

LEE COUNTY BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY

BLUE SHEET NO: 20040743-UTL

1. REQUESTED MOTION:

ACTION REQUESTED:

Approve final acceptance, by Resolution and recording of a utility easement, as a donation of one 10" diameter master meter assembly and a force main connection serving Kelly Road Apartments n/k/a Mandolin Bay. This is a developer-contributed asset project located approximately 1,000' east of the intersection of McGregor Boulevard and Kelly Road.

WHY ACTION IS NECESSARY:

To provide potable water service, fire protection, and sanitary sewer service to the recently constructed multi-family residential project.

WHAT ACTION ACCOMPLISHES:

Places the water and wastewater facilities into operation and complies with the Lee County Utilities Operations Manual.

2. DEPARTMENTAL CATEGORY: 10 - UTILITIES
COMMISSION DISTRICT #: 3

C10C

3. MEETING DATE:

07-27-2004

4. AGENDA:

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

5. REQUIREMENT/PURPOSE:

- (Specify)
- STATUTE _____
 - ORDINANCE _____
 - ADMIN. CODE _____
 - X 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

[Handwritten Signature]

DATE: 6/24/04

7. BACKGROUND:

The Board granted approval to construct on 08/19/03; Blue Sheet #20031256.
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 pressure testing of the force main has been performed.
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 Contributory Assets has been provided---copy attached.
The on-site water and sanitary sewer systems are to be privately owned and maintained.
100% of the connection/capacity fees have been paid.

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

SECTION 36 TOWNSHIP 45S RANGE 23E DISTRICT #3 COMMISSIONER JUDAH

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: 6/24/04	N/A Date:	N/A Date:	P.O. T. Osterhout Date: 6-24	<i>[Signature]</i> Date: 6/29/04	<i>[Signature]</i> 6/30/04	<i>[Signature]</i> 6/30/04	<i>[Signature]</i> 6/24/04	<i>[Signature]</i> 6/30/04	<i>[Signature]</i> Lavender Date: 6/24/04

10. COMMISSION ACTION:

- APPROVED
- DENIED
- DEFERRED
- OTHER

Rec. by CoAtty
Date: 6/29/04
Time: 2:25 PM
Forwarded To:
Admin.
6/29/04 3:25

RECEIVED BY
COUNTY ADMIN: PA
6/24/04
3:45 PM EDT
COUNTY ADMIN
FORWARDED TO: PA
7-20-04
3:30 PM



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



FDOR10240300
DR-219
R. 07/98

Use black ink. Enter numbers as shown below. If typing, enter numbers as shown below.
0 1 2 3 4 5 6 7 8 9 ... 0 1 2 3 4 5 6 7 8 9

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

36452300000220010

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: WOODLAND HOMES INC + MANDOLIN BAY LLC

Last First MI Corporate Name (if applicable)
1998 LAKE STREET HOLLAND MI 49424
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 (2394798181
Mailing Address City State Zip Code Phone No.

5. Date of Sale/Transfer Sale/Transfer Price
Property Located in Lee
Month Day Year \$ (Round to the nearest dollar.)

6. Type of Document Contract/Agreement for Deed X Other
Warranty Deed Quit Claim Deed
7. Are any mortgages on the property? If "Yes", outstanding mortgage balance: \$ (Round to the nearest dollar.)

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

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.)
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?
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 6/24/04

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

Table with 2 columns: To be completed by the Clerk of the Circuit Court's Office and Clerks Date Stamp. Rows include Property Appraiser information and recording details.



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



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

36452300000220010

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: WOODLAND HOMES INC + MANDOLIN BAY LLC

Last First MI Corporate Name (if applicable)
1998 LAKE STREET HOLLAND MI 49424

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) 479-8181

Mailing Address City State Zip Code Phone No.

5. Date of Sale/Transfer

Sale/Transfer Price

\$ **. 00** Property Located In **46** County Code

Month Day Year (Round to the nearest dollar.)

