

**LEE COUNTY BOARD OF COUNTY COMMISSIONERS**  
**AGENDA ITEM SUMMARY** **BLUE SHEET NO: 20020618-UTL**

**1. REQUESTED MOTION:**

**ACTION REQUESTED:**

Approve final acceptance, by Resolution, as a donation of a water distribution system, and a gravity collection system serving **Legends Tract 'N'**. This is a developer contributed asset and the project is located on the west side of Fiddlesticks Boulevard across from The Olde Hickory Club and just north of Fiddlesticks Country Club.

**WHY ACTION IS NECESSARY:**

To provide potable water service, fire protection and sanitary sewer service to this phase of the residential development.

**WHAT ACTION ACCOMPLISHES:**

Places the water and sewer systems into operation and complies with the Lee County Utilities Operations Manual.

**2. DEPARTMENTAL CATEGORY:** 10 - UTILITIES  
**COMMISSION DISTRICT #:** 5

C10B

**3. MEETING DATE:**

06-18-2002

**4. AGENDA:**

- CONSENT
- ADMINISTRATIVE
- APPEALS
- PUBLIC
- WALK ON
- TIME REQUIRED: \_\_\_\_\_

**5. REQUIREMENT/PURPOSE:**

(Specify)

- STATUTE \_\_\_\_\_
- ORDINANCE \_\_\_\_\_
- ADMIN. CODE \_\_\_\_\_
- OTHER Res. \_\_\_\_\_

**6. REQUESTOR OF INFORMATION:**

A. COMMISSIONER: \_\_\_\_\_  
 B. DEPARTMENT: Lee County-Public Works  
 C. DIVISION/SECTION: Utilities Division  
 BY: Rick Diaz, Utilities Director  
 DATE: 5/30/02

**7. BACKGROUND:**

The Board granted permission to construct on 09/11/01; Blue Sheet #20010947. The installation has been inspected for conformance to the Lee County Utilities Operations Manual. Satisfactory pressure and bacteriological testing of the water system has been completed. Satisfactory closed circuit television inspection of the gravity collection system has been performed. As-builts have been provided. 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 Contributory Assets has been provided---copy attached. 100% of the connection fees have been paid. No funds required.

SECTION 28 TOWNSHIP 45S RANGE 25E DISTRICT #5 COMMISSIONER ALBION

**8. MANAGEMENT RECOMMENDATIONS:**

**9. RECOMMENDED APPROVAL**

(A) DEPARTMENT DIRECTOR	(B) PURCH. OR CONTRACTS	(C) HUMAN RESOURCES	(D) OTHER	(E) COUNTY ATTORNEY	(F) BUDGET SERVICES <i>Admin 6/5</i>				(G) COUNTY MANAGER
					OA	OM	Risk	GC	
<i>J. Lavender</i> Date: 5.31.02	N/A Date:	N/A Date:	<i>T.O.</i> T. Osterhout Date: 5.30	<i>T.O.</i> Date: 5/31/02	<i>00</i> 6/3/02	<i>AA</i> 6/4/02	<i>JP</i> 6/6	<i>AS</i> 6-3-02	<i>J. Lavender</i> Date: 5.31.02

**10. COMMISSION ACTION:**

- APPROVED
- DENIED
- DEFERRED
- OTHER

Rec. by CoAtty  
 Date: 5/31/02  
 Time: 2:30pm

BY ADMIN.  
 5/31/02  
 4pm  
 ADMIN.  
 TO: 6/8 8AM

Forwarded to:  
 Budget  
 5/31/02 2:50pm

RESOLUTION NO. \_\_\_\_\_

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

WHEREAS, it is the desire of Kings Wood Development Co., owner of record, to make a contribution to Lee County Utilities of water facilities (water distribution system), and sewer facilities (gravity collection system) serving "LEGENDS, TRACT N"; 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 \$138,028.40 is hereby ACCEPTED and acknowledged as an addition to Lee County Utilities.

