

LEE COUNTY BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY

BLUE SHEET NO: 20040086 -UTL

1. REQUESTED MOTION:

ACTION REQUESTED:

Approve final acceptance, by Resolution and recording of one (1) utility easement, as a donation of water distribution and gravity collection systems serving GARDENS @ BEACHWALK, PHASE 2. This is a Developer contributed asset project located on the south side of Gladiolus Drive between San Carlos Boulevard and Pine Ridge Road.

WHY ACTION IS NECESSARY: To provide potable water service, fire protection and sanitary sewer service to this phase of the recently constructed multi-family apartment complex.

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 #: 3

C10H

3. MEETING DATE:

02-10-2004

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, P.E., Utilities Director
- DATE: 1/22/04

[Handwritten signature]
1/22/04

7. BACKGROUND:

The Board granted permission to construct on 12/03/02, Blue Sheet #20021226. 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 for this phase of the project.

Funds are available for Easement recording fees in Account number OD5360748700.504930.

SECTION 31 TOWNSHIP 45S RANGE 24 E DISTRICT # 3 COMMISSIONER JUDAH

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>[Signature]</i> Lavender Date: 1-23-04	N/A Date:	N/A Date:	P.O. T. Osterhout Date: 1-22-	<i>[Signature]</i> Date: 1/26/04	<i>[Signature]</i> 1/26/04	<i>[Signature]</i> 1/27/04	<i>[Signature]</i> 1/27/04	<i>[Signature]</i> 1/27/04	<i>[Signature]</i> Lavender Date: 1-23-04

10. COMMISSION ACTION:

- ___ APPROVED
- ___ DENIED
- ___ DEFERRED
- ___ OTHER

Rec. by CoAtty
Date: 1/26/04
Time: 11:25
Forwarded To:
Adm. n 1-26-04

RECEIVED BY
COUNTY ADMIN: *[Signature]*
1/26/04
3:00 pm SCT
COUNTY ADMIN
FORWARDED TO: *[Signature]*
1/28/04
9:00

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

WHEREAS, it is the desire of Gardens at Beachwalk, LLC, owner of record, to make a contribution to Lee County Utilities of water facilities (water distribution), and sewer facilities (gravity collection system) serving "**GARDENS AT BEACHWALK, PHASE 2**"; 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 **\$147,644.34** 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: _____ (1)
- Commissioner Douglas St. Cerny: _____ (2)
- Commissioner Ray Judah: _____ (3)
- Commissioner Andrew Coy: _____ (4)
- Commissioner John Albion: _____ (5)

DULY PASSED AND ADOPTED this _____ day of _____, _____.

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: October 2, 2003

Department of Lee County Utilities
Division of Engineering
1500 Monroe Street
Fort Myers, FL 33901

Gentlemen:

This is to certify that the water distribution and or sewage collection system(s) located in Gardens at Beachwalk - Phase II
(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 on the facilities: watermain pressure test, low air pressure gravity sewer test and review of sewer video.

Very truly yours,

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

Barry E. Jones 10/6/03
(Signature)

