

LEE COUNTY BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY

BLUE SHEET NO: 20021264-UTL

1. REQUESTED MOTION:

ACTION REQUESTED:

Approve final acceptance, by Resolution, and recording of one utility easement as a donation for a water distribution system serving **WAL-MART PLAZA - NORTH FORT MYERS, PHASE 1**. This is a Developer contributed asset project located on the east side of Many Road approximately 250' south of Pine Island Road.

WHY ACTION IS NECESSARY:

To provide potable water service and fire protection to this phase of the proposed retail plaza.

WHAT ACTION ACCOMPLISHES:

Places the water distribution system into operation and complies with the Lee County Utilities Operations Manual.

2. DEPARTMENTAL CATEGORY: 10 - UTILITIES
COMMISSION DISTRICT #: 4

C10H

3. MEETING DATE: 11-19-2002

4. AGENDA:

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

5. REQUIREMENT/PURPOSE:

- (Specify)
- STATUTE
 - ORDINANCE
 - ADMIN. CODE
 - OTHER Res., Ease.

6. REQUESTOR OF INFORMATION:

- A. COMMISSIONER: _____
- B. DEPARTMENT: Lee County Public Works
- C. DIVISION/SECTION: Utilities Division
- BY: Rick Diaz, Utilities Director

DATE: 10/31/02

7. BACKGROUND:

The Board granted permission to construct on 05/14/02, Blue Sheet #20020431.
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.
100% of the water connection fees have been paid.
Sanitary Sewer service is provided by North Fort Myers Utility.

Funds are available for recording fees in account number OD5360748700.504930.

SECTION 03 TOWNSHIP 44S RANGE 24 E DISTRICT # 4 COMMISSIONER COY

8. MANAGEMENT RECOMMENDATIONS:

9. RECOMMENDED APPROVAL

(A) DEPARTMENT DIRECTOR	(B) PURCH. OR CONTRACTS	(C) HUMAN RESOURCES	(D) OTHER	(E) COUNTY ATTORNEY	(F) BUDGET SERVICES				(G) COUNTY MANAGER
					OA	OM	Risk	GC	
<i>J. Lavender</i> Date: 11-4-02	N/A Date:	N/A Date:	<i>T.O.</i> T. Osterhout Date: 10-31	<i>D. Owen</i> D. Owen Date: 11/5/02	<i>11/6/02</i> P.M.	<i>11/7/02</i>	<i>11/6/02</i>	<i>11/6/02</i> <i>JS</i>	<i>J. Lavender</i> Date: 11-4-02

10. COMMISSION ACTION:

- APPROVED
- DENIED
- DEFERRED
- OTHER

Rec. by CoAtty
Date: 11/5/02
Time: 1:05 pm
Forwarded To: _____

RECEIVED BY
COUNTY ADMIN.
11-5-02
4:30
COUNTY ADMIN.
FORWARDED TO:
11/7 11:30

RESOLUTION NO. _____

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

WHEREAS, it is the desire of Auburn Realty, LLC, owner of record, to make a contribution to Lee County Utilities of water facilities (water distribution system), serving "WAL-MART PLAZA - NORTH FORT MYERS, PHASE I"; 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 \$36,369.25 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 Janes(C): _____ (1)
- Commissioner St. Cerny: _____ (2)
- Commissioner Judah (V-C) _____ (3)
- Commissioner Coy: _____ (4)
- Commissioner 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

Letter of Completion

DATE: 10/11/02

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 system(s) located in _____
Wal-Mart Plaza (Phase 1) North Fort Myers
(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: Pressure Test

Very truly yours,

Q. Grady Minor & Associates, P.A.
(Owner or Name of Corporation)



(Signature) Q. Grady Minor, P.E. # 30182

President
(Title)

