

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

**Blue Sheet No. 20061777**

**1. ACTION REQUESTED/PURPOSE:** Accept Quit-Claim Deed for Parcel 105 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.

<b>4. Departmental Category:</b> 6 <span style="font-size: 2em; font-weight: bold; margin-left: 20px;">C 6 B</span>		<b>5. Meeting Date:</b> <span style="font-size: 1.5em; font-weight: bold; margin-left: 20px;">JAN 16 2007</span>
<b>6. Agenda:</b>	<b>7. Requirement/Purpose:</b> <i>(specify)</i>	<b>8. Request Initiated:</b> <span style="font-size: 1.5em; font-weight: bold; margin-left: 20px;">JAN 16 2007</span>
<input checked="" type="checkbox"/> <b>Consent</b>	<input checked="" type="checkbox"/> <b>Statute</b> 125	<b>Commissioner</b> _____ <b>Department</b> Independent <span style="font-size: 1.5em; font-weight: bold; margin-left: 20px;">K.F.</span> <b>Division</b> County Lands <span style="font-size: 1.5em; font-weight: bold; margin-left: 20px;">12-28-06</span>
<input type="checkbox"/> <b>Administrative Appeals</b>	<input type="checkbox"/> <b>Ordinance</b> _____	
<input type="checkbox"/> <b>Public</b>	<input type="checkbox"/> <b>Admin. Code</b> _____	
<input type="checkbox"/> <b>Walk-On</b>	<input checked="" type="checkbox"/> <b>Resolution</b> 05-08-54	
		<b>By:</b> <u>Karen Forsyth, Director</u> <span style="font-size: 1.5em; font-weight: bold; margin-left: 20px;">K.F.</span>

**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 105      Robert E. Schlachta and Linda A. Schlachta, husband and wife; and David A. Schlachta, a single person

There remains approximately 23 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>									

**11. Commission Action:**  
 **Approved**  
 **Deferred**  
 **Denied**  
 **Other**

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.: 12-44-25-00-00008.001C  
Parcel: 105

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

QUIT-CLAIM DEED

THIS Quit-Claim Deed, Executed this 26<sup>th</sup> day of December, 2006, by **Robert E. Schlachta and Linda A. Schlachta, husband and wife and David A. Schlachta, a single person**, whose address is 2571 First Street, Fort Myers, FL 33901, 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:

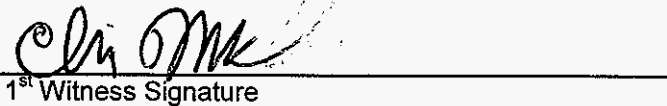
SEE EXHIBIT "A" ATTACHED HERETO

**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.

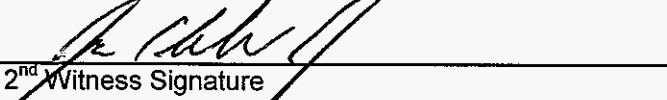
**IN WITNESS WHEREOF**, The GRANTOR has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in presence of two separate witnesses:

  
David A. Schlachta

  
1<sup>st</sup> Witness Signature

Chris Mishofsky  
Printed Name of 1<sup>st</sup> Witness

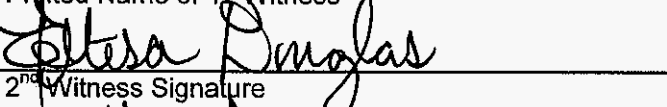
  
2<sup>nd</sup> Witness Signature

James C Whitney Jr.  
Printed Name of 2<sup>nd</sup> Witness

  
Linda A. Schlachta

  
1<sup>st</sup> Witness Signature

Lissette Alvarez  
Printed Name of 1<sup>st</sup> Witness

  
2<sup>nd</sup> Witness Signature

Eltesa Douglas  
Printed Name of 2<sup>nd</sup> Witness

Lissette Alvarez  
1<sup>st</sup> Witness Signature

Robert E. Schlachta  
Robert E. Schlachta

Lissette Alvarez  
Printed Name of 1<sup>st</sup> Witness

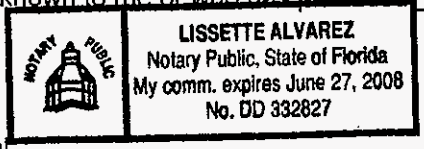
Ettesa Douglas  
2<sup>nd</sup> Witness Signature

Ettesa Douglas  
Printed Name of 2<sup>nd</sup> Witness

STATE OF FL

COUNTY OF Lee

The foregoing instrument was acknowledged before me this 27 day of September, 2006, by Robert E. Schlachta, who is personally known to me or who has produced FLDL as identification.



