

LEE COUNTY BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY **BLUE SHEET NO: 20041248 -UTL**

1. REQUESTED MOTION:

ACTION REQUESTED:

Approve final acceptance, by Resolution as a donation of water main and gravity main extensions to serve *LEGENDS, TRACT "K", (SHORECREST DRIVE)*. This is a developer contributed asset project located on the west side of Fiddlesticks Boulevard across from The Olde Hickory Club and just north of Fiddlesticks Country Club.

WHY ACTION IS NECESSARY: To provide potable water service, fire protection and sanitary sewer service to this phase of the residential development.

WHAT ACTION ACCOMPLISHES: Places the water and sewer facilities into operation and complies with the Lee County Utilities Operations Manual.

2. DEPARTMENTAL CATEGORY: 10
COMMISSION DISTRICT #: 5

C10E

3. MEETING DATE: 10-26-2004

4. AGENDA:

- CONSENT
- ADMINISTRATIVE
- APPEALS
- PUBLIC
- TIME REQUIRED: _____

5. REQUIREMENT/PURPOSE:

- (Specify)
- STATUTE _____
 - ORDINANCE _____
 - ADMIN. CODE _____
 - OTHER Res. _____

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:** 10/7/04

7. BACKGROUND:

The Board granted permission to construct on 02/17/04, Blue Sheet #20040096.
 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.
 No Funds required.

SECTION 28 TOWNSHIP 45S RANGE 25E DISTRICT #5 COMMISSIONER ALBION

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: 10.8.04	N/A Date:	N/A Date:	T.O. T. Osterhout Date: 10.7	<i>S. Coovert</i> Date: 10/12/04	P.M. 10/11/04	K.S. 10/12/04	10/11/04 SR	10/16/04	<i>J. Lavender</i> Date: 10.8.04

10. COMMISSION ACTION:

- _____ APPROVED
- _____ DENIED
- _____ DEFERRED
- _____ OTHER

Rec. by CoAtty

Date: 10/11/04

Time: 4:10

Forwarded To: Admin

RECEIVED BY
COUNTY ADMIN:

10/8/04

4:30 pm

COUNTY ADMIN
FORWARDED TO:

10-13-04

5pm

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

WHEREAS, it is the desire of "Kingswood Development Co., LLC", owner of record, to make a contribution to Lee County Utilities of water facilities (water main extension) and sewer facilities (gravity main extension) serving "**LEGENDS, TRACT K (SHORECREST DRIVE)**"; 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 **\$56,989.35** 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

LETTER OF COMPLETION

DATE: 6/14/2004

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 gravity collection** located in
LEGENDS GOLF & COUNTRY CLUB - TRACT "K"
(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 , Low Pressure Test(s) - Gravity Main
and TV Inspection, Mandrill - Gravity Main**

Very truly yours,

Samuel W. Marshall, FL#48881, Banks Engineering,
Inc.
(Owner or Name of Corporation)



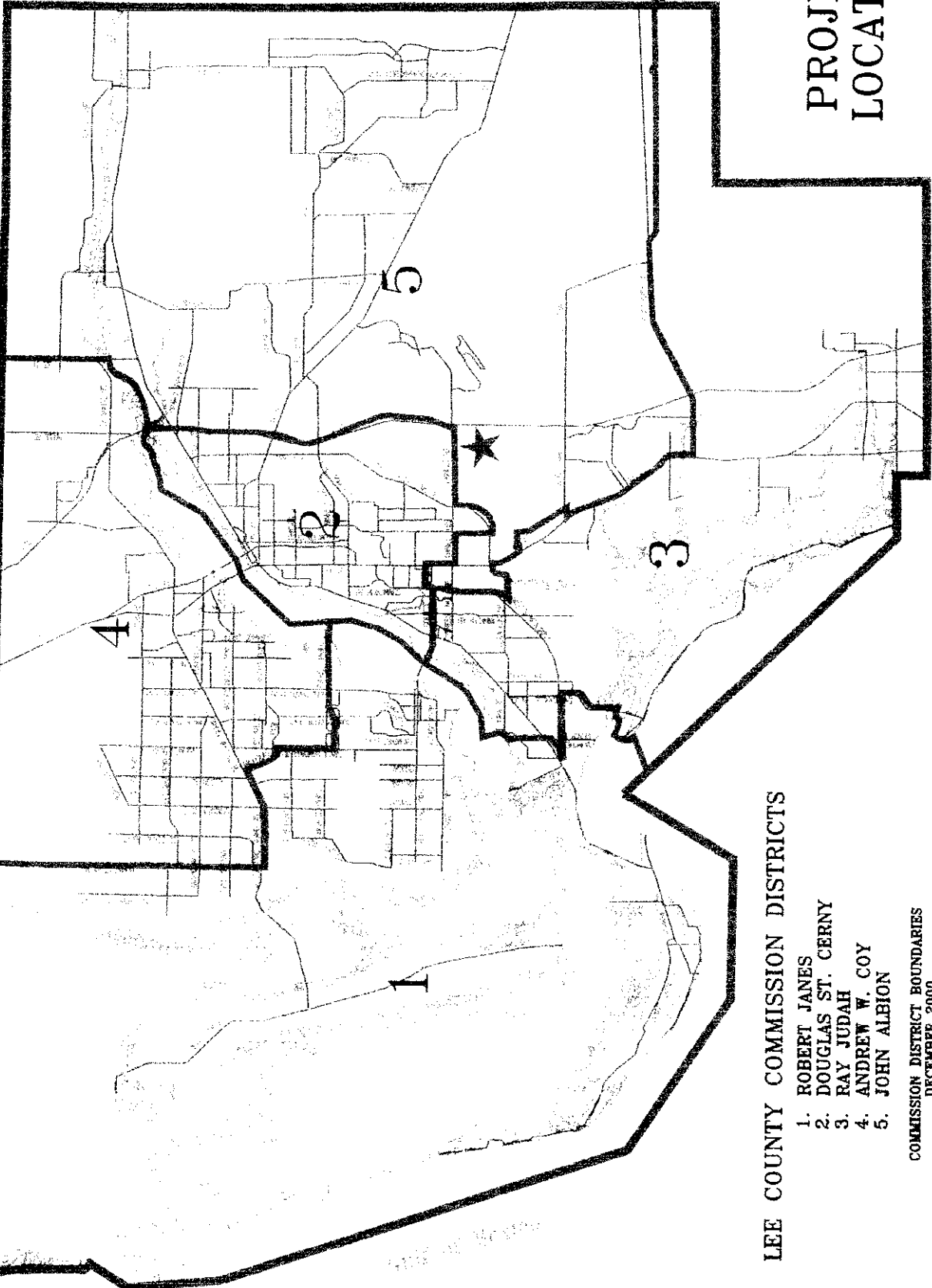
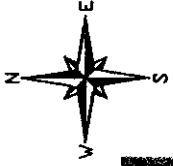
(Signature)