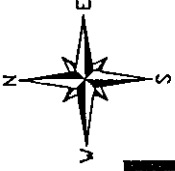
SEAL OF ENGINEERING FIRM

Q. GRADY MINOR, P.E.
3800 VIA DEL REY
BONITA SPRINGS, FLORIDA 34134
FLORIDA REGISTRATION NUMBER 30182

EB 0005751

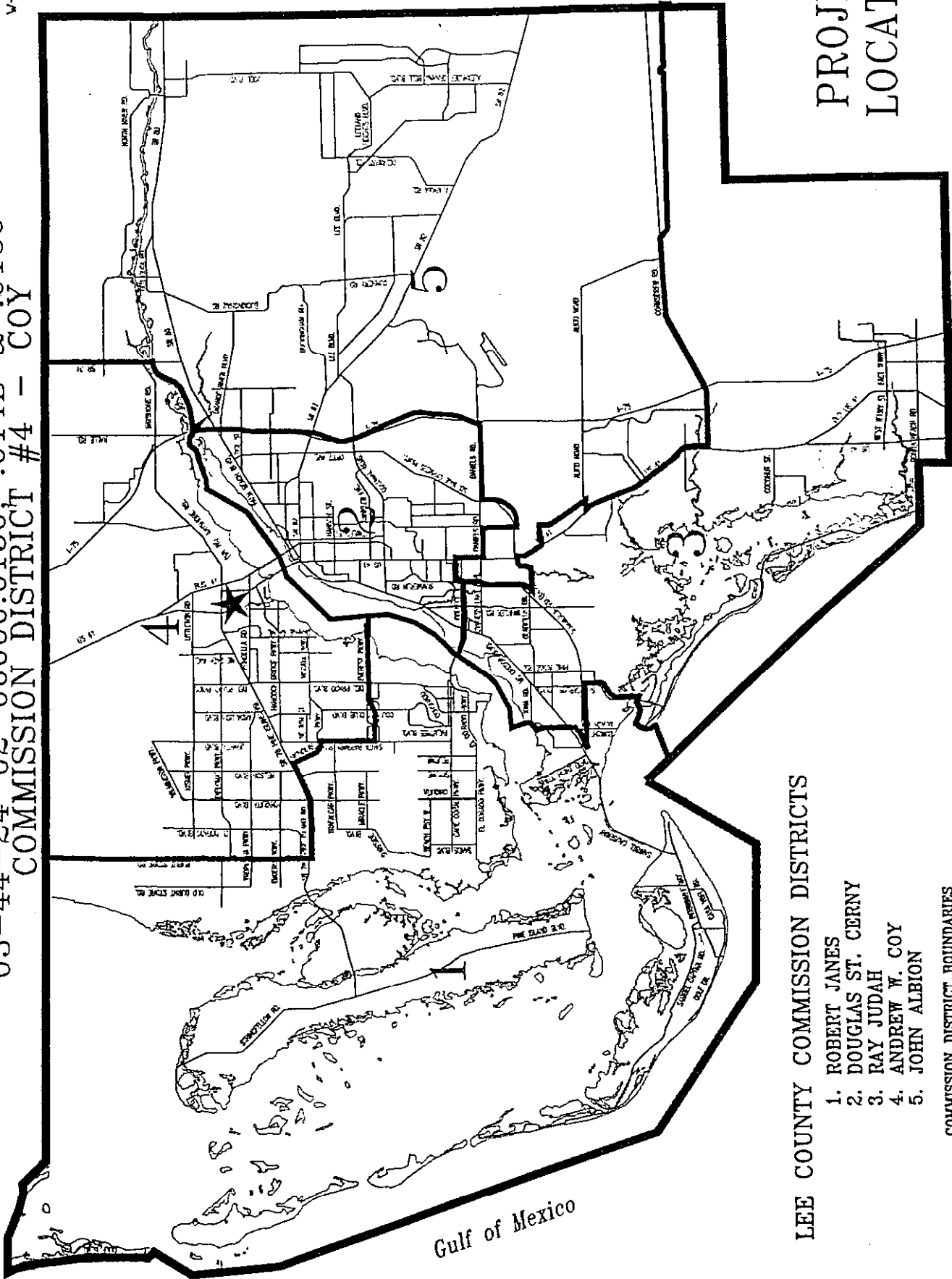
OCT 15 REC'D

WALMART PLAZA - NORTH FORT MYERS
 03-44-24-02-0000.0150, .014B & .0130
 COMMISSION DISTRICT #4 - COY



COPY

PROJECT
 LOCATION



LEE COUNTY COMMISSION DISTRICTS

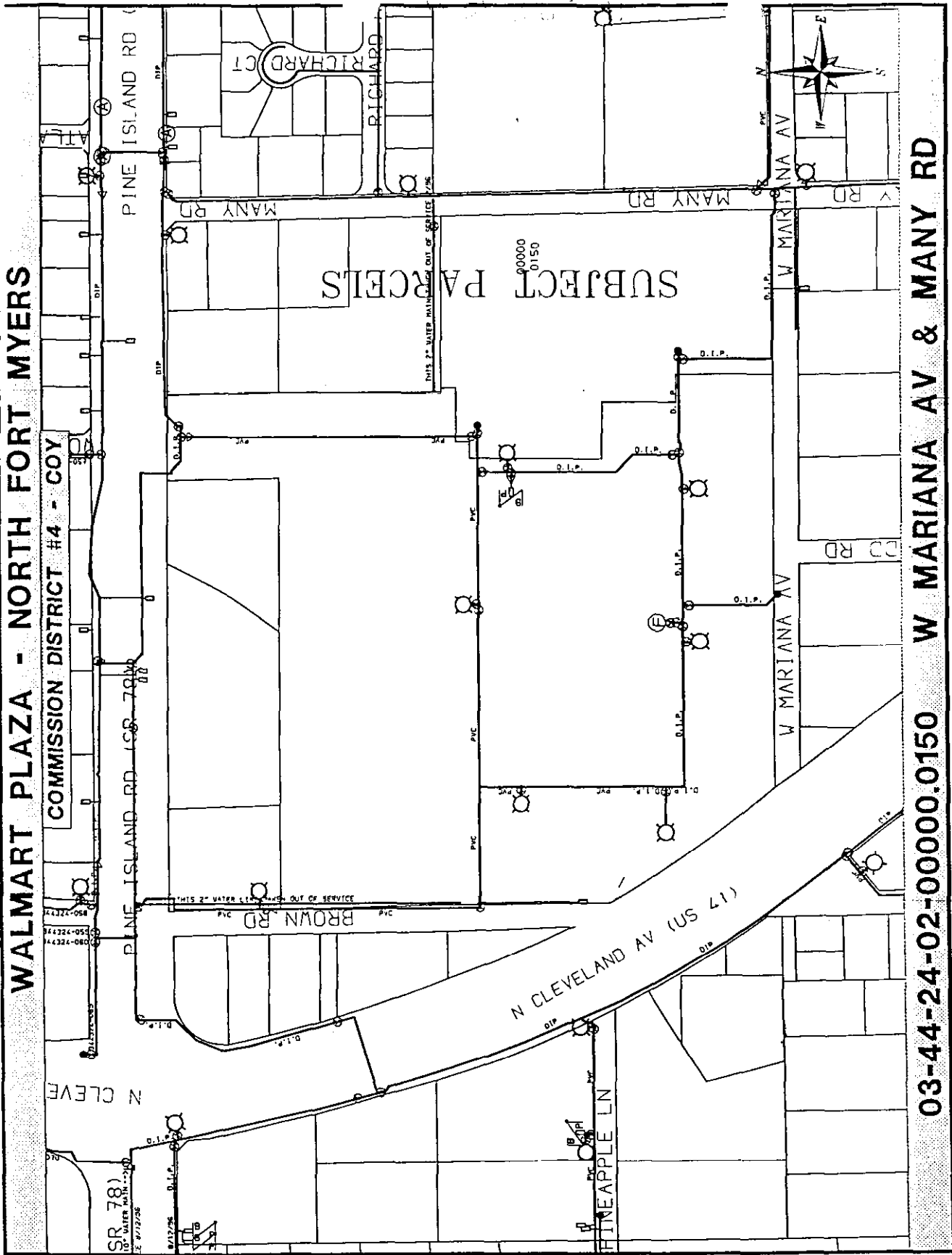
1. ROBERT JANES
2. DOUGLAS ST. CERNY
3. RAY JUDAH
4. ANDREW W. COY
5. JOHN ALBION

COMMISSION DISTRICT BOUNDARIES
 DECEMBER 2000

Gulf of Mexico

WALMART PLAZA - NORTH FORT MYERS

COMMISSION DISTRICT #4 - COY



03-44-24-02-00000.0150 W MARIANA AV & MANY RD

COPY

11.5

CERTIFICATION OF CONTRIBUTORY ASSETS

PROJECT NAME: Walmart Plaza - NFM - Phase 1

STRAP NUMBER: 03-44-24-02-00000.0150

LOCATION: 535 Pine Island Road N. Ft. Myers, FL 33917

OWNER'S NAME: Myers Sands Realty, LLC (Auburn Realty, LLC - Land)

OWNER'S ADDRESS: 2220 N. Meridian St.