(type of identification)  
Lissette Alvarez  
Signature of Notary Public

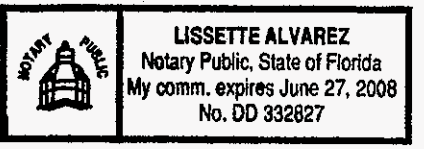
Notary Seal

My Commission Expires: 6/27/08

STATE OF Florida

COUNTY OF Lee

The foregoing instrument was acknowledged before me this 27 day of September, 2006, by Linda A. Schlachta, who is personally known to me or who has produced FLDL as identification.



(type of identification)  
Lissette Alvarez  
Signature of Notary Public

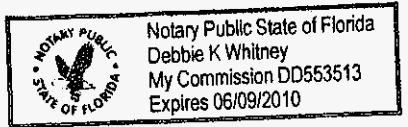
Notary Seal

My Commission Expires: 6/27/08

STATE OF Florida

COUNTY OF Lee

The foregoing instrument was acknowledged before me this 26 day of December, 2006, by David A. Schlachta, who is personally known to me or who has produced \_\_\_\_\_ as identification.

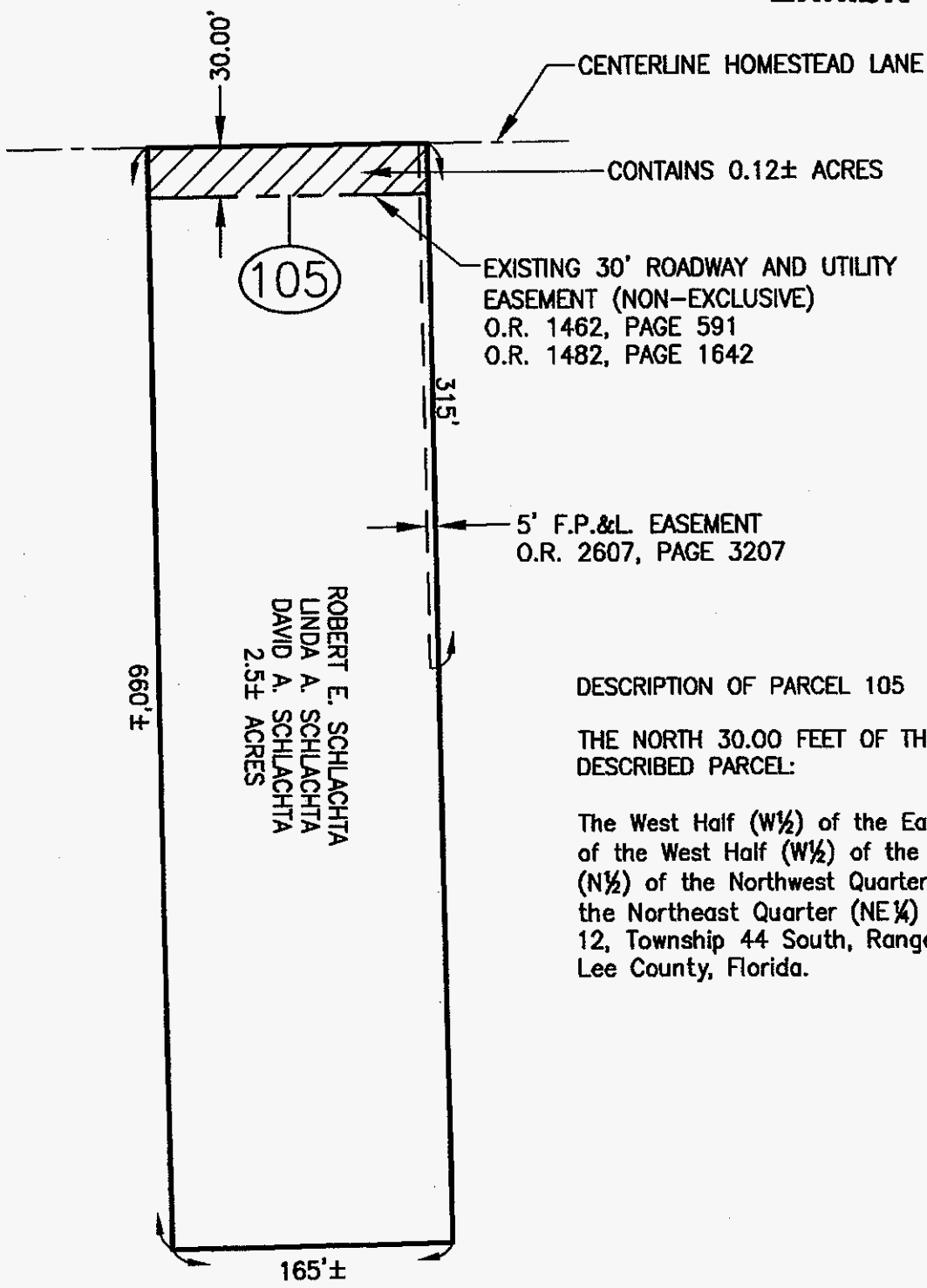


(type of identification)  
Debbie K Whitney  
Signature of Notary Public

Notary Seal

My Commission Expires:

# Exhibit "A"



### DESCRIPTION OF PARCEL 105

THE NORTH 30.00 FEET OF THE FOLLOWING DESCRIBED PARCEL:

The West Half ( $W\frac{1}{2}$ ) of the East Half ( $E\frac{1}{2}$ ) of the West Half ( $W\frac{1}{2}$ ) of the North Half ( $N\frac{1}{2}$ ) of the Northwest Quarter ( $NW\frac{1}{4}$ ) of the Northeast Quarter ( $NE\frac{1}{4}$ ) of Section 12, Township 44 South, Range 25 East, Lee County, Florida.

