

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

Blue Sheet No. 20020894

1. REQUESTED MOTION:

ACTION REQUESTED: Approve acceptance of the specific purpose survey of the maintained right-of-way prepared by the engineering firm of James R. Coleman & Associates, Inc., land surveying consultants for a portion of Imperial Street between Bonita Beach Road and East Terry Street. Also approve and accept county employee Maintenance affidavits for this portion of Imperial Street within Section 36 Township 47 Range 25.

WHY ACTION IS NECESSARY: A specific purpose survey and affidavits of the maintained right-of-way of Imperial Street from Bonita Beach Road to East Terry Street have never been filed and recorded in the public records.

WHAT ACTION ACCOMPLISHES: Filing and recording of the Specific Purpose Survey and affidavits enters into public record the location, width and ownership of the right-of-way of Imperial within Section 37 Township 47 Range 25 from Bonita Beach Road to East Terry Street.

**2. DEPARTMENTAL CATEGORY:
COMMISSION DISTRICT #**

C9A

3. MEETING DATE:

08-27-2002

4. AGENDA:

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

**5. REQUIREMENT/PURPOSE:
(Specify)**

- STATUTE
- ORDINANCE
- ADMIN.
- CODE
- OTHER

6. REQUESTOR OF INFORMATION:

- A. COMMISSIONER
- B. DEPARTMENT Transportation
- C. DIVISION

BY: Scott M. Gilbertson

7. BACKGROUND: Imperial Street is considered an historic right-of-way, originally established as a road within one of the County Commissioner Road and Bridge districts of the 1940's. Florida Statute 94.361 permits the County to declare that title to the road has been vested in the county when a map showing the lands so maintained as a right-of-way has been filed in the Office of the County Clerk. Lee County has maintained Imperial Street in excess of the statutory requirements. The Department of Transportation recommends approval of the specific purpose survey and maintenance affidavits for recording. Upon acceptance and recording of Survey and Affidavits, title for Imperial Street will be vested with the City of Bonita Springs.

8. MANAGEMENT RECOMMENDATIONS:

9. RECOMMENDED APPROVAL:

A Department Director	B Purchasing or Contracts	C Human Resources	D Other	E County Attorney	F Budget Services				G County Manager
<i>8/19/02</i> <i>[Signature]</i>	N/A	N/A		<i>Andrea</i> <i>[Signature]</i>	OA <i>[Signature]</i>	OM <i>[Signature]</i>	Risk <i>[Signature]</i>	GC <i>[Signature]</i>	<i>[Signature]</i> 8-13-02

10. COMMISSION ACTION:

- APPROVED
- DENIED
- DEFERRED
- OTHER

Rec. by CoAtty
Date: *8/14/02*
Time: *1:40pm*
Forwarded To:
Budget
8/14/02 1:55pm

RECEIVED BY
COUNTY ADMIN. *[Signature]*
8/14/02
COUNTY ADMIN.
FORWARDED TO:
[Signature]
8/15/02

Maintenance Affidavit

Section 36, Township 47-S, Range 25-E
County Road: Imperial Street
County: Lee
Project: Right of Way

AFFIDAVIT

STATE OF FLORIDA
COUNTY OF LEE

Before me, the undersigned authority, personally appeared RANDY P. CERCHIE,
whose address is 411 SE 17th Street, Cape Coral, FL 33990, who after being sworn, deposes and
says:

That he has been employed by the County of LEE for the past 12 years, and is now
employed by said LEE COUNTY as Construction Manager.

The deponent knows and verily says that LEE COUNTY, through its employees and
contractors, has substantially maintained Imperial Street in LEE COUNTY for the widths as
measured at right angles to the road centerline, viz:

FROM STATION	TO STATION	WIDTH MAINTAINED	LOCATION WITH REFERENCE TO EXISTING ROAD CENTER
82+82.92	95+99.62	Min. 36.2 Max. 50.0'	

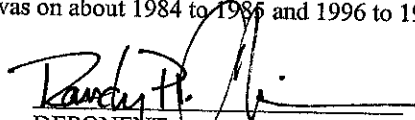
AND

109+16.32 135+54.16
Min 29.3'
Max. 55.0

(Length - 0.75 Miles

According to LEE CO. DOT right-of-way map attached hereto and made a part hereof.

and that such maintenance by said Lee County has been continuous for the period of time from 1990 to 2002 and re-paving and re-construction was on about 1984 to 1985 and 1996 to 1997.


DEPONENT


Sworn to and subscribed before me
this 1st day of August
A.D. 2002

(The foregoing instrument was
(acknowledged before me by)
(RANDY P. CERCHIE
(who has produced a Fla.)
(DRIVER'S LICENSE)
(No. C620-735-57-163-0
(and who did take an oath.)

STATE OF FLORIDA
COUNTY OF LEE


NOTARY PUBLIC

State of Florida at Large


Printed Name of Notary Public

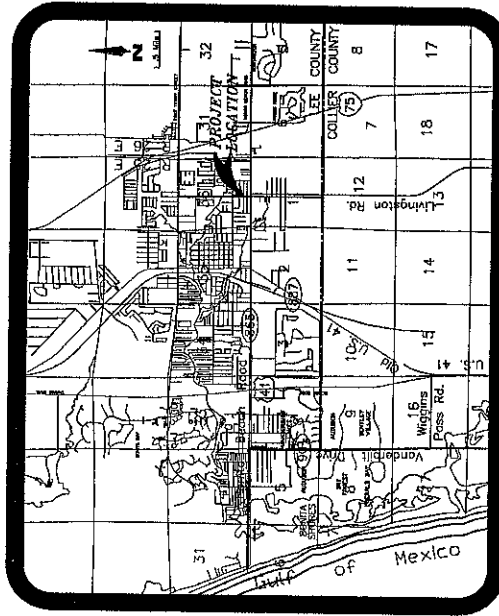


My Commission Expires: 4/19/03

This instrument prepared by:
Arthur W. Parsons, County Surveyor
Lee County Department of Public Works

LEE COUNTY BOARD OF COUNTY COMMISSIONERS
 LEE COUNTY DEPARTMENT OF TRANSPORTATION
 PROJECT NO. 4060
 SPECIFIC PURPOSE SURVEY

Maintained Right Of Way Maps
 Phase Two
 IMPERIAL STREET
 FROM BONITA BEACH ROAD TO EAST TERRY STREET
 LEE COUNTY, FLORIDA



LOCATION MAP
 MAY, 2002

MAP BOOK PAGE
 THIS IS TO CERTIFY THAT THIS MAP CONTAINS ALL THE INFORMATION REQUIRED BY SECTION 110.01, F.S., AND THAT THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE PROVISIONS OF SECTION 110.01, F.S., AND THAT THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE PROVISIONS OF SECTION 110.01, F.S., AND THAT THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE PROVISIONS OF SECTION 110.01, F.S.

STATE OF FLORIDA
 COUNTY OF LEE
 CLERK OF COUNTY COURT

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 CLERK OF COUNTY COURT

IMPERIAL STREET PHASE 2
 MAINTAINED RIGHT OF WAY MAP
 THE LEE COUNTY BOARD OF COUNTY COMMISSIONERS

James R. Coleman & Associates, Inc.
 Land Surveying Consultants
 6299 Peachtree Court, Suite 200
 Atlanta, Georgia 30328
 Phone (404) 433-2070

