

**LEE COUNTY BOARD OF COUNTY COMMISSIONERS**  
**AGENDA ITEM SUMMARY** **BLUE SHEET NO: 20041242-UTL**

**1. REQUESTED MOTION:**

**ACTION REQUESTED:**

Approve final acceptance, by Resolution, and recording of one (1) utility easement as a donation of four (4) 6" diameter fire lines serving *MARKET SQUARE SHOPPING CENTER, LOT 10*. This is a Developer Contributed asset project located on the east side of S. Tamiami Trail, approximately 1,450 feet south of Daniels Road.

**WHY ACTION IS NECESSARY:**

To provide fire protection and to the recently constructed addition to the shopping center.

**WHAT ACTION ACCOMPLISHES:**

Places the fire lines into operation and complies with the Lee County Utilities Operations Manual.

**2. DEPARTMENTAL CATEGORY:**  
**COMMISSION DISTRICT #: 5**

C10A

**3. MEETING DATE:** 11-23-2004

**4. AGENDA:**

- CONSENT
- ADMINISTRATIVE
- APPEALS
- PUBLIC
- WALK ON
- 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: 11/4/04

**7. BACKGROUND:**

Fire lines do not require permission to construct by the Board, therefore, no previous Blue Sheet number is provided. 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.

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

SECTION 24 TOWNSHIP 45S RANGE 24E DISTRICT #5 COMMISSIONER ALBION

**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	
Lavender Date: 11-5-04	N/A Date:	N/A Date:	P.O. T. Osterhout Date: 11/4	S. Covert Date:	11/8/04	11/8/04	11-8-04	11/8/04	Lavender Date: 11-5-04

**10. COMMISSION ACTION:**

- APPROVED
- DENIED
- DEFERRED
- OTHER

RECEIVED BY  
 COUNTY ADMIN: [Signature]  
 11/8/04  
 COUNTY ADMIN  
 FORWARDED TO: [Signature]  
 11-8-04  
 3:00 PM

Rec. by CoAtty  
 Date: 11/5/04  
 Time: 4:45  
 Forwarded To:  
 Co. [Signature]  
 11/8/04

RESOLUTION NO. \_\_\_\_\_

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

WHEREAS, it is the desire of "Market Square Associates, LLC ", owner of record, to make a contribution to Lee County Utilities of water facilities (four 6" diameter fire lines) serving "**MARKET SQUARE SHOPPING CENTER, LOT 10**"; 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 **\$12,966.00** 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 Janes \_\_\_\_\_ (1)
- Commissioner St. Cerny: \_\_\_\_\_ (2)
- Commissioner Judah: \_\_\_\_\_ (3)
- Commissioner Coy: \_\_\_\_\_ (4)
- Commissioner 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: 9/29/2004

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

Gentlemen:

This is to certify that the **fire line up to and including 1st OS + Y valve(s) and water service(s)** located in

Lot 10 Market Square  
(Name of Development/Project)

were designed by me and have been constructed in conformance with:

**the approved plans and the approved specifications**

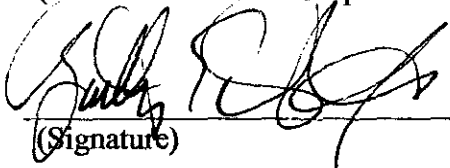
Upon completion of the work, we observed the following successful tests of the facilities:

**Pressure Test(s) - Water Main**

Very truly yours,

Bartley E. Arrington, P.E. Johnson Engineering, Inc.

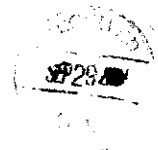
(Owner or Name of Corporation/Firm)

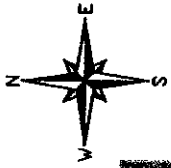
 9/29/04  
\_\_\_\_\_  
(Signature)

