

LEE COUNTY BOARD OF COUNTY COMMISSIONERS  
AGENDA ITEM SUMMARY

BLUE SHEET NO: 20040421-UTL

**1. REQUESTED MOTION:**

**ACTION REQUESTED:**

Authorize the chairman on behalf of the BOCC to execute, and approve recording of, "Sovereign Submerged Lands Easement No. 24618" from the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida.

**WHY ACTION IS NECESSARY:**

Easement required by the FDEP as part of approved permit application to replace an existing force main along Pine Island Road at the Matlacha Pass drawbridge.

**WHAT ACTION ACCOMPLISHES:**

Fulfills FDEP requirement.

**2. DEPARTMENTAL CATEGORY:** 10 - UTILITIES  
**COMMISSION DISTRICT #:** 1

*C10C*

**3. MEETING DATE:**

*04-27-2004*

**4. AGENDA:**

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

**5. REQUIREMENT/PURPOSE:**

- (Specify)
- STATUTE \_\_\_\_\_
  - ORDINANCE \_\_\_\_\_
  - ADMIN. CODE \_\_\_\_\_
  - OTHER Submerged Lands 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: 4/9/04

**7. BACKGROUND:**

This sewage force main replacement is under CIP #7253 - Matlacha Subaqueous Force Main. As a requirement of the FDEP, a sovereign submerged lands easement must be executed and recorded for the area involved.

Upon execution by Lee County and the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida, Utilities will receive document to be recorded in Lee County Records, which must then be forwarded to the State within 10 days of recording.

Recording fees are available in Account No. OD5360748700.504930.

Attachment: Two original Easements  
FDEP Letter dated 3-30-04

**8. MANAGEMENT RECOMMENDATIONS:**

**9. RECOMMENDED APPROVAL**

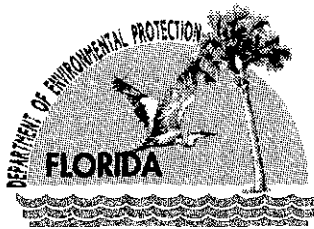
(A) DEPARTMENT DIRECTOR	(B) PURCH. OR CONTRACTS	(C) HUMAN RESOURCES	(D) OTHER	(E) COUNTY ATTORNEY	(F) BUDGET SERVICES				(G) COUNTY MANAGER
					OA	OM	Risk	GC	
<i>J. Lavender</i> Date: <i>4-9-04</i>	N/A Date:	N/A Date:	N/A Date:	<i>S. Lavender</i> Date: <i>4/12/04</i>	<i>P.M</i> <i>4/13/04</i>	<i>AS</i> <i>4/13/04</i>	<i>ST</i> <i>4/13/04</i>	<i>PS</i> <i>4/13/04</i>	<i>J. Lavender</i> Date: <i>4-9-04</i>

**10. COMMISSION ACTION:**

- APPROVED
- DENIED
- DEFERRED
- OTHER

Rec. by CoAtty  
Date: *4/13/04*  
Time: *8:30*  
*am*  
Forwarded To:  
*Admin 4/13/04*

RECEIVED BY  
COUNTY ADMIN: *PP/162*  
*4/13/04*  
*11:10 am set*  
COUNTY ADMIN  
FORWARDED TO: *PP*  
*4-14-04*  
*11 Am*



# Department of Environmental Protection

Jeb Bush  
Governor

Marjory Stoneman Douglas Building  
3900 Commonwealth Boulevard  
Tallahassee, Florida 32399-3000

Colleen M. Castille  
Secretary

March 30, 2004

Lee County, Florida  
c/o Glenn Semanisin, P.E.  
1500 Monroe Street  
Ft. Myers, FL 33901

BOT No. 360229015  
Grantee: Lee County, Florida

Dear Mr. Semanisin:

Enclosed is an easement instrument which requires acceptance by the notarized signature of John Albion as Chairman of the Board of County Commissioners of Lee County, Florida (two witnesses required). Pursuant to Chapter 695, Florida Statutes, the names of the person executing the instrument, the two witnesses, and the notary public must be legibly printed or typewritten directly below that person's signature.

Please execute and return the enclosed instrument and any additional information requested within 30 days after receipt of this letter. Upon receipt and acceptance, we will transmit the easement instrument for final departmental execution. ~~A fully executed copy of the Easement will be provided to you for recording in Lee County records.~~

<sup>ORIG.</sup>  
Your cooperation and assistance are appreciated. If you have any questions regarding this matter, please feel free to contact me at the letterhead address above (Mail Station No. 125) or at (850) 245-2720.

Sincerely,

*Tracey L. Mason*  
Tracey L. Mason  
Government Operations Consultant I  
Bureau of Public Land Administration  
Division of State Lands

/tlm  
Enclosures (Easement)  
By certified mail

APR 2 2004

"More Protection, Less Process"

Printed on recycled paper.

TO: LEE COUNTY FINANCE DEPARTMENT

FROM: UTILITIES ENGINEERING

BS 20040421-UTL

(Department)

SUE GULLEDGE

A. AUTHORIZATION:

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

Purchase Order # N/A for CIP PROJECT #7253, MATLACHA SUBAQUEOUS FORCE MAIN project.

ACCOUNT NO. OD53607487.504930

ORIGINAL EASEMENT TO BE RECORDED AFTER STATE EXECUTION

EASEMENT: BOARD OF TRUSTEES OF THE INTERNAT. IMPROVEMENT TRUST FUND OF THE STATE OF FLORIDA

*Sue Gullidge*

Signature Authorization

B. SERVICE RECEIVED:

RECORDING SUBMERGED LANDS 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

This Instrument Prepared By:  
Tracey Mason  
Recurring Revenue Section  
Bureau of Public Land Administration  
3900 Commonwealth Boulevard  
Mail Station No. 125  
Tallahassee, Florida 32399

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND  
OF THE STATE OF FLORIDA

SOVEREIGN SUBMERGED LANDS EASEMENT

NO. 24618  
BOT FILE NO. 360229015  
PA NO. 36-0197756-001

THIS EASEMENT is hereby granted by the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida, hereinafter referred to as the Grantor.

WITNESSETH: That for the faithful and timely performance of and compliance with the terms and conditions stated herein, the Grantor does hereby grant to Lee County, Florida, hereinafter referred to as the Grantee, a nonexclusive easement on, under and across the sovereign lands, if any, contained in the following legal description:

A parcel of submerged land in Section 24,  
Township 44 South, Range 22 East, in Matlacha Pass,  
Lee County, as is more particularly described  
and shown on Attachment A, dated March 28, 2003.

TO HAVE THE USE OF the hereinabove described premises from April 10, 2003, the effective date of this easement.