DATE: _____
 DRAWN BY: _____
 CHECKED BY: _____
 DATE: _____

JAMES R. COLEMAN & ASSOCIATES, INC.
 6299 PEACHTREE COURT, SUITE 200
 ATLANTA, GEORGIA 30328
 PHONE (404) 433-2070

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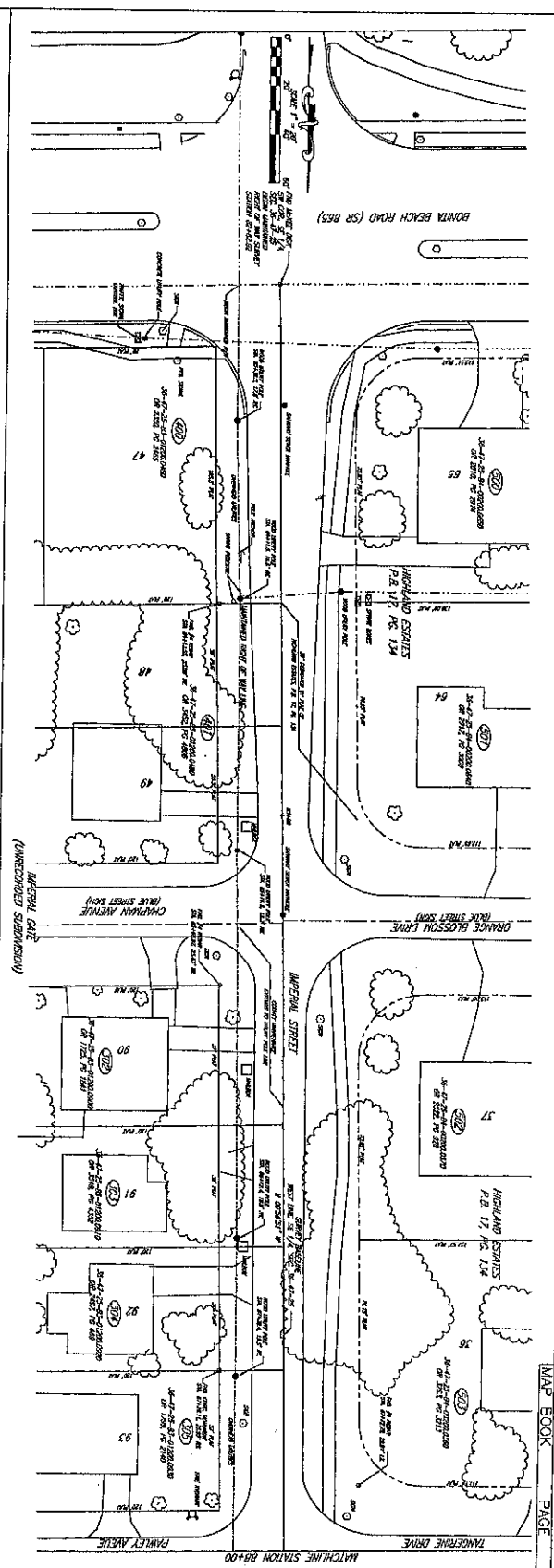
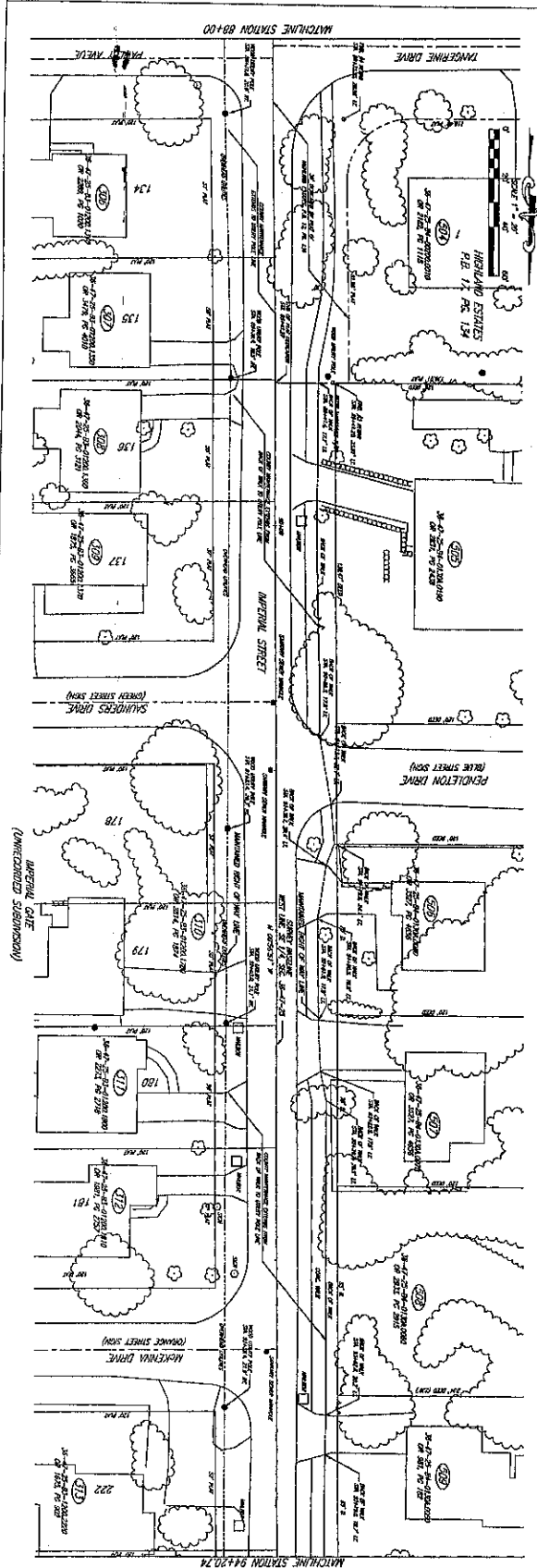
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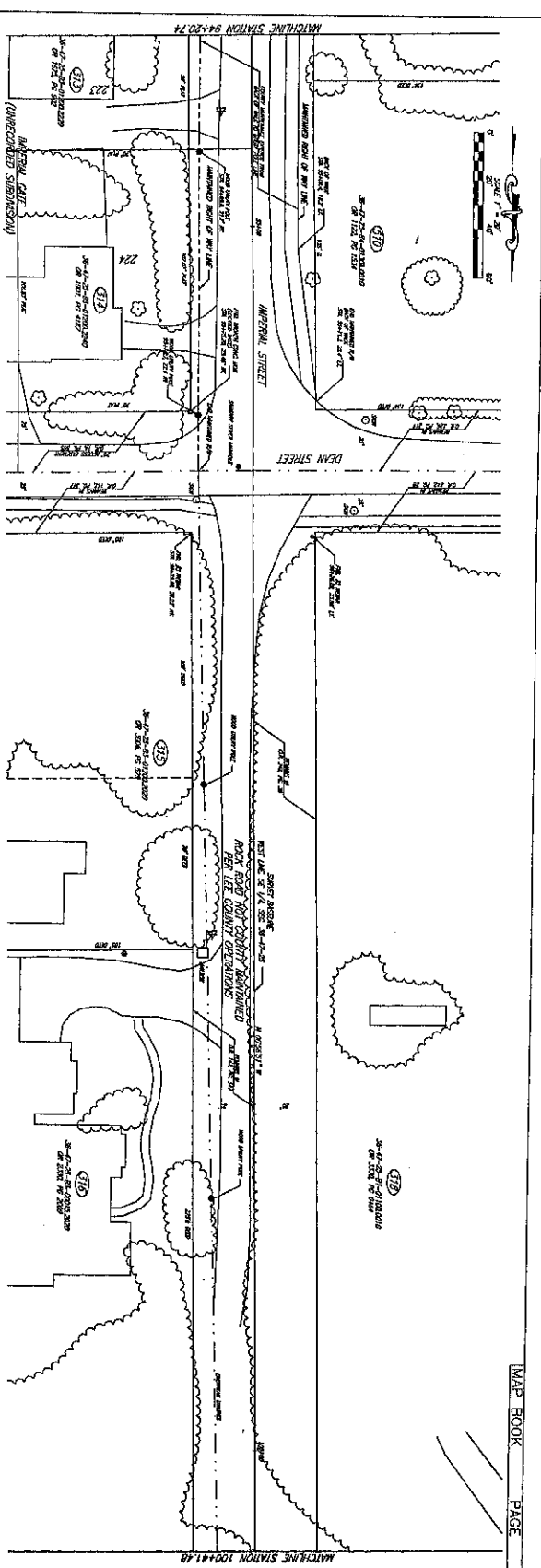
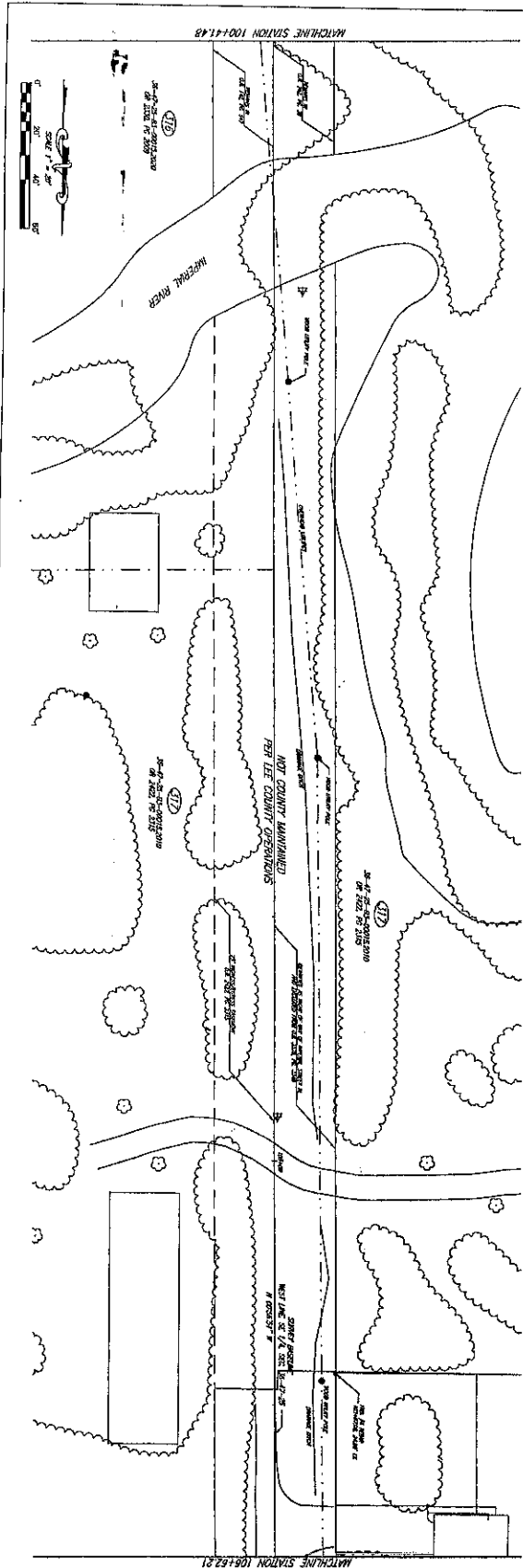
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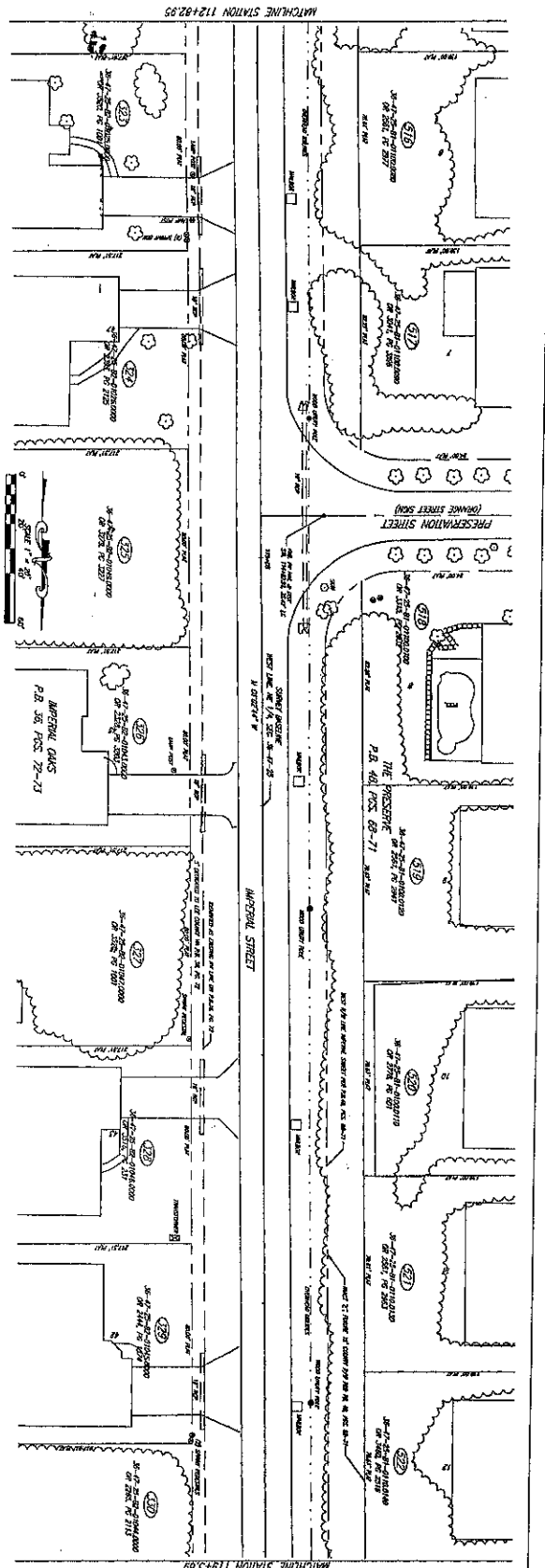
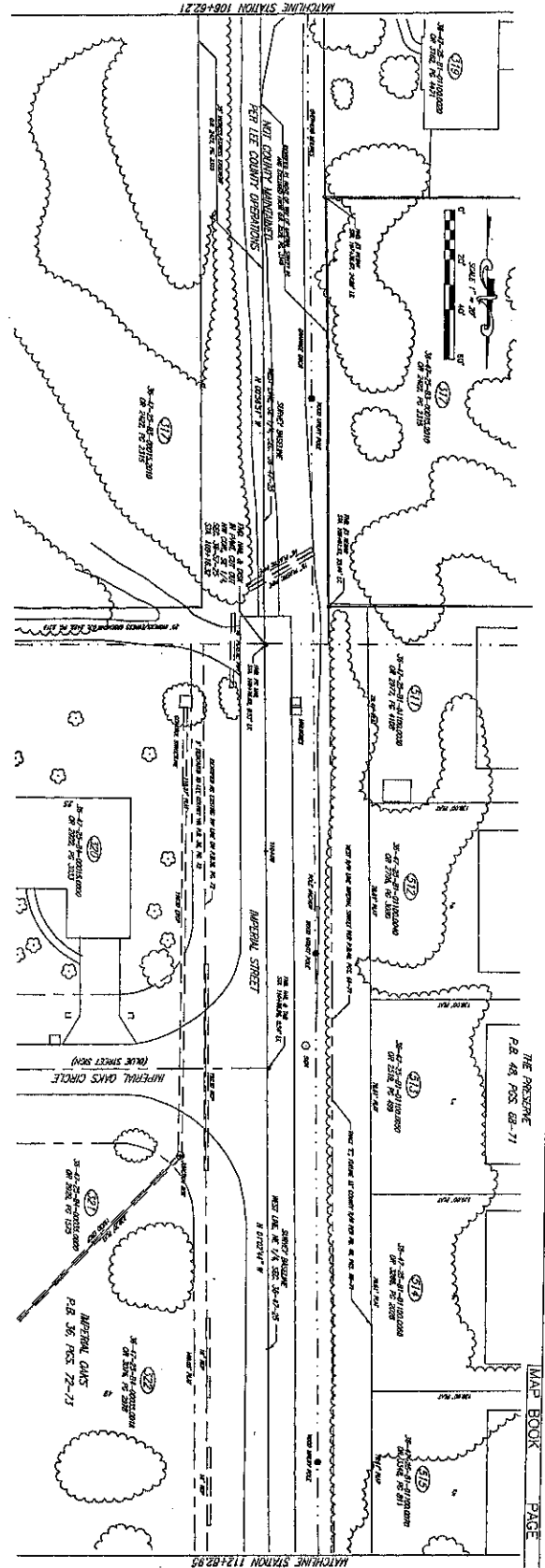