OWNER'S ADDRESS: Indianapolis, IN 46208-

TYPE UTILITY SYSTEM: WATER
(list water, sewer and effluent reuse separately)

DESCRIPTION AND COST OF MATERIAL, LABOR, AND SERVICES

<u>ITEM</u>	<u>SIZE</u>	<u>QUANTITY</u>	<u>UNIT</u>	<u>UNIT COST</u>	<u>TOTAL</u>
CL-50 DIP	10"	489.75	LF	\$23.00	11,264.25
CL-50 DIP	6"	19	LF	\$18.00	342.00
PVC C-900 DR-14	6"	24	LF	\$12.00	288.00
CL-50 DIP	4"	75	LF	\$15.00	1,125.00
GATE VALVE	10"	4	EA	\$1,400.00	5,600.00
GATE VALVE	4"	1	EA	\$700.00	700.00
GATE VALVE	2"	6	EA	\$500.00	3,000.00
FIRE HYDRANT ASSEMBLY		2	EA	\$2,500.00	5,000.00
STUB-OUTS FOR FUTURE SERVICES	2"	4	EA	750.00	3,000.00
DOUBLE WATER SERVICE	2"	2	EA	\$1,500.00	3,000.00
SINGLE WATER SERVICE	1"	1	EA	1,250.00	1,250.00
BLOW-OFF ASSEMBLY	2"	2	EA	\$900.00	1,800.00
<u>TOTAL</u>					\$36,369.25

Please list each element of the system, e.g., pipe, manholes, lift stations, meters, valves, fittings, etc.
(If more space is required, use additional page(s). Number each page and include the name of the project).

7/1/96



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:

X *Richard L. Jackson*
(Signature of Certifying Agent)

Richard L. Jackson, President
(Name & Title of Certifying Agent)

Lance Jackson Construction, Inc.
(Name of Firm or Corporation)

16880 Gator Road
(Address of Firm or Corporation)

Fort Myers, FL 33912 -

STATE OF FL)
) SS:
COUNTY OF LEE)

The foregoing instrument was signed and acknowledged before me this 25 th day of OCT, 2002 by Richard L. Jackson who has produced the following as identification - FL DL#J250-752-61-206-0 , and who did not take an oath.

Anne Cyganiak
Notary Public Signature



Anne L. Cyganiak
Commission # CC 783848
Expires NOV. 29, 2002
BONDED THRU
ATLANTIC BONDING CO., INC.

Anne Cyganiak
Printed Name of Notary Public

CC 783848
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 INDENTURE is made and entered into this ___ day of _____, 2002,
by and between Auburn Realty, LLC, Owner, hereinafter
referred to as GRANTOR(S), and LEE COUNTY, hereinafter referred 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.

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 indemnify 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.

