LEE COUNTY BOARD OF COUNTY COMMISSIONERS BLUE SHEET NO: 20020373-UTL AGENDA ITEM SUMMARY 1. REQUESTED MOTION: ACTION REQUESTED: Approve final acceptance, by Resolution, and recording of a Utility Easement as a donation, for one fire hydrant serving Opti Express II. This is a Developer contributed asset and the project is located on the south side of Summerlin Road approximately 425' west of the Pine Ridge Road. WHY ACTION IS NECESSARY: To provide fire protection to the recently constructed medical office. WHAT ACTION ACCOMPLISHES: Places the fire hydrant into operation and complies with the Lee County Utilities Operations Manual. 2. DEPARTMENTAL CATEGORY: 10 - UTILITIES 3. MEETING DATE: - 30-2002 COMMISSION DISTRICT #: 3 6. REQUESTOR OF INFORMATION: 5. REQUIREMENT/PURPOSE: 4. AGENDA: A. COMMISSIONER: (Specify) X_CONSENT B. DEPARTMENT: Lee County-Public Works ADMINISTRATIVE STATUTE C. DIVISION/SECTION: Utilities Division ORDINANCE APPEALS Rick Diaz, **Milities Director** PUBLIC ADMIN. CODE X OTHER Res/Ease. DATE: WALK ON 02 TIME REQUIRED: 7. BACKGROUND: Fire hydrants do not require permission to construct by the Board, therefore, no previous Blue Sheet number is provided. The installation has been inspected for conformance to the Lee County Utilities Operations Manual. Satisfactory pressure and bacteriological testing has been completed. Record drawings have been received. Engineer's Certification of Completion has been provided---copy attached. Project Location Map—copy attached. Warranty has been provided—copy attached. Waiver of Lien has been provided—copy attached. Certification of Contributed Assets has been provided—copy attached. Potable water and sanitary sewer service is provided by Lee County Utilities via existing infrastructure located within the right-of-way of Summerlin Square Drive. Funds are available for recording fees in account # OD5360748700.504930. COMMISSIONER JUDAH **TOWNSHIP 46S** RANGE 24 E DISTRICT # 3 **SECTION 07** 8. MANAGEMENT RECOMMENDATIONS: 9. RECOMMENDED APPROVAL (G) (D) **(E) (F) (C)** BUDGET COUNTY DEPARTMENT PURCH. OR HUMAN COUNTY MANAGER OTHER ATTORNEY SERVICES CONTRACTS RESOURCES DIRECTOR OA N/A N/A T. Osferbout Date: 4.17 0 Date: 4-17-00 Date: Date: Date: Date 10. COMMISSION ACTION: Rec. by CoAttr RECEIVED BY APPROVED COUNTY ADMIN. DENIED DEFERRED

COUNTY ADMIN. WARDED TO

OTHER

(A)

RESOLUTION	NO
VESCEDITON.	110.

RESOLUTION ESTABLISHING UTILITY ACCEPTANCE OF DEVELOPER CONTRIBUTED ASSETS IN LEE COUNTY, FLORIDA

WHEREAS, it is the desire of the J. Michael Witherington, owner of record, to make a contribution to Lee County Utilities of water facilities (one fire hydrant), serving "OPTI EXPRESS II"; and,

WHEREAS, Lee County Utilities requires proof of a Release of Lien, a Warranty (one-year) on all labor and materials, an accurate value of contributed assets, and right-of-way and/or easement-indemnity granted for all systems being contributed to Lee County Utilities; and,

WHEREAS, all of the above information has been received and approved as complete by Lee County Utilities; and,

WHEREAS, Lee County Utilities has recommended to the Board of County Commissioners that the above-named system be accepted for ownership, operation, and maintenance.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA, that the above facilities, for a contributed value of \$4,000.00 is hereby ACCEPTED and acknowledged as an addition to Lee County Utilities.

