

LEE COUNTY BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY **BLUE SHEET NO: 20040515-UTL**

1. REQUESTED MOTION:

ACTION REQUESTED:

Approve final acceptance, by Resolution, and recording of one (1) Utility Easement as a donation of a water main extension, fire hydrant, 6" diameter fire line and a force main connection serving *SUNCOAST CONTRACTORS SUPPLY*. This is a Developer Contributed asset project located on the south side of Kutak Road, approximately 1,000 feet east of Metro Parkway.

WHY ACTION IS NECESSARY:

To provide potable water service, fire protection and sanitary sewer service to the recently constructed industrial building.

WHAT ACTION ACCOMPLISHES:

Places the water main and force main into operation and complies with the Lee County Utilities Operations Manual.

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

C10A

3. MEETING DATE:

06-08-2004

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

R. Diaz

DATE: 5/20/04

7. BACKGROUND:

Fire hydrants, fire lines and force mains considered as single service connections do not require permission to construct by the Board, therefore, no previous Blue Sheet number is provided. The only portion of the force main constructed that will be accepted as a contributory asset is the tapping sleeve and valve which connects the private force main to the existing LCU force main adjacent to the subject parcel. The force main constructed will serve this project only.

The installation has been inspected for conformance to the Lee County Utilities Operations manual.

Satisfactory pressure and bacteriological testing has been completed.

Record drawings have been received.

Engineer's Certification of Completion has been provided---copy attached.

Project Location Map---copy attached.

Warranty has been provided--- copy attached.

Waiver of Lien has been provided---copy attached.

Certification of Contributed Assets has been provided---copy attached.

100% connection/capacity fees have been paid.

Sanitary sewer service will be provided by Lec County Utilities via a recently constructed privately owned & maintained lift station and force main which now ties into existing Lee County Utilities' infrastructure located adjacent to the subject parcel.

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

SECTION 33 TOWNSHIP 44S RANGE 25E DISTRICT #2 COMMISSIONER ST. CERNY

MANAGEMENT RECOMMENDATIONS:

9. RECOMMENDED APPROVAL

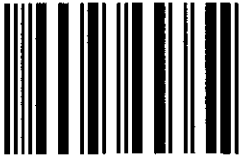
(A) DEPARTMENT DIRECTOR	(B) PURCH. OR CONTRACTS	(C) HUMAN RESOURCES	(D) OTHER	(E) COUNTY ATTORNEY	(F) BUDGET SERVICES				(G) COUNTY MANAGER
					O.A.	OM	Risk	GC	
<p style="font-size: 1.2em; font-family: cursive;">Lavender</p> <p>Date: <u>5/24/04</u></p>	<p>N/A</p> <p>Date: _____</p>	<p>N/A</p> <p>Date: _____</p>	<p style="font-size: 1.2em; font-family: cursive;">T. Osterhout</p> <p>Date: <u>5-20</u></p>	<p style="font-size: 1.2em; font-family: cursive;">[Signature]</p> <p>Date: <u>5/26/04</u></p>	<p style="font-size: 1.2em; font-family: cursive;">[Signature]</p> <p>Date: <u>5/26/04</u></p>	<p style="font-size: 1.2em; font-family: cursive;">[Signature]</p> <p>Date: <u>5/26/04</u></p>	<p style="font-size: 1.2em; font-family: cursive;">[Signature]</p> <p>Date: <u>5/26/04</u></p>	<p style="font-size: 1.2em; font-family: cursive;">[Signature]</p> <p>Date: <u>5-24-04</u></p>	

10. COMMISSION ACTION:

- APPROVED
- DENIED
- DEFERRED
- OTHER

Rec. by CoAtty
 Date: 5/25/04
 Time: 1:40
 Forwarded To:
 Admin 5/25/04

RECEIVED BY
 COUNTY ADMIN: TD
5/25/04
3:40 PM '04
 COUNTY ADMIN
 FORWARDED TO:



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



FDOR10240300
 DR-219
 R. 07/98

(PLEASE READ INSTRUCTIONS 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 0123456789

304425P400108.004A

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: SUNCOAST CONTRACTORS SUPPLY, INC.

Last	First	MI	Corporate Name (if applicable)		
3095 KENNESAW ST.	FORT MYERS	FL	33916	()	()
Mailing Address		City	State	Zip Code	Phone No.

4. Grantee (Buyer):

RICK DIAZ, P.E., UTIL. DIR. FOR LEE CO. BOARD OF COUNTY COMMISSION

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

. 00

Property
 Located In

Lee

Month Day Year

(Round to the nearest dollar.)

6. Type of Document

Contract/Agreement
 for Deed

X

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.)

\$

. 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

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

X NO

\$

Cents

. 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

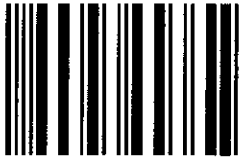
NO

[Handwritten Signature]

5/20/04

To be completed by the Clerk of the Circuit Court's Office	Clerks Date Stamp
<p>This copy to Property Appraiser</p> <p>O. R. Book and Page Number and File Number</p> <p>Date Recorded</p> <p>Month Day Year</p>	<div style="border: 1px solid black; height: 100px;"></div>

This copy to Property Appraiser



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



FDOR10240300
 DR-219
 R. 07/98

(PLEASE READ INSTRUCTIONS BEFORE COMPLETING)

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

0123456789

304425P400108.004A

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:

SUNCOAST CONTRACTORS SUPPLY, INC.