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

IN WITNESS WHEREOF, the GRANTOR has caused this document to be

LEGAL DESCRIPTION
WATER LINE EASEMENT AT PINE ISLAND LANDING
EASEMENT B-2514-1

A STRIP OF LAND LOCATED IN LOTS 15, 16, 17 IN MARIANA PARK AND A PORTION OF KUMQUAT STREET RIGHT-OF-WAY AS RECORDED IN PLAT BOOK 9, AT PAGE 111 OF PUBLIC RECORDS OF LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF LOT 29 OF SAID MARIANA PARK, SECTION 3, TOWNSHIP 44 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA; THENCE RUN N 00°53'40" W, ALONG THE EAST LINE OF LOT 29 OF SAID MARIANA PARK, FOR A DISTANCE OF 576.71 FEET; THENCE RUN S 89°06'20" W FOR A DISTANCE OF 146.84 FEET TO THE POINT OF BEGINNING; THENCE RUN NORTH 89°51'15" WEST FOR A DISTANCE OF 20.98 FEET; THENCE RUN SOUTH 00°08'45" WEST FOR A DISTANCE OF 9.75 FEET; THENCE RUN NORTH 89°52'00" WEST FOR A DISTANCE OF 20.00 FEET; THENCE RUN NORTH 00°08'45" EAST FOR A DISTANCE OF 82.46 FEET; THENCE RUN NORTH 89°51'15" WEST FOR A DISTANCE OF 84.07 FEET; THENCE RUN SOUTH 00°08'45" WEST FOR A DISTANCE OF 82.48 FEET; THENCE RUN NORTH 89°52'00" WEST FOR A DISTANCE OF 20.00 FEET; THENCE RUN NORTH 00°08'45" EAST FOR A DISTANCE OF 82.48 FEET; THENCE RUN NORTH 89°51'15" WEST FOR A DISTANCE OF 88.98 FEET; THENCE RUN SOUTH 15°16'03" EAST FOR A DISTANCE OF 78.93 FEET; THENCE RUN SOUTH 00°08'45" WEST FOR A DISTANCE OF 6.41 FEET; THENCE RUN NORTH 89°52'00" WEST FOR A DISTANCE OF 20.00 FEET; THENCE RUN NORTH 00°08'45" EAST FOR A DISTANCE OF 3.70 FEET; THENCE RUN NORTH 15°16'03" WEST FOR A DISTANCE OF 81.74 FEET; THENCE RUN NORTH 89°51'15" WEST FOR A DISTANCE OF 18.89 FEET; THENCE RUN SOUTH 45°08'45" WEST FOR A DISTANCE OF 4.21 FEET; THENCE RUN NORTH 89°51'15" WEST FOR A DISTANCE OF 6.41 FEET; THENCE RUN SOUTH 00°08'45" WEST FOR A DISTANCE OF 79.54 FEET; THENCE RUN NORTH 89°52'00" WEST FOR A DISTANCE OF 20.00 FEET; THENCE RUN NORTH 00°08'45" EAST FOR A DISTANCE OF 79.54 FEET; THENCE RUN NORTH 89°51'15" WEST FOR A DISTANCE OF 13.39 FEET; THENCE RUN NORTH 00°00'00" EAST FOR A DISTANCE OF 20.00 FEET; THENCE RUN SOUTH 89°51'15" EAST FOR A DISTANCE OF 31.56 FEET; THENCE RUN NORTH 45°08'45" EAST FOR A DISTANCE OF 4.21 FEET; THENCE RUN SOUTH 89°51'15" EAST FOR A DISTANCE OF 249.95 FEET; THENCE RUN NORTH 00°08'45" EAST FOR A DISTANCE OF 10.39 FEET; THENCE RUN SOUTH 90°00'00" EAST FOR A DISTANCE OF 31.95 FEET; THENCE RUN SOUTH 00°08'45" WEST FOR A DISTANCE OF 83.18 FEET; THENCE RUN SOUTH 90°00'00" EAST FOR A DISTANCE OF 19.99 FEET TO THE POINT OF BEGINNING; CONTAINING 0.340 ACRE, MORE OR LESS.

0000000000

BEARINGS SHOWN HEREON REFER TO THE EAST LINE OF LOT 29 OF MARIANA PARK, AS RECORDED IN PLAT BOOK 9 AT PAGE 111, AS BEING N 00°53'40" W.

THIS PROPERTY IS SUBJECT TO EASEMENTS, RESERVATIONS AND OR RESTRICTION OF RECORD.

DIMENSIONS SHOWN HEREON ARE IN FEET AND DECIMALS THEREOF.

SIGNED 10-15-02

Eric V. Sandoval

ERIC V. SANDOVAL

P.S.M. # 5223
STATE OF FLORIDA

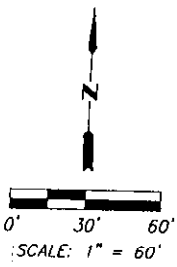
* NOT A SURVEY *

DRAWN BY: JWS	SHEET: 1 OF 4	FILE #: 3-44-24
LEGAL DESCRIPTION		
WATER LINE EASEMENT AT		
PINE ISLAND LANDING		
SECTION 3, TOWNSHIP 44 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA		
DATE: OCTOBER, 2002	JOB CODE: PILDO	DWG: B-2514

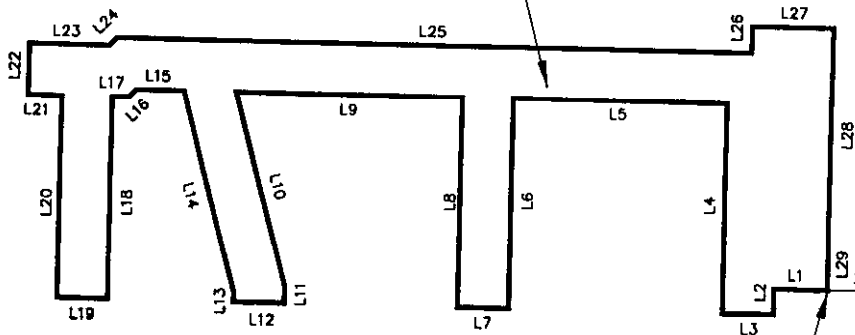


Q. GRADY MINOR AND ASSOCIATES, P.A.
CIVIL ENGINEERS ■ LAND SURVEYORS ■ PLANNERS
3800 VIA DEL REY
BONITA SPRINGS, FLORIDA 34134
PHONE: (239) 947-1144 FAX: (239) 947-0375
CERTIFICATE OF AUTHORIZATION NUMBER 5151

