

**LEE COUNTY BOARD OF COUNTY COMMISSIONERS**  
**AGENDA ITEM SUMMARY** **BLUE SHEET NO: 20030174-UTL**

**1. REQUESTED MOTION:**

**ACTION REQUESTED:**

Approve final acceptance, by Resolution, and recording of one utility easement as a donation for a fire hydrant serving 7-Eleven. This is a Developer contributed asset project is located on the southwest corner of U. S. 41 and College Parkway.

**WHY ACTION IS NECESSARY:**

To provide fire protection to the recently constructed commercial building.

**WHAT ACTION ACCOMPLISHES:**

Places the fire hydrant into operation and complies with the Lee County Utilities Operations Manual.

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

*C10C*

**3. MEETING DATE:**

*03-11-2003*

**4. AGENDA:**

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

**5. REQUIREMENT/PURPOSE:**

*(Specify)*

- STATUTE
- ORDINANCE
- ADMIN. CODE
- OTHER *Res, Easement*

**6. REQUESTOR OF INFORMATION:**

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

DATE: *2/15/03*

**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 service and sanitary sewer service is provided by Lee County Utilities via existing infrastructure located within the right-of-way of College Parkway.

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

SECTION 14 TOWNSHIP 45S RANGE 24E DISTRICT # 5 COMMISSIONER ALBION

**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: <i>2-14-03</i>	N/A Date:	N/A Date:	<i>T.O.</i> T. Osterhout Date: <i>2-13</i>	<i>D.O.</i> D. Owen Date: <i>2/17/03</i>	<i>AM</i> Date: <i>2/18/03</i>	<i>AM</i> Date: <i>2/18/03</i>	<i>RS</i> Date: <i>2-18-03</i>	<i>RS</i> Date: <i>2-18-03</i>	<i>J. Lavender</i> Date: <i>2-14-03</i>

**10. COMMISSION ACTION:**

- \_\_\_\_\_ APPROVED
- \_\_\_\_\_ DENIED
- \_\_\_\_\_ DEFERRED
- \_\_\_\_\_ OTHER

**Rec. by CoAtty**  
 Date: *2/17/03*  
 Time: *1:55*  
 Forwarded To:  
*Budget*  
*2/17/03 2:00pm*

RECEIVED BY  
 COUNTY ADMIN.  
*2-17-03*  
*3:40*  
 COUNTY ADMIN.  
 FORWARDED TO:  
*2/16/03*  
*C*

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

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

WHEREAS, it is the desire of RM College Parkway Center Out Parcel LLC, owner of record, to make a contribution to Lee County Utilities of water facilities (one fire hydrant), serving **"7-11 (CORNER OF US 41 & COLLEGE PARKWAY)"**; 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 **\$9,275.00** 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 \_\_\_\_\_ (1)
- Commissioner St. Cerny: \_\_\_\_\_ (2)
- Commissioner Judah(C): \_\_\_\_\_ (3)
- Commissioner Coy: \_\_\_\_\_ (4)
- Commissioner Albion (V-C): \_\_\_\_\_ (5)

DULY PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2003.

ATTEST:  
CHARLIE GREEN, CLERK

BOARD OF COUNTY COMMISSIONERS  
OF LEE COUNTY, FLORIDA

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

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

APPROVED AS TO FORM

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

COPY

11.4

LETTER OF COMPLETION

DATE: 12/27/02

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 and/or sewage collection system(s) located in  
7-Eleven @ U.S. 41 & College Parkway  
(Name of Development)

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

the approved plans  the revised plans, attached

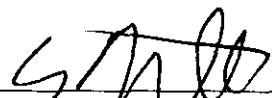
and:

the approved specifications  the revised specifications, attached

Upon completion of the work, we observed the following successful tests of the facilities:  
Hydrostatic Pressure Test

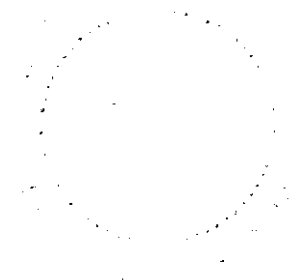
Very truly yours,

Morris-Depew Associates, Inc. EB6532  
(Owner or Name of Corporation)

  
(Signature) Ryan M. Shute, PE

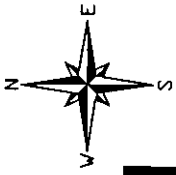
PE 54597  
(Title)