THE FOREGOING RESOLUTION was o	ffered by Commissioner
who moved for its adoption. The	motion was seconded by Commissioner
follows:	ring put to a vote, the vote was as
Commissioner Janes(C): Commissioner St. Cerny	
Commissioner Judah (V-	y:(2) -C)(3)
Commissioner Coy:	(4)
Commissioner Albion:	(5)
DULY PASSED AND ADOPTED this2002.	day of
ATTEST: CHARLIE GREEN, CLERK	BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA
By:	ву:
DEPUTY CLERK	CHAIRMAN
APPROVI	ED AS TO FORM

OFFICE OF COUNTY ATTORNEY



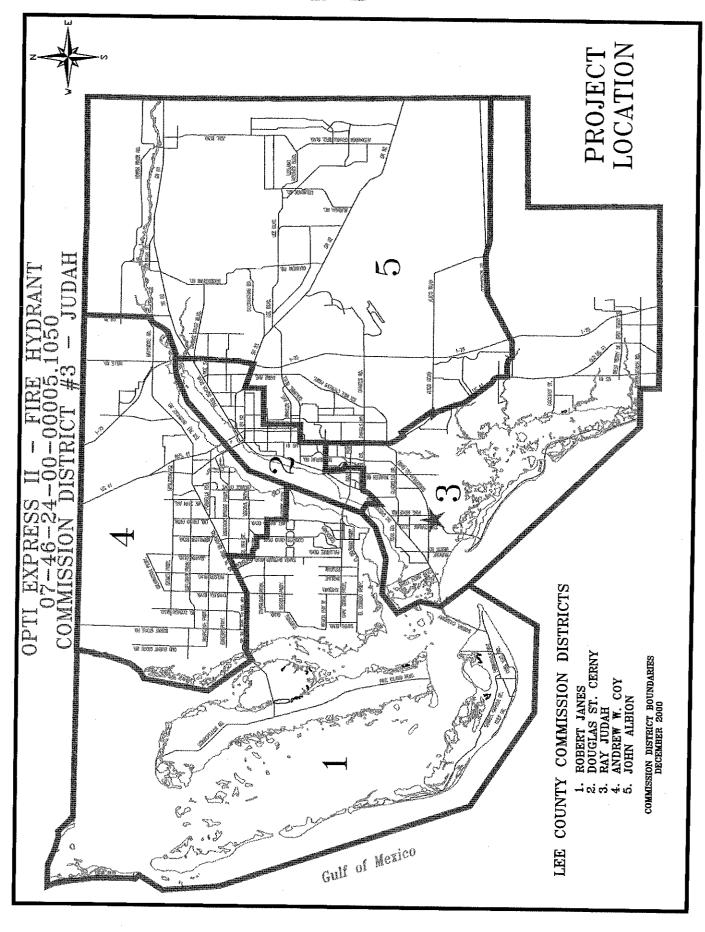
11.4

LETTER OF COMPLETION

DATE: FEB. 11, 2002

Department of Lee County Utilities Division of Engineering Post Office Box 398 Fort Myers, FL 33902

Gentlemen:	
This is to certify that the water distrib	oution and/or sewage collection system(s) located in LITO SUMMERLIN SQ. DR, FT, MYE (Name of Development)
	(Name of Development)
were designed by me and have been o	constructed in conformance with:
the approved plans	the revised plans, attached
and: [Mithe approved specifications]	the revised specifications, attached
briands a	served the following successful tests of the facilities:
PRESSURE TEST	\$ INSTALLATION
Very truly yours,	
ALPHA EVEINEERING OF (Owner or Name of Corporation) (Signature) # 18799	= LEE co., INC
(Signature) # 18799	
PRESIDENT (Title)	·
(SEAL OF ENGINEERING FIRM)	