The terms and conditions of and for which this easement is granted are as follows:

1. USE OF PROPERTY: The above described parcel of land shall be used solely for a force water main and Grantee shall not engage in any activity except as described in the Department of Environmental Protection, Environmental Resource Permit No. 36-0197756-001, dated April 10, 2003, incorporated herein and made a part of this easement by reference. All of the foregoing subject to the remaining conditions of this Easement.
2. EASEMENT CONSIDERATION: In the event the Grantor amends its rules related to fees and the amended rules provide the Grantee will be charged a fee or an increased fee for this activity, the Grantee agrees to pay all charges required by such amended rules within 90 days of the date the amended rules become effective or by a date provided by an invoice from the Department, whichever is later. All fees charged under this provision shall be prospective in nature; i.e. they shall begin to accrue on the date that the amended rules become effective.
3. WARRANTY OF TITLE/GUARANTEE OF SUITABILITY OF USE OF LAND: Grantor neither warrants title to the lands described herein nor guarantees the suitability of any of the lands for any particular use.
4. RIGHTS GRANTED: The rights hereby granted shall be subject to any and all prior rights of the United States and any and all prior grants by the Grantor in and to the submerged lands situated within the limits of this easement.
5. DAMAGE TO EASEMENT PROPERTY AND INTERFERENCE WITH PUBLIC AND PRIVATE RIGHTS: Grantee shall not damage the easement lands or unduly interfere with public or private rights therein.

6. GRANTOR'S RIGHT TO GRANT COMPATIBLE USES OF THE EASEMENT PROPERTY: This easement is nonexclusive, and the Grantor, or its duly authorized agent, shall retain the right to enter the property or to engage in management activities not inconsistent with the use herein provided for and shall retain the right to grant compatible uses of the property to third parties during the term of this easement.

7. RIGHT TO INSPECT: Grantor, or its duly authorized agent, shall have the right at any time to inspect the works and operations of the Grantee in any matter pertaining to this easement.

8. INDEMNIFICATION/INVESTIGATION OF ALL CLAIMS: The Grantee shall investigate all claims of every nature at its expense, and shall indemnify, defend and save and hold harmless the Grantor and the State of Florida from all claims, actions, lawsuits and demands arising out of this easement, which do not arise out of or result from the negligent acts of omissions of Grantor.

9. VENUE: Grantee waives venue as to any litigation arising from matters relating to this easement and any such litigation between Grantor and Grantee shall be initiated and maintained only in Leon County, Florida.

10. ASSIGNMENT OF EASEMENT: This easement shall not be assigned or otherwise transferred without prior written consent of the Grantor or its duly authorized agent and which consent shall not be unreasonably withheld. Any assignment or other transfer without prior written consent of the Grantor shall be null and void and without legal effect.

11. TERMINATION: The Grantee, by acceptance of this easement, binds itself, its successors and assigns, to abide by the provisions and conditions herein set forth, and said provisions and conditions shall be deemed covenants of the Grantee, its successors and assigns. In the event the Grantee fails or refuses to comply with the provisions and conditions herein set forth or in the event the Grantee violates any of the provisions and conditions herein, this easement may be terminated by the Grantor upon 30 days written notice to Grantee. If terminated, all of the above-described parcel of land shall revert to the Grantor. All costs, including attorneys' fees, incurred by the Grantor to enforce the provisions of this easement shall be paid by the Grantee. All notices required to be given to Grantee by this easement or applicable law or administrative rules shall be sufficient if sent by U.S. Mail to the following address:

Lee County, Florida  
1500 Monroe Street  
Ft. Myers, FL 33901

The Grantee agrees to notify the Grantor by certified mail of any changes to this address at least ten (10) days before the change is effective.

12. TAXES AND ASSESSMENTS: The Grantee shall assume all responsibility for liabilities that accrue to the subject property or to the improvements thereon, including any and all drainage or special assessments or taxes of every kind and description which are now or may be hereafter lawfully assessed and levied against the subject property during the effective period of this easement which result from the grant of this easement or the activities of Grantee hereunder.

13. REMOVAL OF STRUCTURES/ADMINISTRATIVE FINES: If the Grantee does not remove said structures and equipment occupying and erected upon the premises after expiration or cancellation of this easement, such structures and equipment will be deemed forfeited to the Grantor, and the Grantor may authorize removal and may sell such forfeited structures and equipment after ten (10) days written notice by certified mail addressed to the Grantee at the address specified in Item 11 or at such address on record as provided to the Grantor by the Grantee. However, such remedy shall be in addition to all other remedies available to Grantor under applicable laws, rules and regulations including the right to compel removal of all structures and the right to impose administrative fines.

14. ENFORCEMENT OF PROVISIONS: No failure, or successive failures, on the part of the Grantor to enforce any provision, nor any waiver or successive waivers on its part of any provision herein, shall operate as a discharge thereof or render the same inoperative or impair the right of the Grantor to enforce the same upon any renewal thereof or in the event of subsequent breach or breaches.

15. RECORDATION OF EASEMENT: The Grantee, at its own expense, shall record this fully executed easement in its entirety in the public records of the county within which the easement site is located within fourteen (14) days after receipt, and shall provide to the Grantor within ten (10) days following the recordation a copy of the recorded easement in its entirety which contains the O.R. Book and pages at which the easement is recorded.

16. AMENDMENT/MODIFICATIONS: This easement is the entire and only agreement between the parties. Its provisions are not severable. Any amendment or modification to this easement must be in writing and must be accepted, acknowledged and executed by the Grantee and Grantor.

17. ACOE AUTHORIZATION: Prior to commencement of construction and/or activities authorized herein, the Grantee shall obtain the U. S. Army Corps of Engineers (COE) permit if it is required by the COE. Any modifications to the construction and/or activities authorized herein that may be required by the COE shall require consideration by and the prior written approval of the Grantor prior to the commencement of construction and/or any activities on sovereign, submerged lands.

18. ADDITIONAL STRUCTURES OR ACTIVITIES/EMERGENCY STRUCTURAL REPAIRS: No additional structures shall be erected and/or activities undertaken, including but not limited to, dredging, relocation/realignment or major repairs or renovations made to authorized structures, on, in or over sovereignty, submerged lands without the prior written consent from the Grantor, with the exception of emergency repairs. Unless specifically authorized in writing by the Grantor, such activities or structures shall be considered unauthorized and a violation of Chapter 253, Florida Statutes, and shall subject the Grantee to administrative fines under Chapter 18-14, Florida Administrative Code. If emergency repairs are required to be undertaken in the interests of public health, safety or welfare, the Grantee shall notify the Grantor of such repairs as quickly as is practicable; provided, however, that such emergency activities shall not exceed the activities authorized by this easement.

19. UPLAND RIPARIAN PROPERTY INTEREST: During the term of this easement, Grantee must have satisfactory evidence of sufficient upland interest as defined in subsection 18-21.003(49), Florida Administrative Code, to the extent required by paragraph 18-21.004(3)(b), Florida Administrative Code, in order to conduct the activity described in this easement. If at any time during the term of this easement, Grantee fails to comply with this requirement, use of sovereignty, submerged lands described in this easement shall immediately cease and this easement shall terminate and title to this easement shall revert to and vest in the Grantor immediately and automatically.