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

(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:
 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 \$ **0.00**

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

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

[Handwritten Signature]

Date **6/24/04**

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

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 Woodland Homes, Inc. + Mandolin Bay, LLC, owners of record, to make a contribution to Lee County Utilities of water facilities (10" diameter master meter assembly) and sewer facilities (force main connection) serving **"KELLY ROAD APARTMENTS N/K/A MANDOLIN BAY"**; 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 **\$9,795.35**, 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: 6/15/2004

Department of Lee County Utilities
Division of Engineering
Post Office Box 398
Fort Myers, FL 33902

Gentlemen:


This is to certify that the **force main extension/connection and water service(s)** located in
Kelly Road Apartments nka Mandolin Bay
(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:
Pressure Test(s) - Water Main , Pressure Test(s) - Force Main , Lift Station Start-up ,
Low Pressure Test(s) - Gravity Main and TV Inspection, Mandrill - Gravity Main

Very truly yours,

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



(Signature)

P. E.
(Title)

6/16/04

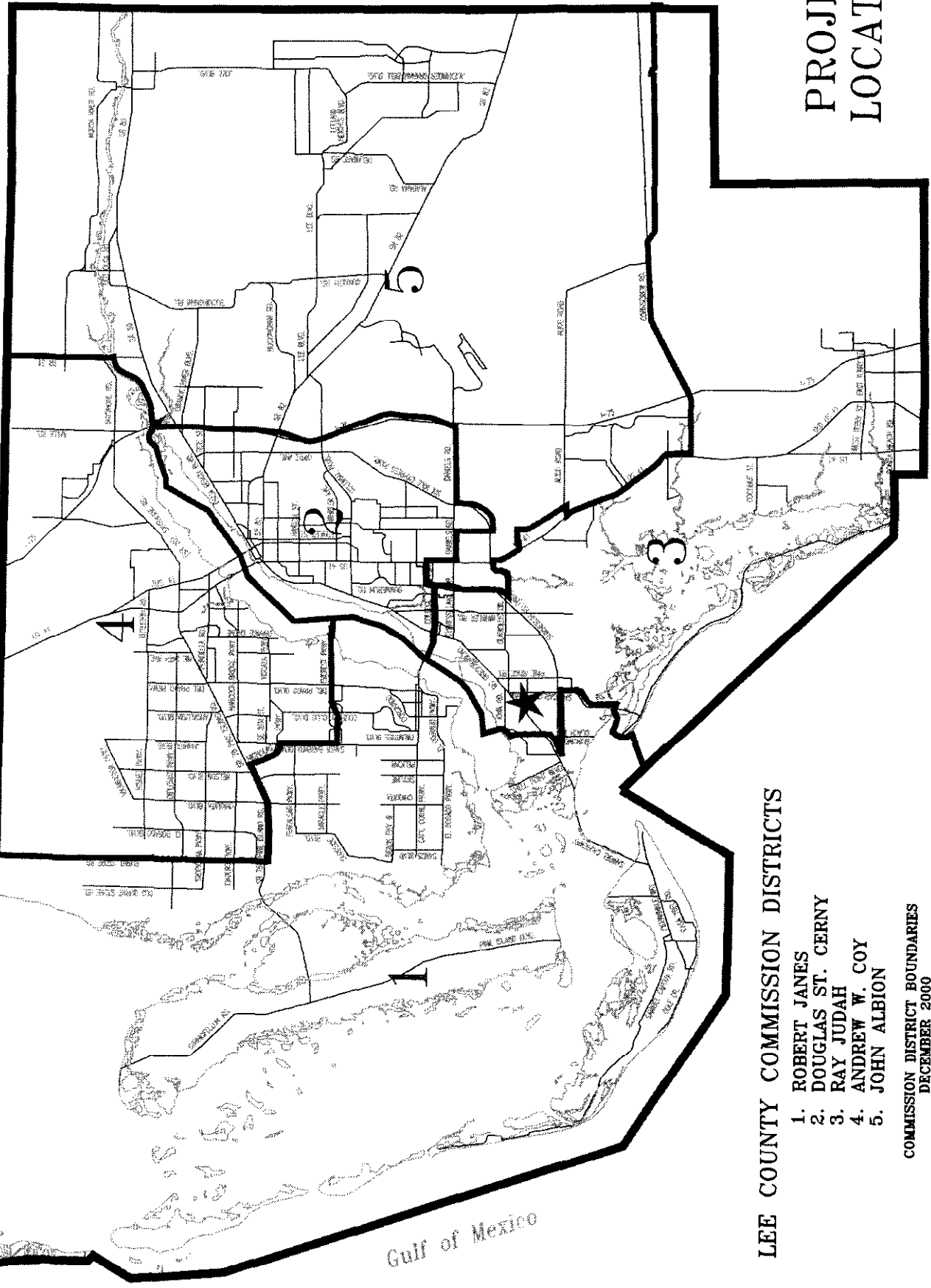
(Seal of Engineering Firm)