WARRANTY

THE UNDERSIGNED parties do hereby warrant and/or guaranty a	Il work executed by the contractor on the water and/or
sewer systems of (Name of Development): OPTI-EXPRESS II 1	1170 SUMMERLIN SQUARE DR.
FORT MYERS BEACH, FL STRAP# 07-46-24-00-00	0005.1050
to be free from defects in material and workmanship for a period of one (1) year from the date of acceptance by the Lee County
Board of County Commissioners. The undersigned parties further agree	that they will, at their own expense, repair and replace
all such defective work and all other work damaged by said defective work	rk under this Warranty-Guaranty
It is furthermore understood that the consideration for the giving of	this warranty and/or guaranty is the requirement by the
General Conditions and Specifications under which the contract was let	that such warranty and/or guaranty would be given.
•	CHRISTO, INCORPORATED
	(NAME OF OWNER OR CONTRACTOR) BY: VOLUME (SIGNATURE & TITLE)
STATE OFFLORIDA)	ROEBRT A. KEILING - PRESIDENT
COUNTY OF LEE) SS:	
The foregoing instrument was signed and acknowledged before me thiswho has producedwho has produced	24th JAN. 02 day of, 20_ by
	ype Of Identification and Number)
as identification, and who (did) (did not) take an oath.	
Notary Public Signature MARK K. NOTTINGHAM Notary Public, State of Florida My comm. exp. Jan. 6, 2004 Comm. No. CC900356 CC900356 JAN. 6, 2004	
	ΓARY SEAL)



WAIVER OF LIEN

KNOW ALL MEN BY THESE PRESENTS, thatROEB	RT A. KEILING
asPRESIDENT	, of CHRISTO, INCORPORATED
for and in consideration of FOUR THOUSAND DOLLARS	AND NO CENTS (\$ 4,000.00
and other good and valuable considerations, lawful money of the U	nited States of America, to me in hand paid, the receipt whereo
is hereby acknowledged, does hereby waive, release, remiss, and	relinquish any and all right to claim any lien or liens for work
performed or material furnished, or any kind or class of lien whats OPTI-EXPRESS II 11170 SUMMERLIN SQUARE DR. FORT MYERS BEACH, FL LEE COUNTY (Please provide full name and location of development)	STRAP# 07-46-24-00-00005 1050
description of the utility system constructed).	
INSTALL - 4 LF 6" DR-18, 1- 10" X 6" HOT TAP, INSTALL 1 FIRE HYDRANT TO SERVE BUILDING	CHRISTO, INCORPORATED 4461- B HANCOCK BRIDGE PKWY. N. FORT MYERS, FL 33903 (941)997-2823 NAME & ADDRESS OF FIRM OR CORPORATION
cm FLORIDA	BY: PALE CHUNG AUTHORIZED REPRESENTATIVE
STATE OF	ROBERT A. KEILING - PRESIDENT
Notary Public Signature MARK K. NOTTINGHAM MARK K. NOTTINGHAM My comm. exp. Jan. 6, 2004	ore me this
Printed Name of Notary Public Comm. No. CC900356 CC900356 JAN. 6. 2004	
CC900356 JAN. 6, 2004 Notary Commission Number (NOTARY SEAL)	



CERTIFICATION OF CONTRIBUTORY ASSETS

		EΑ	TUMBER TILL	1900 180
611	4		25.00 1900.00	100.00 1900.00
6"	1	LS	1000.00	1000.00
10" x6"	1	LS	1000.00	1000.00
SIZE	QUANTITY	UNIT	COŚT	TOTAL
				ngs, etc.
	•			,
	WATER			
		RIVE FORT	MYERS BEACH	, FL 33931
, –		WITHERINGTO	Ŋ	
STRAP# 0	7-46-24-00-00005.	1050		
11170 SU	MMERLIN SQUARE DE	RIVE FORT	MYERS BEAC	H, FL
OPTI-EXP	ress I			
	11170 SU STRAP# 0 (Including SS OF OWNER 11170 SU (as shown TEM:	11170 SUMMERLIN SQUARE DE STRAP# 07-46-24-00-00005. (Including STRAP) SS OF OWNER: J. MICHAEL 11170 SUMMERLIN SQUARE DE (as shown on Deed) TEM: WATER (list water, sewer and CRIPTION AND COST OF MATERIA nt of the system, e.g., pipe, manholes, limits of the system.	11170 SUMMERLIN SQUARE DRIVE FORT STRAP# 07-46-24-00-00005.1050 (Including STRAP) SS OF OWNER: J. MICHAEL WITHERINGTO 11170 SUMMERLIN SQUARE DRIVE FORT I (as shown on Deed) TEM: WATER (list water, sewer and effluent reuse seminated of the system, e.g., pipe, manholes, lift stations, met SIZE QUANTITY UNIT 10" X6" 1 LS 6" 1 LS	11170 SUMMERLIN SQUARE DRIVE FORT MYERS BEACH STRAP# 07-46-24-00-00005.1050 (Including STRAP) SS OF OWNER: J. MICHAEL WITHERINGTON 11170 SUMMERLIN SQUARE DRIVE FORT MYERS BEACH (as shown on Deed) TEM: WATER (list water, sewer and effluent reuse separately) CRIPTION AND COST OF MATERIAL, LABOR, AND SERVICES Int of the system, e.g., pipe, manholes, lift stations, meters, valves, fitti SIZE QUANTITY UNIT COST 10" X6" 1 LS 1000.00 6" 1 LS 1000.00