MAP BOOK PAGE

DATE OF FIELD WORK	DATE
FIELD BOOK NO.	
DRAWN BY	J.R.C.
CHECKED BY	J.R.C.
DATE REVISION	
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MAP BOOK PAGE



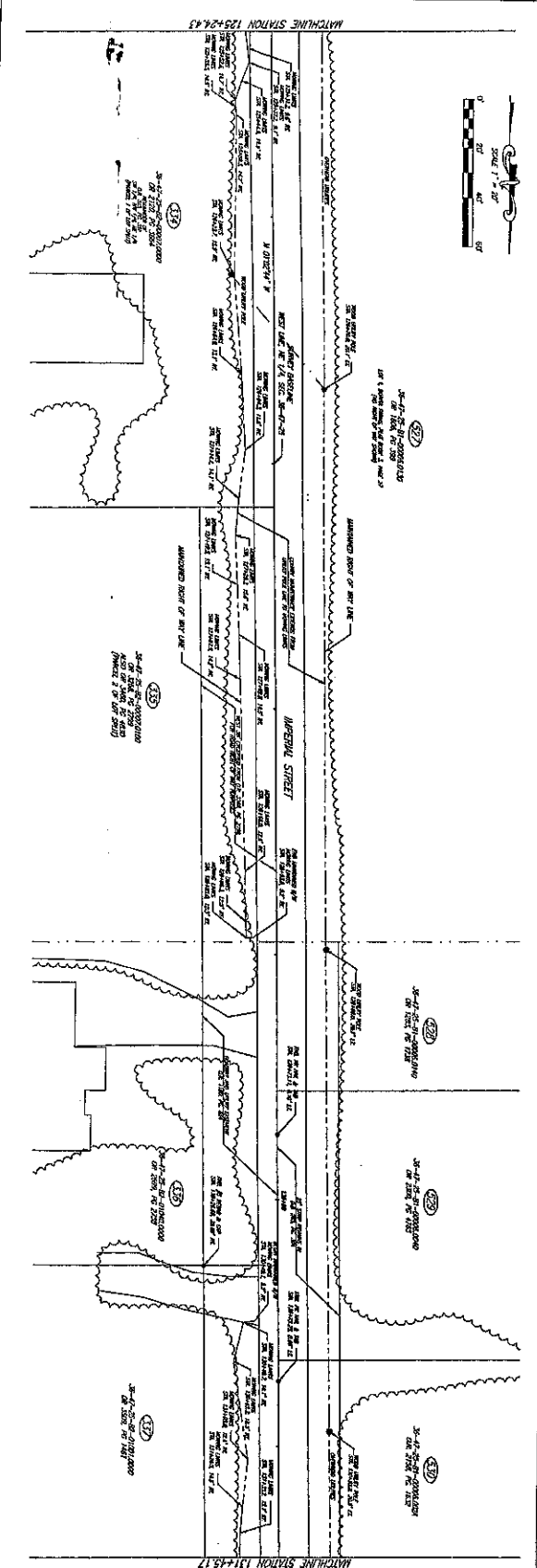
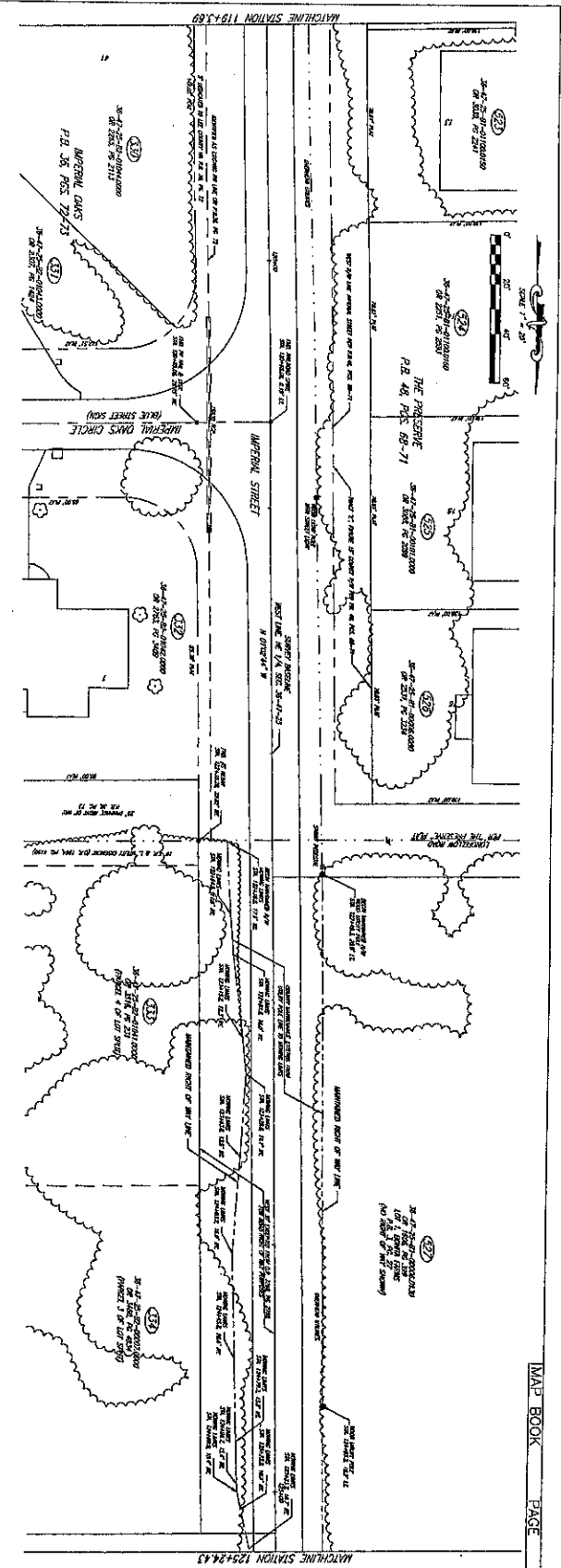
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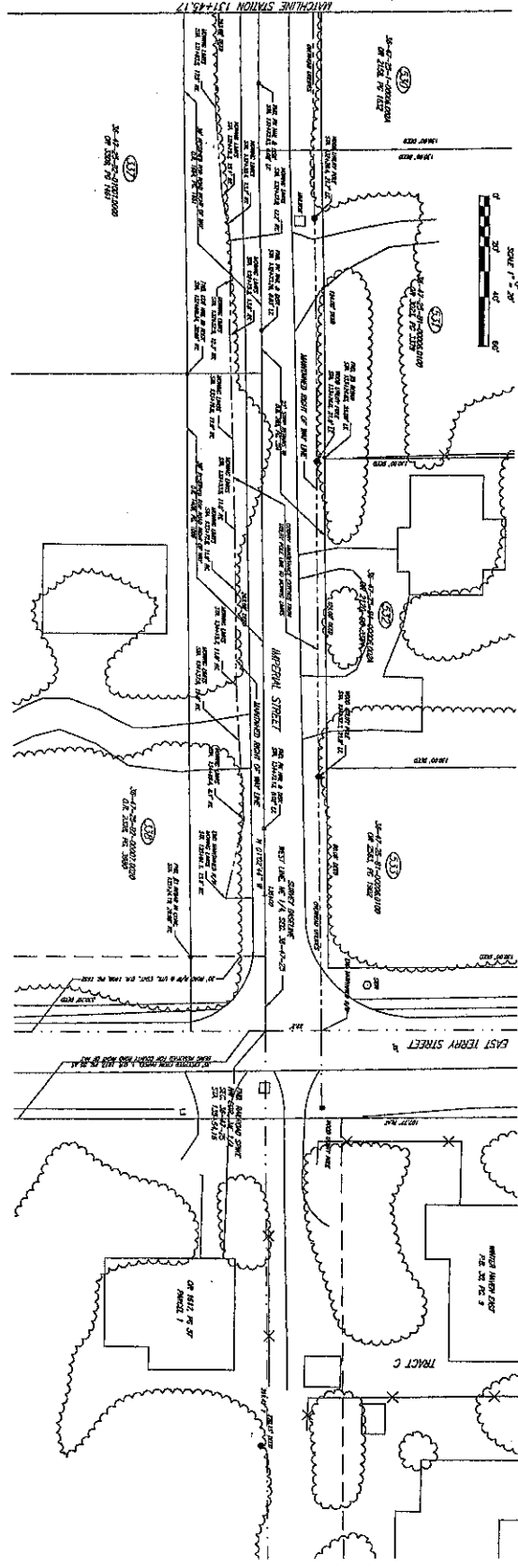
IMPERIAL STREET PHASE 2
MAINTAINED RIGHT OF WAY MAP
FOR THE COUNTY BOARD OF COUNTY COMMISSIONERS

James R. Coleman & Associates, Inc.
Land Surveying Consultants
6838-B Presidential Court
Fort Myers, Florida 33919
Phone (941) 433-2070

Date of Field Work	
Field Book No.	
Drawn By	J.R.C.
Checked By	J.R.C.
Date Released	
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MAP BOOK PAGE

65740C IMPERIAL STREET PHASE 2 MAINTAINED RIGHT OF WAY MAP FOR THE COUNTY BOARD OF COUNTY COMMISSIONERS	James R. Coleman & Associates, Inc. Land Surveying Consultants 6238-2 Presidential Court Fort Myers, Florida 33919 Phone (813) 433-2070		Date of Field Work: _____ Field Book No.: _____ Closure By: J.R.C. Checked By: J.R.C. Date Released: _____ Client: _____
	Title: _____ Date: _____ Revision: _____	Date: _____ Revision: _____	Date: _____ Revision: _____

Maintenance Affidavit

Section 36, Township 47-S, Range 25-E
County Road: Imperial Street
County: Lee
Project: Right of Way

AFFIDAVIT

STATE OF FLORIDA
COUNTY OF LEE

Before me, the undersigned authority, personally appeared CARROLL JOHNSTON, whose address is 45 Brock Road, Venus, FL 33960, who after being sworn, deposes and says:

That he has been employed by the County of LEE for the past 22 years, and is now employed by said LEE COUNTY as Maintenance Supervisor;

The deponent knows and verily says that LEE COUNTY, through its employees and contractors, has maintained Imperial Street in LEE COUNTY for the continuous widths as measured at right angles to the road centerline, viz:

FROM STATION	TO STATION	WIDTH MAINTAINED	LOCATION WITH REFERENCE TO EXISTING ROAD CENTER
82+82.92	95+99.62	Min. 36.2 Max. 50.0	According to LEE CO. DOT right-of-way map attached hereto and made a part hereof.
109+16.32	135+54.16	Min. 29.3' Max. 55.0	

(Length -- .75 miles)

and that such maintenance by by said LEE COUNTY has been continuous for the period of time from 1980 to 2002

Carroll Johnston
DEPONENT

Sworn to and subscribed before me this 2 day of July A.D. 2002

STATE OF FLORIDA
COUNTY OF LEE

Karleen A. Behrens
NOTARY PUBLIC
State of Florida at Large

Karleen A. Behrens
Printed Name of Notary Public

My Commission Expires: 4/19/03

(The foregoing instrument was)
(acknowledged before me by)
(CARROLL JOHNSTON)
(who has produced a Fla.)
(DRIVER'S LICENSE)

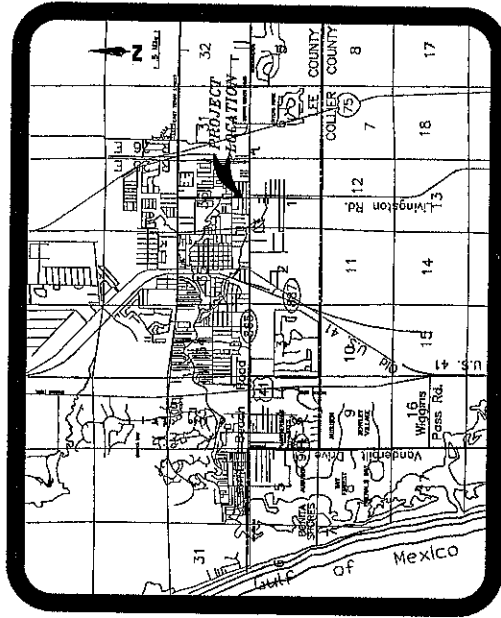
(No. J523-104-48-044-0)
(and who did take an oath.)