WITNESSES:

Original Signature

Print/Type Name of Witness

Original Signature

Print/Type Name of Witness

BOARD OF TRUSTEES OF THE INTERNAL  
IMPROVEMENT TRUST FUND OF THE STATE  
OF FLORIDA

(SEAL)

BY:

Dale Adams, Operations and Management Consultant  
Manager, Bureau of Public Land Administration,  
Division of State Lands, Department of Environmental  
Protection, as agent for and on behalf of the Board of Trustees of  
the Internal Improvement Trust Fund of the State of Florida

"GRANTOR"

STATE OF FLORIDA  
COUNTY OF LEON

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by  
Dale Adams, Operations and Management Consultant Manager, Bureau of Public Land Administration, Division of State Lands,  
Department of Environmental Protection, as agent for and on behalf of the Board of Trustees of the Internal Improvement Trust  
Fund of the State of Florida. He is personally known to me.

APPROVED AS TO FORM AND LEGALITY:

Notary Public, State of Florida

DEP Attorney

Printed, Typed or Stamped Name

My Commission Expires:

Commission/Serial No.

WITNESSES:

Original Signature

Typed/Printed Name of Witness

Original Signature

Typed/Printed Name of Witness

STATE OF \_\_\_\_\_

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

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by  
John Albion as Chairman, for and on behalf of the Board of County Commissioners of Lee County, Florida. He is personally  
known to me or who has produced \_\_\_\_\_, as identification.

My Commission Expires:

Commission/Serial No.

Lee County, Florida \_\_\_\_\_ (SEAL)  
by its Board of County Commissioners

BY:

Original Signature of Executing Authority

John Albion  
Typed/Printed Name of Executing Authority

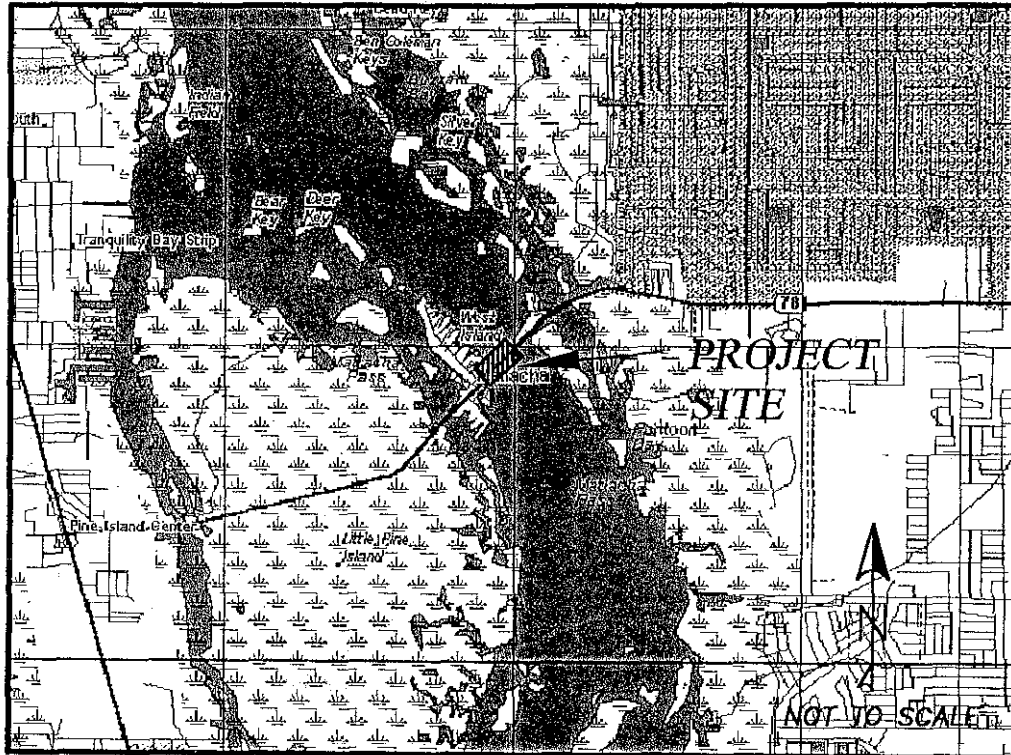
Chairman  
Title of Executing Authority

"GRANTEE"

Notary Public, State of \_\_\_\_\_

Printed, Typed or Stamped Name

**SPECIAL PURPOSE SURVEY**  
**IN MATLACHA PASS AND THE FIRST CHANNEL TO THE**  
**SOUTHWEST IN SECTION 24, TOWNSHIP 44 SOUTH, RANGE 22 EAST**  
**LEE COUNTY, FLORIDA**



VICINITY MAP

**ABBREVIATIONS:**

- CONT. = CONTROL
- C.S.W. = CONCRETE SEA WALL
- D.B. = DEED BOOK
- Δ = DELTA ANGLE
- FT. = FEET
- FND = FOUND
- IR&C = IRON ROD & CAP LB6773
- L = LENGTH (ARC)
- L.B. = LICENSED BUSINESS
- PKN&D = PARKER KALON NAIL & DISK LB6773
- PG. = PAGE
- PT. = POINT
- P.O.B. = POINT OF BEGINNING
- P.O.C. = POINT OF COMMENCEMENT
- R = RADIUS
- R/W = RIGHT-OF-WAY
- SEC. = SECTION
- S.P.C. = STATE PLANE COORDINATE

- S.R. = STATE ROAD
- STA. = STATION
- T.I.I.F.F. = TRUSTEES OF THE INTERNAL IMPROVEMENT FUND OF THE STATE OF FLORIDA

- WOOD PILING
- R/W LINE
- ⊕ CENTER LINE
- +— METAL GUARDRAIL

**SHEET INDEX:**

1. COVER SHEET AND VICINITY MAP
2. NOTES
3. LEGAL DESCRIPTION
4. CENTERLINE CONSTRUCTION SKETCH
5. SURVEY SHEET - MATLACHA PASS
6. MATLACHA PASS DETAILS
7. SURVEY - CHANNEL TO SOUTHWEST

*James N. Wilkison*

JAMES N. WILKISON (FOR THE FIRM LB6773)  
 PROFESSIONAL SURVEYOR AND MAPPER  
 FLORIDA LICENSE NO. LS 4876  
 THIS 23<sup>rd</sup> DAY OF NOV 2003.

Attachment A  
 Page 5 of 11 Pages  
 Easement No. 24618

THIS SURVEY DOCUMENT IS NOT  
 COMPLETE WITHOUT SHEETS 2-7.