COPY

PROJECT
LOCATION

KELLY ROAD APARTMENTS
36-45-23-00-00022.0010
COMMISSION DISTRICT #3 - JUDAH



LEE COUNTY COMMISSION DISTRICTS

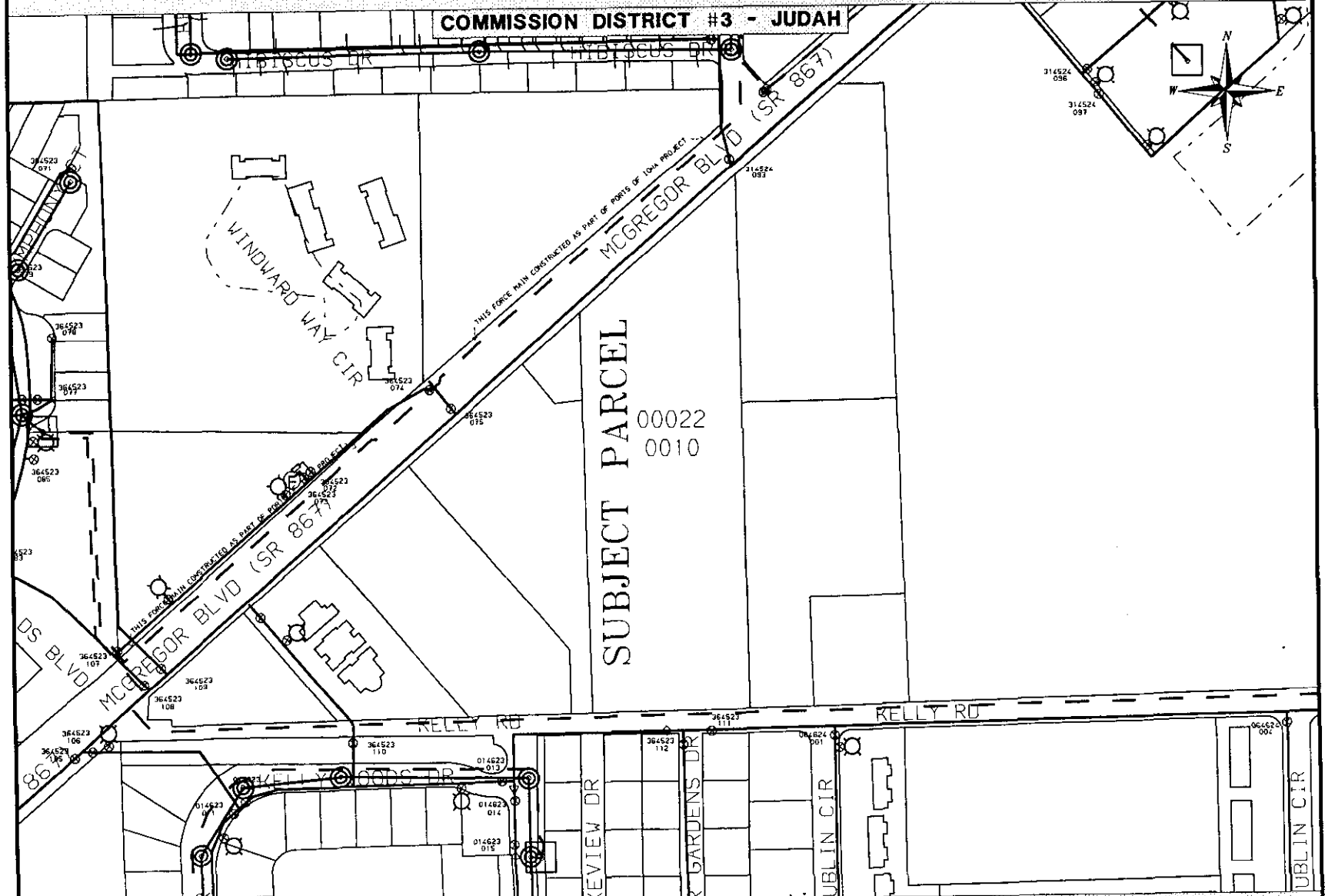
- 1. ROBERT JAMES
- 2. DOUGLAS ST. CERNY
- 3. RAY JUDAH
- 4. ANDREW W. COY
- 5. JOHN ALBION