This instrument prepared by:
Arthur W. Parsons, County Surveyor
Lee County Department of Public Works

LEE COUNTY BOARD OF COUNTY COMMISSIONERS
 LEE COUNTY DEPARTMENT OF TRANSPORTATION
 PROJECT NO. 4060
 SPECIFIC PURPOSE SURVEY

Maintained Right Of Way Maps
 Phase Two
 IMPERIAL STREET
 FROM BONITA BEACH ROAD TO EAST TERRY STREET
 LEE COUNTY, FLORIDA



LOCATION MAP
 MAY, 2002

MAP BOOK PAGE

ROAD DISTRICT: _____ INDEX: _____ INDIAN: _____ INCLUDE: _____
 THIS IS TO CORRECT THE MAP SHOWING THE RIGHT OF WAY OF IMPERIAL STREET, PHASE 2, AND TO CORRECT THE MAP SHOWING THE RIGHT OF WAY OF IMPERIAL STREET, PHASE 1, AND TO CORRECT THE MAP SHOWING THE RIGHT OF WAY OF IMPERIAL STREET, PHASE 3, AND TO CORRECT THE MAP SHOWING THE RIGHT OF WAY OF IMPERIAL STREET, PHASE 4. THIS SURVEY WAS CONDUCTED BY JAMES R. COLEMAN & ASSOCIATES, INC. FOR THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA, ON MAY 15, 2002.

DATE OF THIS MAP: MAY 15, 2002
 DRAWN BY: J.C.
 CHECKED BY: J.C.
 DATE: 5/15/02

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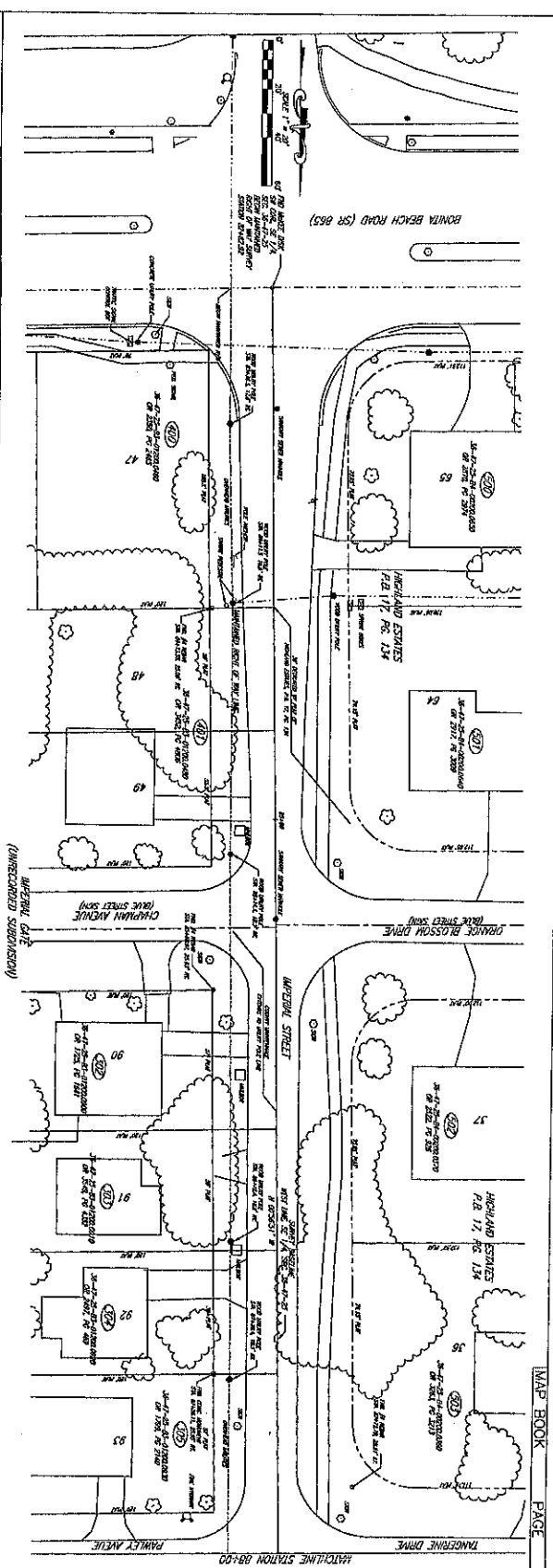
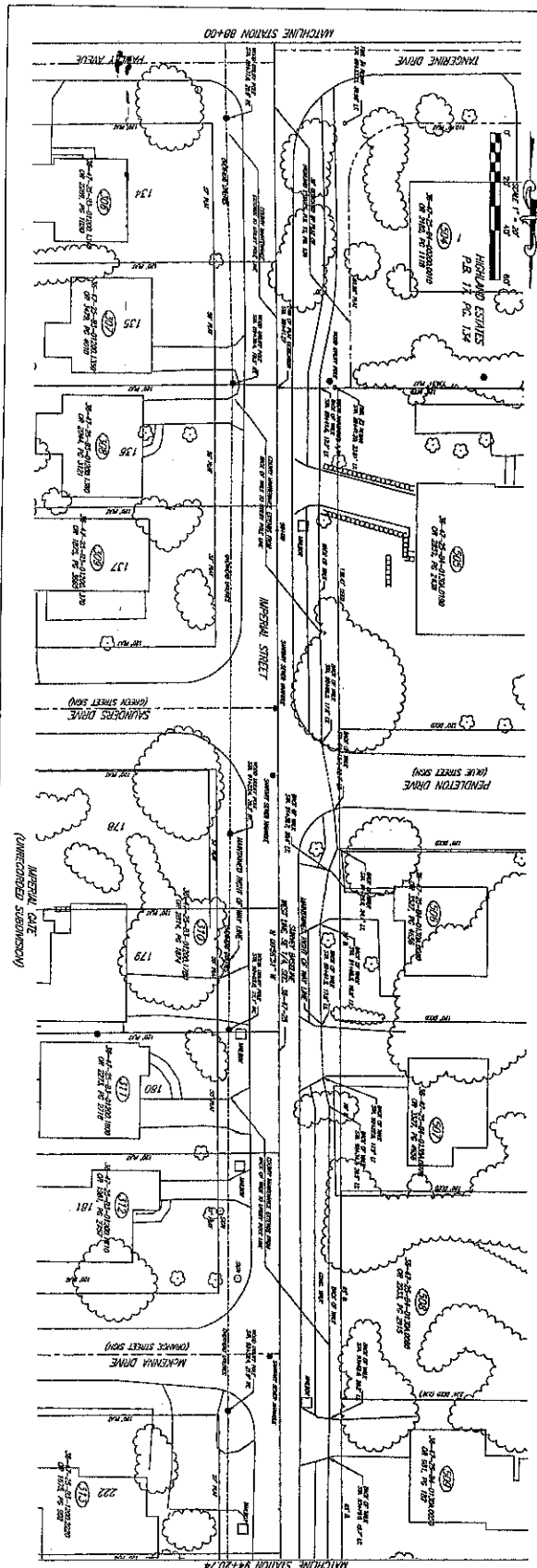
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 CHECKED BY: J.C.
 DATE: 5/15/02

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 DRAWN BY: J.C.
 CHECKED BY: J.C.
 DATE: 5/15/02

SURVEYOR'S NOTES
 1. THE BOUNDARIES SHOWN HEREON ARE BASED ON THE SURVEY PLANS AND RECORDS ON FILE IN THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA.
 2. THE ATTACHED DRAWINGS ARE INTENDED TO REPRESENT THE BOUNDARIES OF THE PROPERTY SHOWN HEREON AND DO NOT REPRESENT THE BOUNDARIES OF ANY OTHER PROPERTY.
 3. THE LOCATION OF THE BOUNDARIES SHOWN HEREON IS BASED ON THE SURVEY PLANS AND RECORDS ON FILE IN THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA.
 4. THE BOUNDARIES OF THE ADJACENT PARCELS ARE NOT SHOWN HEREON.

JAMES R. COLEMAN & ASSOCIATES, INC.
 SURVEYOR
 6828 PRESIDENTIAL COURT, UNIT 2
 FORT MYERS, FLORIDA 33910
 PHONE (813) 433-8070



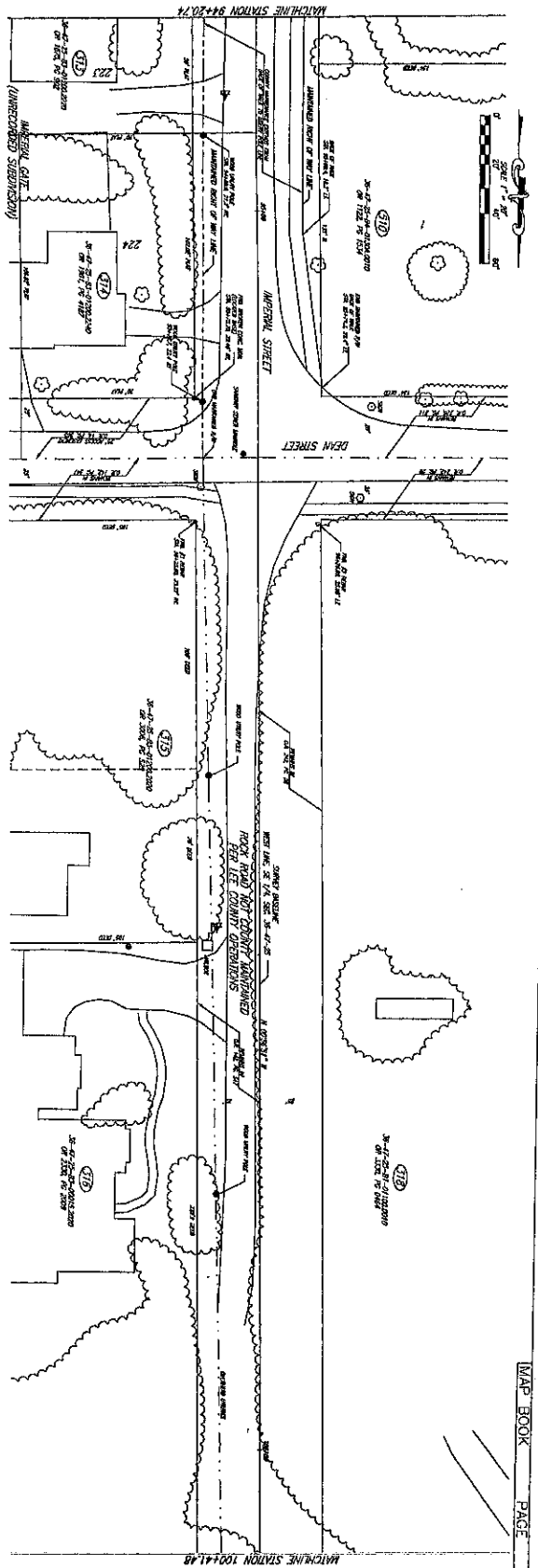
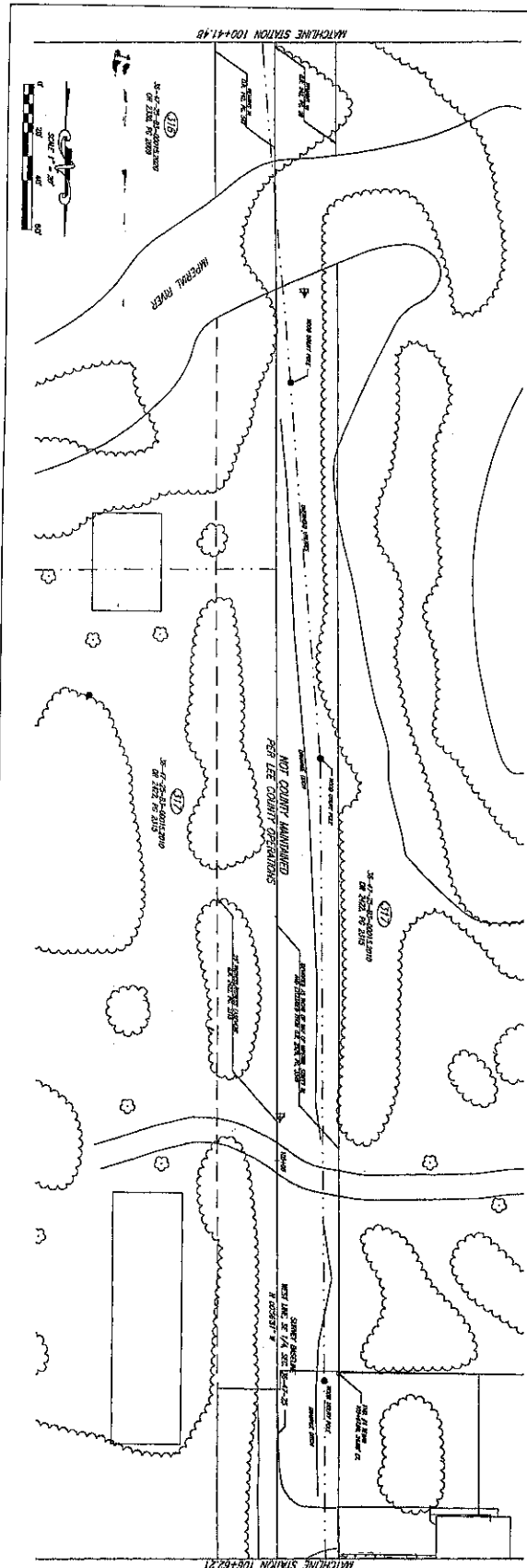
MAP BOOK PAGE