THE FOREGOING RESOLUTION was offered by Commissioner \_\_\_\_\_ who moved for its adoption. The motion was seconded by Commissioner \_\_\_\_\_ and, upon being put to a vote, the vote was as follows:

Commissioner Bob Janes (C):	_____	(1)
Commissioner Douglas St. Cerny:	_____	(2)
Commissioner Ray Judah (V-C):	_____	(3)
Commissioner Andrew Coy:	_____	(4)
Commissioner John Albion:	_____	(5)

DULY PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2002.

ATTEST:  
CHARLIE GREEN, CLERK

BOARD OF COUNTY COMMISSIONERS  
OF LEE COUNTY, FLORIDA

By: \_\_\_\_\_  
DEPUTY CLERK

By: \_\_\_\_\_  
CHAIRMAN

APPROVED AS TO FORM

\_\_\_\_\_  
OFFICE OF COUNTY ATTORNEY

COPY

11.4

**LETTER OF COMPLETION**

DATE: **March 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** distribution **and** / or **sewer** collection system (s) located in \_\_\_\_\_

**LEGENDS GOLF AND COUNTRY CLUB – TRACT N**

(Name of Development)

were designed by me and have been constructed in conformance with:

- the approved plans
- the revised plans, attached

and:

- the approved specifications
- the revised specifications, attached

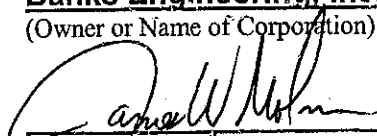
Upon completion of the work, we observed the following successful tests of the facilities: \_\_\_\_\_

**Water pressure tests and sewer pressure tests**

Very truly yours,

**JAMES W. MOLNAR , P.E. # 49237**

**Banks Engineering, Inc.**  
(Owner or Name of Corporation)

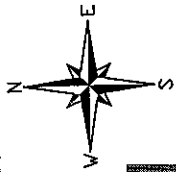
  
(Signature) 3/12/02

**PROJECT MANAGER**  
(Title)

(SEAL OF ENGINEERING FIRM)