10/15/2002 08:20:19 AM W06GLES21R1C0H 2600N 0



EASEMENT B-2514-1
0.340 ACRE±



POINT OF BEGINNING

POINT OF COMMENCEMENT

SOUTHEAST CORNER OF LOT 29
OF MARIANA PARK, PLAT BOOK 9,
PAGE 111 OF THE PUBLIC RECORDS
OF LEE COUNTY, FLORIDA

LOT 29

MARIANA AVENUE

N 00°53'40" W 576.71'
WEST RIGHT-OF-WAY
LINE OF MANY ROAD

MARIANA

LINE TABLE

LINE	BEARING	LENGTH
L1	N 89°51'15" W	20.98'
L2	S 00°08'45" W	9.75'
L3	N 89°52'00" W	20.00'
L4	N 00°08'45" E	82.46'
L5	N 89°51'15" W	84.07'
L6	S 00°08'45" W	82.48'
L7	N 89°52'00" W	20.00'
L8	N 00°08'45" E	82.48'
L9	N 89°51'15" W	88.98'
L10	S 15°16'03" E	78.93'
L11	S 00°08'45" W	6.41'
L12	N 89°52'00" W	20.00'
L13	N 00°08'45" E	3.70'
L14	N 15°16'03" W	81.74'
L15	N 89°51'15" W	18.89'
L16	S 45°08'45" W	4.21'
L17	N 89°51'15" W	6.41'
L18	S 00°08'45" W	79.54'
L19	N 89°52'00" W	20.00'
L20	N 00°08'45" E	79.54'
L21	N 89°51'15" W	13.39'
L22	N 00°00'00" E	20.00'
L23	S 89°51'15" E	31.56'
L24	N 45°08'45" E	4.21'
L25	S 89°51'15" E	249.95'
L26	N 00°08'45" E	10.39'
L27	S 90°00'00" E	31.95'
L28	S 00°08'45" W	83.18'
L29	S 00°00'00" E	19.99'

* NOT A SURVEY *

DRAWN BY: JWS SHEET: 2 OF 4 FILE #: 3-44-24

SKETCH TO ACCOMPANY LEGAL DESCRIPTION

**WATER LINE EASEMENT AT
PINE ISLAND LANDING**
SECTION 3, TOWNSHIP 44 SOUTH, RANGE 24 EAST,
LEE COUNTY, FLORIDA

DATE: OCTOBER, 2002 JOB CODE: PILDO DWG: B-2514

Q. GRADY MINOR AND ASSOCIATES, P.A.
CIVIL ENGINEERS ■ LAND SURVEYORS ■ PLANNERS
3800 VIA DEL REY
BONITA SPRINGS, FLORIDA 34134
PHONE: (239) 947-1144 FAX: (239) 947-0375
CERTIFICATE OF AUTHORIZATION NUMBER 5151