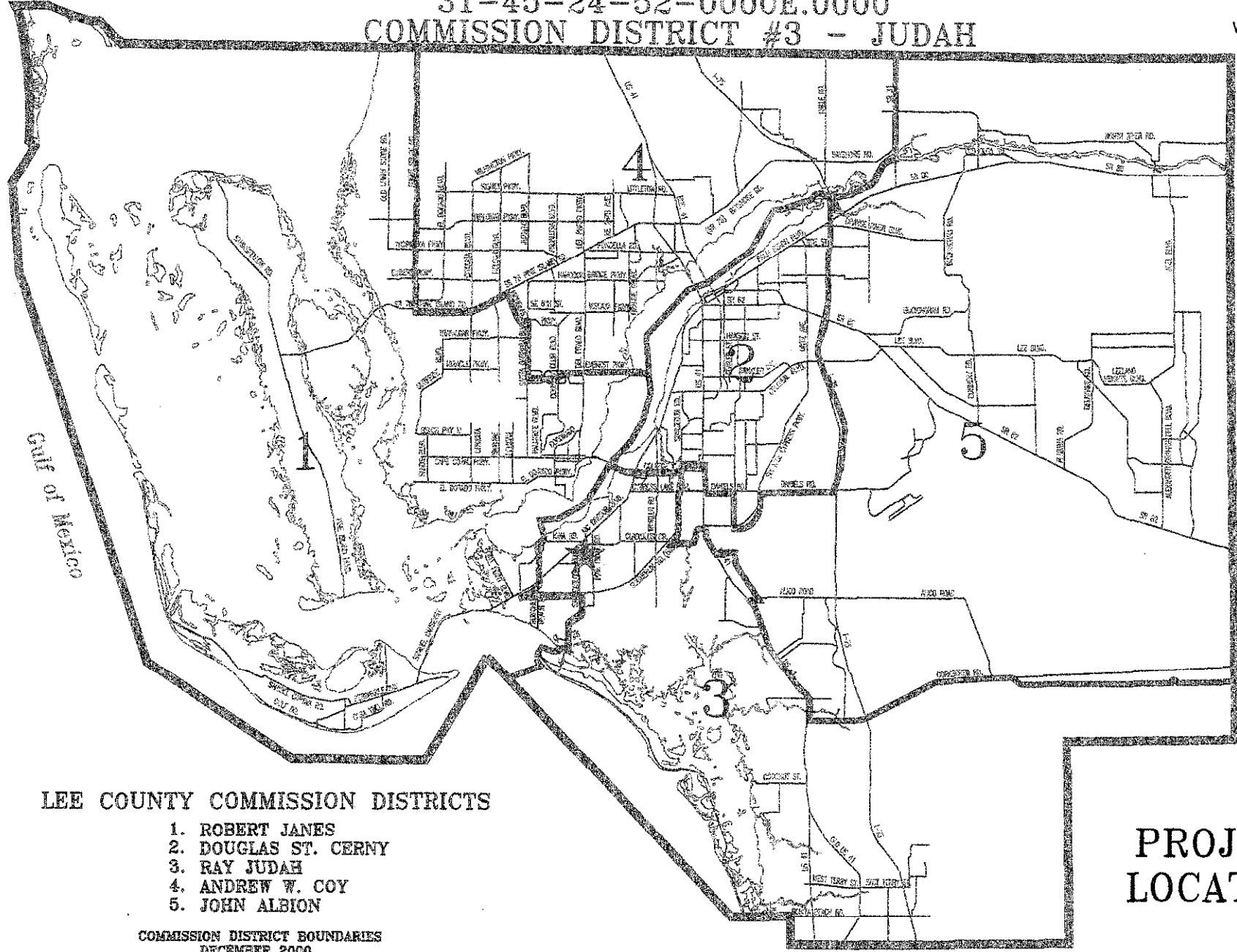
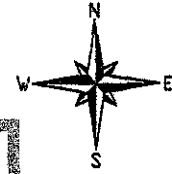
Barry E. Jones, P.E.
(Printed Name)

Project Manager
(Title)

(SEAL OF ENGINEERING FIRM)