Last Mailing Address
 3095 KENNESAW ST.

First MI City
 FORT MYERS

State Zip Code
 FL 33916

4. Grantee (Buyer):

Mailing Address
 RICK DIAZ, P.E., UTIL. DIR. FOR

City State Zip Code Phone No.
 LEE CO. BOARD OF COUNTY COMMISSION

Last Mailing Address
 P. O. BOX 398

First MI City
 FT. MYERS

State Zip Code Phone No.
 FL 33902 (239) 4798181

5. Date of Sale/Transfer

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

Property Located In 46 County Code

6. Type of Document

Contract/Agreement for Deed Other
 Warranty Deed Quit Claim Deed

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

YES NO

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

8. To the best of your knowledge, were there unusual circumstances or conditions to the sale/transfer such as: Forced sale by court order? Foreclosure pending? Distress Sale? Title defects? Corrective Deed? Mineral rights? Sale of a partial or undivided interest? Related to seller by blood or marriage.

YES NO

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

Conventional Seller Provided Agreement or Contract for Deed Other

10. Property Type: Mark (x) all that apply

Residential Commercial Industrial Agricultural Institutional/Miscellaneous Government Vacant Acreage Timeshare

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 \$

Cents
 .00

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

[Handwritten signature] *[Date: 5/28/04]*

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

RESOLUTION NO. _____

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

WHEREAS, it is the desire of Suncoast Contractors Supply, Inc., owner of record, to make a contribution to Lee County Utilities of water facilities (water main extension, fire hydrant, 6" diameter fire line) and sewer facilities (force main connection) serving "**SUNCOAST CONTRACTORS SUPPLY**"; 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 **\$26,720.00**, 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 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

LETTER OF COMPLETION

DATE: 3/5/2004

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 sanitary sewer , systems located in
Suncoast Contractors Supply
(Name of Development)

were designed by me and have been constructed in conformance with:
the approved plans and the approved specifications

Upon completion of the work, we observed the following successful tests of the facilities:
**Bacteriological Test , Pressure Test(s) - Water Main , Pressure Test(s) - Force Main ,
Lift Station Start-up**

Very truly yours,

Quattrone and Associates, Inc.
(Owner or Name of Corporation)

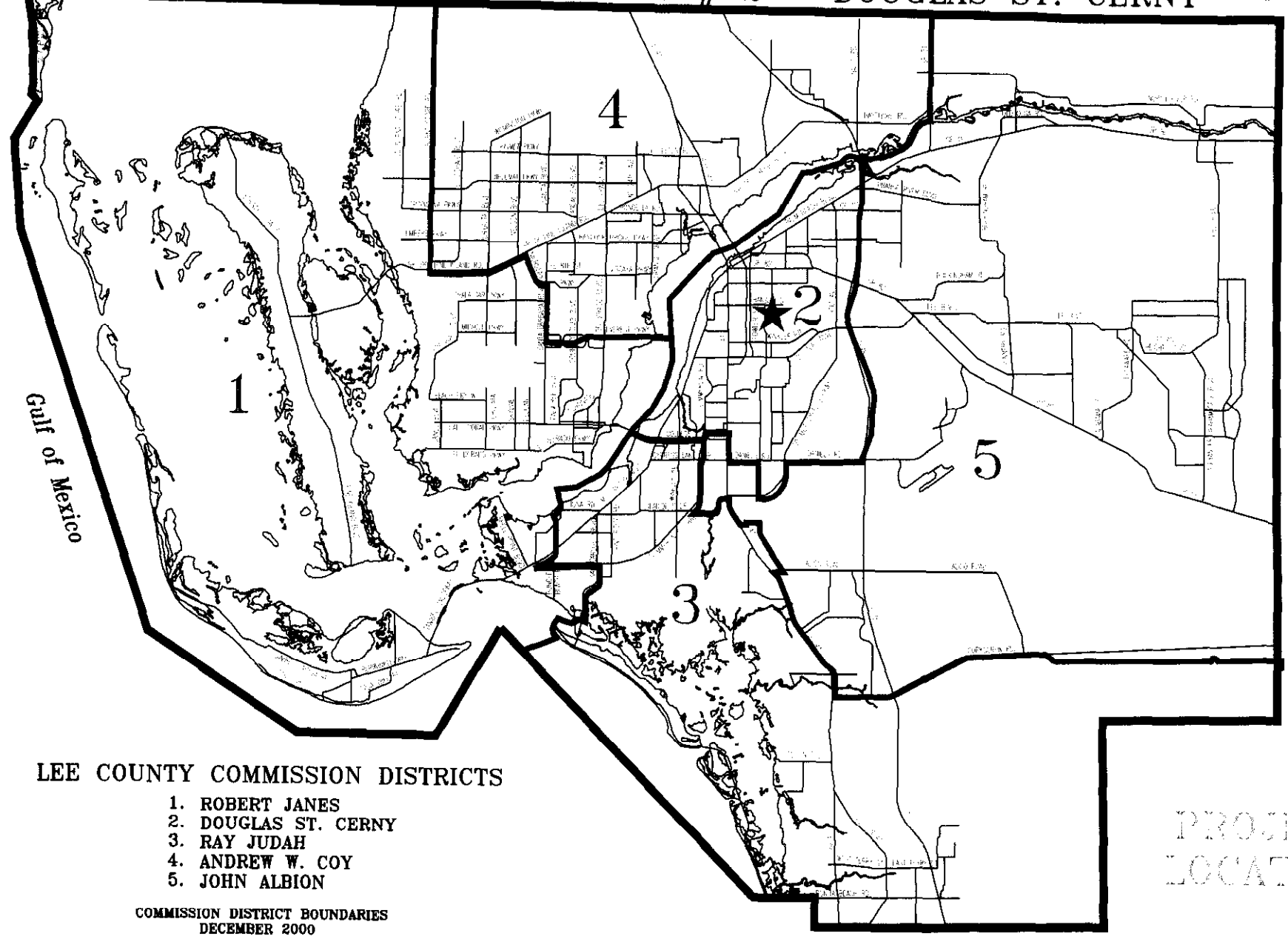
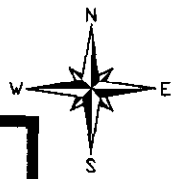
(Signature)