Project Manager
(Title)

(Seal of Engineering Firm)



LEGENDS GOLF & COUNTRY CLUB - TRACT 'K'
28-45-25-19-0000A.00CE
COMMISSION DISTRICT #5 - ALBION



LEE COUNTY COMMISSION DISTRICTS

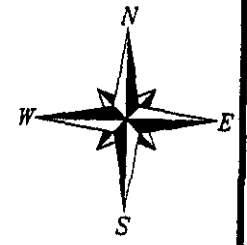
- 1. ROBERT JANES
- 2. DOUGLAS ST. CERNY
- 3. RAY JUDAH
- 4. ANDREW W. COY
- 5. JOHN ALBION

COMMISSION DISTRICT BOUNDARIES
DECEMBER 2000

PROJECT
LOCATION

LEGENDS GOLF & COUNTRY CLUB - TRACT 'K'

COMMISSION DISTRICT #5 - ALBION



SUBJECT PARCELS

DEVINGTON WAY

0000A
00CE

LEGEND

28-45-25-19-0000A.00CE

SHORECREST DR

WARRANTY

THE UNDERSIGNED parties do hereby warrant and/or guaranty all work executed by the contractor on the water and sewer of Legends Golf & Country Club - Tract "K" 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.

Mitchell & Stark Construction Company, Inc.
(Name of Owner/Contractor)

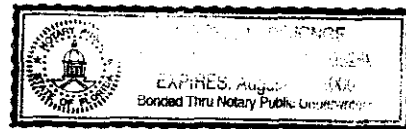
BY: [Signature]
(Signature of Owner/Contractor)

STATE OF FL)
) SS:
COUNTY OF Collier)

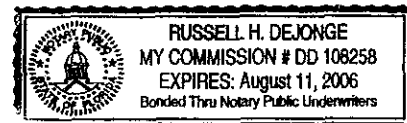
The foregoing instrument was signed and acknowledged before me this 14 th day of JUNE, 2004 by Brian Penner who is personally known to me - _____, and who did not take an oath.

[Signature]
Notary Public Signature

Russell De Jonge
Printed Name of Notary Public



(Notary Seal & Commission Number)



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)

Brian Penner, Vice President
(Name & Title of Certifying Agent)

Mitchell & Stark Construction, Co. Inc.
(Name of Firm or Corporation)

6001 Shirley Street
(Address of Firm or Corporation)

Naples, FL 34109 -

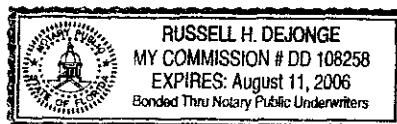
STATE OF FL)
) SS:
COUNTY OF Collier)

The foregoing instrument was signed and acknowledged before me this 20 th day of September, 2004 by Brain Penner who is personally known to me - _____, and who did not take an oath.

[Signature]
Notary Public Signature

Russell H. De Jonge
Printed Name of Notary Public

DD 108258
Notary Commission Number



(NOTARY SEAL)