GARDENS AT BEACHWALK - PHASE 2
31-45-24-52-0000E.0000
COMMISSION DISTRICT #3 - JUDAH



COPY

LEE COUNTY COMMISSION DISTRICTS

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

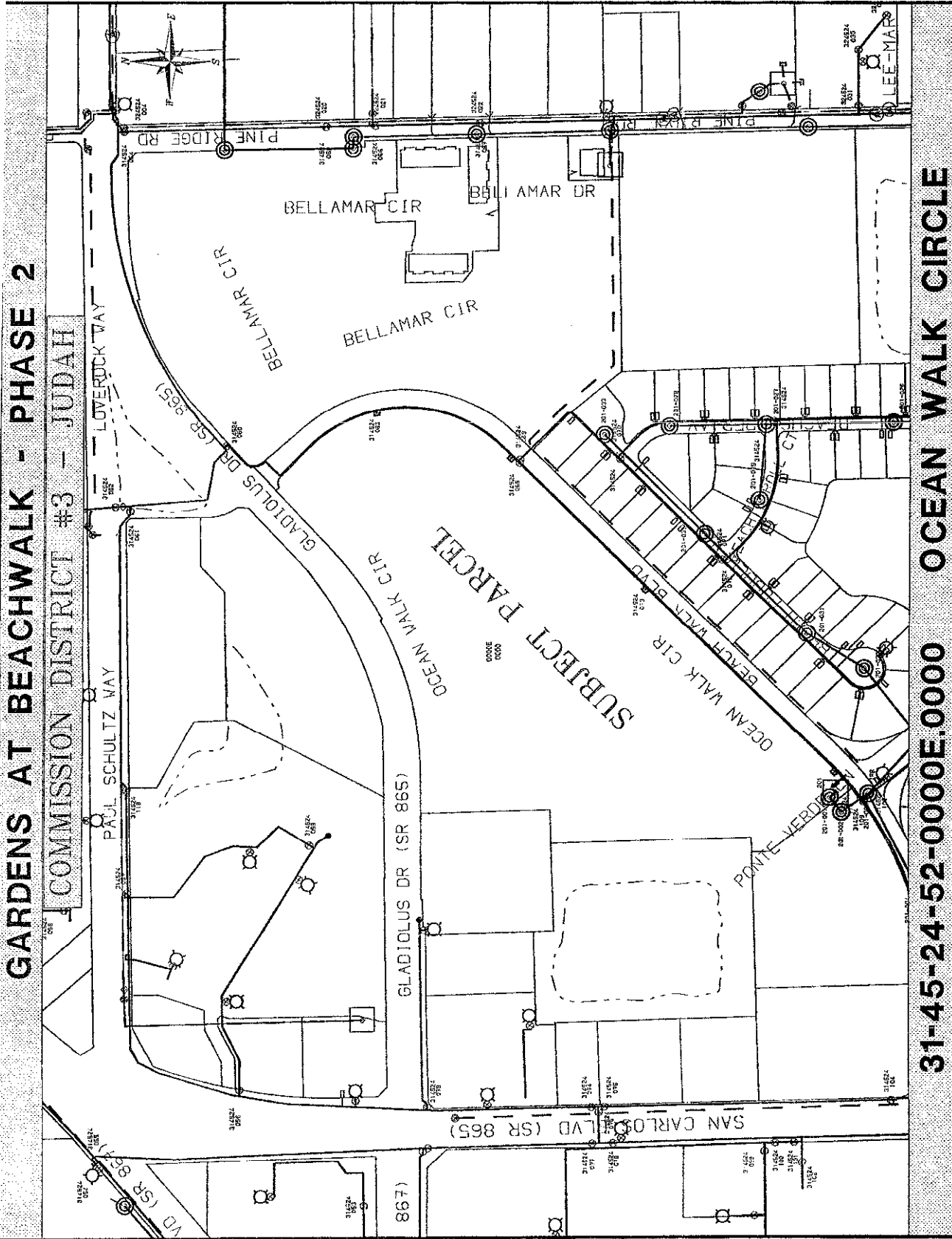
COMMISSION DISTRICT BOUNDARIES
DECEMBER 2000

PROJECT
LOCATION

COPY

GARDENS AT BEACHWALK - PHASE 2

COMMISSION DISTRICT #3 - JUDAH



31-45-24-52-0000E.0000 OCEAN WALK CIRCLE

COPIES

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): GARDENS @ BEACHWALK PHASE 2

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.