(SEAL OF ENGINEERING FIRM)



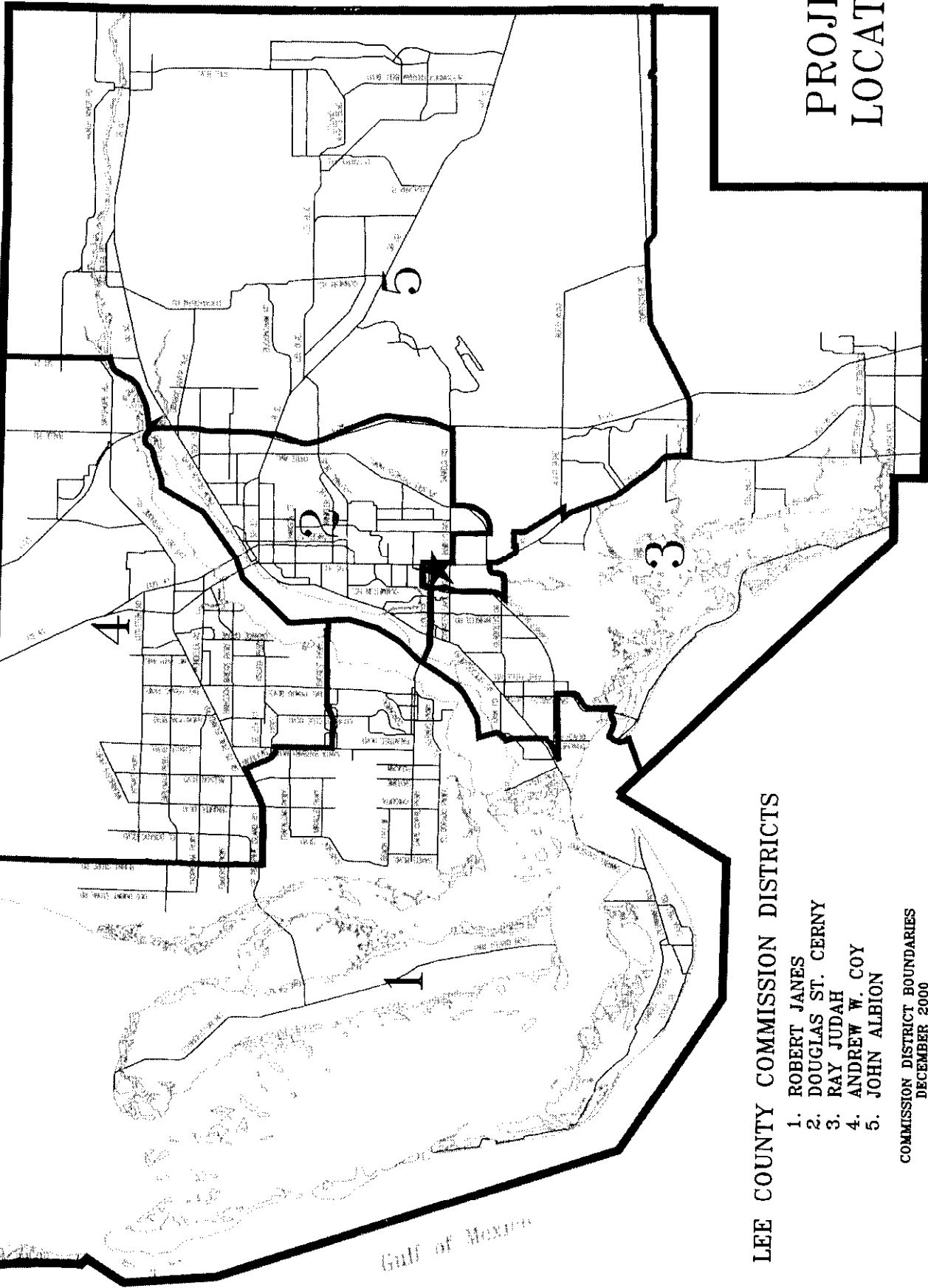
(DLCU:ENG)

COPY



# PROJECT LOCATION

7-11 @ S CLEVELAND AV & COLLEGE PKWY  
14-45-24-00-00004.0160  
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

Gulf of Mexico

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):  
7-11 Store - College Pkwy. and US 41

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 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.