7/1/96

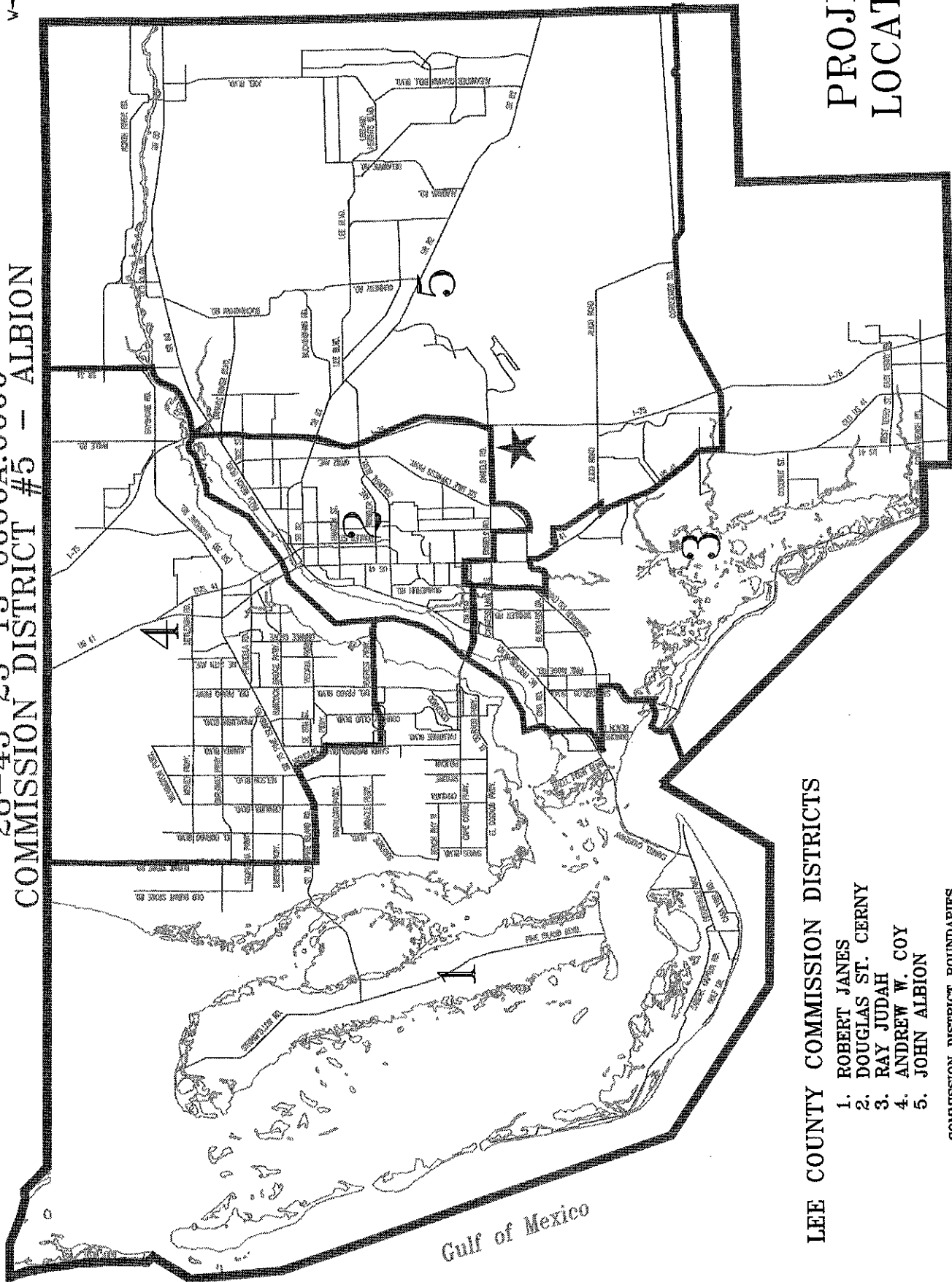
MAR 14 REC'D



COPY

# PROJECT LOCATION

LEGENDS, TRACT 'N',  
28-45-25-13-0000A.0000  
COMMISSION DISTRICT #5 - ALBION

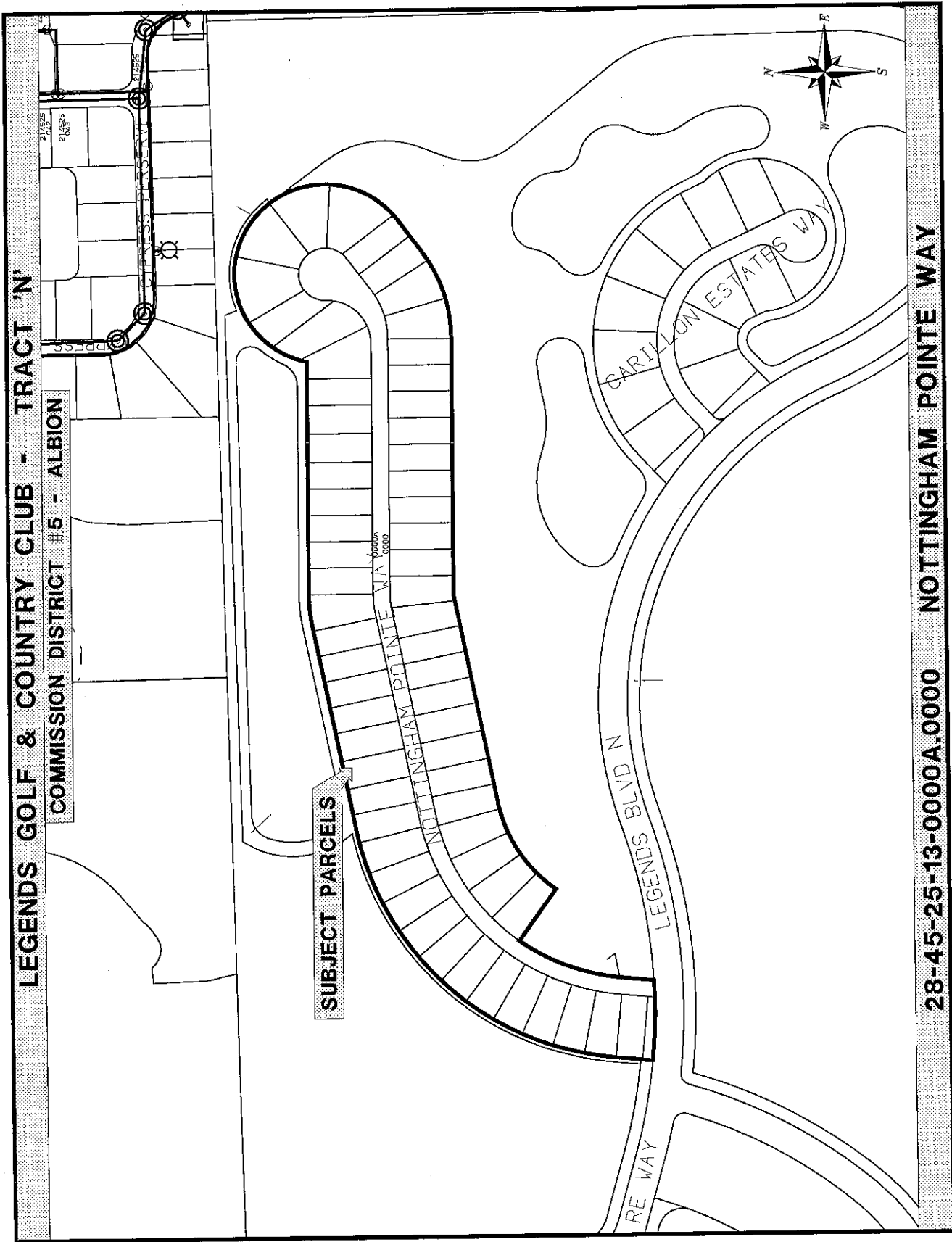


## LEE COUNTY COMMISSION DISTRICTS

- 1. ROBERT JANES
- 2. DOUGLAS ST. CERNY
- 3. RAY JUDAH
- 4. ANDREW W. COY
- 5. JOHN ALBION

COMMISSION DISTRICT BOUNDARIES  
DECEMBER 2000

COPY



LEGENDS GOLF & COUNTRY CLUB - TRACT 'N'

COMMISSION DISTRICT #5 - ALBION

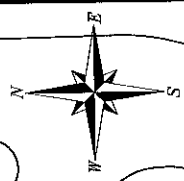
SUBJECT PARCELS

NOTTINGHAM POINTE WAY

RE WAY

LEGENDS BLVD N

CARILLON ESTATES WAY



28-45-25-13-0000A.0000 NOTTINGHAM POINTE WAY

21 LOTS  
2.62

2 LOTS  
0.65

COPY

WARRANTY

THE UNDERSIGNED parties do hereby warrant and/or guaranty all work executed by the contractor on the water and/or sewer systems of (Name of Development): LEGENDS GOLF & COUNTRY CLUB-TRACT N 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 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.

Mitchell & Stark Const. Co. Inc.

(NAME OF OWNER OR CONTRACTOR)

BY: Mitchell Walters, Project Mgr.  
(SIGNATURE & TITLE)

STATE OF Florida )  
 ) SS:  
COUNTY OF Collier )

The foregoing instrument was signed and acknowledged before me this 11th day of February,

2002 by Michael DeVito, Project Manager who has

produced \_\_\_\_\_ as identification, and who (did)

(did not) take an oath.

(NOTARY SEAL)



Morris Sons  
My Commission DD059332  
Expires January 7 2006

Morris Sons  
Notary Public Signature

MORRIS SONS  
Printed Name of Notary Public

\_\_\_\_\_  
Notary Commission Number

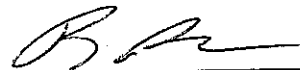
MAR 14 2006

COPY

WAIVER OF LIEN

KNOW ALL MEN BY THESE PRESENTS, that Brian Penner  
 as Vice President, of Mitchell & Stark Const. Co. inc.  
 for and in consideration of One hundred thirty eight thousand, twenty eight and 40/100 (\$138,028.40)  
 and other good and valuable considerations, lawful money of the United States of America, to me in hand paid, the receipt  
 whereof 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 whatsoever on the following described property:  
**Legends Golf & Country Club Tract "N", Water Distribution and Wastewater Collection Systems and Fire Hydrant  
 Assemblies**


