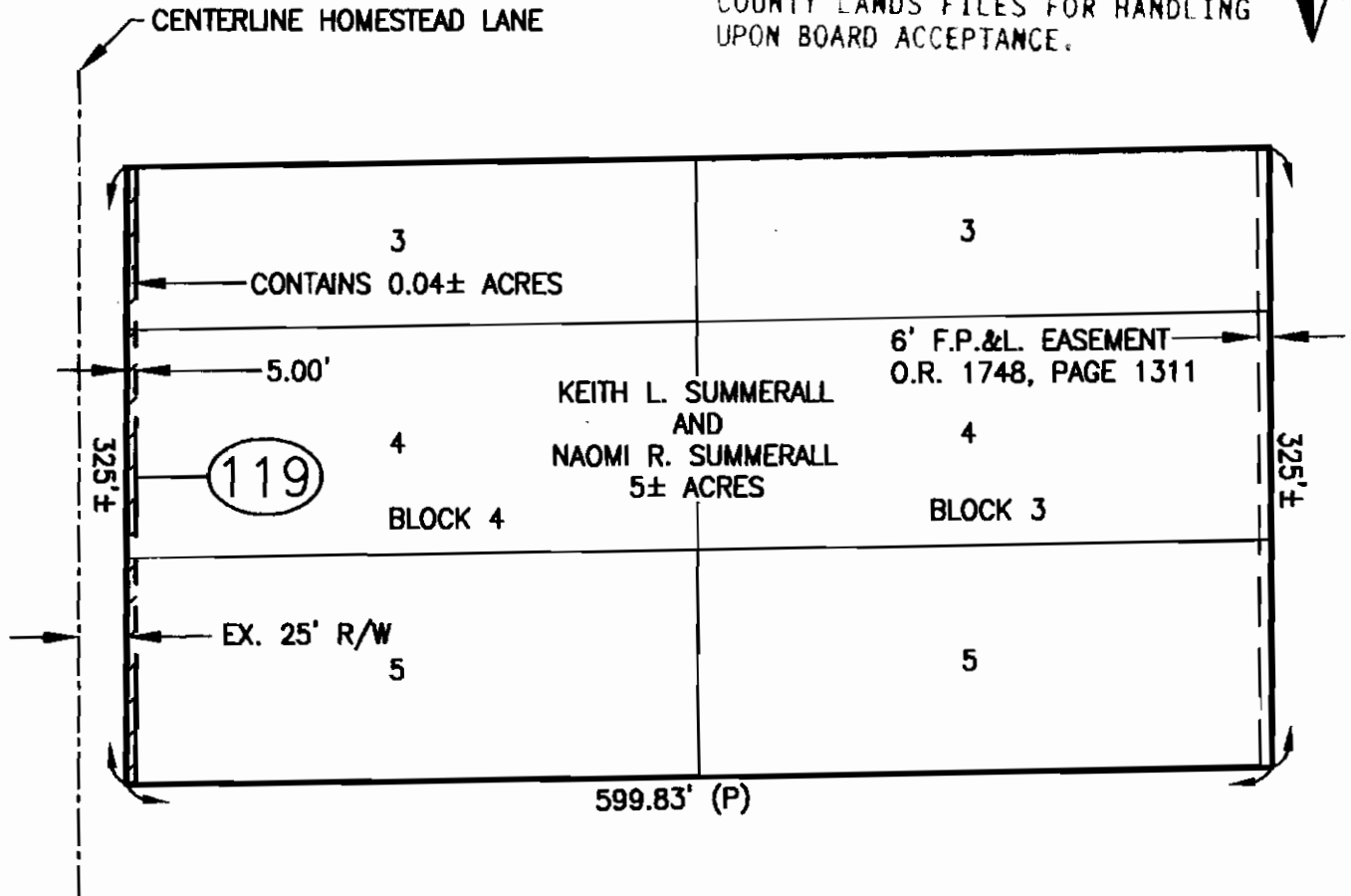


ORIGINAL DOCUMENTS RETAINED IN
COUNTY LANDS FILES FOR HANDLING
UPON BOARD ACCEPTANCE.

Exhibit "A"



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



DESCRIPTION OF PARCEL 119

THE WESTERLY 5.00 FEET OF THE FOLLOWING DESCRIBED PARCEL:

The South $\frac{1}{2}$ of Lot 3, and Lots 4 and 5, Block 4 of LA TOSCA GARDENS, UNIT A, according to the map or plat thereof on file and recorded in the Office of the Clerk of the Circuit Court of Lee County, Florida, in Plat Book 8, at Page 27.