JA
3/5/04

P.E.
(Title)

(Seal of Engineering Firm)

SUNCOAST CONTRACTORS SUPPLY
30-44-25-P4-00108.004A
COMMISSION DISTRICT # 2 - DOUGLAS ST. CERNY



LEE COUNTY COMMISSION DISTRICTS

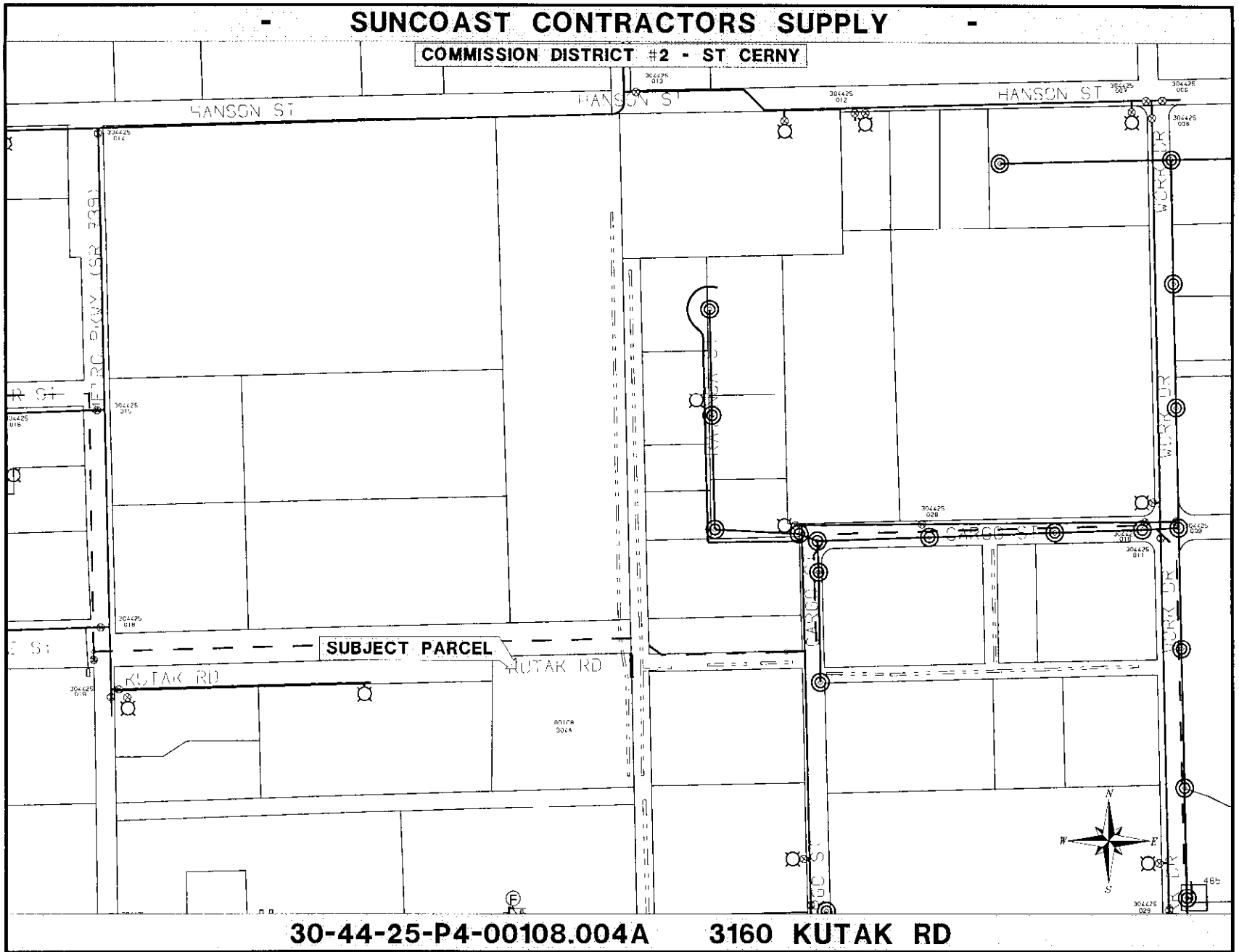
- 1. ROBERT JANES
- 2. DOUGLAS ST. CERNY
- 3. RAY JUDAH
- 4. ANDREW W. COY
- 5. JOHN ALBION