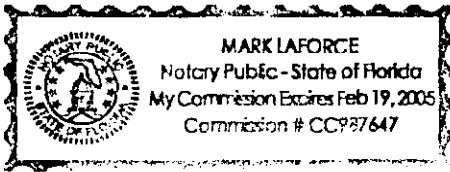
Sun Coast Underground  
(NAME OF OWNER OR CONTRACTOR)

BY: [Handwritten Signature]  
(Signature & Title)

STATE OF Florida )  
) SS:  
COUNTY OF Lee )

The foregoing instrument was signed and acknowledged before me this 20th day of November, 2002 by Robert LaForce who has produced Personally Known as identification, and who (did) (did not) take an oath.  
(Print or Type Name) (Type of Identification and Number)

[Handwritten Signature]  
Notary Public Signature  
Mark LaForce  
Printed Name of Notary Public  
February 19, 2005  
Notary Commission Number

  
(NOTARY SEAL)

WAIVER AND RELEASE OF LIEN  
UPON FINAL PAYMENT

The undersigned lienor, w consideration of the final payment in the amount  
of Eight Thousand One Hundred Dollars & No Cents (\$8,100.00)

hereby waivers and releases its lien and right to claim a lien for labor, services, or  
materials furnished to Clearlake Development  
(insert the name of your customer)

on the job of RM College Parkway Center Out to the following  
(insert the name of the owner)

described property: 7-11 Store - 12750 S. Cleveland Ave.  
(Name of Development/Project)

Hydrant and Water Service Tap Installation  
(Facilities Constructed)

S.W. Corner of College Parkway and US 41  
(Project Location)

Strap #: 14-45-24-00-00004.0160  
(STRAP(s) #)

Dated on 1/20/03

By: [Signature]  
(Signature of Authorized Representative)

Sun Coast Underground  
(Name of Firm or Corporation)

By: Robert LaForce  
(Print Name of Authorized Representative)

172 Egret Street  
(Address)

Title: V.P.

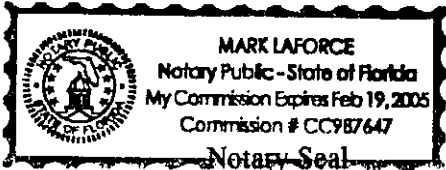
Ft. Myers Beach, FL 33931  
(City, State & Zip)

Phone #: 239-463-6632

Fax #: 239-463-2666

STATE OF Florida  
COUNTY OF Lee

The foregoing instrument was signed and acknowledged before me this 20th day  
of January 2003, by Robert LaForce, who  
produced Personally Known as identification or who is  
personally known to me, and who did/did not take an oath.



Notary Public: [Signature]  
(Signature)

Notary Public Name: Mark LaForce  
(Print)

My Commission Expires: 2/19/05

WAIVER AND RELEASE OF LIEN  
UPON FINAL PAYMENT

The undersigned lienor, w consideration of the final payment in the amount  
of One Thousand One Hundred Seventy Five Dollars & No Cents (\$ 1,175.00 )

hereby waivers and releases its lien and right to claim a lien for labor, services, or  
materials furnished to Clearlake Development  
(insert the name of your customer)

on the job of RM College Parkway Center Out to the following  
(insert the name of the owner)

described property: 7-11 Store - 12750 S. Cleveland Ave.  
(Name of Development/Project)

Sanitary Sewer - Tap to Manhole and Cleanout  
(Facilities Constructed)

S.W. Corner of College Parkway and US 41  
(Project Location)

Strap #: 14-45-24-00-00004.0160  
(STRAP(s) #)

Dated on 1/20/03

By: [Signature]  
(Signature of Authorized Representative)

Sun Coast Underground  
(Name of Firm or Corporation)

By: Robert LaForce  
(Print Name of Authorized Representative)

172 Egret Street  
(Address)

Title: V.P.

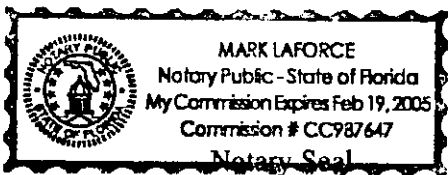
Ft. Myers Beach, FL 33931  
(City, State & Zip)

Phone #: 239-463-6632

Fax #: 239-463-2666

STATE OF Florida  
COUNTY OF Lee

The foregoing instrument was signed and acknowledged before me this 20th day  
of January 2003, by Robert LaForce, who  
produced Personally Known as identification or who is  
personally known to me, and who did/did not take an oath.