*Ronald Kerfoot*  
6/23/06

RONALD KERFOOT  
PROFESSIONAL LAND SURVEYOR #2994

REVISED 06-22-06

O.R. INDICATES OFFICIAL RECORD BOOK  
F.P.&L. INDICATES FLORIDA POWER & LIGHT COMPANY

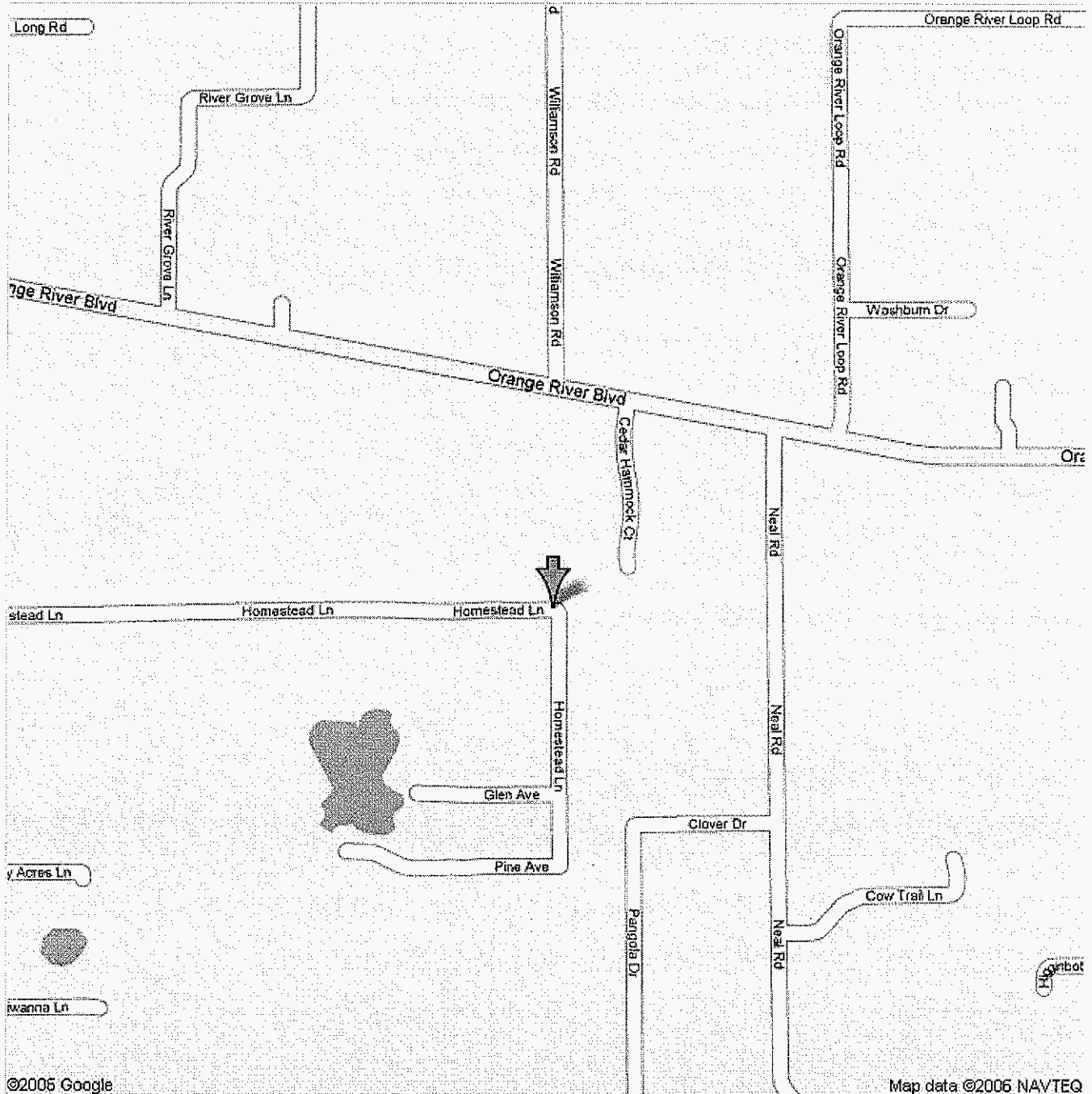
\* THIS IS NOT A SURVEY \*

**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 105  
SCALE: 1"=100' | Dwg: HmstdLn-Parcel Map-Takes-1 | DATE: 4-18-06 | SHEET 1 OF 1



Address **Homestead Ln**  
**Fort Myers, FL 33905**



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

Search No. 12-44-25-00-00008.001C

Date: February 15, 2006

Parcel:

Project: Homestead Lane MSBU, Project 5059

To: Michele S. McNeill, SR/WA  
Property Acquisition AgentFrom: Bill Abramovich *BA*  
Real Estate Title Examiner

STRAP: 12-44-25-00-00008.001C

Effective Date: January 9, 2006, at 5:00 p.m.

**Subject Property:** The West Half (W-1/2) of the East Half (E-1/2) of the West Half (W-1/2) of the North Half (N-1/2), of the Northwest Quarter (NW-1/4) of the Northeast Quarter (NE-1/4) of Section 12, Township 44 South, Range 25 East, Lee County, Florida.

Title to the subject property is vested in the following:

**Robert E. Schlachta, Linda A. Schlachta and David A. Schlachta**

By that certain instrument dated May 28, 2003, recorded May 28, 2003, in Official Record Book 3945, Page 2250, Public Records of Lee County, Florida.

**Easements:**

1. Reservation for Sub-Surface minerals recorded in Official Record Book 615, Page 133, Public Records of Lee County, Florida.
2. 250 foot wide Florida Power & Light Easement along West line recorded in Official Record Book 702, Page 819, Public Records of Lee County, Florida.