COMMISSION DISTRICT BOUNDARIES
DECEMBER 2000

Gulf of Mexico

KELLY ROAD APARTMENTS

COMMISSION DISTRICT #3 - JUDAH



36-45-23-00-00022.0010

15851 MCGREGOR BLVD

COPY

COPY

WARRANTY

THE UNDERSIGNED parties do hereby warrant and/or guaranty all work executed by the contractor on the water and sewer systems of Kelly Road Apartments nka Mandolin Bay 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.

Jensen Underground Utilities, Inc.
(Name of Owner/Contractor)

BY: [Signature]
(Signature of Owner/Contractor)

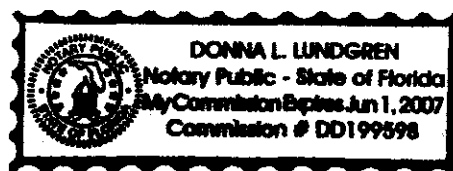
STATE OF FL)
) SS:
COUNTY OF Collier)

The foregoing instrument was signed and acknowledged before me this 26 th day of MAY, 2004 by Kevin Jensen who is personally known to me - _____, and who did not take an oath.

[Signature]
Notary Public Signature

Printed Name of Notary Public

(Notary Seal & Commission Number)



COPY

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

The undersigned lienor, in consideration of the final payment in the amount of Nine thousand seven hundred ninety-five dollars & 35/100 (\$9,795.35) hereby waives and releases its lien and right to claim a lien for labor, services, or materials furnished to Mandolin Bay LLC on the job of Kelly Road Apartments nka Mandolin Bay to the following described property:

Kelly Road Apartments nka Mandolin Bay
(Name of Development/Project)

water distribution and sanitary sewer systems
(Facilities Constructed)

15969-999 Mandolin Bay Drive
(Location)

36-45-23-00-00022.0010
(Strap # or Section, Township & Range)

Dated on: May 26, 2004

By: [Signature]
(Signature of Authorized Representative)

Jensen Underground Utilities, Inc.
(Name of Firm or Corporation)

By: Kevin Jensen
(Print Name of Authorized Representative)

5585 Taylor Road
(Address of Firm or Corporation)

Title: President

Naples, FL 34109-
(City, State & Zip Of Firm Or Corporation)

Phone #: (239)597-0060 Ext.