Notary Public: [Signature]  
(Signature)

Notary Public Name: Mark LaForce  
(Print)

My Commission Expires: 2/19/05

CERTIFICATION OF CONTRIBUTORY ASSETS

PROJECT NAME: 7-11 Store - College Pkwy. and US 41

LOCATION: 12750 S. Cleveland Ave.

Strap #: 14-45-24-00-00004.0160

(Including Strap Number)

NAME AND ADDRESS OF OWNER: RM College Parkway Center Out Parcel LLC, 3325 S.

University Drive, Suite 210, Davie, FL 33328

as shown on deed

TYPE UTILITY SYSTEM: Watermain - Hydrant and Water Service Installation

(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 station, meters, valves, fittings, etc.

ITEM	SIZE	QUANTITY	UNIT	COST	TOTAL
Tap	16"x6"	1	EA	\$ 4,000.00	4,000.00
Fittings	6"	1	LS	\$ 500.00	500.00
DIP Pipe	6"	22	LF	\$ 50.00	1,100.00
Hydrant	6"	1	EA	\$ 1,500.00	1,500.00
Double Water Serv.	2"x1" (2)	1	EA	\$ 1,000.00	1,000.00

Total = \$ 8,100.00

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.

CERTIFYING:

*Robert LaForce*

(Name & Title of Certifying Agent)

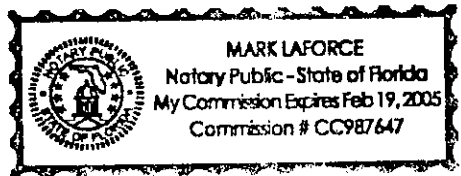
OF: Sun Coast Underground  
(Firm or Corporation)

ADDRESS: 172 Egret Street, Ft. Myers  
Beach, FL 33931

STATE OF Florida )  
 ) SS:  
COUNTY OF Lee )

The foregoing instrument was signed and acknowledged before me this 20th day of November, 2002 by Robert LaForce who has produced Personally Known as identification, and who (did) (did not) take an oath.  
(Print or Type Name) (Type of Identification and Number)

*Mark LaForce*  
Notary Public Signature  
Mark LaForce  
Printed Name of Notary Public  
February 19, 2005  
Notary Commission Number



(NOTARY SEAL)

CERTIFICATION OF CONTRIBUTORY ASSETS

PROJECT NAME: 7-11 Store - College Pkwy. and US 41

LOCATION: 12750 S. Cleveland Ave.

Strap #: 14-45-24-00-00004.0160

(Including Strap Number)

NAME AND ADDRESS OF OWNER: RM College Parkway Center Out Parcel LLC, 3325 S.

University Drive, Suite 210, Davie, FL 33328

as shown on deed

TYPE UTILITY SYSTEM: Sanitary Sewer - Tap to Manhole and Cleanout

(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 station, meters, valves, fittings, etc.

ITEM	SIZE	QUANTITY	UNIT	COST	TOTAL
Tap to Ex. Manhole	6"	1	LS	\$ 1,000.00	1,000.00
Cleanout	6"	1	LS	\$ 175.00	175.00

Total = \$ 1,175.00

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.

CERTIFYING: [Signature]  
(Name & Title of Certifying Agent)  
OF: Sun Coast Underground  
(Firm or Corporation)  
ADDRESS: 172 Egret Street, Ft. Myers  
Beach, FL 33931

STATE OF Florida )  
                                  ) SS:  
COUNTY OF Lee )

The foregoing instrument was signed and acknowledged before me this 20th day of November, 2002 by Robert LaForce who has produced Personally Known  
(Print or Type Name) (Type of Identification and Number)  
as identification, and who (did) (did not) take an oath.

[Signature]  
Notary Public Signature  
Mark LaForce  
Printed Name of Notary Public  
February 19, 2005  
Notary Commission Number



(NOTARY SEAL)

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

**PERPETUAL PUBLIC UTILITY EASEMENT GRANT**

THIS INDENTURE is made and entered into this \_\_\_\_ day of February, 2003, by and between RM College Parkway Center Out Parcel, LLC, Owner, hereinafter referred to as GRANTOR(S), and LEE COUNTY, hereinafter referred to as GRANTEE.