IMPERIAL STREET PHASE 2
MAINTAINED RIGHT OF WAY MAP
FOR THE CITY COUNTY BOARD OF COUNTY COMMISSIONERS

James R. Coleman & Associates, Inc.
Land Surveying Consultants
6838-2 Presidential Court
Fort Myers, Florida 33919
Phone (941) 433-8070

Date of Field Work:	
Date of Map:	
Drawn By:	J.C.
Checked By:	J.R.C.
Date Released:	
Drawn:	
Date:	
Revision:	

DATE: 11/11/09
SCALE: AS SHOWN
JOB NO: 080409



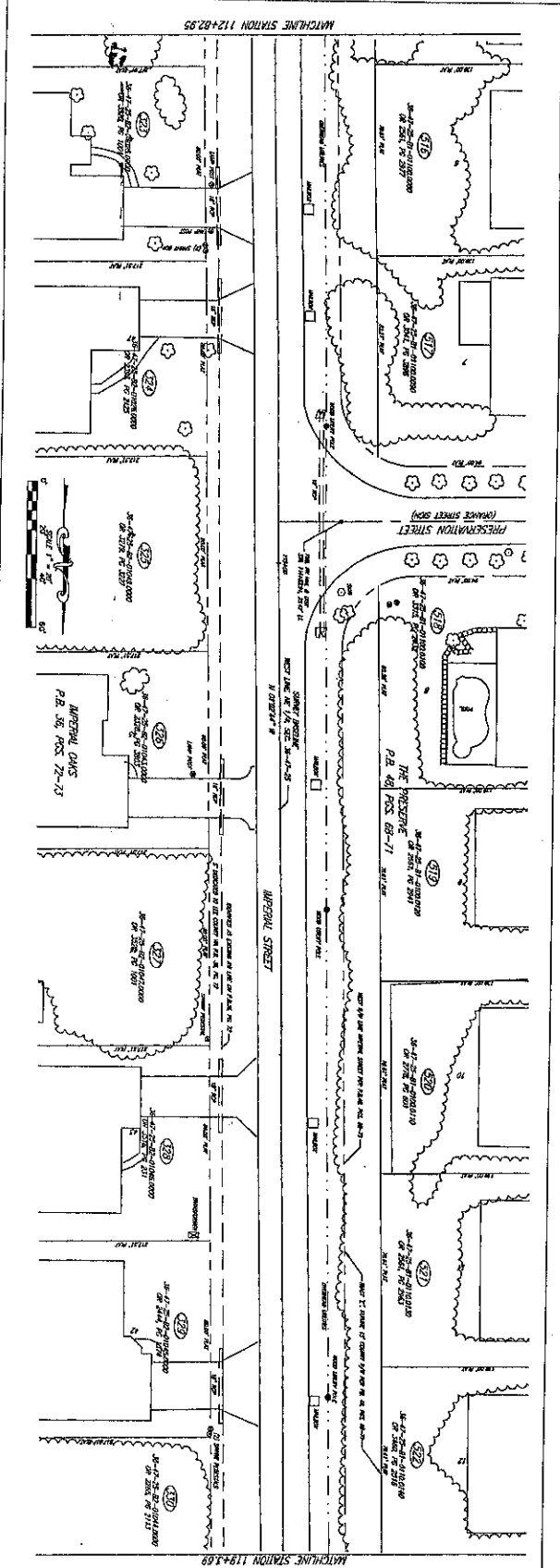
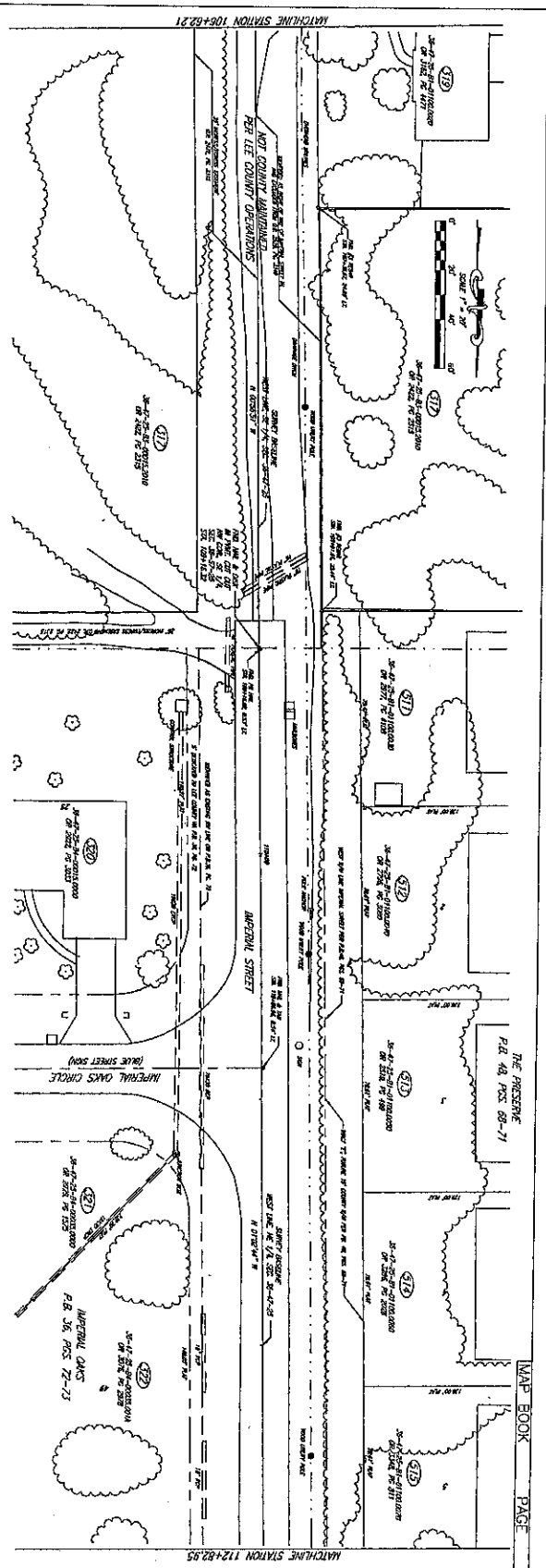
MAP BOOK PAGE

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IMPERIAL STREET PHASE 2
MAINTAINED RIGHT OF WAY MAP
FOR THE COUNTY BOARD OF COUNTY COMMISSIONERS

James R. Coleman & Associates, Inc.
Land Surveying Consultants
8238-2 Presidential Court
Fort Myers, Florida 33918
Phone (941) 433-8070

Scale of Field Work	
Field Book No.	
Drawn By	JRC
Checked By	JRC
Date	
Other	



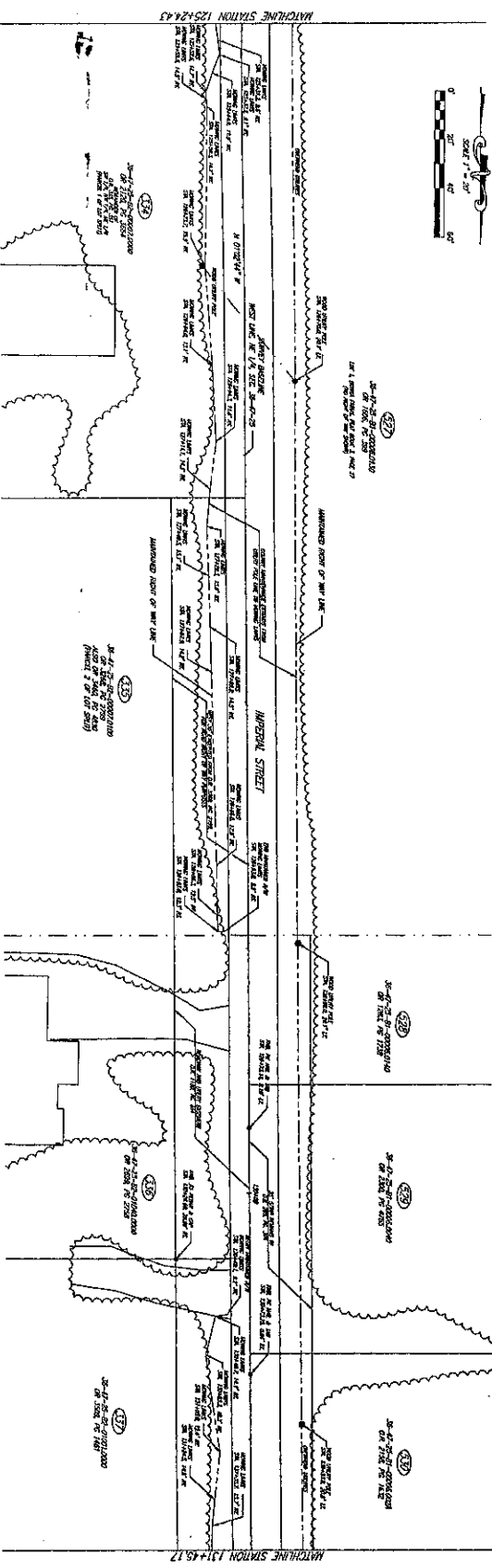
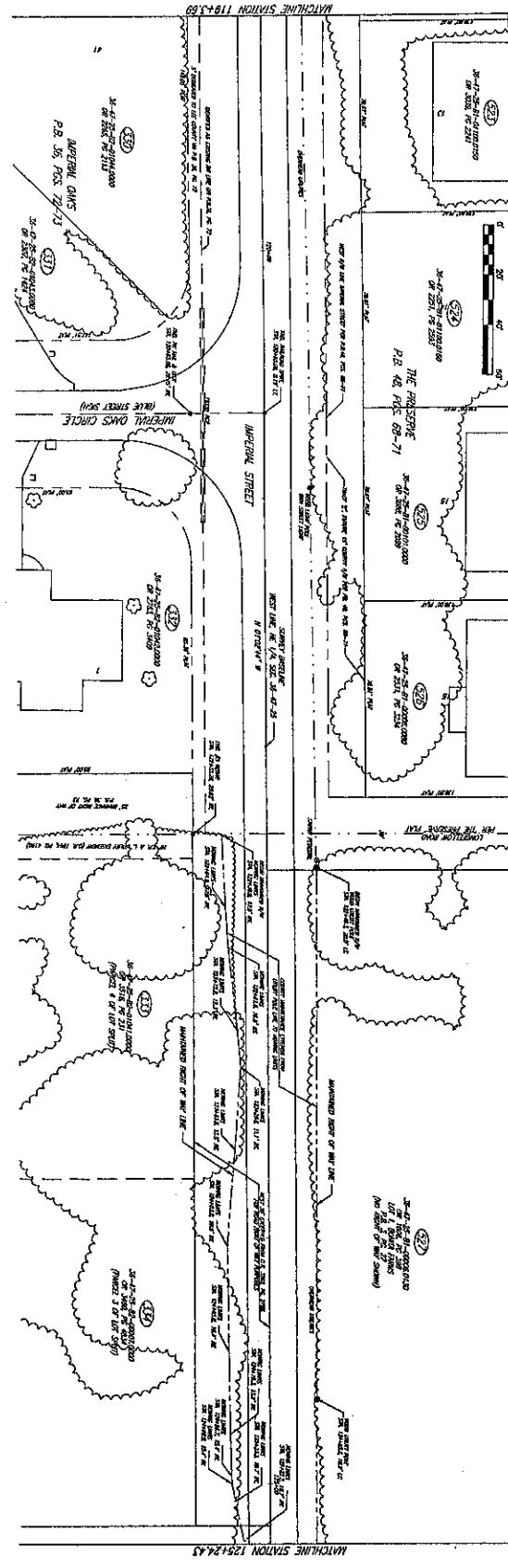
MAP BOOK PAGE