Engineer IV

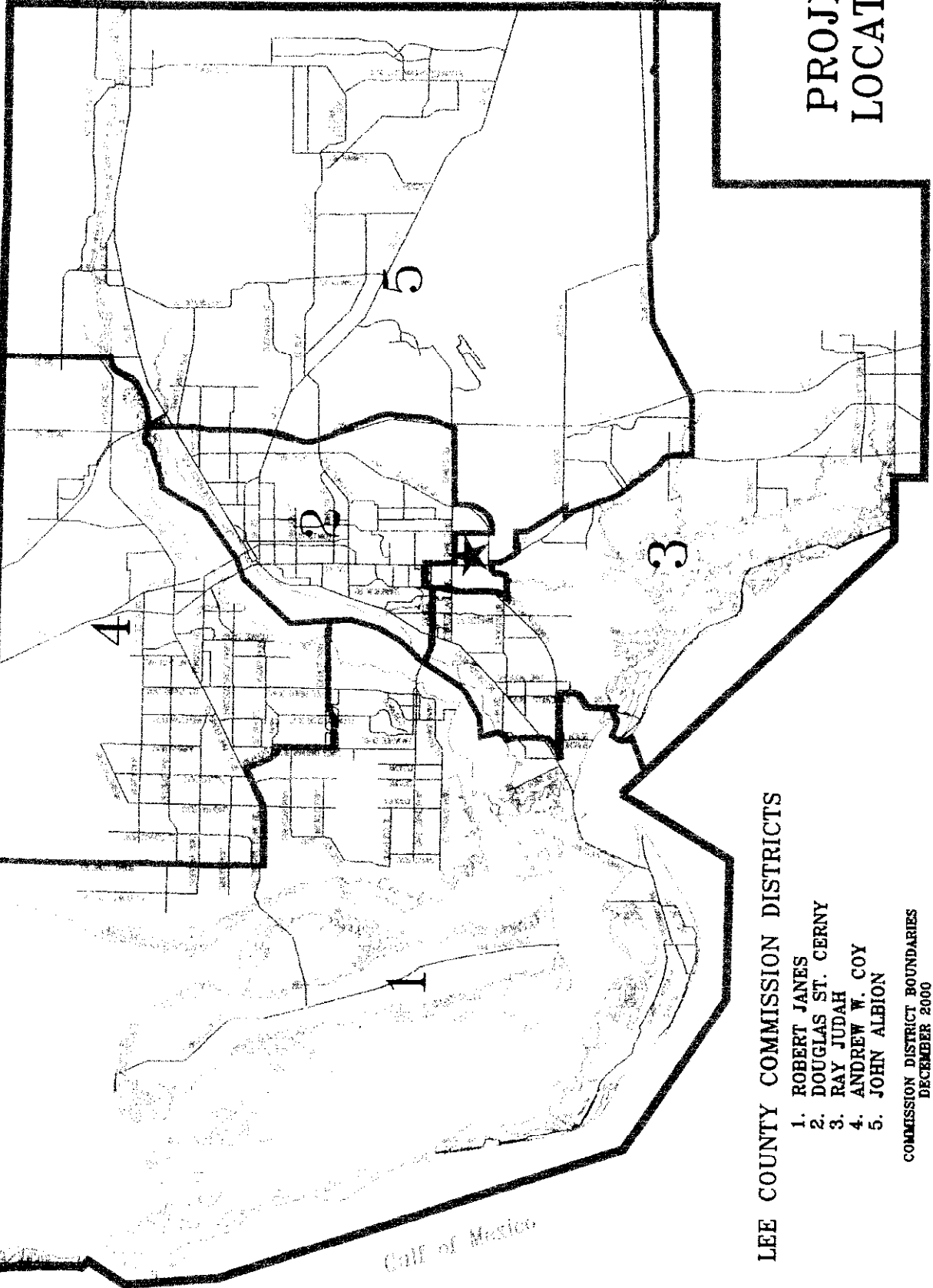
(Title) #54766

(Seal of Engineering Firm)





MARKET SQUARE, LOT 10  
24-45-24-11-00000.010B  
COMMISSION DISTRICT #5 - ALBION



# PROJECT LOCATION

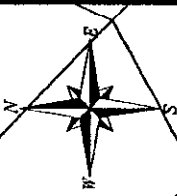
## LEE COUNTY COMMISSION DISTRICTS

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

COMMISSION DISTRICT BOUNDARIES  
DECEMBER 2000

MARKET SQUARE - LOT 10

COMMISSION DISTRICT #5 - ALBION



BRYNWOOD LN

244524

244524

244524

00000

0108

SUBJECT PARCEL

LAKE

SAUER DR

SAUER DR

244524

ELECTRONICS LN FORCE MAIN  
SPONSOR'S PARCEL

ELECTRONICS LN FORCE MAIN  
5/8/00 THRU 5/8/05

ELECTRONICS LN FORCE MAIN  
SEWER REBATE DUE\*\*  
5/8/00 THRU 5/8/05

ELECTRONICS LN FORCE MAIN  
SEWER REBATE DUE\*\*  
5/8/00 THRU 5/8/05

S TAMiami

(US 41)

VITY SYSTEM BEHND BUILDING  
MM 01-25-00

PRESSURE

LANCETER

000-720


24-45-24-11-00000.010B S TAMiami TRAIL

WARRANTY

THE UNDERSIGNED parties do hereby warrant and/or guaranty all work executed by the contractor on the water system of Market Square, Lot 10 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 considcration 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.