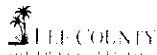
**WITNESSETH:**

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 his 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.

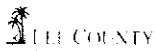
6. GRANTOR(S), its heirs, successors or assigns, shall indemnify and hold the GRANTEE harmless for any consequential damages to any houses, fences, buildings, carports, garages, storage sheds, overhangs, or any other structures or portions of structures subsequently constructed by GRANTOR(S) in violation 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 signed on the date and year first above written. RM College Parkway Center Out Parcel, LLC

BY: RM College Parkway Center, LLLP, its Manager

BY: Ross Matz Investments IV, LLC, its General Partner

X [Signature]  
(Signature of 1<sup>st</sup> Witness)

X [Signature]  
(Grantor's/Owner's Signature)

Annette D Pappas  
(Name of 1<sup>st</sup> Witness)

RM College Parkway Center Out Parcel, LLC  
(Grantor's/Owner's Name)

X [Signature]  
(Signature of 2<sup>nd</sup> Witness)

Owner [Signature] Barry Ross, Manager  
Title

GENEVIEVE A. KIRK  
(Name of 2<sup>nd</sup> Witness)

STATE OF Florida )  
COUNTY OF Broward ) SS:

The foregoing instrument was signed and acknowledged before me this 6th day of FEB 2003 by \*     who is personally known to me -    , and who did not take an oath.

\*Barry Ross, Manager of Ross Matz Investments IV, LLC, General Partner of RM College Parkway Center, LLLP, Manager of RM College Parkway Center Out Parcel, LLC

[Signature]  
Notary Public Signature

Printed Name of Notary Public

(Notary Seal & Commission Number)

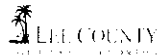
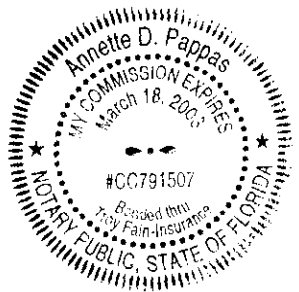




Exhibit 'A'

PAGE 1004

## UTILITY EASEMENT NO.1

A PARCEL OF LAND TO BE USED FOR UTILITY PURPOSES, BEING A PART OF THE SOUTHEAST ¼ OF SECTION 14, TOWNSHIP 45 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA, BEING DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF THE NORTH ½ OF THE SOUTH ½ OF THE SAID SOUTHEAST ¼ OF SECTION 14; THENCE SOUTH 89°08'50"WEST ALONG THE SOUTH LINE OF SAID NORTH ½ OF THE SOUTH ½ OF THE SOUTHEAST ¼ OF SECTION 14, A DISTANCE OF 133.83 FEET TO THE WEST RIGHT OF WAY LINE OF STATE ROAD 45 (U.S. 41); THENCE NORTH 01°16'00"WEST ALONG SAID WEST RIGHT OF WAY LINE, A DISTANCE OF 219.90 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 89°09'08"WEST, A DISTANCE OF 7.70 FEET; THENCE NORTH 01°16'00"WEST ALONG A LINE PARALLEL TO SAID WEST RIGHT OF WAY LINE OF STATE ROAD 45, A DISTANCE OF 163.50 FEET TO A POINT AT THE SOUTH RIGHT OF WAY LINE OF COLLEGE PARKWAY; THENCE NORTH 89°08'55"EAST ALONG SAID SOUTH RIGHT OF WAY LINE, A DISTANCE OF 7.70 FEET TO A POINT AT SAID WEST RIGHT OF WAY LINE OF STATE ROAD 45; THENCE SOUTH 01°16'00"EAST ALONG SAID WEST RIGHT OF WAY LINE, A DISTANCE OF 163.50 FEET TO THE POINT OF BEGINNING. CONTAINING 1258.98 SQUARE FEET, MORE OR LESS.

BEARINGS ARE BASED ON THE WEST RIGHT OF WAY LINE OF STATE ROAD 45 (U.S. 41), BEING NORTH 01°16'00"WEST PER THE FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAPS.

THIS DESCRIPTION NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF THE LICENSED FLORIDA SURVEYOR AND MAPPER. THE ATTACHED SKETCH OF DESCRIPTION IS NOT A SURVEY.