**JEFFREY C. COONER AND ASSOCIATES, INC.**

SURVEYING AND MAPPING  
 3900 COLONIAL BLVD., SUITE 4, FORT MYERS, FLORIDA 33912  
 PHONE: (239)277-0722 FAX: (239)277-7179 EMAIL: SURVEYING@COONER.COM

CLIENT: LEE COUNTY UTILITIES	DRAWN BY: JRF	CHECKED BY: JNW
PARCEL DESCRIPTION: PINE ISLAND ROAD & BRIDGES IN MATLACHA PASS, SEC.24-44-22	DATE: 1/10/03	SCALE: NOT TO SCALE REVISED
PROJECT NO. 000103.07	SHEET 1 OF 7	



**SPECIAL PURPOSE SURVEY**  
**IN MATLACHA PASS AND THE FIRST CHANNEL TO THE**  
**SOUTHWEST IN SECTION 24, TOWNSHIP 44 SOUTH, RANGE 22 EAST**  
**LEE COUNTY, FLORIDA**

**NOTES:**

1. THE SPECIAL PURPOSE OF THIS SURVEY IS TO: A) PREPARE DESCRIPTIONS OF A PROPOSED UTILITY EASEMENT RUNNING ALONG THE MATLACHA BRIDGE CORRIDOR AND THE FIRST CHANNEL BRIDGE CORRIDOR TO THE SOUTHWEST OF THE MATLACHA PASS B) SHOW THE SURVEY CONTROL RECOVERED AND ESTABLISHED FOR THE STATE ROAD 78 (PINE ISLAND ROAD) RIGHT-OF-WAY, AND C) LOCATE IMPROVEMENTS WITHIN AND NEAR THE PROPOSED UTILITY EASEMENTS.
2. THESE DESCRIPTIONS FOR PROPOSED UTILITY EASEMENTS ARE BASED ON A TRUSTEES OF THE INTERNAL IMPROVEMENT FUND OF THE STATE OF FLORIDA (T.I.I.F.F.) ROAD CONSTRUCTION AND MAINTENANCE DEDICATION, AS RECORDED IN OFFICIAL RECORDS BOOK 390, PAGE 125, LEE COUNTY, FLORIDA.
3. SURVEY CONTROL FOR STATE ROAD 78 (PINE ISLAND ROAD), RUNNING ALONG THE MATANZAS BRIDGE COORIDOR, WAS PREVIOUSLY RECOVERED AND ESTABLISHED PER A JEFFREY C. COONER AND ASSOCIATES, INC. SURVEY 000103.04SPS, DATED 01/09/02. THE LOCATION OF THE SOUTHWESTERLY BRIDGE CORRIDOR DATA WAS MADE ON 12/16/02.
4. THE CERTIFICATE OF AUTHORIZATION NUMBER OF JEFFREY C. COONER AND ASSOCIATES, INC. IS LB-0006773.
5. IMPROVEMENTS ON OR ADJACENT TO THE SUBJECT AREA HAVE NOT BEEN LOCATED EXCEPT AS SHOWN.
6. THERE ARE NO VISIBLE ENCROACHMENTS OTHER THAN THOSE SHOWN.
7. THIS SURVEY DOES NOT REFLECT CHEMICAL CHARACTERISTICS OF THE SURVEYED PARCEL.
8. ALL NOTED RECORDING REFERENCES ARE FROM THE PUBLIC RECORDS OF LEE COUNTY.
9. BEARINGS SHOWN ON THIS SURVEY MAP ARE BASED ON THE STATE PLANE COORDINATE SYSTEM AND THE ORIGINAL CENTER LINE OF CONSTRUCTION RUNNING THROUGH STATION 650+33.06 AND STATION 652+83.07. SAID LINE BEARING SOUTH 39°43'02" WEST.
10. THE ON-SITE CONTROL SHOWN WAS ESTABLISHED BY RTK (REAL TIME KINEMATIC) METHODS USING A TRIMBLE MODEL 4700 UNIT (DUAL FREQUENCY). STATE PLANE COORDINATE BASE CONTROL STATION: LEE COUNTY SURVEY MARK 327476.
11. ALL DISTANCES ARE IN FEET AND DECIMALS THEREOF UNLESS OTHERWISE NOTED.
12. DIMENSIONS SHOWN ARE CALCULATED FROM FIELD TIES UNLESS NOTED.
13. DATE OF LAST FIELD WORK: DECEMBER 16, 2002; FIELD BOOK 24, PAGES 42-51, 60-61, AND FIELD BOOK 37, PAGES 35-37 & 44.
14. UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER, THIS MAP IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT VALID.
15. NO ABSTRACT OF TITLE OR TITLE INSURANCE COMMITMENT WAS REVIEWED AS PART OF THIS SURVEY.
16. THIS SURVEY SUBJECT TO ANY FACTS THAT MAY BE DISCLOSED BY A FULL AND ACCURATE TITLE SEARCH.
17. THIS SURVEY DOES NOT MAKE ANY REPRESENTATIONS AS TO ZONING OR DEVELOPMENT RESTRICTIONS ON THE SUBJECT PROPERTY.
18. NO ENVIRONMENTAL AUDIT OR JURISDICTIONAL DELINEATION WAS MADE AS PART OF THIS SURVEY.
19. ANY ADJOINING DEED CITES ARE FOR "INFORMATIONAL PURPOSES ONLY"; NO SURVEY WAS MADE OF ADJOINING LANDS, EXCEPT AS SHOWN.
20. SOURCE INFORMATION USED FOR THIS SURVEY:
  - A. LEE COUNTY PROPERTY APPRAISER MAPS AND OWNERS DATABASE.
  - B. STATE OF FLORIDA RIGHT OF WAY MAPS FOR STATE ROAD 78, SECTION 12060-2504, DATED NOVEMBER 1965, SHEETS. 1-4. NOTE ON SAID MAPS STATES THE RIGHT OF WAY SHOWN WAS TRANSFERRED FROM THE FLORIDA DEPARTMENT OF TRANSPORTATION TO LEE COUNTY.
  - C. THE PLAT OF PINE ISLAND FILL SUBDIVISION, PLAT BOOK 8, PAGE 86, LEE COUNTY, FL.
  - D. LEE COUNTY DIGITAL RASTER AERIALS.
  - E. LEE COUNTY SURVEY MARK DATABASE INFORMATION FOR HIGH ACCURACY HORIZONTAL CONTROL MARKS. DATED 3-15-00 FOR LEE COUNTY AERIAL CONTROL MAP PROJECT.
  - F. DEDICATION BY THE T.I.I.F.F. TO THE FLORIDA STATE ROAD DEPARTMENT (DEPARTMENT OF TRANSPORTATION) AS RECORDED IN OFFICIAL RECORDS BOOK 390, PAGE 125 - 126, LEE COUNTY, FLORIDA.
  - G. ROAD EASEMENT PER DEED FROM THE T.I.I.F.F. TO THE FLORIDA STATE ROAD DEPARTMENT AS RECORDED IN DEED BOOK 145, PAGE 137.