Date of Field Work	
Field Book No.	
Drawn By	J.C.
Checked by	J.R.C.
Date of Issue	
City	

James R. Coleman & Associates, Inc.
 Land Surveying Consultants
 6828-2 Presidential Court
 Fort Myers, Florida 33910
 Phone (941) 439-2070

IMPERIAL STREET PHASE 2
 MAINTAINED RIGHT OF WAY MAP
 FOR LEE COUNTY BOARD OF COUNTY COMMISSIONERS

309459
 4 OF 6

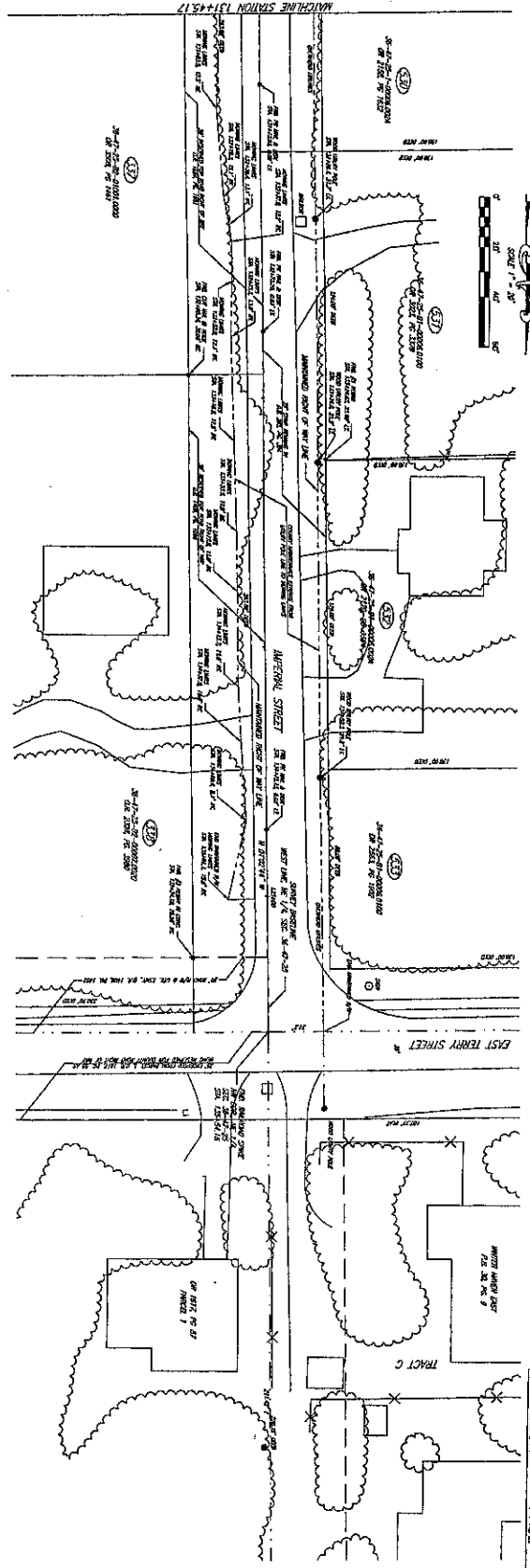


IMPERIAL STREET PHASE 2
MAINTAINED RIGHT OF WAY MAP
FOR THE COUNTY BOARD OF COUNTY COMMISSIONERS

James R. Coleman & Associates, Inc.
Land Surveying Consultants
6230-2 Presidential Court
Fort Myers, Florida 33919
Phone (941) 433-2070

Date of Field Work	
Field Book No.	
Drawn By	JRC
Checked By	JRC
Date Released	
Scale	
Date	
Revised	

309459
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MAP BOOK PAGE

IMPERIAL STREET PHASE 2
MAINTAINED RIGHT OF WAY MAP
FOR THE COUNTY BOARD OF COUNTY COMMISSIONERS

James R. Coleman & Associates, Inc.
Land Surveying Consultants
8238-2 Presidential Court
Fort Myers, Florida 33918
Phone (941) 433-2070

Date of Field Work:	
Field Book No.:	
Drawn By: JJC	
Checked By: JJC	
Date:	
Scale:	
Sheet:	
Date:	
Revised:	

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0

Maintenance Affidavit

Section 36, Township 47-S, Range 25-E

County Road: Imperial Street

County: Lee

Project: Right of Way

AFFIDAVIT

STATE OF FLORIDA
COUNTY OF LEE

Before me, the undersigned authority, personally appeared **Dennis Daubenger** whose address is 1014 SE 5th Ave, Cape Coral Fl. 33990, who after being sworn, deposes and says:

That he has been employed by the County of LEE for the past 11 years, and is now employed by said LEE COUNTY as Maintenance Crew Leader;

The deponent knows and verily says that LEE COUNTY, through its employees and contractors, has maintained Imperial Street in LEE COUNTY for the continuous widths as measured at right angles to the road centerline, viz:

FROM STATION	TO STATION	WIDTH MAINTAINED	LOCATION WITH REFERENCE TO EXISTING ROAD CENTER
82+82.92	95+99.62	Min. 36.2' Max. 50.0'	According to LEE CO. DOT right-of-way map attached hereto and made a part hereof.
AND 109+16.32	135+54.16	Min. 29.3' Max. 55.0'	

(Length - 0.75 miles)

and that such maintenance by said Lee County has been continuous for the period of time from 1991 to 2002.

Dennis Daubenger
DEPONENT

Sworn to and subscribed before me this 2 day of July A.D. 2002

STATE OF FLORIDA
COUNTY OF LEE

Karleen A. Behrens
NOTARY PUBLIC

State of Florida at Large

Karleen A. Behrens
Printed Name of Notary Public

(The foregoing instrument was
(acknowledged before me by)
(Dennis Daubenger
(who has produced a Fla.)
(DRIVER'S LICENSE)
(No. D151-169-46-447-0)
(and who did take an oath.)

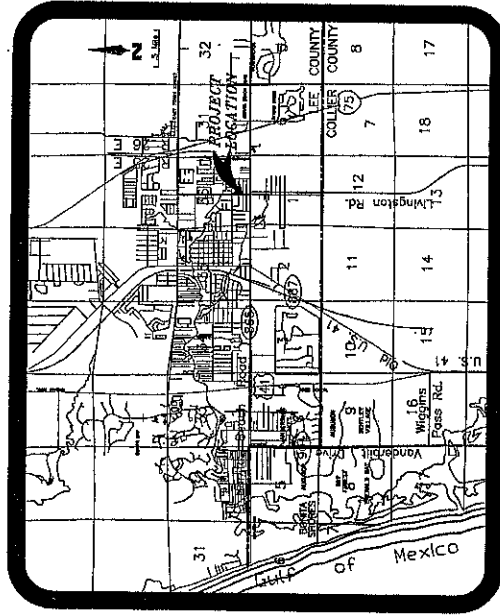


My Commission Expires: 4/19/03

This instrument prepared by:
Arthur W. Parsons, County Surveyor
Lee County Department of Public Works

LEE COUNTY BOARD OF COUNTY COMMISSIONERS
 LEE COUNTY DEPARTMENT OF TRANSPORTATION
 PROJECT NO. 4060
 SPECIFIC PURPOSE SURVEY

Maintained Right Of Way Maps
 Phase Two
 IMPERIAL STREET
 FROM BONITA BEACH ROAD TO EAST TERRY STREET
 LEE COUNTY, FLORIDA



LOCATION MAP
 MAY, 2002

MAP BOOK PAGE _____

THIS IS THE COUNTY MAP THIS MAP CONSISTS OF SHEETS NUMBERED 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100. THIS MAP IS LOCATED IN THE COUNTY AND INDICATED THE LOCATION OF THE PROJECT. THIS MAP IS LOCATED IN THE COUNTY AND INDICATED THE LOCATION OF THE PROJECT. THIS MAP IS LOCATED IN THE COUNTY AND INDICATED THE LOCATION OF THE PROJECT.