4,000.00 TOTAL AMOUNT

(If more space is required, use additional page(s). Number each page and include the name of the project).

I do hereby certify that the quantities of material and services described above are a true and accurate representation of the as-installed cost of the system being contributed to Lee County and corresponds with the record drawings.

r	CERTIFYING: ROBERT A. KEILING - PRESIDENT (Name & Title of Cerfiying Agent) OF: CHRISTO, INCORPORATED (Firm or Corporation) ADDRESS: 4461 - B HANCOCK BRIDGE PKWY
	N. FORT MYERS, FL 33903
STATE OF FLORIDA) COUNTY OF LEE) SS:	
The foregoing instrument was signed a 20 02 by ROBERT A. KEILING	and acknowledged before me this 24th day of JAN , who has produced PERSONALLY KNOWN TO ME
(Print or Type Name) as identification, and who (did) (did not) take	(Type Of Identification and Number) se an oath.
Mouse X. Mall Notary Public Signature MARK K. NOTTINGHAM	MARK K. NOTTINGHAM Notary Public, State of Florida My comm. exp. Jan. 6, 2004 Comm. No. CC900356
Printed Name of Notary Public	•
CC900356 JAN. 6, 2004	
Notary Commission Number	(NOTARY SEAL)

This Instrument Prepared By: Lee County Utilities 1500 Monroe Street - 3rd Floor Fort Myers, Florida 33901

PERPETUAL PUBLIC UTILITY EASEMENT GRANT

THIS INDENTU	JRE is made and enter	ed into this day	/ of 20 らえ
by and between	JRE is made and enter	Witheringto	○ Owner, hereinafter
referred to as GRANT	OR(S), and LEE COUN	TY, hereinafter refe	rred to as GRANTEE.

WITNESSETH:

- 1. For and in consideration of the sum of TEN DOLLARS (\$10.00) and other good and valuable consideration, the receipt of which is hereby acknowledged and accepted, GRANTOR hereby grants, bargains, sells and transfers to the GRANTEE, its successors and assigns, a perpetual public utility easement situated in Lee County, Florida, located and described as set forth in Exhibit "A", attached hereto and made a part hereof.
- 2. GRANTEE, its successors, appointees and assigns, are granted the right, privilege, and authority to construct, replace, renew, extend and maintain a wastewater collection and/or water distribution system, together with, but not limited to, all necessary service connections, manholes, valves, fire hydrants, lift stations and appurtenances, to be located on, under, across and through the easement which is located on the property described (Exhibit "A"), with the additional right, privilege and authority to remove, replace, repair and enlarge said system, and to trim and remove roots, trees, shrubs, bushes and plants, and remove fences or other improvements which may affect the operation of lines, mains and/or utility facilities.
- 3. The public utility easement shall not be limited to any particular diameter size or type and/or number of connections to other water/sewer mains for providing water/sewer service to this and any adjacent properties. The total area of this public utility easement is reserved for utility lines, mains, or appurtenant facilities and for any landscaping (excluding trees), walkways, roadways, drainage ways, or similar uses. Houses, fences, buildings, carports, garages, storage sheds, overhangs, or any other structures or portions of structures shall not be constructed on or placed within this easement at anytime, present or future, by GRANTOR, or its heirs, successors or assigns.