Attachment A **JEFFREY C. COONER AND ASSOCIATES, INC.**  
 Page 6 of 11 Pages SURVEYING AND MAPPING  
 Easement No. 24618 3900 COLONIAL BLVD., SUITE 4, FORT MYERS, FLORIDA 33912  
 PHONE: (239)277-0722 FAX: (239)277-7179 EMAIL: SURVEYING@COONER.COM

CLIENT: LEE COUNTY UTILITIES	DRAWN BY: JRF	CHECKED BY: JNW
PARCEL DESCRIPTION: PINE ISLAND ROAD & BRIDGES IN MATLACHA PASS, SEC.24-44-22	DATE: 1/10/03	SCALE:
PROJECT NO. 000103.07	SHEET 2 OF 7	

**SPECIAL PURPOSE SURVEY**  
**IN MATLACHA PASS AND THE FIRST CHANNEL TO THE**  
**SOUTHWEST IN SECTION 24, TOWNSHIP 44 SOUTH, RANGE 22 EAST**  
**LEE COUNTY, FLORIDA**

THE DESCRIPTION OF A UTILITY EASEMENT LYING OVER, UNDER, AND ACROSS SUBMERGED LANDS IN SECTION 24, TOWNSHIP 44 SOUTH, RANGE 22 EAST, IN LEE COUNTY, FLORIDA. SAID LANDS DESCRIBED AS FOLLOWS:

LYING NORTHWESTERLY OF THE CENTER LINE OF CONSTRUCTION ON STATE ROAD 78, SECTION 12060 BETWEEN STATION 647+42.89 AND STATION 654+75.06, AND, BOUNDED BY THE FOLLOWING DESCRIBED LINE:

BEGINNING AT STATION 647+42.89, THENCE RUN NORTH 44°00'35" WEST, A DISTANCE OF 122.25 FEET TO A ROAD EASEMENT LINE PER DEED AS RECORDED IN DEED BOOK 145, PAGE 137, PUBLIC RECORDS OF LEE COUNTY; THENCE RUN SOUTH 39°43'02" WEST, A DISTANCE OF 134.32 FEET ALONG SAID LINE; THENCE RUN NORTH 50°16'58" WEST, A DISTANCE OF 60.06 FEET; THENCE RUN SOUTH 39°43'02" WEST, A DISTANCE OF 511.51 FEET; THENCE RUN SOUTH 50°16'58" EAST, A DISTANCE OF 102.26 FEET TO THE NORTHWESTERLY RIGHT-OF-WAY LINE OF STATE ROAD 78 AND TO A POINT OF CURVE ON A NON TANGENT CURVE TO THE LEFT, OF WHICH THE RADIUS POINT LIES SOUTH 53°01'31" EAST, A RADIAL DISTANCE OF 1,969.86 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE, THROUGH A DELTA ANGLE OF 02°48'20", A DISTANCE OF 96.46 FEET; THENCE RUN SOUTH 49°07'14" EAST, A DISTANCE OF 60.43 FEET; TO THE STATION 654+75.06, CONTAINING 2.26 Ac.±, (98,613 Sq.Ft.); AND;

LYING 40 FEET NORTHWESTERLY OF SAID CENTER LINE BETWEEN STATION 662+16.94 AND STATION 663+16.06, CONTAINING 0.09 Ac.±, (3965 Sq.Ft.);

THE ABOVE STATIONS BEING DESCRIBED AND LOCATED AS FOLLOWS:

COMMENCE ON THE NORTH BOUNDARY OF SECTION 24, TOWNSHIP 44 SOUTH, RANGE 22 EAST, AT A POINT 1602 FEET WESTERLY OF THE NORTHEAST CORNER OF SAID SECTION 24, RUN THENCE SOUTH 63°03'02" WEST 948.80 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE SOUTHEASTERLY HAVING A RADIUS OF 1432.69 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE 583.45 FEET THROUGH A DELTA ANGLE OF 23°20'00" TO THE END OF SAID CURVE; THENCE SOUTH 39°43'02" WEST 787.17 FEET TO BEGIN CENTER LINE OF CONSTRUCTION BEING THE BEGINNING OF A CURVE CONCAVE TO THE NORTHWESTERLY HAVING A RADIUS OF 1909.86 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE 249.33 FEET THROUGH A DELTA ANGLE OF 7°28' 48" TO THE END OF SAID CURVE; THENCE SOUTH 47°11'50" WEST 93.56 FEET TO STATION 647+42.89; THENCE CONTINUING SOUTH 47°11'50" WEST 40.84 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE SOUTHEASTERLY HAVING A RADIUS OF 1909.86 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE 249.33 FEET THROUGH A DELTA ANGLE OF 7°28'48"; THENCE SOUTH 39°43'02" WEST 250.01 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE SOUTHEASTERLY HAVING A RADIUS OF 1909.86 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE 191.99 FEET THROUGH A DELTA ANGLE OF 5°45'35" TO A POINT ON SAID CURVE AT ANGLE OF 1°39'14" TO THE END OF SAID CURVE; THENCE SOUTH 32°18'13" WEST 134.40 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE NORTHWESTERLY HAVING A RADIUS OF 1909.86 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE 259.90 FEET THROUGH A DELTA ANGLE OF 7°47'49" TO THE END OF SAID CURVE; THENCE SOUTH 40°06'02" WEST 285.26 FEET; THENCE SOUTH 40°03'02" WEST 7.19 FEET TO STATION 662+16.94; THENCE CONTINUING SOUTH 40°03'02" WEST 99.12 FEET TO STATION 663+16.06; THENCE CONTINUING SOUTH 40°03'02" WEST 336.48 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE SOUTHWESTERLY HAVING A RADIUS OF 85,943.70 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE 475 FEET THROUGH A DELTA ANGLE OF 0° 19' 00" TO THE END OF SAID CURVE; THENCE SOUTH 39°43'02" WEST 1628.91 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE NORTHWESTERLY HAVING A RADIUS OF 34,377.48 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE 220 FEET THROUGH A DELTA ANGLE OF 0° 22' 00" TO THE END OF SAID CURVE; THENCE SOUTH 40°03'02" WEST 234.89 FEET TO THE WEST BOUNDARY OF SAID SECTION 24, AT A POINT 1050.40 FEET NORTHERLY OF THE SOUTHWEST CORNER OF SAID SECTION 24.