3:\DWGSET\B-DWGS\B-2514.dwg, 10/14/2002 04:12:35 PM, ICGM\FSPRICOH, 2800N, Q

LEGAL DESCRIPTION
WATER LINE EASEMENT AT PINE ISLAND LANDING
EASEMENT B-2514-2

A STRIP OF LAND LOCATED IN LOTS 16 AND 28 IN MARIANA PARK AS RECORDED IN PLAT BOOK 9, AT PAGE 111 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCE AT THE SOUTHEAST CORNER OF LOT 29 OF SAID MARIANA PARK, SECTION 3, TOWNSHIP 44 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA; THENCE RUN N 00°53'40" W, ALONG THE EAST LINE OF LOT 29 OF SAID MARIANA PARK, FOR A DISTANCE OF 180.70 FEET; THENCE RUN S 89°06'20" W FOR A DISTANCE OF 309.07 FEET TO THE POINT OF BEGINNING; THENCE RUN NORTH 89°51'15" WEST FOR A DISTANCE OF 34.75 FEET; THENCE RUN NORTH 00°08'45" EAST FOR A DISTANCE OF 20.00 FEET; THENCE RUN SOUTH 89°51'15" EAST FOR A DISTANCE OF 14.75 FEET; THENCE RUN NORTH 00°08'45" EAST FOR A DISTANCE OF 157.34 FEET; THENCE RUN NORTH 89°51'15" WEST FOR A DISTANCE OF 30.23 FEET; THENCE RUN NORTH 00°08'45" EAST FOR A DISTANCE OF 20.00 FEET; THENCE RUN SOUTH 89°51'15" EAST FOR A DISTANCE OF 30.23 FEET; THENCE RUN NORTH 00°08'45" EAST FOR A DISTANCE OF 6.91 FEET; THENCE RUN SOUTH 89°51'15" EAST FOR A DISTANCE OF 44.92 FEET; THENCE RUN SOUTH 00°00'00" EAST FOR A DISTANCE OF 20.00 FEET; THENCE RUN NORTH 89°51'15" WEST FOR A DISTANCE OF 24.98 FEET; THENCE RUN SOUTH 00°08'45" WEST FOR A DISTANCE OF 184.25 FEET TO THE POINT OF BEGINNING; CONTAINING 0.126 ACRE, MORE OR LESS.

BEARINGS SHOWN HEREON REFER TO THE EAST LINE OF LOT 29 OF MARIANA PARK, AS RECORDED IN PLAT BOOK 9 AT PAGE 111, AS BEING N 00°53'40" W.

THIS PROPERTY IS SUBJECT TO EASEMENTS, RESERVATIONS AND OR RESTRICTION OF RECORD.

DIMENSIONS SHOWN HEREON ARE IN FEET AND DECIMALS THEREOF.

Q. GRADY MINOR AND ASSOCIATES, P.A.

SIGNED 10-15-02

ERIC V. SANDOVAL

P.S.M. # 5223
STATE OF FLORIDA

* NOT A SURVEY *

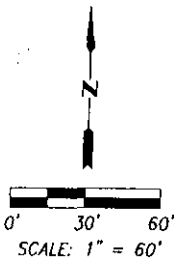
DRAWN BY: JWS	SHEET: 3 OF 4	FILE #: 3-44-24
LEGAL DESCRIPTION		
WATER LINE EASEMENT AT PINE ISLAND LANDING SECTION 3, TOWNSHIP 44 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA		
DATE: OCTOBER, 2002	JOB CODE: PILDO	DWG: B-2514



Q. GRADY MINOR AND ASSOCIATES, P.A.
CIVIL ENGINEERS ■ LAND SURVEYORS ■ PLANNERS
3800 VIA DEL REY
BONITA SPRINGS, FLORIDA 34134
PHONE : (239) 947-1144 FAX : (239) 947-0375
CERTIFICATE OF AUTHORIZATION NUMBER 5151

3:\DWG\SIB-DWGSIB-2514.dwg, 10/14/2002 03:59:57 PM, 1106455281RICH, 2600N 0

10-15-02



EASEMENT B-2514-2

0.126 ACRE±

POINT OF BEGINNING

POINT OF COMMENCEMENT

SOUTHEAST CORNER OF LOT 29 OF MARIANA PARK, PLAT BOOK 9, PAGE 111 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA

LOT 29

MARIANA AVENUE

LINE TABLE		
LINE	BEARING	LENGTH
L30	N 89°51'15" W	34.75'
L31	N 00°08'45" E	20.00'
L32	S 89°51'15" E	14.75'
L33	N 00°08'45" E	157.34'
L34	N 89°51'15" W	30.23'
L35	N 00°08'45" E	20.00'
L36	S 89°51'15" E	30.23'
L37	N 00°08'45" E	6.91'
L38	S 89°51'15" E	44.92'
L39	S 00°00'00" E	20.00'
L40	N 89°51'15" W	24.98'
L41	S 00°08'45" W	184.25'

S 89°06'20" W
309.07'

N 00°53'40" W
180.70'

EAST LINE OF LOT 29 OF MARIANA PARK
WEST RIGHT-OF-WAY LINE OF MANY ROAD

* NOT A SURVEY *

DRAWN BY: JWS	SHEET: 4 OF 4	FILE #: 3-44-24
SKETCH TO ACCOMPANY LEGAL DESCRIPTION		
WATER LINE EASEMENT AT PINE ISLAND LANDING SECTION 3, TOWNSHIP 44 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA		
DATE: OCTOBER, 2002	JOB CODE: PILDO	DWG: B-2514