CTY ATTY APPROVED 2000 PUE.doc

- 4. Title to all utilities constructed and/or placed hereunder by GRANTEE or its agents shall remain in the GRANTEE, GRANTEE's successors, appointees, and/or assigns.
- 5. Subject to any pre-existing easements for public highways or roads, railroads, laterals, ditches, pipelines and electrical transmission or distribution lines and telephone and cable television lines covering the land herein described, GRANTOR(S) covenant that they are lawfully seized and possessed of the described real property (Exhibit "A"), have good and lawful right and power to sell and convey it, and that the said property is free of any and all liens and encumbrances, except as herein stated, and accordingly, GRANTOR(S) will forever defend the title and terms of this said easement and the quiet possession thereof by GRANTEE against all claims and demands of all other entities.
- 6. GRANTOR(S), its heirs, successors or assigns, shall indomnify and hold the GRANTEE harmless for any consequential damages to any houses, fences, buildings, carports, garages, storage sheds, overhangs, or any other structures or portions of structures subsequently constructed by GRANTOR(S) in violation of paragraph 3 within the above easement, which result from the required activities of the GRANTEE for any construction, maintenance or repairs to the utilities location within the above-described easement.
- 7. GRANTEE will be liable for money damages in tort for any injury to or loss of property, personal injury, or death caused by the negligent or wrongful act(s) or omission(s) of any official or employee of the GRANTEE while acting within the scope of the official's or employee's office or employment under circumstances in which a private person would be found to be liable in accordance with the general laws of the State of Florida, and subject to the limitations as set out in Section 768.28, Florida Statutes, as it may be revised or amended from time to time.
- 8. GRANTEE shall have reasonable right of access across GRANTOR's property for the purposes of reaching the described easement (Exhibit "A") on either paved or unpaved surfaces. Any damage to GRANTOR's property or permitted improvements thereon as the result of such access to the described easement or the construction, maintenance, or repairs located within the described easement shall be restored by GRANTEE, to the condition in which it existed prior to the damage as is reasonably practicable.
- 9. By acceptance of this easement, the GRANTEE assumes no responsibility for ownership or maintenance of roads. The easement is strictly for utility purposes.

This easement shall be binding upon the parties hereto, their successors 10. and assigns.

IN WITNESS WHEREOF, the GRANTOR has caused this document to be signed on the date and year first above written.

f	
July Ria Comess 1st Witness	GRANTOR TO
2nd Witness	Title:
STATE OF FI) COUNTY OF LEE) SS:	
of Jeb , 2002, by	as signed and acknowledged before me this & day The Michael Witherington Print or Type Name)
	Identification and Number
Plienia Char	;
Notary Public Signature	
Printed Name of Notary Public	
My Comm Exp. 1/27/2003 Notaty Commission Number	(Notary Seal)

CTY ATTY APPROVED 2000 PUE.dog



DESCRIPTION OF A EASEMENT LYING IN SECTION 7, TOWNSHIP 46 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA

(6' x 16' LEE COUNTY UTILITIES EASEMENT)

A LEE COUNTY UTILITIES EASEMENT SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTION 7, TOWNSHIP 46 SOUTH, RANGE 24 EAST, BEING FURTHER BOUND AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF LOT 3, SUMMERLIN SQUARE SUBDIVISION AS RECORDED IN PLAT BOOK 47 PAGES 89-90; THENCE N.89°02'39"E. ALONG THE NORTH LINE OF SUMMERLIN SQUARE ROAD (40 FEET WIDE) FOR 884.00 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED EASEMENT; THENCE N.01°14'16"W. FOR 6.00 FEET; THENCE N.89°02'39"E. FOR 16.00 FEET; THENCE S.01°14'16"E. FOR 6.00 FEET TO AN INTERSECTION WITH SAID NORTH LINE OF SUMMERLIN SQUARE ROAD (40 FEET WIDE); THENCE S.89°02'39"W. ALONG SAID NORTH LINE FOR 16.00 FEET TO THE POINT OF BEGINNING.