Fax#: (239)597-0061

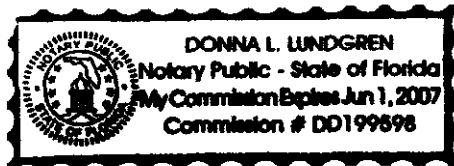
STATE OF FL)
) SS:
COUNTY OF Collier)

The foregoing instrument was signed and acknowledged before me this 26 th day of May, 2004 by Kevin Jensen who is personally known to me - _____, and who did not take an oath.

[Signature]
(Notary Public Signature)

(Notary Seal & Commission Number)

(Printed Name of Notary Public)



COPY

CERTIFICATION OF CONTRIBUTORY ASSETS

PROJECT NAME: Kelly Road Apartments nka Mandolin Bay

STRAP NUMBER: 36-45-23-00-00022.0010

LOCATION: 15969-999 Mandolin Bay Drive

OWNER'S NAME: Woodland Homes, Inc. & Mandolin Bay LLC

OWNER'S ADDRESS: 1998 Lake Street

OWNER'S ADDRESS: Holland ,MI 49424-

TYPE UTILITY SYSTEM: POTABLE WATER

(Please provide separate 'Certifications' for potable water, sanitary sewer and effluent reuse facilities.)

DESCRIPTION AND COST OF MATERIAL, LABOR, AND SERVICES

Please list each element of the system from the drop-down list provided.


<u>ITEM</u>	<u>SIZE</u>	<u>QUANTITY</u>	<u>UNIT</u>	<u>UNIT COST</u>	<u>TOTAL</u>
CL-50 DIP Water Main	10"	32.0	LF	\$18.15	\$580.80
TAPPING SLEEVE W/VALVE	16"x10"	1.0	LS	\$3,374.00	\$3,374.00
ASSORTED FITTINGS	10"	6.0	LS	\$375.00	\$2,250.00
SINGLE WATER SERVICE/COMPLETE	10"	1.0	EA	\$1,105.00	\$1,105.00
TOTAL					\$7,309.80

(If more space is required, use additional forms(s).)



I do hereby certify that the quantities of material and services described above are a true and accurate representation of the as-installed cost of the system being contributed to Lee County and corresponds with the record drawings.

CERTIFYING:

X 

(Signature of Certifying Agent)

Kevin Jensen

(Name & Title of Certifying Agent)

Jensen Underground Utilities

(Name of Firm or Corporation)

5585 Taylor Road

(Address of Firm or Corporation)

Naples, FL 34109 -

STATE OF FL)
) SS:
COUNTY OF Collier)

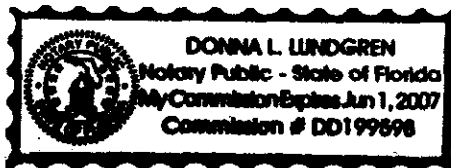
The foregoing instrument was signed and acknowledged before me this 26 th day of May, 2004 by Kevin Jensen who is personally known to me - _____, and who did not take an oath.


Notary Public Signature

Printed Name of Notary Public

Notary Commission Number

(NOTARY SEAL)



COPY

CERTIFICATION OF CONTRIBUTORY ASSETS

PROJECT NAME: Kelly Road Apartment nka Mandolin Bay

STRAP NUMBER: 36-45-23-00-00022.0010

LOCATION: 15969-999 Mandolin Bay Drive

OWNER'S NAME: Woodland Homes, Inc. & Mandolin Bay LLC

OWNER'S ADDRESS: 1998 Lake Street

OWNER'S ADDRESS: Holland,MI 49424-

TYPE UTILITY SYSTEM: SANITARY SEWER

(Please provide separate 'Certifications' for potable water, sanitary sewer and effluent reuse facilities.)

DESCRIPTION AND COST OF MATERIAL, LABOR, AND SERVICES

Please list each element of the system from the drop-down list provided.

<u>ITEM</u>	<u>SIZE</u>	<u>QUANTITY</u>	<u>UNIT</u>	<u>UNIT COST</u>	<u>TOTAL</u>
CL-50 DIP Force Main	4"	7.0	LF	\$19.65	\$137.55
TAPPING SLEEVE W/VALVE	8"x4"	1.0	LS	\$2,348.00	\$2,348.00
TOTAL					\$2,485.55

(If more space is required, use additional forms(s).)