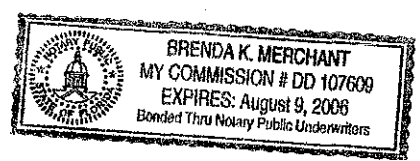
HALEAKALA CONSTRUCTION, INC.
(NAME OF OWNER OR CONTRACTOR)
BY: Timothy C. Mitchell
TIMOTHY C. MITCHELL, SR. PRESIDENT

STATE OF FLORIDA)
) SS:
COUNTY OF COLLIER)

The foregoing instrument was signed and acknowledged before me this 12th day of Sept., 2003 by TIMOTHY C. MITCHELL, SR. who has produced PERSONALLY KNOWN
(Print or Type Name) (Type Of Identification and Number)

as identification, and who (did not) take an oath.
Brenda K. Merchant
Notary Public Signature

BRENDA K. MERCHANT
Printed Name of Notary Public
DD107609
Notary Commission Number



(NOTARY SEAL)



COPY

**WAIVER AND RELEASE OF LIEN
UPON FINAL PAYMENT**

The undersigned lienor, in consideration of the final payment in the amount of ONE HUNDRED FORTY SEVEN THOUSAND SIX HUNDRED FORTY FOUR DOLLARS AND THIRTY FOUR CENTS (\$147,644.34) hereby waives and releases its lien and right to claim a lien for labor, services, or materials furnished to THROGMARTIN REALITY AND DEVELOPMENT, INC. on the job of GARDENS @ BEACHWALK to the following described property:

GARDENS @ BEACHWALK , PHASE 2 water distribution and sanitary sewer systems
(Name of Development/Project) (Facilities Constructed)

GLADIOLUS DR AND BEACHWALK BLVD 31-45-24-52-0000E.0000
(Location) (Strap # or Section, Township & Range)
(Please provide full name and location of development and a description of the utility system constructed).

Dated on: December 17, 2003

By: [Signature] HALEAKALA CONSTRUCTION INC.
(Signature of Authorized Representative) (Name of Firm or Corporation)

By: 5758 TAYLOR RD
(Print Name of Authorized Representative) (Address of Firm or Corporation)

Phone #: (239)598-1968 Ext. NAPLES, FL 34109-1829
(City, State & Zip Of Firm Or Corporation)

Fax#: (239)598-9418

STATE OF FL)
) SS:
COUNTY OF COLLIER)

The foregoing instrument was signed and acknowledged before me this 17 th day of DEC, 2003 by BRNND K. MERCHANT who has produced the following as identification - PERSONALLY KNOWN , and who did not take an oath.

[Signature]
(Notary Public Signature)

(Notary Seal & Commission Number) LINDA MAHON
(Printed Name of Notary Public)

 Linda Mahon
Commission #DD177119
Expires: Feb 21, 2007
Bonded Thru
Atlantic Bonding Co., Inc.

REC-11
DEC 18 2003
REC-11

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:



BRENDA K. MERCHANT AUTHORIZED AGENT

OF: HALEAKALA CONSTRUCTION, INC.

(Firm or Corporation)

ADDRESS: 5758 TAYLOR ROAD

NAPLES, FL 34109-1829

STATE OF FLORIDA)

) SS:

COUNTY OF COLLIER)

The foregoing instrument was signed and acknowledged before me this 17th day of December, 2003 by Brenda K. Merchant who has produced PERSONALLY KNOWN

(Print or Type Name)

(Type Of Identification and Number)

as identification, and who (did not) take an oath.



Notary Public Signature

LINDA MAHON

Printed Name of Notary Public

DD177119

Notary Commission Number

(NOTARY SEAL)



Linda Mahon
Commission #DD177119
Expires: Feb 21, 2007
Bonded Thru
Atlantic Bonding Co., Inc.



COPY

CERTIFICATION OF CONTRIBUTORY ASSETS

PROJECT NAME: GARDENS @ BEACHWALK, PHASE 2

LOCATION: SECTION 31, TOWNSHIP 45 SOUTH, RANGE 24 EAST

LEE COUNTY, FLORIDA STRAP# 31-45-24-52-0000E.0000

(Including STRAP)

NAME AND ADDRESS OF OWNER: THROGMARTIN REALTY AND DEVELOPMENT, INC.