DATE OF THIS MAP: APRIL 16, 2002
 DATE OF PREVIOUS MAP: _____

APPROVED BY: _____
 COUNTY COMMISSIONER

DATE OF THIS MAP: APRIL 16, 2002

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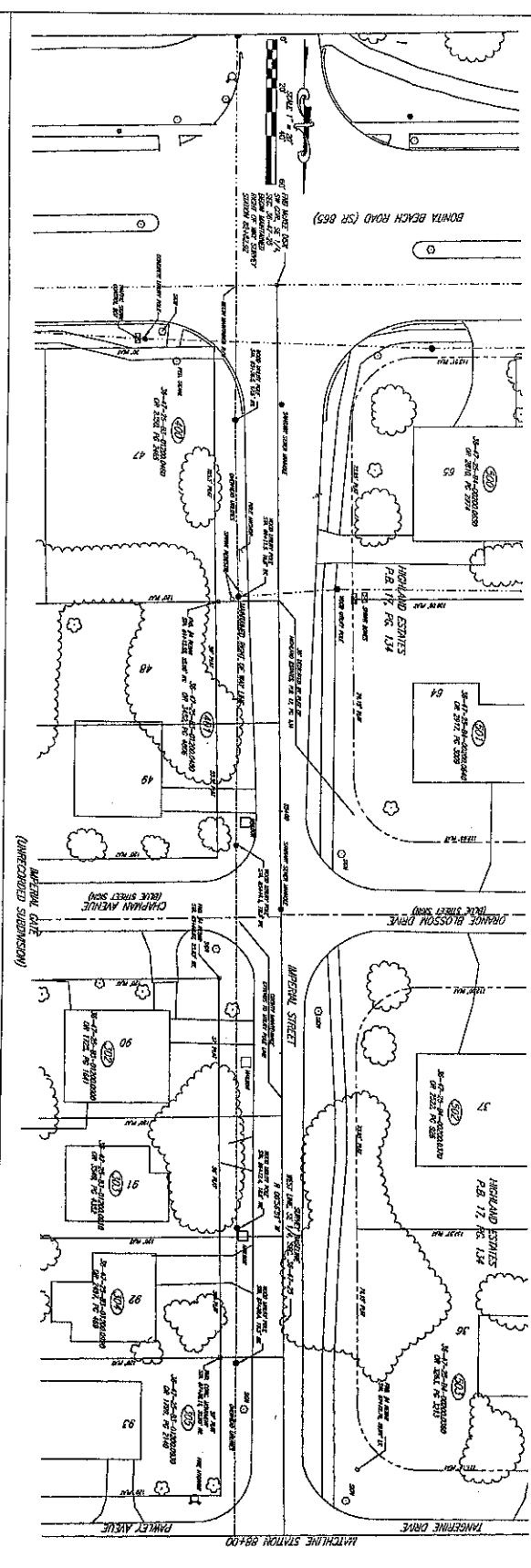
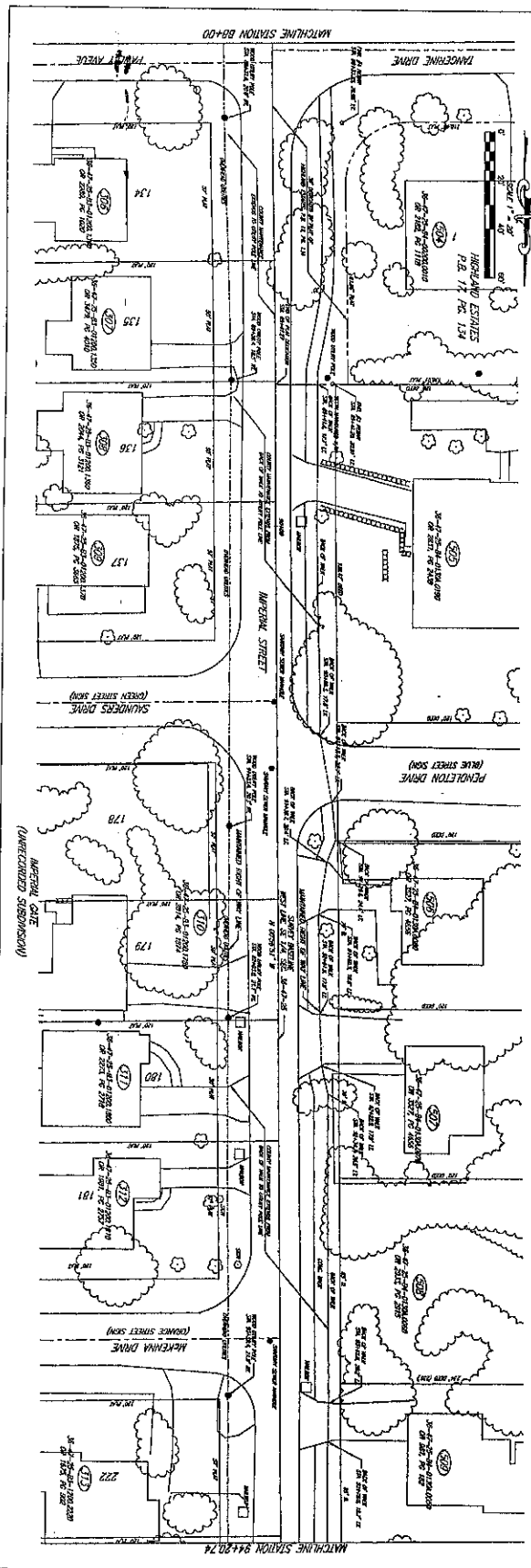
DATE OF THIS MAP: APRIL 16, 2002

IMPERIAL STREET PHASE 2
 MAINTAINED RIGHT OF WAY MAP
 FOR LEE COUNTY BOARD OF COUNTY COMMISSIONERS
 James R. Colburn & Associates, Inc.
 Land Surveying Consultants
 6229 Piedmont Court, Unit 2
 Fort Myers, Florida 33919
 Phone (813) 433-8070

SURVEYOR'S NOTES

1. THE BOUNDARY SHOWN HEREON ARE BASED ON THE BEST AVAILABLE INFORMATION AND ARE NOT TO BE CONSIDERED AS A GUARANTEE OF ACCURACY.
2. THE LOTS AND BLOCKS SHOWN HEREON ARE BASED ON THE RECORDS OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA. THE LOTS AND BLOCKS SHOWN HEREON ARE NOT TO BE CONSIDERED AS A GUARANTEE OF ACCURACY.
3. THE LOCATION OF THE PUBLIC RECORDS INDICATED BY THIS MAP ARE BASED ON THE RECORDS OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA. THE LOTS AND BLOCKS SHOWN HEREON ARE NOT TO BE CONSIDERED AS A GUARANTEE OF ACCURACY.
4. THE LOTS AND BLOCKS SHOWN HEREON ARE NOT TO BE CONSIDERED AS A GUARANTEE OF ACCURACY.

DATE OF THIS MAP: APRIL 16, 2002

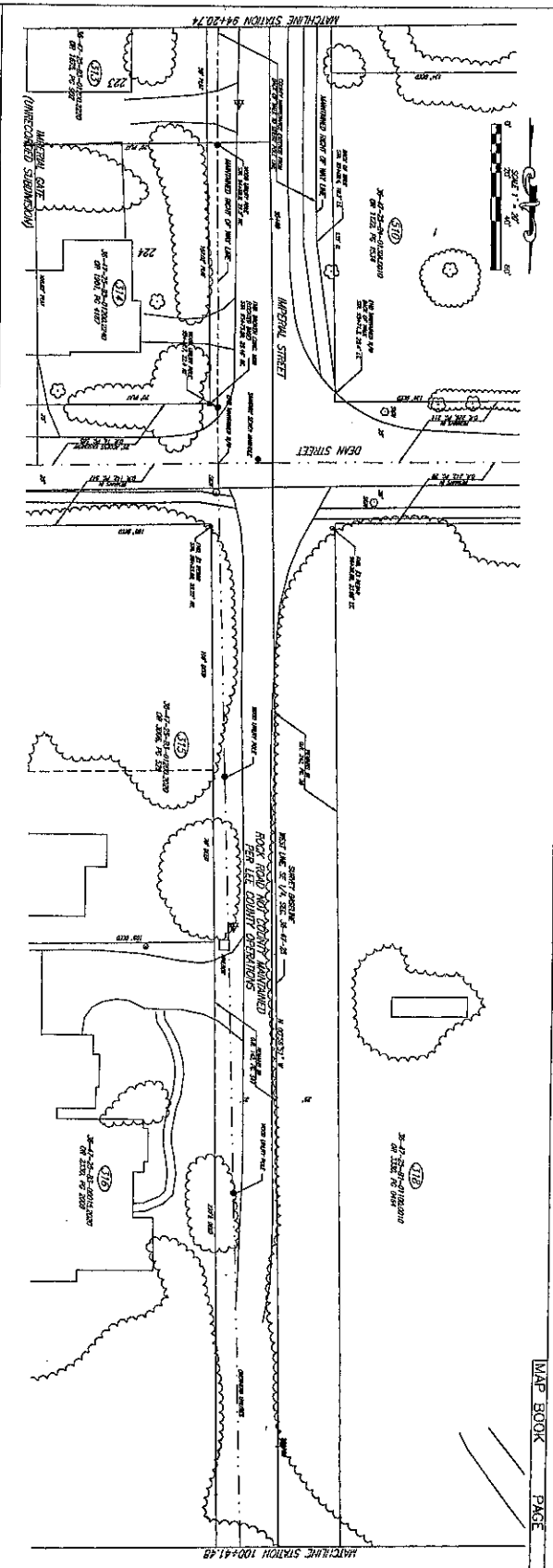
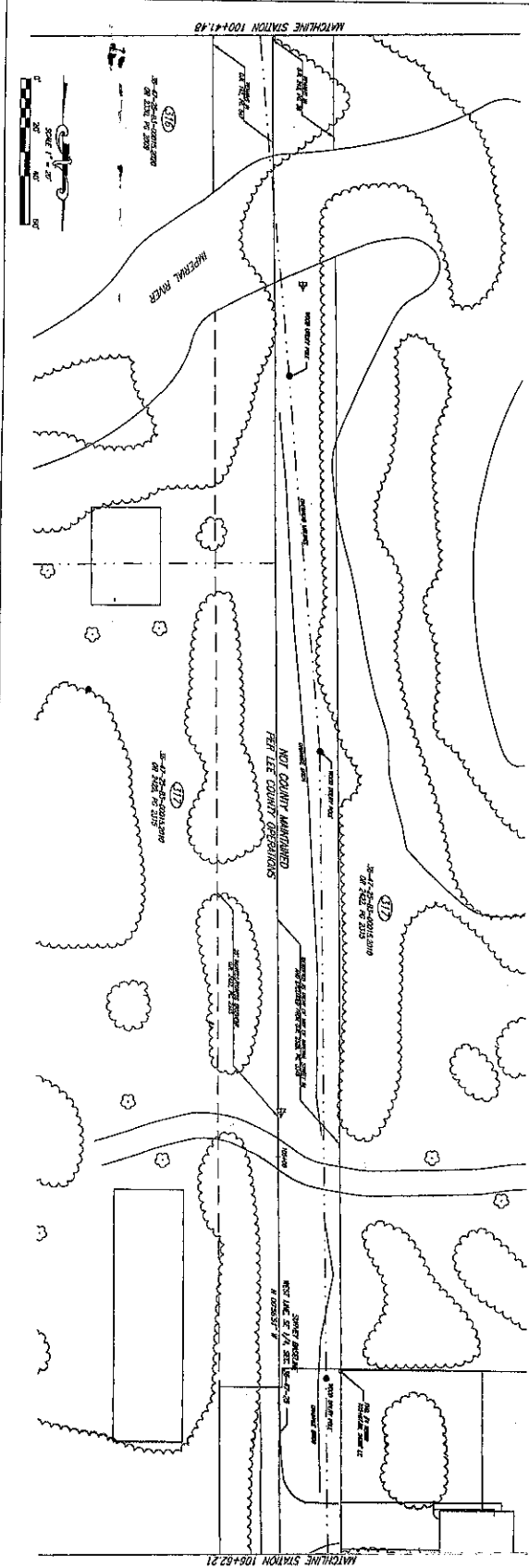