3. 10 foot wide Florida Power & Light Easement along East line recorded in Official Record Book 1341, Page 900, Public Records of Lee County, Florida.
4. Roadway Easement over North 30 feet recorded in Official Record Book 1462, Page 591, Public Records of Lee County, Florida.
5. Roadway Easement over North 30 feet recorded in Official Record Book 1482, Page 1642, Public Records of Lee County, Florida.
6. Roadway Easement over East 15 feet recorded in Official Record Book 1514, Page 269, Public Records of Lee County, Florida.
7. Florida Power & Light Easement along East line recorded in Official Record Book 2607, Page 3207, Public Records of Lee County, Florida.

## Division of County Lands

## Ownership and Easement Search

Search No. 12-44-25-00-00008.001C

Date: February 15, 2006

Parcel:

Project: Homestead Lane MSBU, Project 5059

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): Mortgage executed by David Schlachta in favor of Milam Ross Webb and Stephanie T. Webb, husband and wife, dated October 7, 1996, recorded October 22, 1996, in Official Record Book 2756, Page 1416, Public Records of Lee County, Florida.

Note (3): Mortgage executed by Robert E. Schlachta, Linda Schlachta and David Schlachta in favor of Bank of America, N.A., dated July 17, 2003, recorded October 20, 2003, in Official Record Book 4097, Page 2927, Public Records of Lee County, Florida.

Note (4): Judgment against a/an David A. Schlachta recorded July 1, 2002, in Official Record Book 3678, Page 1280, Public Records of Lee County, Florida. This must be addressed and resolved by the Title Company or Attorney that handles the transfer to the County.

**Tax Status:** Taxes paid.

*(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.**