Mitchell & Stark Construction Co., Inc.  
6001 Shirley Street  
Naples, Florida 34109  
 \_\_\_\_\_  
 NAME & ADDRESS OF FIRM OR CORPORATION

BY:   
**Brian Penner, Vice President**  
 AUTHORIZED REPRESENTATIVE


STATE OF FLORIDA )  
 ) SS: .  
 COUNTY OF COLLIER )

The foregoing instrument was signed and acknowledged before me this 8th day of  
March, 2002 by Brian Penner who has produced  
 (Print or Type Name)

is personally known to me as identification, and who (did) (did not) take an oath.  
 (Type Of Identification and Number)

  
 Notary Public Signature

Morris Sons  
 Printed Name of Notary Public

 Morris Sons  
 My Commission DD059332  
 Expires January 07 2006

\_\_\_\_\_  
 Notary Commission Number

(NOTARY SEAL)

LCDUOPMAN - July 1, 1996 - Sect 11

# COPY

## CERTIFICATION OF CONTRIBUTORY ASSETS

PROJECT NAME: LEGENDS TRACT -N

LOCATION: LEGENDS GOLF & COUNTRY CLUB

STRAP # 28-45-25-07-000N.0000

(Including STRAP)

NAME AND ADDRESS OF OWNER: US HOME-LENNAR CORPORATION

10481 Six Mile Cypress Pkwy. Fort Myers, FL. 33912

(as shown on Deed)

TYPE UTILITY SYSTEM: WATER

(list water, sewer and effluent reuse separately)

### DESCRIPTION AND COST OF MATERIAL, LABOR, AND SERVICES

Please list each element of the system, e.g., pipe, manholes, lift stations, meters, valves, fittings, etc.

ITEM	SIZE	QUANTITY	UNIT	UNITCOST	TOTAL
PVC C-900 DR-18	8"	1933	LF	\$9.71	\$18,769.43
Ductile Iron Pipe	8"	75	LF	\$30.40	\$ 2,280.00
FIRE HYDRANT ASSEMBLY		6	EA	\$2,234.00	\$13,404.00
WATER SERVICE SINGLE		8	EA	\$333.00	\$2,664.00
WATER SERVICE DOUBLE		27	EA	\$480.00	\$12,960.00
GATE VALVE	8"	1	EA	\$723.00	\$ 723.00
REDUCER	10"x8"	1	EA	\$0.00	\$0.00

\$50,800.43  
TOTAL AMOUNT

MAR 14 RECD



water

(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.

CERTIFYING:

Michael J. De Vito, Project Manager  
(Name & Title of Certifying Agent)

OF: MITCHELL & STARK CONST. CO. INC.

(Firm or Corporation)

ADDRESS: 6001 Shirley Street  
Naples, Florida, 34109

STATE OF Florida ) SS:  
COUNTY OF( Collier )

The foregoing instrument was signed and acknowledged before me this 11th day of February

2002, by Michael De Vito, Project Manager

who has produced \_\_\_\_\_ as identification,  
and

who (did) (did not) take an oath.

(NOTARY SEAL)



Morris Sons  
My Commission DD059332  
Expires January 7 2006

Morris Sons  
Notary Public Signature

MORRIS SONS  
Printed Name of Notary Public

\_\_\_\_\_  
Notary Commission Number

MAR 14 2002



*sewer*

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.

CERTIFYING:

*Michael De Vito, Project Mgr.*  
(Name & Title of Certifying Agent)

OF: MITCHELL & STARK CONST. CO. INC.

(Firm or Corporation)

ADDRESS: 6001 Shirley Street

Naples, Florida, 34109

STATE OF ( FL. ) SS:  
COUNTY OF ( COLLIER )

The foregoing instrument was signed and acknowledged before me this 11th day of FEBRUARY

2002, by Michael De Vito, Project Manager

who has produced \_\_\_\_\_ as identification,  
and

who (did) (did not) take an oath.

(NOTARY SEAL)



Morris Sons  
My Commission DD059332  
Expires January 7 2006

*Morris Sons*  
Notary Public Signature

MORRIS SONS  
Printed Name of Notary Public

\_\_\_\_\_  
Notary Commission Number

MAR 14 2002