EASEMENT CONTAINS 96 SQUARE FEET, MORE OR LESS.

EASEMENT SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY (RECORDED AND UNRECORDED, WRITTEN AND UNWRITTEN).

BEARINGS BASED ON THE EAST LINE OF LOT 3, SUMMERLIN SQUARE SUBDIVISION, AS RECORDED IN PLAT BOOK 47, PAGES 89-90 OF THE PUBLIC RECORDS OF LEE COUNTY AS BEARING N.01°13'46" $\!W$.

MERIDIAN SURVEYING & MAPPING, LLC

FLORIDA CERTIFICATE OF AUTHORIZATION LB# 7071

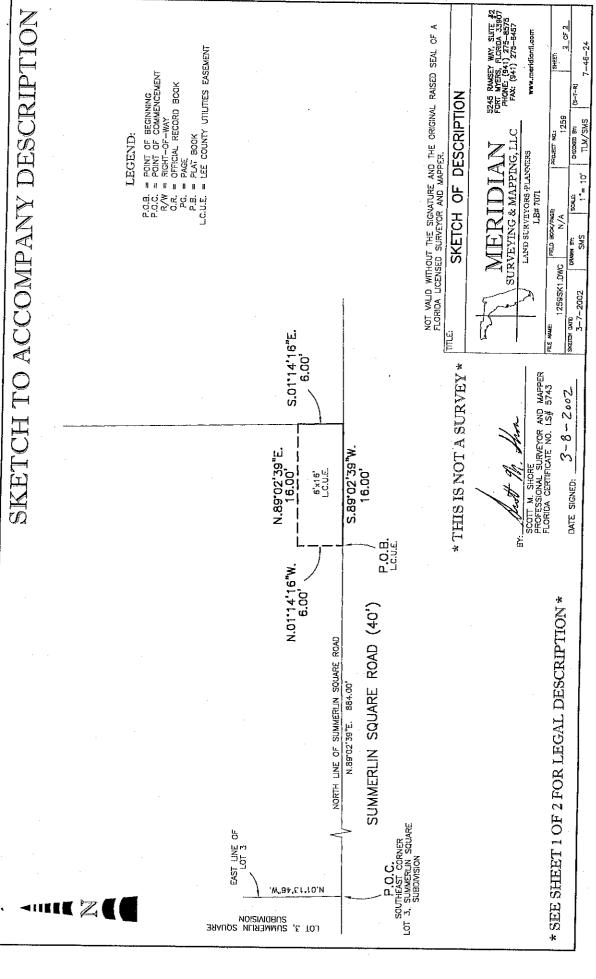
SCOTT M. SHORE

PROFESSIONAL SURVEYOR AND MAPPER

FLORIDA CERTIFICATE NO. 5743

SHEET 1 OF 2

1259SK1.doc





FLORIDA DEPARTMENT OF REVENUE RETURN FOR TRANSFERS OF INTEREST IN REAL PROPERTY

NUE PHOTOCOPIES OF THIS FORM NOT ACCEPTABLE

)F	DR-219
Γ	R. 07/98

(PLEASE READ INSTRUCTIONS ON THE BACK OF THIS FORM BEFORE COMPLETING) Use black ink. Enter numbers as shown below. If typing, enter numbers as shown below. 3 Parcel Identification Number (If Parcel ID not available please call County Property 0746240b0db0\$10B0 Appraiser's Office) Transaction is a split 2. Mark (x) all Property was improved Multi-parcel or cutout from with building(s) at time that apply transaction? another parcel? of sale/transfer? WITHERINGTON J MICHAEL Grantor (Seller): Last 513 CAPE CORAL PARKWAY WEST, CAPE CORAL FL 33914 Corporate Name (if applicable) Mailing Address State Zip Code Phone No. LEE CO. BOARD OF LEE COUNTY COMMISSIONERS Grantee (Buyer): P. O. BOX 398, FT MYERS FL 33902 Corporate Name (if applicable) 239,479-8181 Mailing Address City State Zip Code Date of Sale/Transfer Phone No. Sale/Transfer Price Property County Code 4 6 Located In Month (County Codes on Reverse) Day (Round to the nearest dollar.) Year Contract/Agreement Other Type of Document 7. Are any mortgages on the property? If "Yes", for Deed outstanding mortgage balance: Warranty Quit Claim EASEMENT Deed (Round to the nearest dollar.) Deed DONATION 8. To the best of your knowledge, were there unusual circumstances or conditions to the sale/transfer such as: Forced sale by court order? Foreclosure pending? Distress Sale? Title defects? Corrective Deed? Mineral rights? Sale of a partial or undivided interest? Related to seller by blood or marriage. Was the sale/transfer financed? YES NO If "Yes", please indicate