COMMISSION DISTRICT BOUNDARIES
DECEMBER 2000

PROJECT
LOCATION

SUNCOAST CONTRACTORS SUPPLY

COMMISSION DISTRICT #2 - ST CERNY



30-44-25-P4-00108.004A

3160 KUTAK RD

WARRANTY

THE UNDERSIGNED parties do hereby warrant and/or guaranty all work executed by the contractor on the water and sewer systems of (Name of Development): SUN COAST CONTRACTORS SUPPLY
3160 KUTAK ROAD FORT MYERS, FL
STRAP# 30-44-25-P4-00108.004A

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.

CHRISTO, INCORPORATED

(NAME OF OWNER OR CONTRACTOR)

BY: *Robert A. Keiling*
(SIGNATURE & TITLE) **ROBERT A. KEILING-PRESIDENT**

STATE OF FLORIDA)
) SS:
COUNTY OF LEE)

The foregoing instrument was signed and acknowledged before me this 3RD day of

MAY, 20 04 by ROBERT A. KEILING who has produced
(Print or Type Name)

PERSONALLY KNOWN TO ME as identification, and who (did) (did not) take an oath.
(Type of Identification and Number)

Mark K. Nottingham
Notary Public Signature

MARK K. NOTTINGHAM
Printed Name of Notary Public

DD 261445 JAN. 6, 2008
Notary Commission Number

MARK K. NOTTINGHAM
Notary Public, State of Florida
My comm. exp. Jan. 6, 2008
Comm. No. DD 261445

(NOTARY SEAL)

MAY 05 2004

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

The undersigned lienor, in consideration of the final payment in the amount

Of TWENTY SIX THOUSAND SEVEN HUNDRED TWENTY DOLLARS & NO/100 (\$ 26,720.00)

Hereby waives and releases its lien and right to claim a lien for labor, service, or materials

Furnished to EAGLE CREST CONSTRUCTION on the job
(Insert name of your customer)

Of SUN COAST CONTRACTORS SUPPLY, INC to the following describe
(Insert name of the owner)

Property: SUN COAST CONTRACTORS SUPPLY
(Name of Development/Project)

SEE EXHIBIT 'A' & 'B' FOR DESCRIPTION
(Facilities Constructed)

3160 KUTAK ROAD FORT MYERS, FL
(Project Location)

STRAP# 30-44-25-P4-00108.004A

Dated on FEBRUARY 19, 2004

By: [Signature]
(Signature of Authorized Representative)

CHRISTO, INCORPORATED
(Name of Firm or Corporation)

By: ROBERT A. KEILING
(Print Name of Authorized Representative)

4461-B HANCOCK BRIDGE PKWY
(Address)

Title: PRESIDENT

N. FORT MYERS, FL 33903
(City, State & Zip)

Phone #: 239-997-2823

Fax#: 239-997-4672

State of FLORIDA
County of LEE

The foregoing instrument was signed and acknowledged before me this 19TH day of FEBRUARY 2004, by Robert A. Keiling, who produced personally known to me as identification or who is personally known to me, and who did/did not take an oath.

NOTARY SEAL
MARK K. NOTTINGHAM
Notary Public, State of Florida
My comm. exp. Jan. 6, 2008
Comm. No. DD 261445

Notary Public: [Signature]
(Signature)
Notary Public Name: MARK K. NOTTINGHAM
(Print)
My Commission Expires: JAN. 6, 2008

EXHIBIT 'A'
WAIVER ATTACHMENT

DATE: FEBRUARY 19, 2004

PROJECT NAME: SUN COAST CONTRACTORS SUPPLY

PROJECT ADDRESS: 3160 KUTAK ROAD FORT MYERS, FL

STRAP#: 30-44-25-P4-00108.004A

DESCRIPTION OF THE UTILITY SYSTEM CONSTRUCTED: **WATER**

TIED INTO EXISTING 6" WATERLINE WITH 6" X 6" TEE, 6" GATE VALVES AND 10" X 6" REDUCER. INSTALLED 268 LF 10" DIP CL 50, 192 LF 10" PVC DR-18, 1-FIRE HYDRANT ASSY, 5" FIRE SERVICE UP TO AND INCLUDING 6" O S & Y VALVE, AND 1" X ¾" WATER SERVICE TO PROVIDE FIRE PROTECTION AND DOMESTIC WATER TO NEW COMMERCIAL BUILDING.