* THIS IS NOT A SURVEY *
O.R. INDICATES OFFICIAL RECORD BOOK
F.P.&L. INDICATES FLORIDA POWER & LIGHT COMPANY

Ronald Kerfoot
RONALD KERFOOT *6/23/06*
PROFESSIONAL LAND SURVEYOR #2994
REVISED 06-22-06

JRI Engineering, Inc.

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Surveying Business Certificate of Authorization No. 6873

LEE COUNTY MSBU - HOMESTEAD LANE

SKETCH AND DESCRIPTION - PARCEL 119

SCALE: 1"=100' Dwg: HmstdLn-Parcel Map-Takes-1 DATE: 4-18-06 SHEET 1 OF 1

Division of County Lands

Ownership and Easement Search

Search No. 07-44-26-01-00004.0010

Date: February 2, 2006

Parcel: 118A

Project: Homestead Lane MSBU, Project 5059

To: Michele S. McNeill, SRWA
Property Acquisition Agent

From: Shelia A. Bedwell, CLS
Property Acquisition Assistant

STRAP: 07-44-26-01-00004.0010

Effective Date: January 17, 2006, at 5:00 p.m.

Subject Property: See attached Exhibit "A"

Title to the subject property is vested in the following:

Betty J. Combs, surviving spouse of Earl R. Combs, deceased

By that certain instrument dated May 14, 1993, recorded May 18, 1993, in Official Record Book 2388, Page 1088, Public Records of Lee County, Florida.

Easements:

None found of record.

Note (1): Deed recorded March 17, 1987, in Official Record Book 1903, Page 4752, Public Records of Lee County, Florida, does not contain marital status of the grantor (s), joinder by spouse, or statement regarding homestead status of subject property. This must be addressed and resolved by the Title Company or Attorney that handles the transfer to the County.

Note (2): Mortgage executed by Michael R. Combs, a single man in favor of South Florida Bank, dated July 25, 1990, recorded August 6, 1990, in Official Record Book 2167, Page 1192, Public Records of Lee County, Florida.

Note (3): Lee County Ordinances relating to garbage and solid waste collection, recorded in Official Record Book 2189, Pages 3281 and 3334, Public Records of Lee County, Florida.

Note (4): Mortgage executed by Michael R. Combs, a single man in favor of South Florida Bank, dated January 3, 1991, recorded January 10, 1991, in Official Record Book 2196, Page 3952, Public Records of Lee County, Florida.

Note (5): Death Certificate of Earl R. Combs recorded in Official Record Book 4357, Page 775; Affidavit of Continuous Marriage recorded in Official Record Book 4357, Page 776; Affidavit of No Florida Estate Tax Due recorded in Official Record Book 4357, Page 777, Public Record of Lee County, Florida.

Division of County Lands

Ownership and Easement Search

Search No. 07-44-26-01-00004.0010

Date: February 2, 2006

Parcel:

Project: Homestead Lane MSBU, Project 5059

Tax Status: 2005 taxes are due and payable in the gross amount of \$2,056.39.

(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"

A parcel of land being parts of Lots 1 and 2 in Block 4 as shown on a recorded plat entitled "LA TOSCA GARDENS" as recorded in Plat Book 8 at Page 27 of the Lee County Public Records and located in the West half (W-1/2) of the West half (W-1/2) of Section 7, Township 44 South, Range 26 East, Lee County, Florida being more particularly described as follows: Begin at the Northwest corner of Lot No. 1 in Block 4 of said LA TOSCA GARDENS, said point located 25 feet South of the North line of said Section 7 and 25 feet East of the West line of said Section 7; thence run Easterly parallel with and 25 feet South of the North line of said Section 7 for 264.004 feet; thence deflect to the right 90 degrees 19' 35" and run Southerly parallel with the Westerly line of said Section 7 for 165.00 feet; thence deflect to the right 89 degrees 40' 25" and run Westerly parallel with the North line of said Section 7 for 264.004 feet; thence deflect to the right 90 degrees 19' 35" and run Northerly parallel with a 25 feet East of the West line of said Section 7 for 165.00 feet to the Point of Beginning.

Division of County Lands

Ownership and Easement Search

Search No. 07-44-26-01-00003.0010

Date: February 2, 2006

Parcel: 118B

Project: Homestead Lane MSBU, Project 5059

To: Michele S. McNeill, SRWA
Property Acquisition Agent

From: Shelia A. Bedwell, CLS
Property Acquisition Assistant

STRAP: 07-44-26-01-00003.0010

Effective Date: January 17, 2006, at 5:00 p.m.