15065 MCGREGOR BLVD., SUIT 105 FORT MYERS, FLORIDA 33908

(as shown on Deed)

TYPE UTILITY SYSTEM: SANITARY SEWER

(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	COST	TOTAL
GRAVITY SEWER 0-6'	8"	381	LF	\$ 15.50	\$ 5,905.50
GRAVITY SEWER 6-8'	8"	672	LF	\$ 18.50	\$ 12,432.00
GRAVITY SEWER 8-10'	8"	463	LF	\$ 21.50	\$ 9,954.50
GRAVITY SEWER 10-12'	8"	409	LF	\$ 24.50	\$ 10,020.50
LATERALS W/ CLEANOUT	6"	12	EA	\$ 900.00	\$ 10,800.00
MANHOLE 0-6'		0	EA	\$2,240.00	\$ 0.00
MANHOLE 6-8'		4	EA	\$2,990.00	\$ 11,960.00
MANHOLE 8-10'		3	EA	\$3,640.00	\$ 10,920.00
MANHOLE 10-12'		2	EA	\$4,440.00	\$ 8,880.00

\$80,872.50

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]*
BRENDA K. MERCHANT AUTHORIZED AGENT
OF: HALEAKALA CONSTRUCTION, INC.
(Firm or Corporation)
ADDRESS: 5758 TAYLOR ROAD
NAPLES, FL 34109-1829

STATE OF FLORIDA)
) SS:
COUNTY OF COLLIER)

The foregoing instrument was signed and acknowledged before me this 17th day of December, 2003 by Brenda K. Merchant who has produced PERSONALLY KNOWN

(Print or Type Name) (Type Of Identification and Number)
as identification, and who (did not) take an oath.

Linda Mahon
Notary Public Signature

LINDA MAHON
Printed Name of Notary Public

DD177119
Notary Commission Number

(NOTARY SEAL)

 Linda Mahon
Commission #DD177119
Expires: Feb 21, 2007
Bonded Thru
Atlantic Bonding Co., Inc.



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 _____, _____, by and between Gardens at Beachwalk, 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.



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 assume all liability 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 located 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, amended or renumbered 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. GRANTEE agrees to coordinate each activity within the easement premises in advance with the manager of the U. S. Postal Service, so as not to interfere with Postal Service operations.

9. By acceptance of this easement, the GRANTEE assumes no responsibility for ownership or maintenance of any associated roads. The easement is strictly for utility purposes. If GRANTEE fails to utilize the granted easement (Exhibit "A", hereto) for the purposes as set out herein and for the time as set out in Section 255.22, Florida Statutes, then this easement shall be extinguished pursuant to law,

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

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

X [Signature] (Signature of 1st Witness) X [Signature] (Grantor's/Owner's Signature)

BARRY E. JONES (Name of 1st Witness) RON THROGMARTIN (Grantor's/Owner's Name)

RON THROGMARTIN, MANAGING MEMBER OF GARDENS AT BEACHWALK, LLC

Owner
Title

X [Signature] (Signature of 2nd Witness)

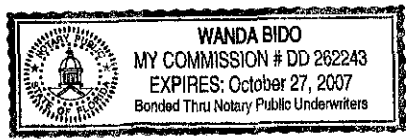
Wanda Bido (Name of 2nd Witness)

STATE OF FL)
) SS:
COUNTY OF Collier)

The foregoing instrument was signed and acknowledged before me this 14th day of Jan 2004 by Ron Throgmartin who has produced the following as identification - _____, and who did take an oath.

[Signature]
Notary Public Signature

Wanda Bido
Printed Name of Notary Public



(Notary Seal & Commission Number)

Banks Engineering, Inc.