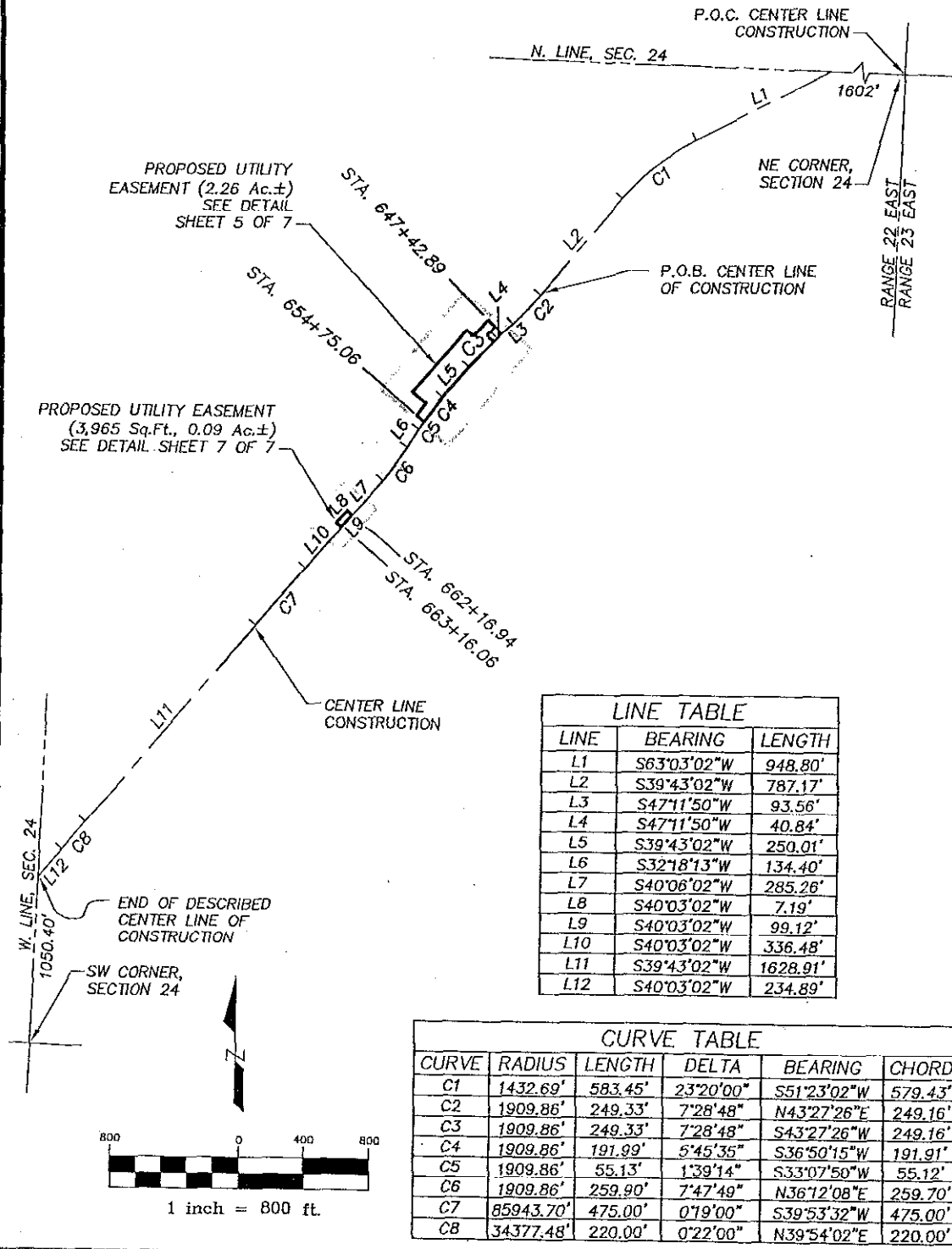
TWO DESCRIBED AREAS CONTAINS 2.35 Ac.± (102,578 Sq.Ft.)

1. SEE SHEETS 4, 5 & 7 OF 7 FOR SKETCHES OF DESCRIPTION.
2. THIS DESCRIPTION IS BASED ON THE TRUSTEES OF THE INTERNAL IMPROVEMENT FUND OF THE STATE OF FLORIDA DEDICATION, PER OFFICIAL RECORDS BOOK 390 PAGE 125. CENTERLINE BEARINGS HAVE BEEN REWRITTEN BASED ON THE STATE PLANE COORDINATE SYSTEM TIES IN SURVEY. (SEE NOTE 9, SHEET 2 OF 7).

Attachment A **JEFFREY C. COONER AND ASSOCIATES, INC.**  
 Page 7 of 11 Pages SURVEYING AND MAPPING  
 Easement No. 24618 3900 COLONIAL BLVD., SUITE 4, FORT MYERS, FLORIDA 33912  
 PHONE: (239)277-0722 FAX: (239)277-7179 EMAIL: SURVEYING@COONER.COM

CLIENT: LEE COUNTY UTILITIES	DRAWN BY: SRU	CHECKED BY: JNW
PARCEL DESCRIPTION: PINE ISLAND ROAD & BRIDGES IN MATLACHA PASS, SEC.24-44-22	DATE: 7/26/01	SCALE: REVISED 4/2/03
PROJECT NO. 000103.07	SHEET 3 OF 7	

**SPECIAL PURPOSE SURVEY**  
 IN MATLACHA PASS AND THE FIRST CHANNEL TO THE  
 SOUTHWEST IN SECTION 24, TOWNSHIP 44 SOUTH, RANGE 22 EAST  
 LEE COUNTY, FLORIDA



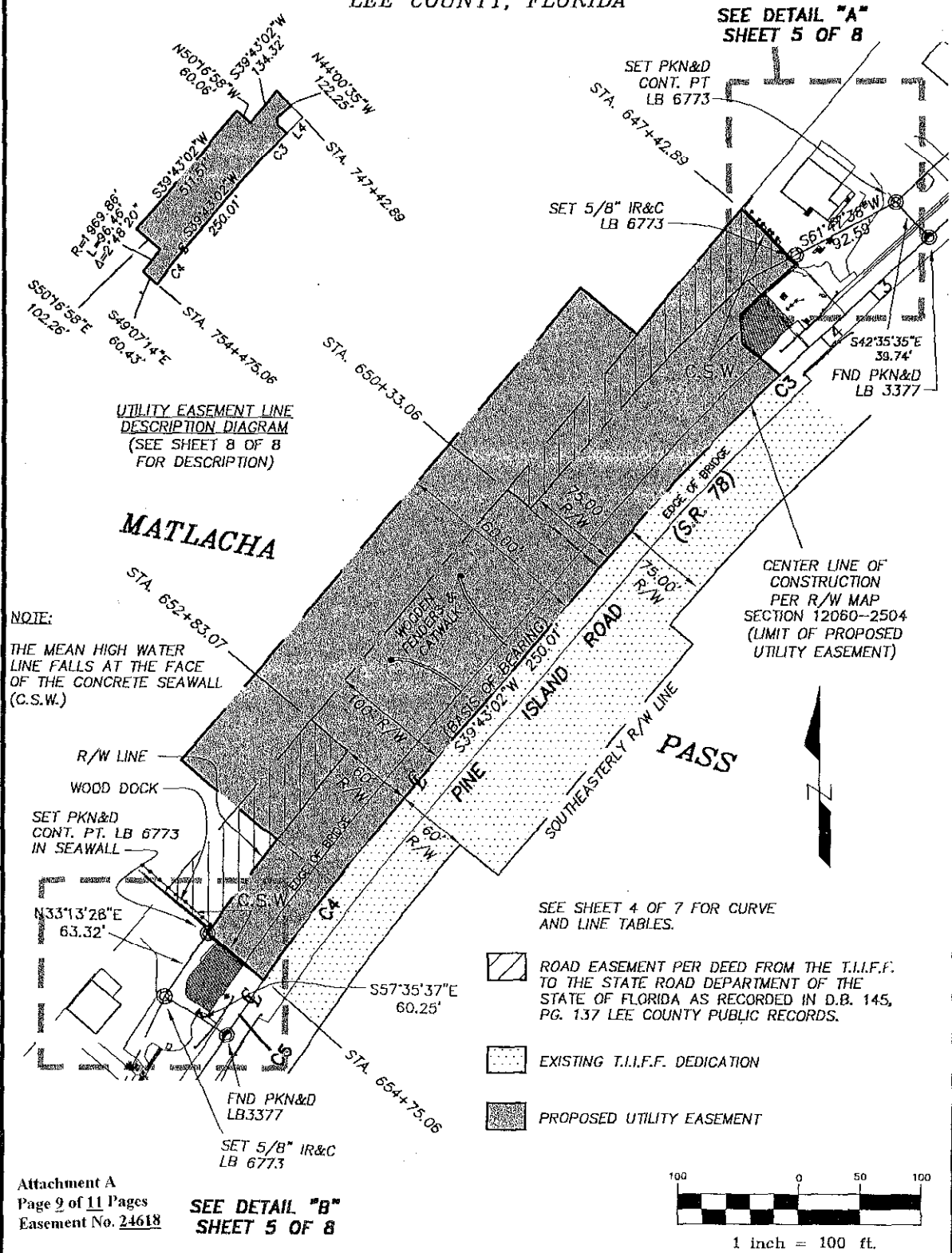
LINE	BEARING	LENGTH
L1	S63°03'02"W	948.80'
L2	S39°43'02"W	787.17'
L3	S47°11'50"W	93.56'
L4	S47°11'50"W	40.84'
L5	S39°43'02"W	250.01'
L6	S32°18'13"W	134.40'
L7	S40°06'02"W	285.26'
L8	S40°03'02"W	7.19'
L9	S40°03'02"W	99.12'
L10	S40°03'02"W	336.48'
L11	S39°43'02"W	1628.91'
L12	S40°03'02"W	234.89'