Q. GRADY MINOR AND ASSOCIATES, P.A.
 CIVIL ENGINEERS ■ LAND SURVEYORS ■ PLANNERS
 3800 VIA DEL REY
 BONITA SPRINGS, FLORIDA 34134
 PHONE: (239) 947-1144 FAX: (239) 947-0375
 CERTIFICATE OF AUTHORIZATION NUMBER 5151

NEOC

TO: LEE COUNTY FINANCE DEPARTMENT

FROM: UTILITIES ENGINEERING
(Department)

SUE GULLEDGE

A. AUTHORIZATION:

This transmittal authorizes the UTIL. ENGINEERING office to incur expenses for filing/records against:

Purchase Order # N/A for WAL-MART PLAZA-NORTH FORT MYERS, PHASE 1 (AUBURN REALTY LLC) project. BS 20021264-UTL
ACCOUNT NO. OD5360748700.504930

ORIGINAL EASEMENT TO MINUTES AFTER RECORDING,
WITH COPY TO SUE GULLEDGE, UTILITIES

Sue Gullledge
SUE GULLEDGE

Signature Authorization

B. SERVICE RECEIVED:

RECORDING _____

O. R. COPIES _____

PLAT COPIES _____

CASE #/INDEX FEE _____

DESCRIPTION OF SERVICE _____

AMOUNT OF FEE INCURRED \$ _____

(date)

(DEPUTY CLERK)

(CUSTOMER) (DEPT.)

THIS FORM GOES TO CASHIER WITH REGULAR RECEIPT ATTACHED

C. INVOICE INFORMATION: (FOR CLERK'S DEPARTMENT ONLY)

REC'D _____

ENTERED _____

CUST. # _____

INV. # _____

PLEASE REMIT TO: Clerk's Accounting
P.O. BOX 2396
FORT MYERS, FLORIDA 33902-2396



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

PHOTOCOPIES OF THIS FORM NOT ACCEPTABLE
 DR-219 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.

0	1	2	3	4	5	6	7	8	9			0	1	2	3	4	5	6	7	8	9		
---	---	---	---	---	---	---	---	---	---	--	--	---	---	---	---	---	---	---	---	---	---	--	--

1. Parcel Identification Number (If Parcel ID not available please call County Property Appraiser's Office) →

03442402000000150

2. Mark (x) all that apply

Multi-parcel transaction? → Transaction is a split or cutout from another parcel? → Property was improved with building(s) at time of sale/transfer? →

3. Grantor (Seller): AUBURN REALTY LLC

Last First MI Corporate Name (if applicable)

2220 N MERIDIAN, INDIANAPOLIS IN 46208

Mailing Address City State Zip Code Phone No.

4. Grantee (Buyer): LEE CO BOARD OF COUNTY COMMISSIONERS

Last First MI Corporate Name (if applicable)

P. O. BOX 398, FT. MYERS, FL 33902

Mailing Address City State Zip Code Phone No. (239) 479-8181

5. Date of Sale/Transfer

Month Day Year

Sale/Transfer Price \$

Property Located In 46 County Code (County Codes on Reverse)

6. Type of Document Contract/Agreement for Deed Other Warranty Deed Quit Claim Deed EASEMENT DONATION

7. Are any mortgages on the property? If "Yes", outstanding mortgage balance: \$

(Round to the nearest dollar.)

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.

YES / NO

9. Was the sale/transfer financed? YES / NO If "Yes", please indicate type or types of financing:

Conventional Seller Provided Agreement or Contract for Deed Other

10. Property Type: Residential Commercial Industrial Agricultural Institutional/Miscellaneous Government Vacant Acreage Timeshare

Mark (x) all that apply

11. To the best of your knowledge, was personal property included in the sale/transfer? If "Yes", please state the amount attributable to the personal property. (Round to the nearest dollar.)

YES / NO

\$

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? YES / NO

Under penalties of perjury, I declare that I have read the foregoing return and that the facts stated in it are true. If prepared by someone other than the taxpayer, his/her declaration is based on all information of which he/her has any knowledge.

Signature of Grantor or Grantee or Agent RICK DIAZ, UTPL DIRECTOR Date 10/31/02

WARNING: FAILURE TO FILE THIS RETURN OR ALTERNATIVE FORM APPROVED BY THE DEPARTMENT 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
<p>O. R. Book and Page Number and File Number</p> <p>Date Recorded</p> <p>Month Day Year</p>	