EXHIBIT 'B'
WAIVER ATTACHMENT

DATE: FEBRUARY 19, 2004

PROJECT NAME: **SUN COAST CONTRACTORS SUPPLY**

PROJECT ADDRESS: 3160 KUTAK ROAD FORT MYERS, FL

STRAP#: 30-44-25-P4-00108.004A

DESCRIPTION OF THE UTILITY SYSTEM CONSTRUCTED: SEWER

1-6" X 4" HOT TAP, 40 LF PVC DR-18, 54 LF PVC DR-14 TO PROVIDE SEWER SERVICE TO PRIVATE LIFT STATION TO SERVE NEW COMMERCIAL BUILDING.

COMPLETED BY: CHRISTO, INCORPORATED

11.5

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 A. Keiling*
(Name & Title of Certifying Agent) **ROBERT A. KEILING-PRESIDENT**

OF: **CHRISTO, INCORPORATED**
(Firm or Corporation)

ADDRESS: **4461-B HANCOCK BRIDGE PKWY.**
N. FORT MYERS, FL 33903

STATE OF FLORIDA)
) SS:
COUNTY OF LEE)

The foregoing instrument was signed and acknowledged before me this 19TH
day of FEBRUARY, 20 04 by ROBERT A. KEILING
(Print or Type Name)

who has produced Personally Known to Me as identification,
(Type Of Identification and Number)

and who (did) (did not) take an oath.

Mark K. Nottingham
Notary Public Signature

MARK K. NOTTINGHAM
Notary Public, State of Florida
My comm. exp. Jan. 6, 2008
Comm. No. DD 261445

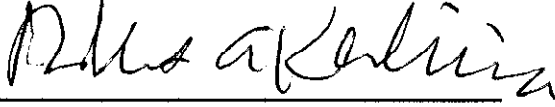
MARK K. NOTTINGHAM
Printed Name of Notary Public

DD261445 JAN. 6, 2008
Notary Commission Number

(NOTARY SEAL)

11.5

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: 
(Name & Title of Certifying Agent) **ROBERT A. KEILING-PRESIDENT**

OF: **CHRISTO, INCORPORATED**
(Firm or Corporation)

ADDRESS: **4461-B HANCOCK BRIDGE PKWY.**

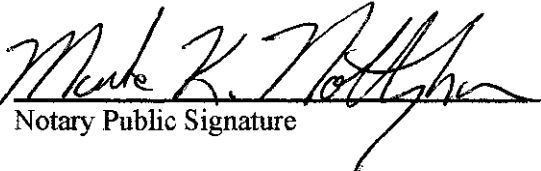
N. FORT MYERS, FL 33903

STATE OF FLORIDA)
) SS:
COUNTY OF LEE)

The foregoing instrument was signed and acknowledged before me this 19TH
day of FEBRUARY, 20 04 by ROBERT A. KEILING
(Print or Type Name)

who has produced Personally Known to Me as identification,
(Type Of Identification and Number)

and who (did) (did not) take an oath.


Notary Public Signature

MARK K. NOTTINGHAM
Notary Public, State of Florida
My comm. exp. Jan. 6, 2008
Comm. No. DD 261445

MARK K. NOTTINGHAM
Printed Name of Notary Public

DD261445 JAN. 6, 2008
Notary Commission Number

(NOTARY SEAL)

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

Strap Number:

30-44-25-P4-00108.004A

THIS SPACE RESERVED FOR RECORDING

GRANT OF PERPETUAL PUBLIC UTILITY EASEMENT

THIS INDENTURE is made and entered into this ____ day of _____ 20__, by and between Suncoast Contractors Supply, Inc., Owner, hereinafter referred to as GRANTOR(S), and LEE COUNTY, a political sub-division of the State of Florida, 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 will 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 may 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 will 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 from any and all liens and encumbrances, except as herein stated, and accordingly, GRANTOR(S) will forever defend the right, 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, agrees to 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.