I do hereby certify that the quantities of material and services described above are a true and accurate representation of the as-installed cost of the system being contributed to Lee County and corresponds with the record drawings.

CERTIFYING:

X [Signature]
(Signature of Certifying Agent)

Kevin Jensen
(Name & Title of Certifying Agent)

Jensen Underground Utilities
(Name of Firm or Corporation)

5585 Taylor Roadq
(Address of Firm or Corporation)

Naples, FL 34109 -

STATE OF FL)
) SS:
COUNTY OF Collier)

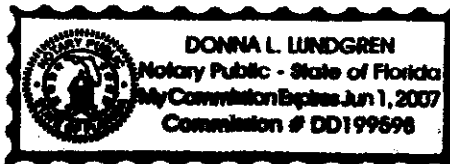
The foregoing instrument was signed and acknowledged before me this 26 th day of May, 2004 by Kevin Jensen who is personally known to me - _____, and who did not take an oath.

[Signature]
Notary Public Signature

Printed Name of Notary Public

Notary Commission Number

(NOTARY SEAL)



11.7

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 _____, 2004, by and between Woodland Homes, Inc./Mandolin Bay 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, 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
2000 Easement Agreement.doc

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.

2000 Easement Agreement.doc

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

Ellen Krueger
1st Witness

Randell G. Price
Randell G. Price, GRANTOR

Debra K. Price
2nd Witness

Title: President

STATE OF Michigan)
) SS:
COUNTY OF Ottawa)

The foregoing instrument was signed and acknowledged before me this 3rd day of March, 2004, by Randell G. Price
(Print or Type Name)
who has produced MI Driver's License
(Type of Identification and Number)
as identification, and who (did) (did not) take an oath.

Ellen Krueger
Notary Public Signature

Allegan County, MI, Acting in
Ottawa County MI

ELLEN KRIEGER

Printed Name of Notary Public

(no comm. numbers in Michigan)
Notary Commission Number

(Notary Seal)

Notary Expiration Date: 11-18-06

Quattrone & Associates, Inc.

