

12. **CITY MANAGER**

a. Informational Items

vii. Staff report relative to naming Brigid Bock Peace Park

**ADDITIONAL INFORMATION WILL GO OUT IN A
SUPPLEMENTAL PACKET**

MEMORANDUM

DATE: May 25, 1999
TO: Public Works Director/City Engineer Gates Castle
FROM: City Manager Robert D. Pritt
RE: Brigid Bock Peace Park

This parks was given to the city by the Bock's – lots 2 thru 5 Sanibel Isles. This property was given to the city by Quit Claim Deed recorded in the Official Record 1776, Page 1213 with certain restrictions.

Mrs. Bock later amended the deed restricitons OR 2207, Page 2906 so that the restricitons are as follows:

1. The proeprty is to be used for park purposes.
2. The property is not to be used for the parking of motor vehicles
3. The property is not to be used for the placement of structures, except necessary erosion control structures, commemorative structures or benches for vegetation planting is limited to native to Florida species.

The original deed had two other limitations; i.e. no picnic tables and the requirement that the vegetation not exceed four feet in height. However, Mrs. Bock agreed to remove those restrictions.

Attached is a copy of the deed with the amended deed restrictions. The city manager's office does have a file entitled "B" Miscelleanous-Bock, Brigid – Peace Park.

Please have the appropriate person check to be sure that we are maintaining the park in accordance to the amended deed restricitons dated February 19, 1991. If you have any questions or comments please do not hesitate to call.

rdp:pak
attch.

k:/rdp/memos/gc brigid bock peace park

1050
55

This instrument prepared by:
Robert D. Pritt
City Attorney
City of Sanibel
800 Dunlop Road
Sanibel, FL 33957

55
[Signature]
County Clerk
2989559

RECORD NUMBER: 2989555
FILED: JUNE 11, 1991

AMENDED DEED RESTRICTIONS

This instrument, executed this 19th day of FEBRUARY, 1991, by and between Genevieve R. Bock, a/k/a Brigid Bock, first party, to the City of Sanibel, Florida, a municipal corporation, second party,

KNOW ALL MEN BY THESE PRESENTS:

That, Genevieve R. Bock, a/k/a Brigid Bock, successor in interest to Alexander G. Bock, deceased, for herself and her heirs and assigns, for and in consideration of the sum of \$1.00 in hand paid by the City of Sanibel, second party, receipt of which is hereby acknowledged, and other good or valuable consideration, does hereby amend the restrictions set forth upon a certain deed recorded at Official Record 1776 Page 1213 of the Lee County Records of Deeds, upon the following described parcel of real property lying and being in the County of Lee, State of Florida, to-wit:

Lots 2 through 5 inclusive, Block A SANIBEL ISLES Unrecorded Subdivision, G.L. 4, Section 18, TS46S, R23E, described as follows: A tract or parcel of land in Government Lot 4, Section 18, Township 46 South, Range 23 East, which tract or parcel is described as follows: From the southwest corner of said Section 18, run N 1° 01' 00" W along the west line thereof and along the center line of a proposed County Road (100 feet in width) for 3241.71 feet to a point of curvature; thence departing from said centerline run northeasterly, easterly and southeasterly along the northwesterly, northerly and northeasterly line of a roadway easement 50 feet in width and along the arc of a curve to the right of radius 185 feet for 423.40 feet to a point of tangency; thence run S 49° 53' 10" E along the northeasterly line of said roadway easement for 80 feet to the point of beginning. From said point of beginning run N 49° 53' 10" W for 80 feet to a point of curvature; thence run northwesterly along the arc of a curve of radius 185' for 80 feet to an intersection with a line bearing S 51° 06' 50" W; thence run N 51° 06' 50" E along said line for 88 feet more or less to the waters of San Carlos Bay; thence run southeasterly along said waters to an intersection with a line bearing N 70° 06' 50" E passing through the point of beginning; thence run S 70° 06' 50" W along said line for 113 feet more or less to the point of beginning TOGETHER with the herein above described roadway easement; SUBJECT to an easement for public utilities over and across the southwesterly 6 feet thereof.

The language to be amended is the paragraph establishing deed restrictions contained in OR 1776, Page 1214, and the restrictions contained therein are amended by deleting said paragraph and substituting the following provisions:

Provided, however, that the conveyance is made subject to and upon the following express conditions:

- 1. The property is to be used for park purposes.

- 2. The property is not to be used for the parking of motor vehicles.
- 3. The property is not to be used for the placement of structures except necessary erosion control structures, commemorative structures, or benches.
- 4. Vegetation planting is limited to native Florida species.