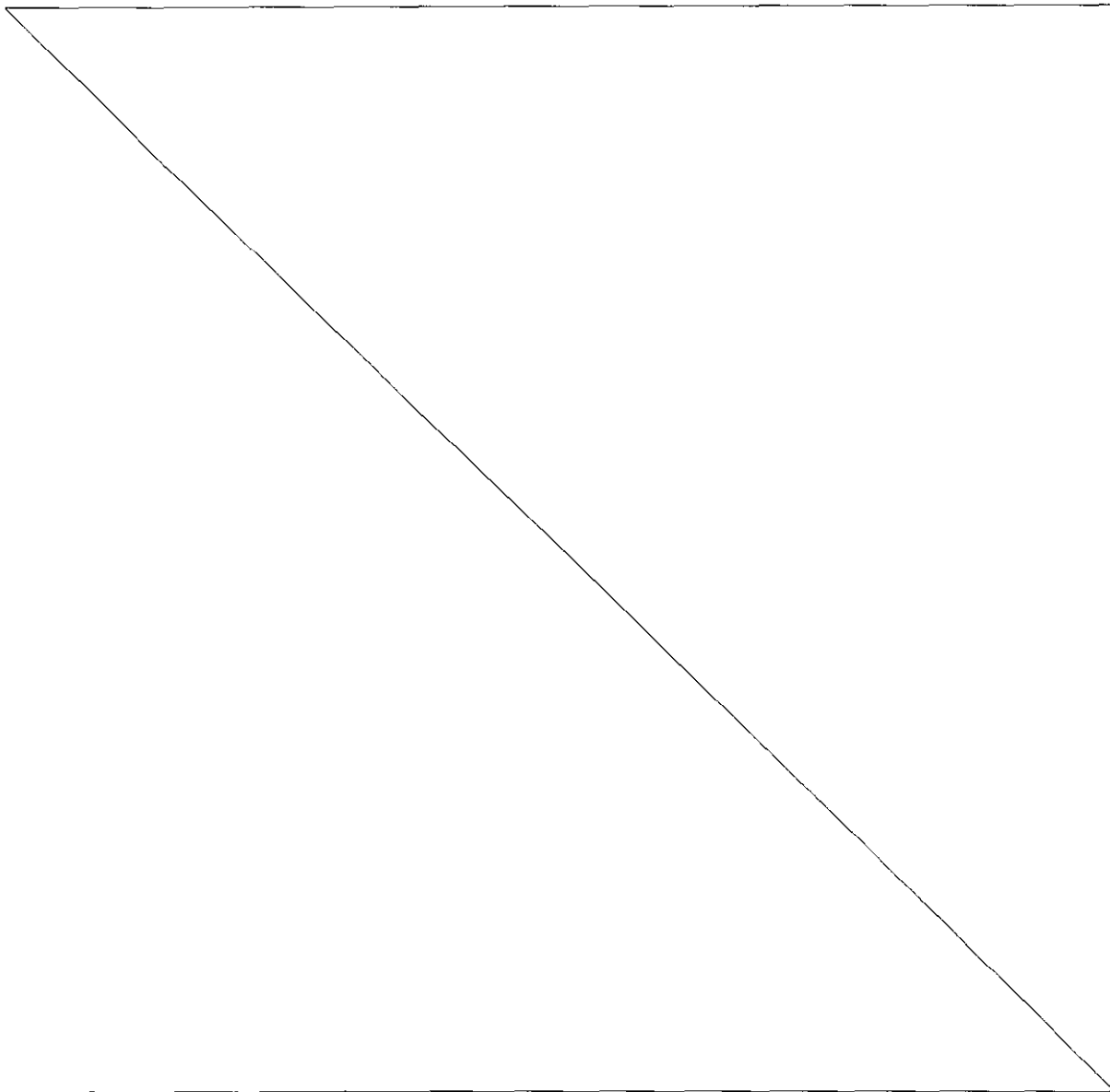
7. GRANTEE will be liable for money damages in tort for any injury to or loss of property, personal injury, or death caused by the negligent or wrongful act(s) or omission(s) of any official or employee of the GRANTEE while acting within the scope of the official's or employee's office or employment 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 will 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 any associated roads. The easement is strictly for utility purposes.

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

(Balance of Page Left Intentionally Blank)



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

Judith Taylor
[1st Witness' Signature]

Judith Taylor
[Type or Print Name]

Bet Rubinski
[2nd Witness' Signature]

Bet Rubinski
[Type or Print Name]

BY: Lanny W. Moore
[Signature Grantor's/Owner's]

^{W.}
Lanny Moore
[Type or Print Name]

President
[Title]

STATE OF FLORIDA

COUNTY OF Lee

The foregoing instrument was signed and acknowledged before me this 13 day of May 2004 by Lanny W Moore who produced the following as identification _____ or is personally know to me, and who did/did not take an oath.

[stamp or seal]



Beatrice Petrozzino
[Signature of Notary]

Beatrice Petrozzino
[Typed or Printed Name]

Approved and accepted for and on behalf of Lee County, Florida, this _____ day of _____, 20____.

ATTEST:
CHARLIE GREEN, CLERK

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: _____
Deputy Clerk

BY: _____
Chairman

APPROVED AS TO FORM

BY: _____
Office of the County Attorney



METRON
SURVEYING & MAPPING, LLC
LAND SURVEYORS • PLANNERS

LEGAL DESCRIPTION
OF AN EASEMENT LYING IN
SECTION 30, TOWNSHIP 44 SOUTH, RANGE 25 EAST,
LEE COUNTY, FLORIDA

(20' WIDE PUBLIC UTILITY EASEMENT)

A 20 FOOT WIDE PUBLIC UTILITY EASEMENT SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING OVER, ACROSS AND THROUGH A PART OF LOT 37, EAST STADLER FARMS AS RECORDED IN PLAT BOOK 5, PAGE 6 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, LYING IN SECTION 30, TOWNSHIP 44 SOUTH, RANGE 25 EAST, BEING FURTHER DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 37, THENCE S.89°59'20"W. ALONG THE NORTH LINE OF SAID LOT 37 FOR 348.48 FEET; THENCE S.00°26'00"W. FOR 42.69 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED EASEMENT; THENCE N.89°47'19"E. FOR 19.80 FEET; THENCE S.61°08'57"E. FOR 76.18 FEET; THENCE S.28°51'03"W. FOR 20.00 FEET; THENCE N.61°08'57"W. FOR 71.00 FEET; THENCE S.89°47'19"W. FOR 14.84 FEET; THENCE N.00°26'00"E. FOR 20.00 FEET TO THE POINT OF BEGINNING.