CURVE	RADIUS	LENGTH	DELTA	BEARING	CHORD
C1	1432.69'	583.45'	23°20'00"	S51°23'02"W	579.43'
C2	1909.86'	249.33'	7°28'48"	N43°27'26"E	249.16'
C3	1909.86'	249.33'	7°28'48"	S43°27'26"W	249.16'
C4	1909.86'	191.99'	5°45'35"	S36°50'15"W	191.91'
C5	1909.86'	55.13'	1°39'14"	S33°07'50"W	55.12'
C6	1909.86'	259.90'	7°47'49"	N36°12'08"E	259.70'
C7	85943.70'	475.00'	0°19'00"	S39°53'32"W	475.00'
C8	34377.48'	220.00'	0°22'00"	N39°54'02"E	220.00'

Attachment A **JEFFREY C. COONER AND ASSOCIATES, INC.**  
 SURVEYING AND MAPPING  
 Page 8 of 11 Pages  
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 PHONE: (239)277-0722 FAX: (239)277-7179 EMAIL: SURVEYING@COONER.COM

CLIENT: LEE COUNTY UTILITIES	DRAWN BY: JRF	CHECKED BY: JNW
PARCEL DESCRIPTION: PINE ISLAND ROAD & BRIDGES IN MATLACHA PASS, SEC.24-44-22	DATE: 1/10/03	SCALE: 1" = 800' REVISED 3/28/03
PROJECT NO. 000103.07	SHEET 4 OF 7	

**SPECIAL PURPOSE SURVEY**  
**IN MATLACHA PASS AND THE FIRST CHANNEL TO THE**  
**SOUTHWEST IN SECTION 24, TOWNSHIP 44 SOUTH, RANGE 22 EAST**  
**LEE COUNTY, FLORIDA**



Attachment A  
 Page 9 of 11 Pages  
 Easement No. 24618

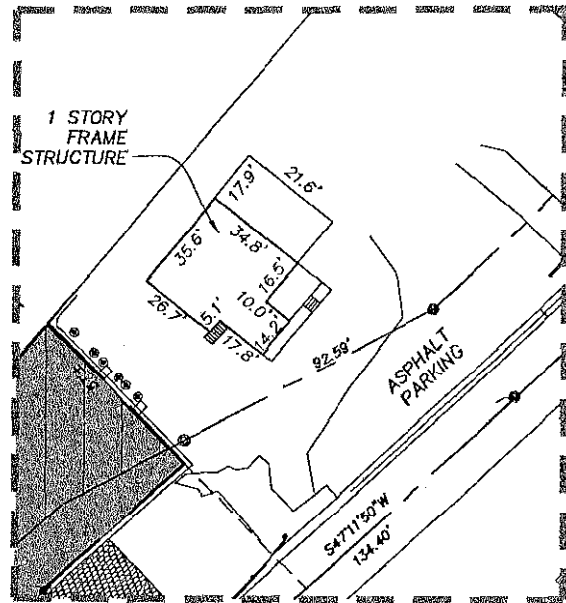
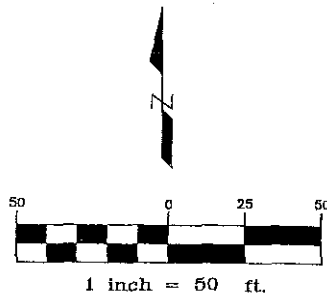
**SEE DETAIL "B"**  
**SHEET 5 OF 8**

**JEFFREY C. COONER AND ASSOCIATES, INC.**

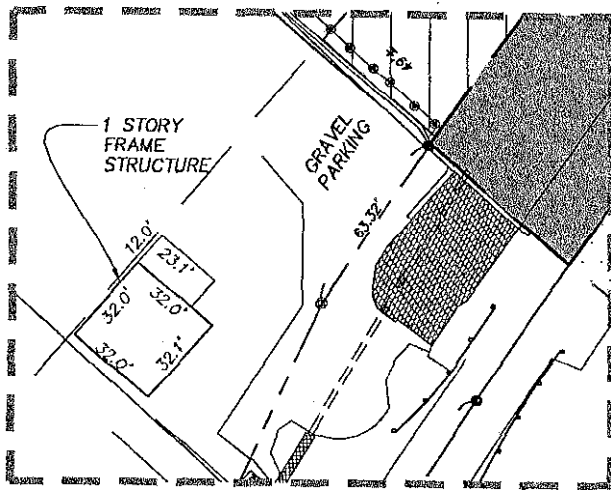
SURVEYING AND MAPPING  
 3900 COLONIAL BLVD., SUITE 4, FORT MYERS, FLORIDA 33912  
 PHONE: (239)277-0722 FAX: (239)277-7179 EMAIL: SURVEYING@COONER.COM

CLIENT: LEE COUNTY UTILITIES	DRAWN BY: JRF	CHECKED BY: JNW
PARCEL DESCRIPTION: PINE ISLAND ROAD & BRIDGES IN MATLACHA PASS, SEC.24-44-22	DATE: 1/10/03	SCALE: 1" = 100'
PROJECT NO. 000103.07	SHEET 5 OF 7	

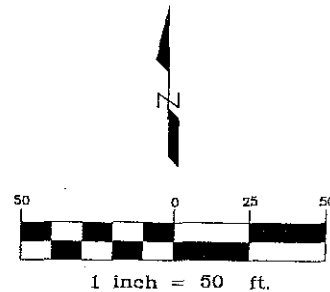
**SPECIAL PURPOSE SURVEY**  
**IN MATLACHA PASS AND THE FIRST CHANNEL TO THE**  
**SOUTHWEST IN SECTION 24, TOWNSHIP 44 SOUTH, RANGE 22 EAST**  
**LEE COUNTY, FLORIDA**





**DETAIL "A"**



**DETAIL "B"**



 ROAD EASEMENT PER DEED FROM THE T.I.I.F.F. TO THE STATE ROAD DEPARTMENT OF THE STATE OF FLORIDA AS RECORDED IN D.B. 145, PG. 137 LEE COUNTY PUBLIC RECORDS.