type or types of financing: Agreement or Conventional Seller Provided Contract for Deed Other Institutional/ 10. Property Type: Residential Commercial Agricultural Industrial Miscellaneous Government Mark (x) all Vacant Acreage Timeshare that apply 11. To the best of your knowledge, was personal property Cents X included in the sale/transfer? If "Yes", please state the amount attributable to the personal property. (Round to the nearest dollar.) 12. Amount of Documentary Stamp Tax 13. If no tax is due in number 12, is deed exempt from Documentary Stamp Tax under s. 201.02(6), Florida Statutes? Under penalties of perjury, I declare that I have read the foregoing return ar that the facts stated in it are true. If prepared by sorpleone other than the taxpayer, his/her declaration is based on all information of which has any knowledge. Signature of Grantor or Grantee or Agent WARNING: FAILURE TO FILE THIS RETURN OR ALTERNATIVE FORM APPROVED BY THE RECTOR PRIMERT OF REVENUE SHALL RESULT IN A PENALTY OF \$25.00 IN ADDITION TO ANY OTHER PENALTY IMPOSED BY THE REVENUE LAW OF FLORIDA. (To be completed by the Clerk of the Circuit Court's Office Clerks Date Stamp O. R. Book and Page Number and File Number Date Recorded Month Day Year

TO:	LEE COUNTY FINANCE DEPARTMENT		·.
FRO	M:		
(Dep	artment)	•	
	SUE GULLEDGE		
A. A	UTHORIZATION:		
office	is transmittal authorizes the UTIL. ENGINEERING e to incur expenses for filing/records against: OPTI EXPRESS IT (FAS	SEMENT DONATION), BC 200	20272
Purc	hase Order # for OPTI EXPRESS II (EAS	pject. (J MICHAEL WITHER:	INGTON)
ACC(OUNT NO. OD5360748700.504930		·
WITE	GINAL EASEMENT TO MINUTES AFTER RECORDING H COPY TO SUE GULLEDGE, UTILITIES	The Julle	
	The state of the s	SUE GULLEDGE	Signature Authorization
	ERVICE RECEIVED: RECORDING		
	O. R. COPIES		
	PLAT COPIES		
	CASE #/INDEX FEE		
DESC	CRIPTION OF SERVICE		
AMO	UNT OF FEE INCURRED \$		
	(date)	(DEDLITY O	
	(actor	(DEPUTY CI	-ERK)
	THIS FORM GOES TO CASHIER WITH	(CUSTOMER) (DI REGULAR RECEIPT ATTA	PEPT.)
C. IN\	VOICE INFORMATION: (FOR CLERK'S DEPARTMENT O	NLY)	
REC')		
	RED		
	.#		
	¥		

PLEASE REMIT TO:

Clerk's Accounting P.O. BOX 2396

FORT MYERS, FLORIDA 33902-2396

White - FINANCE Yellow - DEPT FISCAL OFFICER Pink - CLERK'S OFFICE