Professional Engineers, Planners & Land Surveyors
FORT MYERS ♦ NAPLES ♦ SARASOTA ♦ PORT CHARLOTTE ♦ ANNA MARIA ISLAND

DESCRIPTION OF A PARCEL OF LAND
LYING IN
SECTION 31, TOWNSHIP 45 SOUTH, RANGE 24 EAST
LEE COUNTY, FLORIDA
(LEE COUNTY UTILITIES EASEMENT, THE GARDENS AT BEACHWALK)

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTION 31, TOWNSHIP 45 SOUTH, RANGE 24 EAST, BEING PART OF TRACT "E" OF BEACHWALK, A SUBDIVISION RECORDED IN PLAT BOOK 66 AT PAGES 1 THROUGH 4 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:


COMMENCING AT THE SOUTHEAST CORNER OF TRACT "H" OF SAID SUBDIVISION; THENCE N.01°38'13"W. ALONG THE EASTERLY LINE OF SAID TRACT "H" FOR 522.00 FEET; THENCE N.88°21'47"E. FOR 90.00 FEET; THENCE N.01°38'13"W. FOR 307.46 FEET; THENCE N.89°03'36"E. FOR 20.60 FEET; THENCE S.66°37'10"E. FOR 37.52 FEET; THENCE N.84°36'40"E. FOR 150.26 FEET; THENCE S.00°56'24"E. FOR 38.79 FEET; THENCE N.89°03'36"E. FOR 12.00 FEET; THENCE N.00°56'24"W. FOR 39.73 FEET; THENCE N.84°36'40"E. FOR 23.14 FEET TO THE **POINT OF BEGINNING**; THENCE CONTINUE N.84°36'40"E. FOR 21.39 FEET; THENCE S.26°11'08"E. FOR 48.84 FEET; THENCE S.89°03'36"W. FOR 22.11 FEET; THENCE N.26°11'08"W. FOR 47.01 FEET TO THE **POINT OF BEGINNING**.

PARCEL CONTAINS 958 SQUARE FEET, MORE OR LESS.

BEARINGS ARE BASED UPON THE WEST LINE OF TRACT "E" OF THE BEACHWALK SUBDIVISION AS BEARING N.01°38'13"W.

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS, AND RIGHTS-OF-WAY OF RECORD.

DESCRIPTION PREPARED DECEMBER 15, 2003.

 12-17-03
THOMAS C. SHAW, P.S.M.
PROFESSIONAL SURVEYOR & MAPPER
FLORIDA CERTIFICATION No. 4672

COPY

SKETCH TO ACCOMPANY DESCRIPTION

OF A
PARCEL OF LAND
LYING IN
SECTION 31, TOWNSHIP 45 SOUTH, RANGE 24 EAST
LEE COUNTY, FLORIDA



1"=150'

SYMBOL LEGEND

L1 INDICATES LINE 1 OF THE LINE TABLE
(TRP) INDICATES TRAP
LCUE INDICATES LEE COUNTY UTILITY EASEMENT
P.O.B. INDICATES POINT OF BEGINNING
O.C. No. INDICATES OFFICIAL RECORDS BOOK AND PAGE NUMBER
OF THE LEE COUNTY PLAT RECORDS

TRACT "N"
BEACHWALK SUBDIVISION
PLAT BOOK 66, PAGES 1-4
RETENTION PARCEL
O.R. 2853, P.C. 1184

POINT OF COMMENCEMENT
SOUTHWEST CORNER OF TRACT "H"
BEACHWALK SUBDIVISION &
O.R. 2853, P.C. 1184

TRACT "O"
BEACHWALK SUBDIVISION
PLAT BOOK 66, PAGES 1-4
SOUTHWESTERLY LINE - TRACT "E"

EASTERN LINE - TRACT "N"
N 01°28'13" W 522.00'

N 89°17'0" E
30.00'

O.R. 2853, P.C. 1184

N 01°28'13" W
507.00'

SEE DETAIL

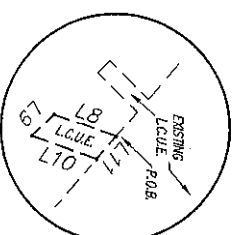
LCUE (TRP)

POINT OF BEGINNING

QUADRANT DRIVE
(VARIABLE WIDTH)

LCUE (TRP)

DETAIL - NOT TO SCALE



LINE TABLE

LINE	BEARING	DISTANCE
L1	N 89°33'36" E	20.850
L2	S 86°37'10" E	37.52
L3	N 84°36'40" E	150.26
L4	S 00°56'24" E	33.79
L5	N 89°33'36" E	12.00'
L6	N 00°56'24" W	39.73'
L7	N 84°36'40" E	23.14'
L8	N 26°11'08" W	47.01'
L9	S 89°33'36" W	22.11'
L10	S 26°11'08" E	48.84'
L11	N 84°36'40" E	21.39'