If these conditions are not met by the City of Sanibel, after written notice with thirty (30) days to cure, the said first party or her heirs or assigns may re-enter and cause the property to revert to and vest in herself, or her heirs or assigns.

IN WITNESS WHEREOF, the said first party has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:

[Handwritten signatures]

[Handwritten signature] (Seal)
Genevieve R. Bock

STATE OF FLORIDA)
COUNTY OF LEE)

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, personally appeared Genevieve R. Bock, a/k/a Brigid Bock, to me known to be the person described in and who executed the foregoing instrument and she acknowledged before me that she executed the same.

WITNESS my hand and official seal in the County and State last aforesaid this 19th day of February, 1991.

[Handwritten signature]
Notary Public, State of Florida
My commission expires: 4

NOTARY PUBLIC STATE OF FLORIDA
MY COMMISSION EXPIRES DEC 21, 1992
BONDED THROUGH GENERAL INS. CO.

CHARLIE GREEN LEE CIV FL
91 MAR 11 PM 3:13

CITY OF SANIBEL

RESOLUTION NO. 85 - 17

A RESOLUTION ACCEPTING QUIT CLAIM DEEDS FROM ALEXANDER G. BOCK AND GENEVIEVE R. BOCK FOR LAND FOR A PUBLIC PARK IN SECTION 18, TOWNSHIP 46 SOUTH, RANGE 23 EAST; AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO RECORD SAME ON PUBLIC RECORDS; AND PROVIDING AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Sanibel, Lee County, Florida:

Section 1. That the deeds from Alexander G. Bock and Genevieve R. Bock, true copies of which are attached hereto and incorporated herein by reference, are hereby accepted, and the City Attorney is hereby authorized to record same in the public records of Lee County, Florida.

Section 2. Effective Date.

This Resolution shall take effect immediately upon adoption.

DULY PASSED AND ENACTED by the Council of the City of Sanibel, Lee County, Florida, this 19th day of March, 1985.

ATTEST:

James P. Bandy
Member of Council

Ray L. Price
City Clerk

Louise M. Johnson
Member of Council

Fred Wallin
Mayor

Myron W. Klein
Member of Council

William E. Hagans
Member of Council

APPROVED AS TO FORM

3/11/85

David Patton
City Attorney

This Quit-Claim Deed, Executed this 1st day of March, A. D. 1985, by Genevieve R. Bock first party, to City of Sanibel

whose postoffice address is Post Office Drawer Q, Sanibel, Florida 33957

second party:

(Wherever used herein the terms "first party" and "second party" shall 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.)

good and valuable consideration

Witnesseth, That the said first party, for and in consideration of the sum of \$1.00 and other in hand paid by the said second party, the receipt whereof is hereby acknowledged, does hereby remise, release and quit-claim unto the said second party forever, all the right, title, interest, claim and demand which the said first party 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:

Lots 2 through 5 inclusive, Block A SANIBEL ISLES unrecorded subdivision, G.L. 4, Section 18, TS46S, R23E, described as follows: A tract or parcel of land in Government Lot 4, Section 18, Township 46 South, Range 23 East, which tract or parcel is described as follows: From the southwest corner of said Section 18, run N 1° 01' 00" W along the west line thereof and along the center line of a proposed County Road (100 feet in width) for 3241.71 feet to a point of curvature; thence departing from said centerline run northeasterly, easterly and southeasterly along the northwesterly, northerly and northeasterly line of a roadway easement 50 feet in width and along the arc of a curve to the right of radius 185 feet for 423.40 feet to a point of tangency; thence run S 49° 53' 10" E along the northeasterly line of said roadway easement for 80 feet to the point of beginning. From said point of beginning run N 49° 53' 10" W for 80 feet to a point of curvature; thence run northwesterly along the arc of a curve of radius 185' for 80 feet to an intersection with a line bearing S 51° 06' 50" W; thence run N 51° 06' 50" E along said line for 88 feet more or less to the waters of San Carlos Bay; thence run southeasterly along said waters to an intersection with a line bearing N 70° 06' 50" E passing through the point of beginning; thence run S 70° 06' 50" W along said line for 113 feet more or less to the point of beginning TOGETHER

(Description and limitations continued on page 2.)

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 said first party, either in law or equity, to the only proper use, benefit and behoof of the said second party forever.

In Witness Whereof, The said first party has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in presence of:

Linda L. Wadsworth

Genevieve R. Bock (Signature) Genevieve R. Bock (Printed Name)

Mary W. Dunlop

STATE OF FLORIDA, COUNTY OF LEE

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, personally appeared Genevieve R. Bock

to me known to be the person described in and who executed the foregoing instrument and she acknowledged before me that she executed the same.