 PROPOSED UTILITY EASEMENT

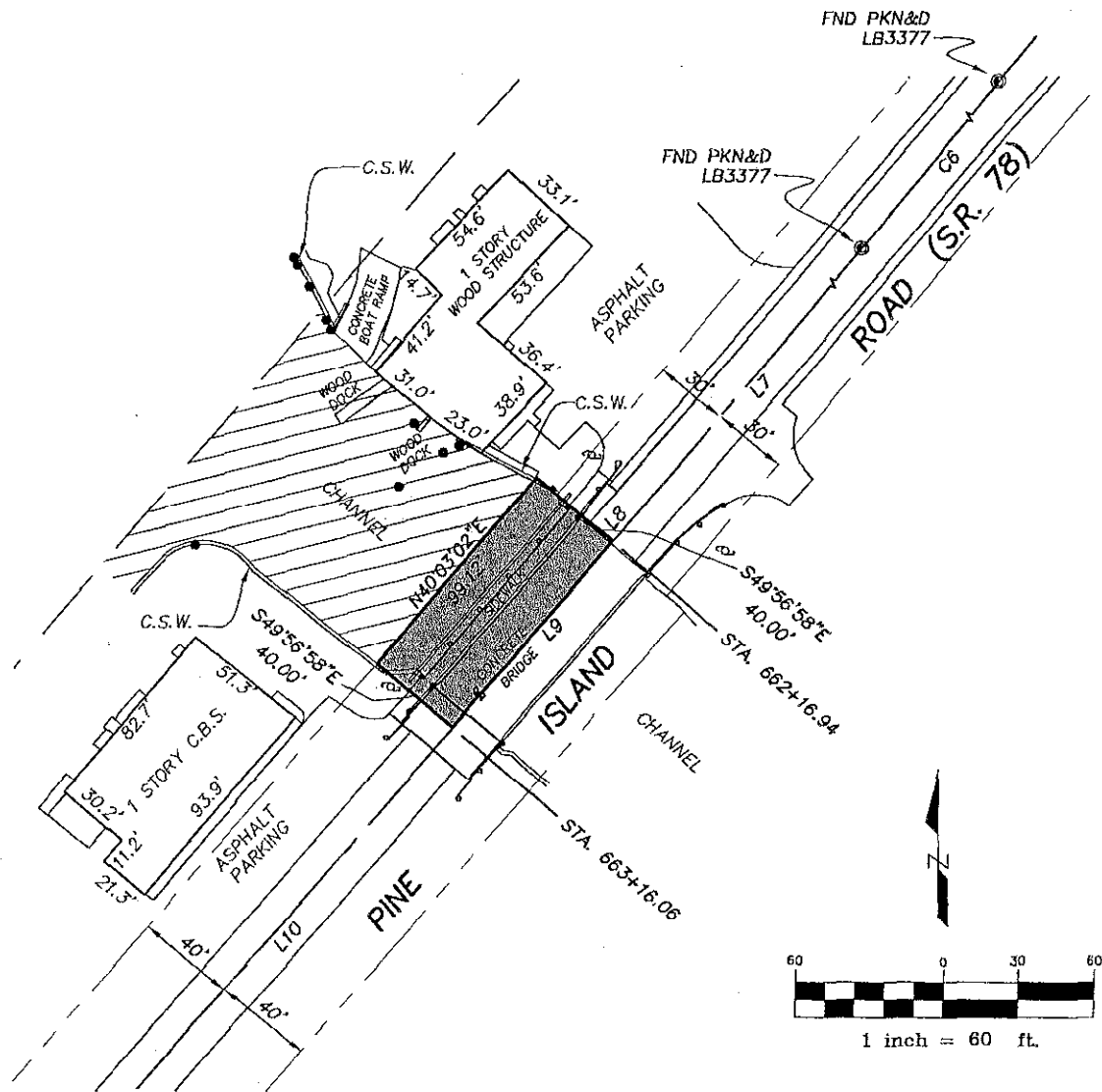
Attachment A  
 Page 10 of 11 Pages  
 Easement No. 24618

**JEFFREY C. COONER AND ASSOCIATES, INC.**

SURVEYING AND MAPPING  
 3900 COLONIAL BLVD., SUITE 4, FORT MYERS, FLORIDA 33912  
 PHONE: (239)277-0722 FAX: (239)277-7179 EMAIL: SURVEYING@COONER.COM

CLIENT: LEE COUNTY UTILITIES	DRAWN BY: JRF	CHECKED BY: JNW
PARCEL DESCRIPTION: PINE ISLAND ROAD & BRIDGES IN MATLACHA PASS, SEC.24-44-22	DATE: 1/10/03	SCALE: 1" = 50'
PROJECT NO. 000103.07	SHEET 6 OF 7	

**SPECIAL PURPOSE SURVEY**  
**IN MATLACHA PASS AND THE FIRST CHANNEL TO THE**  
**SOUTHWEST IN SECTION 24, TOWNSHIP 44 SOUTH, RANGE 22 EAST**  
**LEE COUNTY, FLORIDA**



**NOTE:**  
 MEAN HIGH WATER LINE FALLS  
 AT THE FACE OF THE CONCRETE  
 SEAWALL (C.S.W.)

C.B.S. CONCRETE BLOCK STRUCTURE



ROAD EASEMENT PER DEED FROM THE T.I.L.F.F.  
 TO THE STATE ROAD DEPARTMENT OF THE  
 STATE OF FLORIDA AS RECORDED IN D.B. 145,  
 PG. 137 LEE COUNTY PUBLIC RECORDS.



PROPOSED UTILITY EASEMENT

SEE SHEET 4 OF 7 FOR  
 CURVE AND LINE TABLES.

Attachment A  
 Page 11 of 11 Pages  
 Easement No. 24618

**JEFFREY C. COONER AND ASSOCIATES, INC.**  
 SURVEYING AND MAPPING

3800 COLONIAL BLVD., SUITE 4, FORT MYERS, FLORIDA 33812  
 PHONE: (239)277-0722 FAX: (239)277-7179 EMAIL: SURVEYING@COONER.COM

CLIENT: LEE COUNTY UTILITIES	DRAWN BY: JRF	CHECKED BY: JNW
PARCEL DESCRIPTION: PINE ISLAND ROAD & BRIDGES IN MATLACHA PASS, SEC.24-44-22	DATE: 1/15/03	SCALE: 1" = 60'
PROJECT NO. 000103.07	SHEET 7 OF 7	