Subject Property: See attached Exhibit "A"

Title to the subject property is vested in the following:

Betty J. Combs, surviving spouse of Earl R. Combs, deceased

By that certain instrument dated January 3, 1984, recorded January 3, 1984, in Official Record Book 1704, Page 4426, Public Records of Lee County, Florida.

Easements:

1. Easement to Florida Power & Light Company along the Easterly 6 feet of Block 3, as recorded in Official Record Book 1748, Page 1311, Public Records of Lee County, Florida.

Note (1): Lee County Ordinances relating to garbage and solid waste collection, recorded in Official Record Book 2189, Pages 3281 and 3334, Public Records of Lee County, Florida.

Note (2): Road Maintenance Agreement regarding Homestead Lane, recorded in Official Record Book 2308, Page 2628, Public Records of Lee County, Florida.

Note (3): Death Certificate of Earl R. Combs recorded in Official Record Book 4357, Page 775; Affidavit of Continuous Marriage recorded in Official Record Book 4357, Page 776; Affidavit of No Florida Estate Tax Due, recorded in Official Record Book 4357, Page 777, Public Record of Lee County, Florida.

Tax Status: 2005 taxes paid November 22, 2005 in the amount of \$1,162.27.
(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"

DESCRIPTION

LOTS 1 & 2 AND PART OF 3, BLOCK 4
LOTS 1 & 2 AND PART OF 3, BLOCK 3
AND PART OF LOTS 1, 2 & 3, BLOCK 2
LA TOSCA GARDENS, UNIT A
SECTION 7, T. 44 S., R. 26 E.
LEE COUNTY, FLORIDA

A parcel of land being part of Block 2, Block 3 and Block 4 and part of a 50 foot wide road right-of-way as shown on a plat entitled "La Tosca Gardens, Unit A" as recorded in Plat Book 8 at page 27 of the Lee County Public Records and located in Section 7, Township 44 South, Range 26 East, Lee County, Florida being more particularly described as follows:

Begin at the northwest corner of Lot No. 1 in Block 4 of the aforesaid subdivision plat said point being 25 feet south of and 25 feet east of the northwest corner of said Section 7; thence run N 88° 42' 50" E, parallel with and 25 feet south of the north line of said Section 7 for 672.87 feet; thence run S 01° 01' 49" E for 323.74 feet; thence run S 88° 43' 06" W for 672.87 feet to a point 25 feet east of the west line of said Section 7; thence run N 01° 01' 49" W, parallel with and 25 feet east of said west line of Section 7 for 323.68 feet to the Point of Beginning.

Containing 5.0 acres more or less (area includes 50 foot wide road right-of-way).

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

Search No. 07-44-26-01-00003.0040

Date: February 3, 2006

Parcel: 119

Project: Homestead Lane MSBU, Project 5059

To: Michele S. McNeill, SRWA
Property Acquisition Agent

From: Shelia A. Bedwell, CLS
Property Acquisition Assistant

STRAP: 07-44-26-01-00003.0040

Effective Date: January 19, 2006, at 5:00 p.m.

Subject Property: The South ½ of Lot 3 and Lots 4 and 5, Block 4, and the South ½ of Lot 3, and Lots 4 and 5, Block 3, of LA TOSCA GARDENS, UNIT A, according to the map or plat thereof on file and recorded in the office of the Clerk of the Circuit Court of Lee County, Florida, in Plat Book 8, at Page 27.

Title to the subject property is vested in the following:

Kenneth L. Summerall and Naomi R. Summerall, Husband and Wife

By that certain instrument dated April 4, 1988, recorded April 5, 1988, in Official Record Book 1980, Page 4773, Public Records of Lee County, Florida.

Easements:

1. Easement to Florida Power & Light Company along the Easterly 6 feet of Block 3, as shown in instrument recorded in Official Record Book 1748, Page 1311, Public Records of Lee County, Florida.

Note (1): Lee County Ordinances relating to garbage and solid waste collection, recorded in Official Record Book 2189, Pages 3281 and 3334, Public Records of Lee County, Florida.

Note (2): Road Maintenance Agreement regarding Homestead Lane, recorded in Official Record Book 2308, Page 2628, Public Records of Lee County, Florida.

Tax Status: 2005 taxes paid November 30, 2005 in the amount of \$1,112.73
(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.