WITNESS my hand and official seal in the County and State last aforesaid this 1st day of March A. D. 1985

Linda L. Wadsworth (Signature) Notary Public My commission expires:

PAGE TWO OF THAT CERTAIN DEED
DATED Mar. 1, 1984, FROM GENEVIEVE R. BOCK,
GRANTOR, TO CITY OF SANIBEL, GRANTEE

with the herein above described roadway easement; SUBJECT to an easement for public utilities over and across the southwesterly 6 feet thereof.

Provided, however, that this conveyance is made subject to and upon the express conditions that should the Grantee use said land for other than public park purposes, or construct or place thereon any picnic table or facility for public parking of motor vehicles, or erect thereon any structure, except for erosion control structures no higher than the top of the existing seawall, or plant or permit to grow thereon any vegetation at a height of more than four feet above ground level, then in any of such events the title to said property shall revert to and vest in the said Alexander G. Bock and Genevieve R. Bock, and their heirs and assigns.

Grantor warrants that said property is not part of the grantor's homestead.

GENCO, WRITTEN INSTRUMENT

This Quit-Claim Deed, Executed this 25th day of February, A. D. 1985, by Alexander G. Bock

first party, to City of Sanibel

whose postoffice address is Post Office Drawer Q, Sanibel, Florida 33957

second party:

(Wherever used herein the terms "first party" and "second party" shall 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, That the said first party, for and in consideration of the sum of \$ 1.00 and other good and valuable consideration in hand paid by the said second party, the receipt whereof is hereby acknowledged, does hereby remise, release and quit-claim unto the said second party forever, all the right, title, interest, claim and demand which the said first party 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:

Lots 2 through 5 inclusive, Block A SANIBEL ISLES unrecorded subdivision, G.L. 4, Section 18, TS46S, R23E, described as follows: A tract or parcel of land in Government Lot 4, Section 18, Township 46 South, Range 23 East, which tract or parcel is described as follows: From the southwest corner of said Section 18, run N 1° 01' 00" W along the west line thereof and along the center line of a proposed County Road (100 feet in width) for 3241.71 feet to a point of curvature; thence departing from said centerline run northeasterly, easterly and southeasterly along the northwesterly, northerly and northeasterly line of a roadway easement 50 feet in width and along the arc of a curve to the right of radius 185 feet for 423.40 feet to a point of tangency; thence run S 49° 53' 10" E along the northeasterly line of said roadway easement for 80 feet to the point of beginning. From said point of beginning run N 49° 53' 10" W for 80 feet to a point of curvature; thence run northwesterly along the arc of a curve of radius 185' for 80 feet to an intersection with a line bearing S 51° 06' 50" W; thence run N 51° 06' 50" E along said line for 88 feet more or less to the waters of San Carlos Bay; thence run southeasterly along said waters to an intersection with a line bearing N 70° 06' 50" E passing through the point of beginning; thence run S 70° 06' 50" W along said line for 113 feet more or less to the point of beginning TOGETHER

(Description and limitations continued on page 2.)

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 said first party, either in law or equity, to the only proper use, benefit and behoof of the said second party forever.

In Witness Whereof, The said first party has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in presence of:

Sandra Morris

Alexander G. Bock

Bruce J. Burton

STATE OF ~~FLORIDA~~ MASSACHUSETTS } COUNTY OF

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, personally appeared Alexander G. Bock

to me known to be the person described in and who executed the foregoing instrument and he acknowledged before me that he executed the same.

WITNESS my hand and official seal in the County and State last aforesaid this 25th day of February A. D. 1985.

Notary Public My commission expires: 5-9-91

PAGE TWO OF THAT CERTAIN DEED
DATED Feb. 25, 1987, FROM ALEXANDER G. BOCK,
GRANTOR, TO CITY OF SANIBEL, GRANTEE

with the herein above described roadway easement; SUBJECT to an easement for public utilities over and across the southwesterly 6 feet thereof.

Provided, however, that this conveyance is made subject to and upon the express conditions that should the Grantee use said land for other than public park purposes, or construct or place thereon any picnic table or facility for public parking of motor vehicles, or erect thereon any structure, except for erosion control structures no higher than the top of the existing seawall, or plant or permit to grow thereon any vegetation at a height of more than four feet above ground level, then in any of such events the title to said property shall revert to and vest in the said Alexander G. Bock and Genevieve R. Bock, and their heirs and assigns.

Grantor warrants that said property is not part of the grantor's homestead.