

Agenda Item Summary

1. **ACTION REQUESTED/PURPOSE:** Accept Quit-Claim Deed for Parcel 121 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 Deed from benefited property owner.

3. **MANAGEMENT RECOMMENDATION:** Approve.

4. **Departmental Category:** 6 **CLE** 5. **Meeting Date:** ~~NOV 28 2006~~ **NOV 28 2006**

6. Agenda: <input checked="" type="checkbox"/> Consent <input type="checkbox"/> Administrative <input type="checkbox"/> Appeals <input type="checkbox"/> Public <input type="checkbox"/> Walk-On	7. Requirement/Purpose: (specify)		8. Request Initiated:
	<input checked="" type="checkbox"/> Statute	125	Commissioner
	<input type="checkbox"/> Ordinance		Department Independent
	<input type="checkbox"/> Admin. Code		Division County Lands 11/7/06
	<input checked="" type="checkbox"/> Resolution	05-08-54	By: Karen L.W. Forsyth, Director 11/9/06

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 Deed. The original document is in the files of County Lands and will be recorded upon approval by the Board of County Commissioners:

Parcel 121 Nilo Robania

There remains approximately 26 more properties to be acquired for this project.

Funds are available in Account Number: 80505910400

Staff Recommends Board approve the Requested Motion.

ATTACHMENTS: Copy of Quit Claim Deed, In-House Title Search, 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>K. Forsyth</i>			<i>C. Walker Robert</i> <i>by D. Sabat</i>	<i>Robert</i>	<i>11/8/06</i>	<i>11-9-06</i>	<i>11/9/06</i>	<i>11/9/06</i>	<i>11-13-06</i>

11. **Commission Action:**

- Approved
- Deferred
- Denied
- Other

Rec. by CoAtty
 Date: **11/8/06**
 Time: **4:00pm**

Forwarded To:
Admin
11/9/06 10:40 am

RECEIVED BY
 COUNTY ADMIN: **LA**
11-9-06
2:21
 COUNTY ADMIN
 FORWARDED TO: **PL**
11-13-06
1002

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.: 12-44-25-01-00000.0010
Parcel: 121

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

QUIT-CLAIM DEED

THIS Quit-Claim Deed, Executed this 1ST day of NOV., 2006, by Nilo Robania, a single person, whose address is 11981 Glen Ave., 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

EDUARDO LEON
Printed Name of 1st Witness

[Signature]
2nd Witness Signature

KENIA CARRILLO.
Printed Name of 2nd Witness

[Signature]
Nilo Robania

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me this 1 day of NOV, 2006, by Nilo Robania, who is personally known to me or who has produced DRIV. LICENSE as identification.
(type of identification)

Notary Seal



TERESA DE JESUS LEON
MY COMMISSION # DD 281979
EXPIRES: May 18, 2008
Bonded Thru Budget Notary Services

My Commission Expires.

[Signature]
Signature of Notary Public

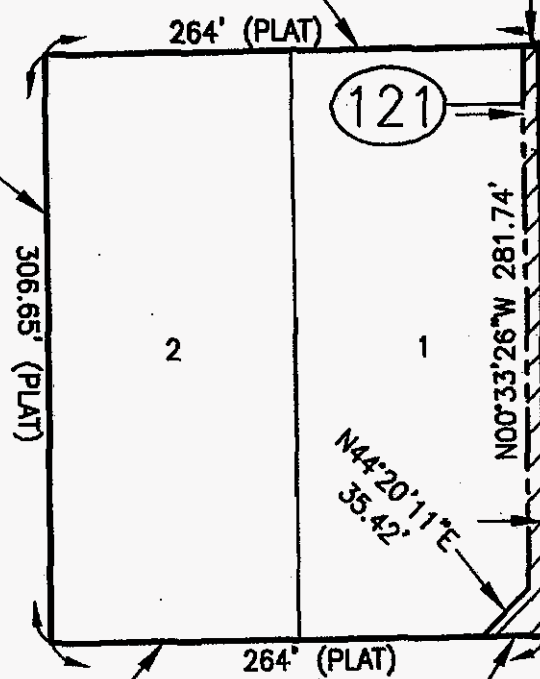
Exhibit "A"



N89°17'09"E 8.88'
NORTHERLY LINE OF LOT 1

POINT OF BEGINNING
NORTHEASTERLY CORNER OF
LOT 1, WILLIS SUBDIVISION,
PLAT BOOK 5, PAGE 47,
LEE COUNTY, FLORIDA

ANTHONY ROSENDE
AND
MARGARET ROSENDE
1.9± ACRES



NORTHERLY RIGHT OF WAY LINE
OF GLEN AVENUE

DESCRIPTION OF PARCEL 121.

