

RESOLUTION REQUESTING THE LEE COUNTY COMMISSION TO DEED A SURPLUS PARCEL TO THE TOWN OF FORT MYERS BEACH; PROVIDING REQUEST AND EFFECTIVE DATE

RESOLUTION NUMBER 02-03

WHEREAS, an application has been submitted by Marina Towers Yacht & Racquet Club Condominium Association, Inc., for transfer, under Florida Statue 336, of a portion of property held by deed recorded in Deed Book 233 at page 212, (copy Attached); and, WHEREAS, the parcel, owned by Lee County, is water front property; and, WHEREAS, the original construction approved by Lee County in 1974, permitted certain condominium improvements on the parcel, to include: parking aisle, parking spaces and seawall, which have been consistently maintained and operated by Marina Towers; and, WHEREAS, Marina Towers has limited its request for relief to those certain improvements; and,

WHEREAS, the Town intends to hold a hearing to consider granting the request of Marina Towers for relief as to that portion of the property; and,

WHEREAS, the Town is the appropriate local government to consider the request of Marina Towers; and,

WHEREAS, the County Commission prior to action upon the Marina Towers request, must determine that the property has no public use; and,

WHEREAS the subject property would be of great value to the residents of the Town who live near the subject parcel; and,

WHEREAS the Town agrees to accept the responsibility of maintenance and management of the property.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA:

Section 1. Request. The Lee county Commission is requested to deed to the Town of Fort Myers Beach the property described in the attached deed which would provide the Town the authority to hold a public hearing to consider the relief requested by Marina Towers.

Section 2. Effective Date. This resolution shall become effective upon adoption.

The foregoing resolution was adopted by the Fort Myers Beach Town Council upon being put to a vote, the result was as follows:

Howard Rynearson	aye
Daniel Hughes	aye
Bill Thomas	aye
W. H. "Bill" Van Duzer	aye
Terry Cain	aye

APPROVED this 7th day of January, 2002.

ATTEST:

TOWN OF FORT MYERS BEACH

By: Marsha Segal-George  
Marsha Segal-George, Town Clerk

By: Daniel Hughes  
Daniel Hughes, Mayor

Approved as to form by  
Richard V.S. Roosa  
Richard V.S. Roosa, Town Attorney

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DEED 253 PAGE 212

# This Indenture

Made this 7th day of December, A. D. 19 53  
Between LEONARD SANTINI, joined by his wife, NELLIE SANTINI,

Lee and State of Florida, parties of the first part,  
and LEE COUNTY, FLORIDA, a political subdivision of the State of  
Florida,

Lee and State of Florida, party of the second part.

Witnesseth, That the said parties of the first part, for and in consideration  
of the sum of TEN (\$10.00) Dollars,  
in hand paid by the said party of the second part, the receipt whereof is hereby  
acknowledged, have remised, released and quit-claimed, and by these presents  
do remise, release and quitclaim unto the said party of the second part, and  
its successors ~~and~~ and assigns forever, all the right, title, interest, claim  
and demand which the said parties of the first part have 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:

A strip of land 70 feet in width abutting the parcel of land desig-  
nated "NOT A PART OF THIS PLAT" on the plat of Laguna Shores (Unit No  
2), as recorded in Plat Book 9 at page 84, Public Records of Lee  
County, Florida; said strip of land extending Easterly from the  
Easterly terminus of Estero Boulevard, as shown on said plat, to Big  
Carlos Pass; subject to the restriction that said strip of land shall  
be used for public road purposes.

To Have and to Hold the same, together with all and singular the  
appurtenances therunto belonging or in anywise appertaining, and all the estate,  
right, title, interest and claim whatsoever of the said parties of the first part,  
either in law or equity, to the only proper use, benefit and behoof of the said  
party of the second part, its successors ~~and~~ and assigns forever.

In Witness Whereof, the said parties of the first part have hereunto  
set their hands and seals the day and year first above written.  
Signed, Sealed and Delivered in Presence of:

*[Handwritten signatures]*

(LS) *[Signature]*

(NS) *[Signature]*

State of Florida,  
County of Lee

I HEREBY CERTIFY, That on this day personally appeared before me, an officer  
duly authorized to administer oaths and take acknowledgments,  
Leonard Santini and Nellie Santini,

to me well known to be the persons described in and who executed the foregoing  
instrument and they acknowledged before me that they  
executed the same freely and voluntarily for the purposes therein expressed.

WITNESS my hand and official seal  
this 17th day of December, A. D. 19 53.

(NOTARY SEAL)

*[Notary Signature]*  
Notary Public  
My Commission Expires Aug 20, 1957

STATE OF FLORIDA, COUNTY OF LEE

FILED FOR RECORDING  
This 27th day of Dec 1953  
Notary Public

EXHIBIT  
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