EASEMENT CONTAINS 1,818 SQUARE FEET, MORE OR LESS.

EASEMENT SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY (RECORDED AND UNRECORDED, WRITTEN AND UNWRITTEN)

BEARINGS ARE BASED ON THE NORTH LINE OF SAID LOT 37 BEING S.89°59'20"W.

METRON SURVEYING & MAPPING, LLC
FLORIDA CERTIFICATE OF AUTHORIZATION LB# 7071

4-26-2004

SCOTT M. SHORE
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERTIFICATE NO. 5743

SHEET 1 OF 2

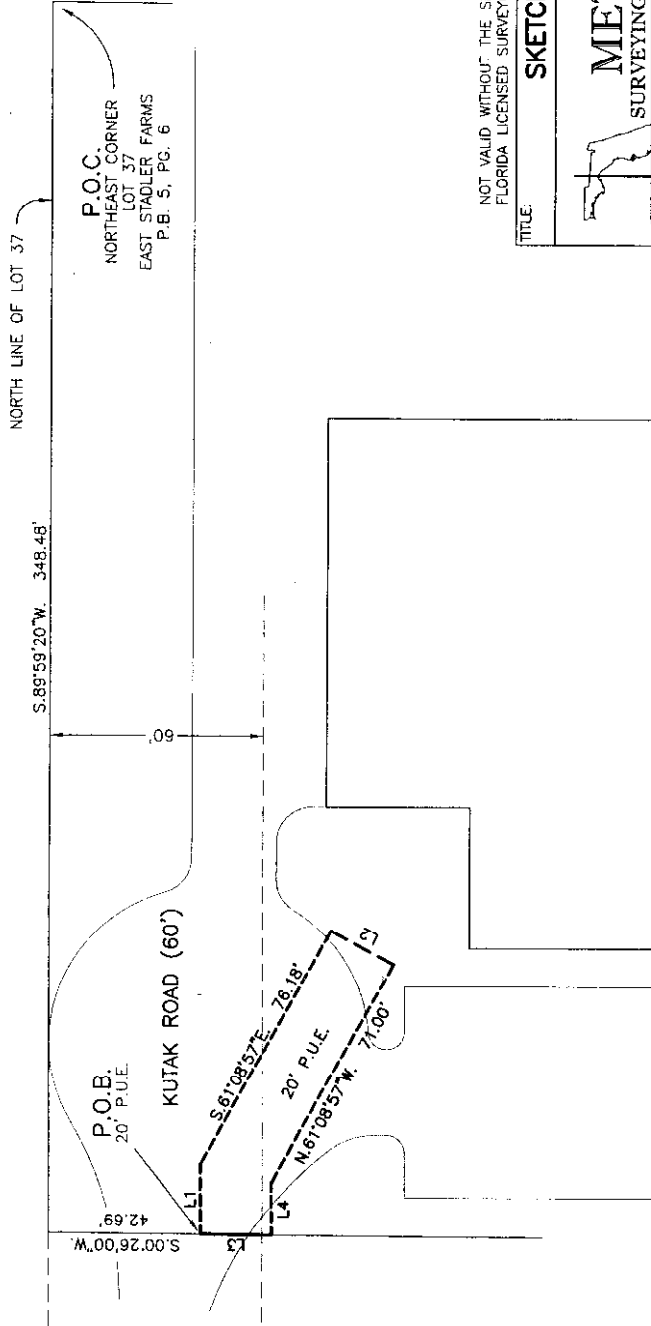
4450SK3.doc

SKETCH TO ACCOMPANY DESCRIPTION



LEGEND:

- P.O.B. = POINT OF BEGINNING
- P.O.C. = POINT OF COMMENCEMENT
- R/W = RIGHT-OF-WAY
- O.R. = OFFICIAL RECORD BOOK
- P.C. = PAGE
- P.B. = PLAT BOOK
- P.U.E. = PUBLIC UTILITY EASEMENT
- FPL = FLORIDA POWER & LIGHT COMPANY
- U.E. = UTILITY EASEMENT



FOR THE EXCLUSIVE USE OF:
- EAGLECREST CONSTRUCTION

*** THIS IS NOT A SURVEY ***

Scott M. Shore

BY: SCOTT M. SHORE
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERTIFICATE NO. LS# 5743

DATE SIGNED: 4-26-2004

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A
FLORIDA LICENSED SURVEYOR AND MAPPER.