Beginning at the Northeasterly corner of Lot 1, Willis Subdivision, as recorded in Plat Book 5, Page 47 of the Lee County, Florida Public Records; Thence S00°33'26"E along the easterly line of said Lot 1, said line being 21.12 feet west of and parallel to the East line of the Northeast quarter (NE¼) of Section 12, Township 44 South, Range 25 East, for a distance of 306.76 feet to a point of intersection with the northerly right of way line of Glen Avenue; Thence S89°17'09"W along the northerly right of way line of Glen Avenue for a distance of 33.88 feet; Thence N44°20'11"E for a distance of 35.42 feet; Thence N00°33'26"W along a line 30.00 feet west of and parallel to the East line of the Northeast quarter (NE¼) of Section 12, Township 44 South, Range 25 East, for a distance of 281.74 feet to a point of intersection with the northerly line of said Lot 1; Thence N89°17'09"E along said lot line for a distance of 8.88 feet to the Point of Beginning.

Bearings are based on the East Line of the Northeast Quarter of Section 12, Township 44 South, Range 25 East, Lee County, Florida, being S00°33'26"E.

REVISED 06-22-06

* THIS IS NOT A SURVEY *
O.R. INDICATES OFFICIAL RECORD BOOK

RONALD KERFOOT
PROFESSIONAL LAND SURVEYOR #2994

RK
6/23/06

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. 6673

LEE COUNTY MSBU - HOMESTEAD LANE

SKETCH AND DESCRIPTION - PARCEL 121

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

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

Search No. 12-44-25-01-00000.0010

Date: June 30, 2006

Parcel: 121

Project: Homestead Lane Rd. Paving MSBU
#5059To: Michele S. McNeill, SRWA
Property Acquisition AgentFrom: Bill Abramovich *B.A.*
Real Estate Title Examiner

STRAP: 12-44-25-01-00000.0010

Effective Date: June 15, 2006, at 5:00 p.m.

Subject Property: Lots 1 and 2, Willis Subdivision, according to the map or plat thereof as recorded in Plat Book 5, Page 47, Public Records of Lee County, Florida.

Title to the subject property is vested in the following:

Nilo Robania

By that certain instrument dated March 1, 2006, recorded March 10, 2006, in Instrument Number 2006000102830, Public Records of Lee County, Florida.

Easements:

1. Non-exclusive roadway and utility easement along the Easterly 30 feet of Lot 1, as described in instrument recorded in Official Record Book 1493, Page 518, Public Records of Lee County, Florida.

NOTE (1): Oil, Gas and Mineral Lease to Humble Oil & Refining Company, recorded in Official Record Book 560, Page 650, Public Records of Lee County, Florida.

NOTE (2): Oil, Gas and Mineral Lease to Exxon Corporation, recorded in Official Record Book 1128, Page 1169, as ratified by instrument recorded in Official Record Book 1142, Page 275, Public Records of Lee County, Florida.

NOTE (3): Oil, Gas and Mineral Lease to Exxon Corporation, recorded in Official Record Book 1407, Page 1350, Public Records of Lee County, Florida.

NOTE (4): 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. Resolution 97-07-50 reflects non-payment of garbage collection fees, as recorded in Official Record Book 2745, Page 1665, Public Records of Lee County, Florida; however, a check of the Solid Waste Department records shows all assessments have been paid.

NOTE (5): Road Maintenance Agreement regarding Homestead Lane recorded in Official Record Book 2308, Page 2628, Public Records of Lee County, Florida.

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

Search No. 12-44-25-01-00000.0010

Date: June 30, 2006

Parcel: 121

Project: Homestead Lane Rd. Paving MSBU
#5059

NOTE (6): Mortgage executed by Nilo Robaina and spouse Paula Robaina in favor of "MERS" as nominee for First Magnus Financial Corporation, dated March 2, 2006, recorded March 10, 2006, in Instrument Number 2006000102831, Public Records of Lee County, Florida.

NOTE (7): Mortgage executed by Nilo Robaina and spouse Paula Robaina in favor of "MERS" as nominee for First Magnus Financial Corporation, dated March 2, 2006, recorded March 10, 2006, in Instrument Number 2006000102832, Public Records of Lee County, Florida.

NOTE (8): Spelling of Grantee's last name in Deed in Instrument Number 2006000102830 is Robania and in mortgage number 2006000102831 and mortgage number 2006000102832 last name is spelled Robaina.

Tax Status: Taxes in the amount of \$1,088.33 have been paid on November 14, 2005.
(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.

Location Map