DONALD D. SMITH, P.S.M.  
PROFESSIONAL SURVEYOR AND MAPPER  
FLORIDA REGISTRATION NO. 4078  
DATE SIGNED: 1-8-03



PAGE 2 OF 4

(NOT A SURVEY)

SKETCH OF DESCRIPTION SEC.14, TWP.45S., RNG. 24E.

COLLEGE PARKWAY (100' WIDE)

P.O.B. UTILITY EASEMENT 2 13.75' N89°08'55"E

N89°08'55"E 7.70'

N89°08'55"E 202.80' 58°08'35"W 189.03'

ROW

100'

N00°51'05"W 53.41'

N00°51'05"W 33.00'

N00°51'05"W 33.00'

N00°51'05"W 500°51'05"E

58°08'55"W 13.75'

13.75' WIDE UTILITY EASEMENT (453.75 SQ. FT.)

N23°14'17"E 31.87'

N66°20'13"W 14.58'

N00°51'05"W 75.05'

50'

N01°16'00"W 163.50'

S01°16'00"E 163.50'

N01°16'00"W 363.40'

7.7' WIDE UTILITY EASEMENT (1258.98 SQ. FT.)

S.R. 45 (U.S.41) (200' WIDE)

100'

58°09'08"W 203.98'

58°09'08"W 7.70'

P.O.B. UTILITY EASEMENT 1

LEGEND

- P.O.C. = POINT OF COMMENCEMENT
P.O.B. = POINT OF BEGINNING
ROW = RIGHT OF WAY
O.R. = OFFICIAL RECORDS
P.G. = PAGE
SEC. = SECTION
TWP. = TOWNSHIP
RNG. = RANGE



N01°16'00"W 239.90' WEST RIGHT OF WAY LINE S.R. NO. 45 (U.S. 41)

P.O.C. THE SOUTHEAST CORNER OF THE NORTH 1/2 OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF SECTION 14

SOUTH LINE OF THE NORTH 1/2, SOUTH 1/2, SOUTHEAST 1/4 OF SECTION 14, TOWNSHIP 45S., RANGE 24 E.

58°08'50"W 133.83'

SHEET 2 OF 2



MORRIS - DEPEW ASSOCIATES, INC.

ENGINEERS \* PLANNERS \* SURVEYORS \* MAPPERS

2216 Altamont Avenue \* Fort Myers, Florida 33901 \* (941) 337-3993 \* (FAX) 337-3994

THIS SKETCH TO ACCOMPANY THE ATTACHED SIGNED AND SEALED DESCRIPTION

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PAGE 3 of 4

## UTILITY EASEMENT NO.2

A PARCEL OF LAND TO BE USED FOR UTILITY PURPOSES, BEING A PART OF THE SOUTHEAST ¼ OF SECTION 14, TOWNSHIP 45 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA, BEING DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF THE NORTH ½ OF THE SOUTH ½ OF THE SAID SOUTHEAST ¼ OF SECTION 14; THENCE SOUTH 89°08'50"WEST ALONG THE SOUTH LINE OF SAID NORTH ½ OF THE SOUTH ½ OF THE SOUTHEAST ¼ OF SECTION 14, A DISTANCE OF 133.83 FEET TO THE WEST RIGHT OF WAY LINE OF STATE ROAD 45 (U.S. 41); THENCE NORTH 01°16'00"WEST ALONG SAID WEST RIGHT OF WAY LINE, A DISTANCE OF 383.40 FEET TO A POINT AT THE SOUTH RIGHT OF WAY LINE OF COLLEGE PARKWAY; THENCE SOUTH 89°08'55"WEST ALONG SAID SOUTH RIGHT OF WAY LINE, A DISTANCE OF 189.05 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 00°51'05" EAST, A DISTANCE OF 33.00 FEET; THENCE SOUTH 89°08'55"WEST, A DISTANCE OF 13.75 FEET; THENCE NORTH 00°51'05"WEST, A DISTANCE OF 33.00 FEET TO A POINT ON SAID SOUTH RIGHT OF WAY LINE OF COLLEGE PARKWAY; THENCE NORTH 89°08'55"EAST ALONG SAID SOUTH RIGHT OF WAY LINE, A DISTANCE OF 13.75 FEET TO THE POINT OF BEGINNING. CONTAINING 453.75 SQUARE FEET.

BEARINGS ARE BASED ON THE WEST RIGHT OF WAY LINE OF STATE ROAD 45 (U.S. 41), BEING NORTH 01°16'00"WEST PER THE FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAPS.