TITLE: SKETCH OF DESCRIPTION



METRON
SURVEYING & MAPPING, LLC
LAND SURVEYORS-PLANNERS
LBM 7071

5245 RAMSEY WAY, SUITE #2
FORT MYERS, FLORIDA 33907
PHONE: (813) 725-6575
FAX: (239) 275-8687
www.metronfl.com

FILE NAME: 44505K3.DWG	FIELD BOOK/PAGE: N/A	PROJECT NO.: 4450	SHEET: 2 OF 2
SKETCH DATE: 4-26-2004	DRAWN BY: SMS	CHECKED BY: SMS	30-44-25
SCALE: 1" = 40'			

*** SEE SHEET 1 OF 2 FOR LEGAL DESCRIPTION ***

Handwritten signature or initials.

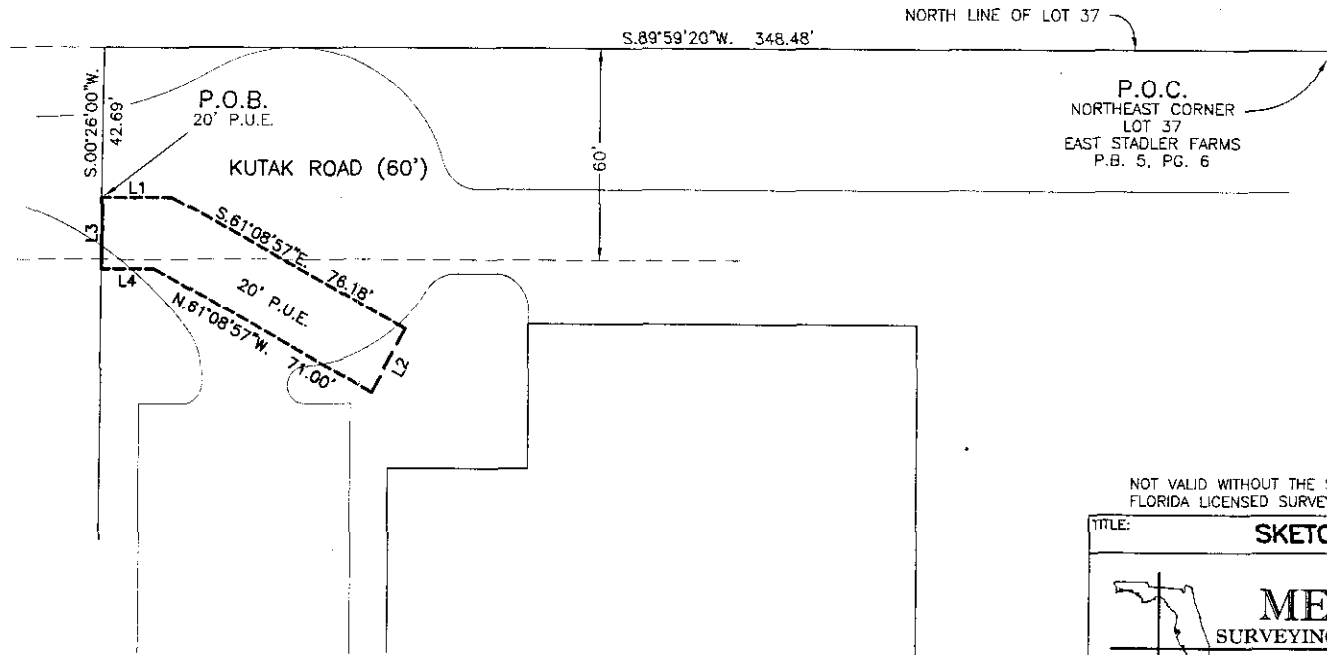
SKETCH TO ACCOMPANY DESCRIPTION

LINE TABLE

Line	Bearing	Distance
L1	N.89°47'19"E.	19.80'
L2	S.28°51'03"W.	20.00'
L3	N.00°26'00"E.	20.00'
L4	S.89°47'19"W.	14.84'

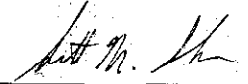
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DATE SIGNED: 4-26-2004

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

TITLE: SKETCH OF DESCRIPTION			
		METRON SURVEYING & MAPPING, LLC LAND SURVEYORS-PLANNERS LB# 7071	
		5245 RAMSEY WAY, SUITE #2 FORT MYERS, FLORIDA 33907 PHONE: (239) 275-8575 FAX: (239) 275-8457 www.metronfl.com	
FILE NAME:	FIELD BOOK/WAGE:	PROJECT NO.:	SHEET:
4450SK3.DWG	N/A	4450	2 OF 2
SKETCH DATE:	DRAWN BY:	SCALE:	CHECKED BY: (S-T-R)
4-26-2004	SMS	1"= 40'	SMS
		30-44-25	

*** SEE SHEET 1 OF 2 FOR LEGAL DESCRIPTION ***

TO: LEE COUNTY FINANCE DEPARTMENT

FROM: UTILITIES ENGINEERING
(Department)

BS 20040515-UTL

SUE GULLEDGE

A. AUTHORIZATION:

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

Purchase Order # N/A for SUNCOAST CONTRACTORS SUPPLY project. EASEMENT: SUNCOAST CONTRACTORS SUPPLY INC. ACCOUNT NO. OD5360748700.504930

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

Sue Gullledge
SUE GULLEDGE

Signature Authorization

B. SERVICE RECEIVED:

RECORDING 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