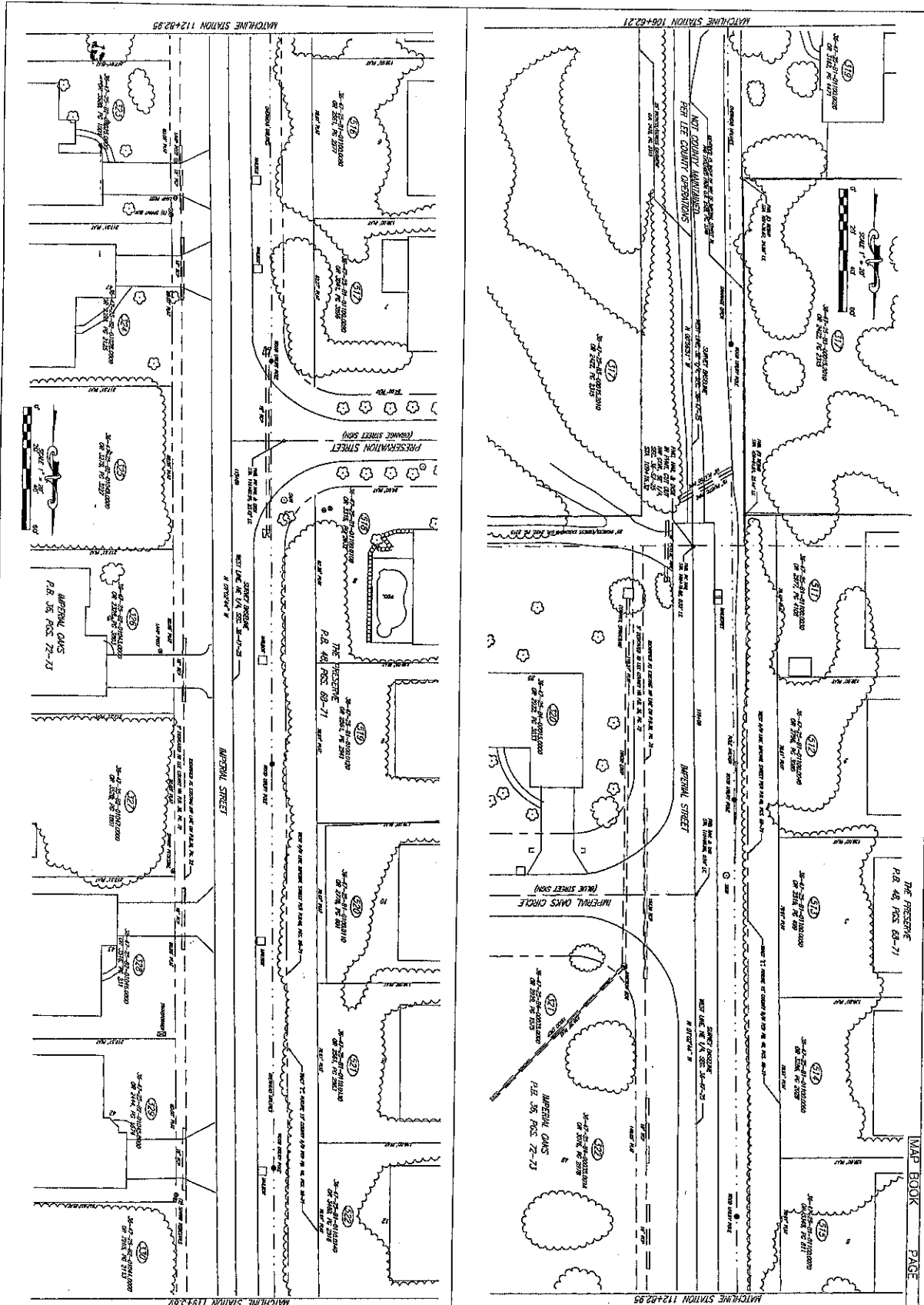
MAP BOOK PAGE

IMPERIAL STREET PHASE 2
 MAINTAINED RIGHT OF WAY MAP
 FOR THE COUNTY BOARD OF COUNTY COMMISSIONERS

James R. Coleman & Associates, Inc.
 Land Surveying Consultants
 8238-E Presidential Court
 Fort Myers, Florida 33919
 Phone (813) 433-2070

Book of Field Notes	
Field Book No.	
Drawn By	J.R.C.
Checked By	J.R.C.
Date Released	
Client	





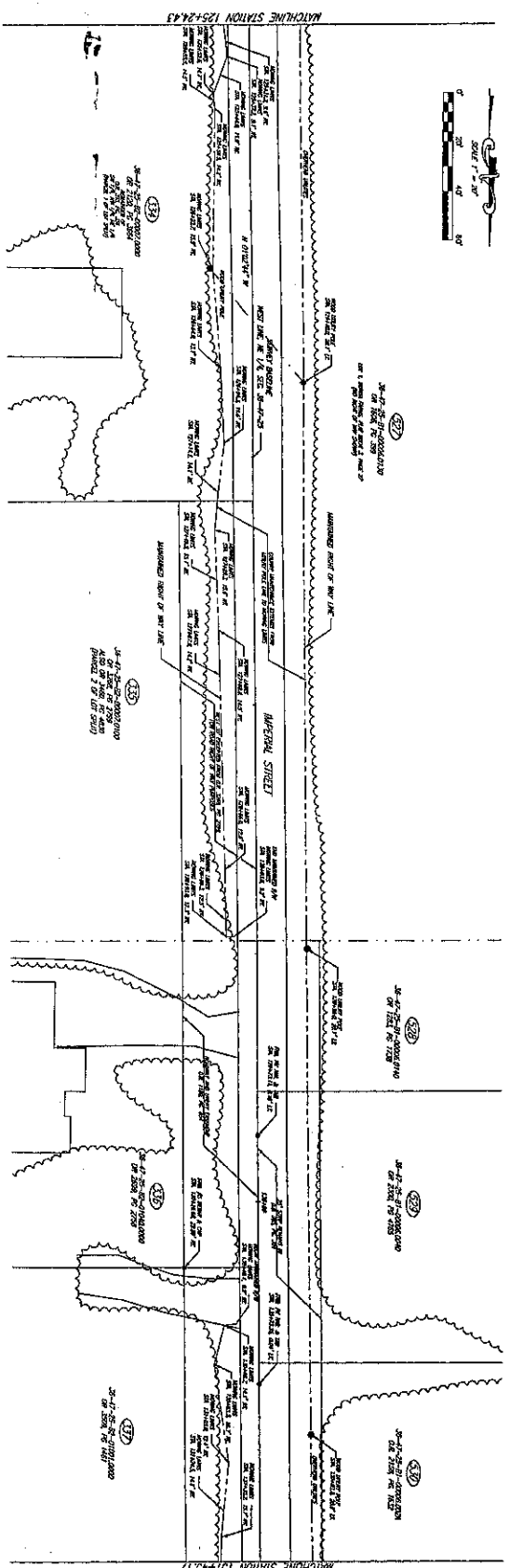
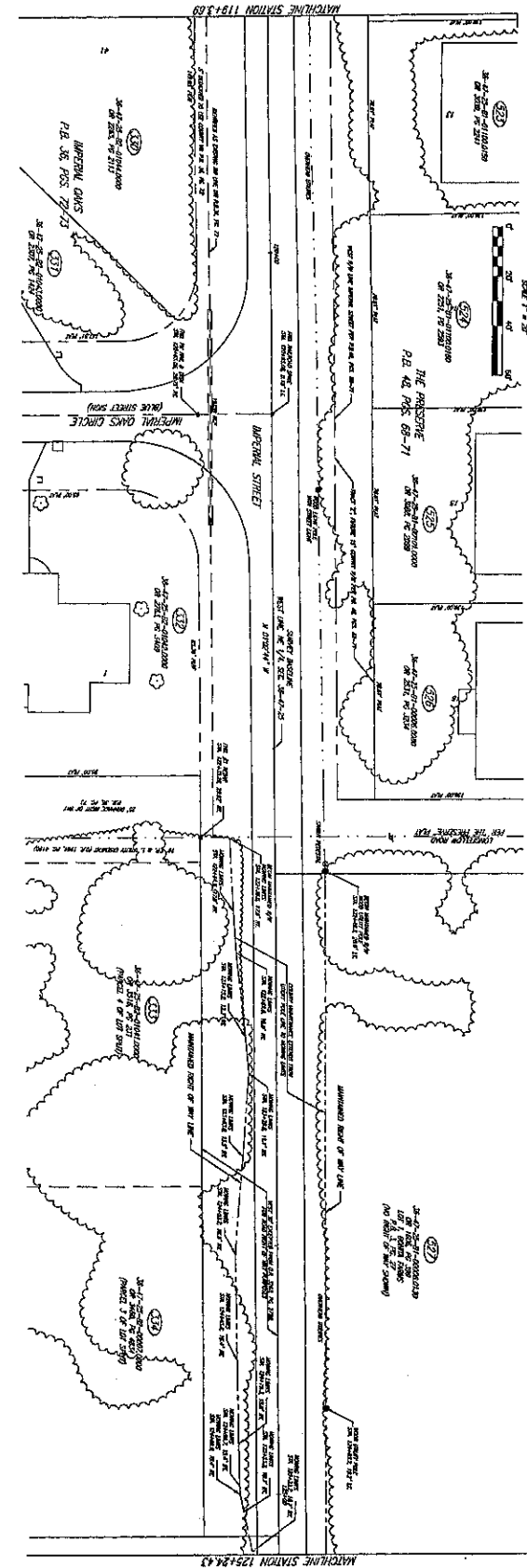
MAP BOOK PAGE

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James R. Coleman & Associates, Inc.
Land Surveying Consultants
6830-2 Presidential Court
Fort Myers, Florida 33919
Phone (941) 433-2070

Date of Plot Work:	
Drawn By:	J.C.
Checked By:	J.R.C.
Date Received:	
Drawn:	
Checked:	
Date:	
Revised:	
By:	

308489

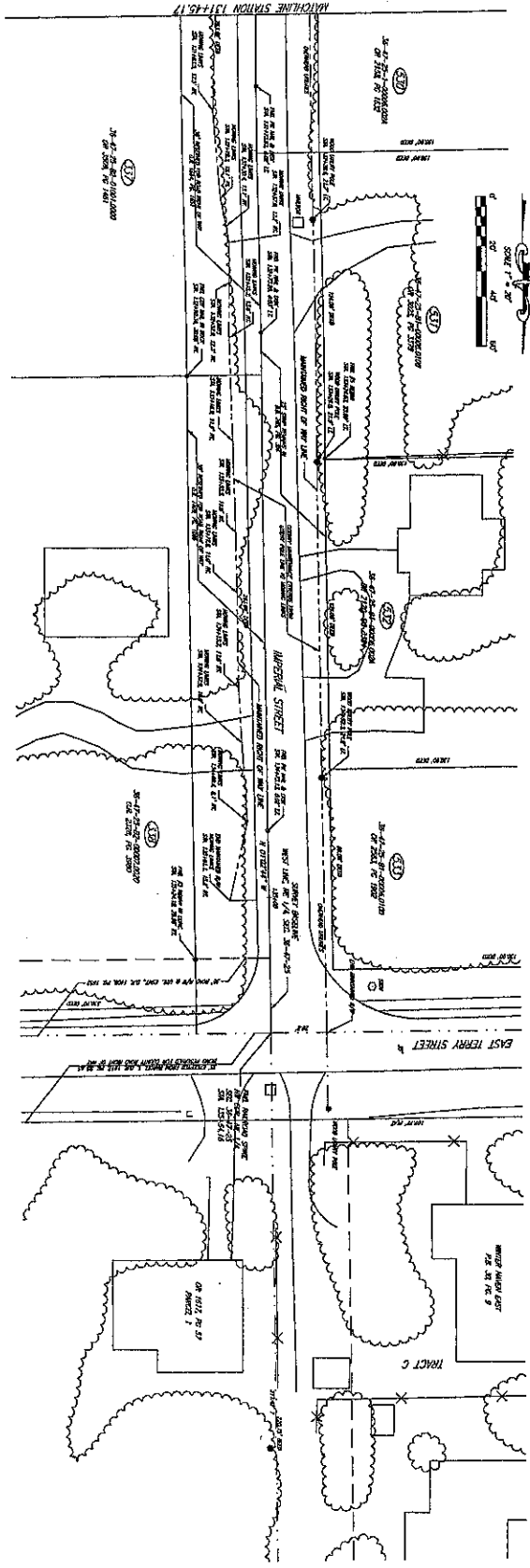


IMPERIAL STREET PHASE 2
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James R. Coleman & Associates, Inc.
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8330 - Presidential Court
Fort Myers, Florida 33910
Phone (941) 439-8070

Date of Field Work:	
Field Book No.:	
Drawn By:	J.C.
Checked By:	J.R.C.
Date Revised:	
Drawn:	
Checked:	
By:	

DATE	5/27/86
BY	J.R.C.
PROJECT NO.	200430
SCALE	1" = 40'



MAP BOOK PAGE

Blank area for notes or additional information.