THIS DESCRIPTION NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF THE LICENSED FLORIDA SURVEYOR AND MAPPER. THE ATTACHED SKETCH OF DESCRIPTION IS NOT A SURVEY.



DONALD D. SMITH, P.S.M.  
PROFESSIONAL SURVEYOR AND MAPPER  
FLORIDA REGISTRATION NO. 4078  
DATE SIGNED: 1-9-03

PAGE 4 OF 4

(NOT A SURVEY)

SKETCH OF DESCRIPTION SEC.14, TWP.45S., RNG. 24E.

COLLEGE PARKWAY (100' WIDE)

P.O.B.

UTILITY EASEMENT 2 13.75' N89°08'55"E

N89°08'55"E 7.70'

N89°08'55"E 202.80' S89°08'55"W 189.05'

ROW

100'

N00°31'05"W 17.56' N00°15'00"

33.00' 33.00' S00°31'05"E

S89°08'55"W 13.75' 13.75' WIDE UTILITY EASEMENT (453.75 SQ. FT.)

N23°44'57"E 31.87' N66°20'13"W 14.36'

N00°31'05"W 75.05'

7.7' WIDE UTILITY EASEMENT (1258.98 SQ. FT.)

N01°16'00"W 163.50'

S01°16'00"E 163.50'

N01°16'00"W 363.40'

(200' WIDE)

S.R. 45 (U.S.41)

100'

LEGEND

- P.O.C. = POINT OF COMMENCEMENT
- P.O.B. = POINT OF BEGINNING
- ROW = RIGHT OF WAY
- O.R. = OFFICIAL RECORDS
- P.G. = PAGE
- SEC. = SECTION
- TWP. = TOWNSHIP
- RNG. = RANGE



S89°09'06"W 203.98'

S89°09'08"W 7.70'

P.O.B.

UTILITY EASEMENT 1

N01°16'00"W 219.90' WEST RIGHT OF WAY LINE S.R. NO. 45 (U.S. 41)

P.O.C.

THE SOUTHEAST CORNER OF THE NORTH 1/2 OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF SECTION 14

SOUTH LINE OF THE NORTH 1/2, SOUTH 1/2, SOUTHEAST 1/4 OF SECTION 14, TOWNSHIP 45S., RANGE 24 E.

S89°08'50"W 133.83'

SHEET 2 OF 2



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THIS SKETCH TO ACCOMPANY THE ATTACHED SIGNED AND SEALED DESCRIPTION

I:\00240\00240area\dwg\00240\UTL EASE1.dwg 01/09/2005 03:29:19 PM daminh

TO: LEE COUNTY FINANCE DEPARTMENT

FROM: UTILITIES ENGINEERING  
(Department)

SUE GULLEDGE

A. AUTHORIZATION:

BS 20030174-UTL

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

Purchase Order # N/A for 7-11 AT US 41 & COLLEGE (RM COLLEGE PARKWAY CENTER OUT PARCEL LLC)  
project.  
ACCOUNT NO. OD5360748700.504930

ORIGINAL EASEMENT 10 MINUTES AFTER RECORDING  
WITH COPY TO SUE GULLEDGE, UTILITIES

  
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.

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

0 1 2 3 4 5 6 7 8 9    0 1 2 3 4 5 6 7 8 9  
 14 4 5 2 4 0 0 0 0 0 4 0 1 6 0

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):

Last First MI Corporate Name (if applicable)  
 3325 S UNIVERSITY DR, #210, DAVIE FL 33328

Mailing Address City State Zip Code Phone No.

4. Grantee (Buyer):

Last First MI Corporate Name (if applicable)  
 P. O. BOX 398, FT. MYERS FL 33902 (239) 479-8181

Mailing Address City State Zip Code Phone No.

5. Date of Sale/Transfer

Sale/Transfer Price

Month / Day / Year    \$    . 00    Property Located In 4 6    County Code (County Codes on Reverse)

6. Type of Document

Contract/Agreement  
 for Deed

Other

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

YES  /  NO

Warranty  
 Deed

Quit Claim  
 Deed

EASEMENT  
 DONATION

(Round to the nearest dollar.) \$    . 00

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 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

\$    . 00

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*  
 RICK DIAZ, UTILITIES DIRECTOR

Date

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
O. R. Book and Page Number and File Number	
Date Recorded	