Engineers, Planners, & Development Consultants

11000 Metro Parkway, Suite 27 - Fort Myers, Florida 33912 - 239-936-5222

JOB KELLY ROAD APARTMENTS

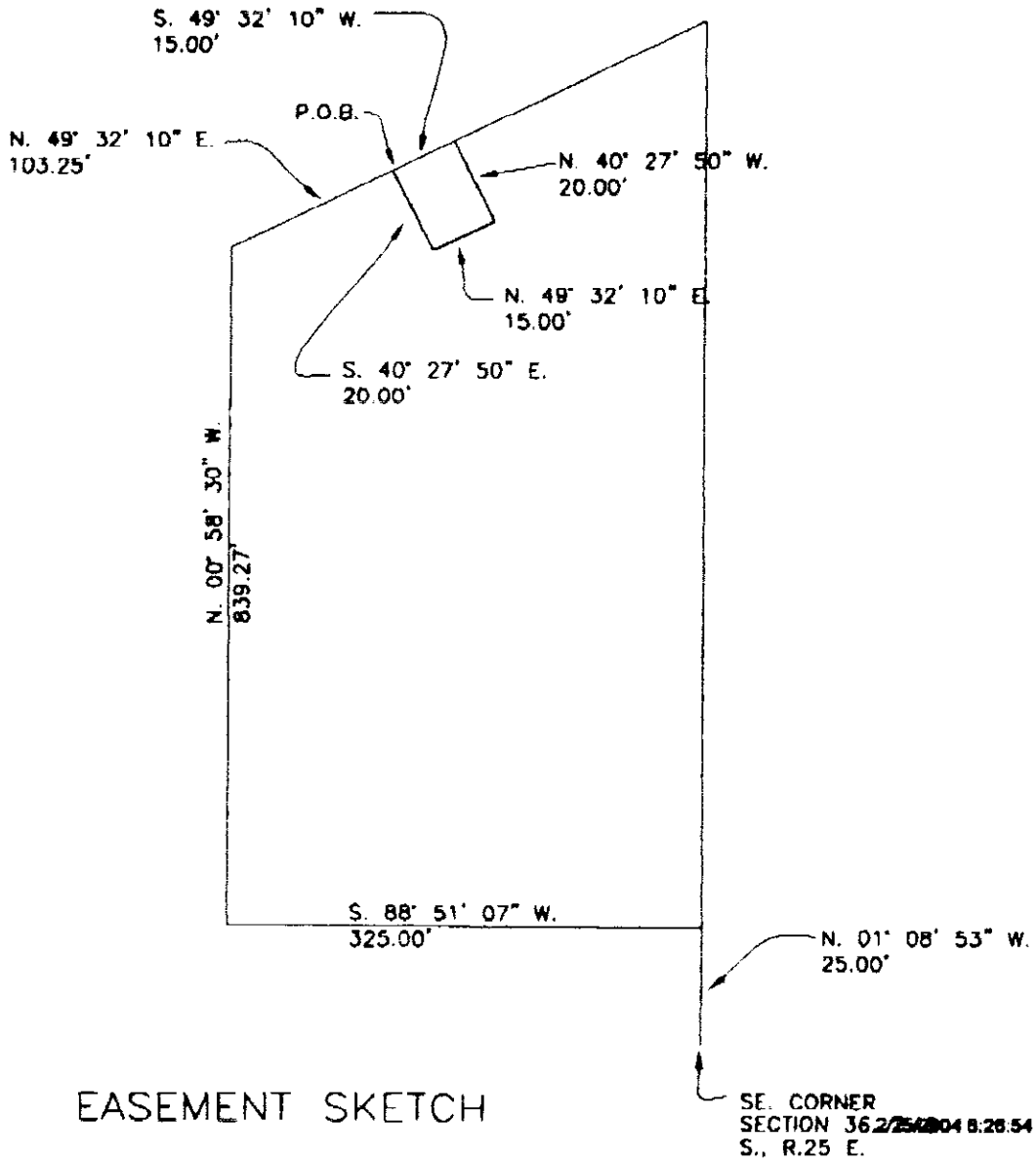
ADDRESS KELLY ROAD

SHEET NO. EASEMENT SKETCH

DATE 2/20.04

CHECKED BY N.T.S.

SCALE OR DESCRIPTION DO



**WATER MAIN EASEMENT DESCRIPTION
FOR KELLY ROAD APARTMENTS**

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 36, T.45 N., R. 25. E., LEE COUNTY, FLORIDA, THENCE N. 01D 08' 53" E., 50.00 FEET TO THE NORTH RIGHT-OF-WAY LINE OF KELLY ROAD; THENCE S. 88D 51' 07" W. ALONG SAID RIGHT-OF-WAY 325.00 FEET; THENCE N. 00D 58' 30" W., 839.27 FEET; THENCE N. 49D 32' 10" E., 103.25 FEET TO THE P.O.B.; THENCE S. 40D 27' 50" E., 15.00 FEET; THENCE N. 49D 32' 50" E. 20.00 FEET; THENCE N. 49D 32/ 50" W., 15.00 FEET; THENCE S. 49D 32' 50" W., 20.00 FEET TO THE POINT OF BEGINNING.

2004

TO: LEE COUNTY FINANCE DEPARTMENT

FROM: UTILITIES ENGINEERING
(Department)
SUE GULLEDGE

BS 20040743-UTL

A. AUTHORIZATION:

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

Purchase Order # N/A for KELLY ROAD APARTMENTS N/K/A MANDOLIN BAY project.
ACCOUNT NO. OD5360748700.504930 EASEMENT: WOODLAND HOMES + MANDOLIN BAY LLC

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