TRACT "E"
BEACHWALK SUBDIVISION
PLAT BOOK 66, PAGES 1-4

BEACHWALK BOULEVARD
(50' PRIVATE ROAD)

NORTHWESTERLY RIGHT-OF-WAY LINE

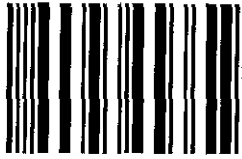
LCUE (TRP)

PREPARED BY:
Banks Engineering, Inc.
ENGINEERING, SURVEYING & LAND PLANNING
5070
Maple, Florida 34108
(888) 887-8888
FLORIDA SURVEYING BUSINESS CERTIFICATION NO. 6690

NOTE:
SEE ACCOMPANYING SHEETS FOR COMPLETE
LEGAL DESCRIPTION AND DIMENSION TABLES.

*** THIS IS NOT
A SURVEY ***

12/16/2003
THOMAS C. SHAW
PROFESSIONAL SURVEYOR & MAPPER
FLORIDA CERTIFICATION NO. 4672
THIS SKETCH IS NOT VALID UNLESS IT BEARS THE
PROFESSIONAL SURVEYOR'S AND MAPPER'S SEAL OF A FLORIDA
-PREPARED: DECEMBER 16, 2003-



FLORIDA DEPARTMENT OF REVENUE
RETURN FOR TRANSFERS OF INTEREST IN REAL PROPERTY
 (PLEASE READ INSTRUCTIONS BEFORE COMPLETING)



FDOR10240300
 DR-219
 R. 07/98

Enter numbers as shown below.

If typing, enter numbers as shown below.

0 1 2 3 4 5 6 7 8 9

0123456789

314524520000E0000

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

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):

EASEMENT DONATION BY:

GARDENS AT BEACHWALK, LLC

Last First MI Corporate Name (if applicable)
15065 MCGREGOR BLVD, #105 FT. MYERS FL 33908

Mailing Address City State Zip Code Phone No.
RICK DIAZ, P.E., UTIL. DIR. FOR LEE CO. BOARD OF COUNTY COMMISSION

4. Grantee (Buyer):

Last First MI Corporate Name (if applicable)
P. O. BOX 398 FT. MYERS FL 33902 (239) 4798181

Mailing Address City State Zip Code Phone No.

5. Date of Sale/Transfer

Sale/Transfer Price

\$. 0 0 Property Located In 46 County Code

Month Day Year (Round to the nearest dollar.)

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

(Round to the nearest dollar.) \$. 0 0

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 \$. 0 0

Cents

. 0 0

12. Amount of Documentary Stamp Tax

\$ 0.00

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/she has any knowledge.

Signature of Grantor or Grantee or Agent

Date 1/22/04

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
This copy to Department of Revenue	
O. R. Book and Page Number and File Number	
Date Recorded	
Month Day Year	

This copy to Department of Revenue

COPY

TO: LEE COUNTY FINANCE DEPARTMENT

FROM: UTILITIES ENGINEERING
(Department)

BS 20040086-UTL

SUE GULLEDGE

A. AUTHORIZATION:

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

Purchase Order # N/A for GARDENS @ BEACHWALK, PHASE 2 (GARDENS AT BEACHWALK, LLC) project.

ACCOUNT NO. 0D53607487.504930

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

Sue Gullidge
SUE GULLEDGE

Signature Authorization

B. SERVICE RECEIVED:
RECORDING

EASEMENT

O. R. COPIES

PLAT COPIES

CASE #/INDEX FEE

DESCRIPTION OF SERVICE RECORDING

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. # 500283

INV. #

PLEASE REMIT TO:

Clerk's Accounting
P.O. BOX 2396
FORT MYERS, FLORIDA 33902-2396

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