Cross Country Underground - F. P. Dayton, Jr VP  
(Name of Owner/Contractor)

BY:   
(Signature of Owner/Contractor)

STATE OF FL )  
 ) SS:  
COUNTY OF LEE )

The foregoing instrument was signed and acknowledged before me this 28 th day of SEPT, 2004 by F. P. Dayton, Jr. who has produced the following as identification - FL DL# D350-255-45-201-0, and who did not take an oath.

  
Notary Public Signature

Linda S. White  
Printed Name of Notary Public



Linda S. White  
Commission #DD149792  
Expires: Sep 12, 2006  
Bonded Thru  
Atlantic Bonding Co., Inc.

(Notary Seal & Commission Number)

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

The undersigned lienor, in consideration of the final payment in the amount of twelve thousand nine hundred sixty-six and 00/100(\$12,966.00 ) hereby waives and releases its lien and right to claim a lien for labor, services, or materials furnished to Keene Construction on the job of Market Square, Lot 10 to the following described property:

Market Square, Lot 10  
(Name of Development/Project)

13741 S. Tamiami Trl, Units 1, 2, 3 & 4  
(Location)

water distribution system  
(Facilities Constructed)

24-45-24-11-0000.010B  
(Strap # or Section, Township & Range)

Dated on: September 28, 2004

By: [Signature]  
(Signature of Authorized Representative)

By: F. P. Dayton, Jr.  
(Print Name of Authorized Representative)

Title: Vice President

Phone #: (239)594-5000 Ext.

Cross Country Underground  
(Name of Firm or Corporation)

5650 Yahl St., Suite 1  
(Address of Firm or Corporation)

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

Fax#: (239)594-1516

STATE OF FL )  
) SS:  
COUNTY OF LEE )

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Linda S. White  
Commission #DD149792  
Expires: Sep 12, 2006  
Bonded Thru  
Atlantic Bonding Co., Inc.

(Notary Seal & Commission Number)

[Signature]  
(Notary Public Signature)

Linda S. White  
(Printed Name of Notary Public)

**CERTIFICATION OF CONTRIBUTORY ASSETS**

PROJECT NAME: Market Square, Lot 10

STRAP NUMBER: 24-45-24-11-00000.010B

LOCATION: 13741 S Tamiami Trl, Units 1, 2, 3 & 4

OWNER'S NAME: (as shown on Deed) Market Square Associates, LLC

OWNER'S ADDRESS: 1401 Bricknell Av, Suite 520

OWNER'S ADDRESS: Miami,FL 33131-

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.

ITEM	SIZE	QUANTITY	UNIT	UNIT COST	TOTAL
TAPPING SLEEVE W/VALVE	12" x 6"	2.0	EA	\$2,755.50	\$5,511.00
FIRE LINE UP TO AND INCL 1ST OS + Y VALVE	6"	4.0	EA	\$1,700.00	\$6,800.00
SINGLE WATER SERVICE/COMPLETE	1.5"	3.0	EA	\$160.00	\$480.00
SINGLE WATER SERVICE/COMPLETE	2"	1.0	EA	\$175.00	\$175.00
FIRE SERVICE W/VALVE VAULT (REMOVED)	6"	4.0	EA	INC	INC
SINGLE WATER SERVICE/COMPLETE (REMOVED)	4"	2.0	EA	INC	INC
<b>TOTAL</b>					<b>\$12,966.00</b>

(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)

F. P. Dayton, Jr., Vice President  
(Name & Title of Certifying Agent)

Cross Country Underground, Inc.  
(Name of Firm or Corporation)

5650-1 Yahl St.  
(Address of Firm or Corporation)

Naples, FL 34109 -

STATE OF FL )  
 ) SS:  
COUNTY OF LEE )

The foregoing instrument was signed and acknowledged before me this 28th day of September, 2004 by F. P. Dayton, Jr. who has produced the following as identification - FL DL #D350-255-45-201-0 , and who did not take an oath.

[Signature]  
Notary Public Signature

Linda S. White  
Printed Name of Notary Public

# DD149792  
Notary Commission Number



(NOTARY SEAL)

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

Strap Number:

24-45-24-11-00000.010B

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 Market Square Associates, LLC, 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.

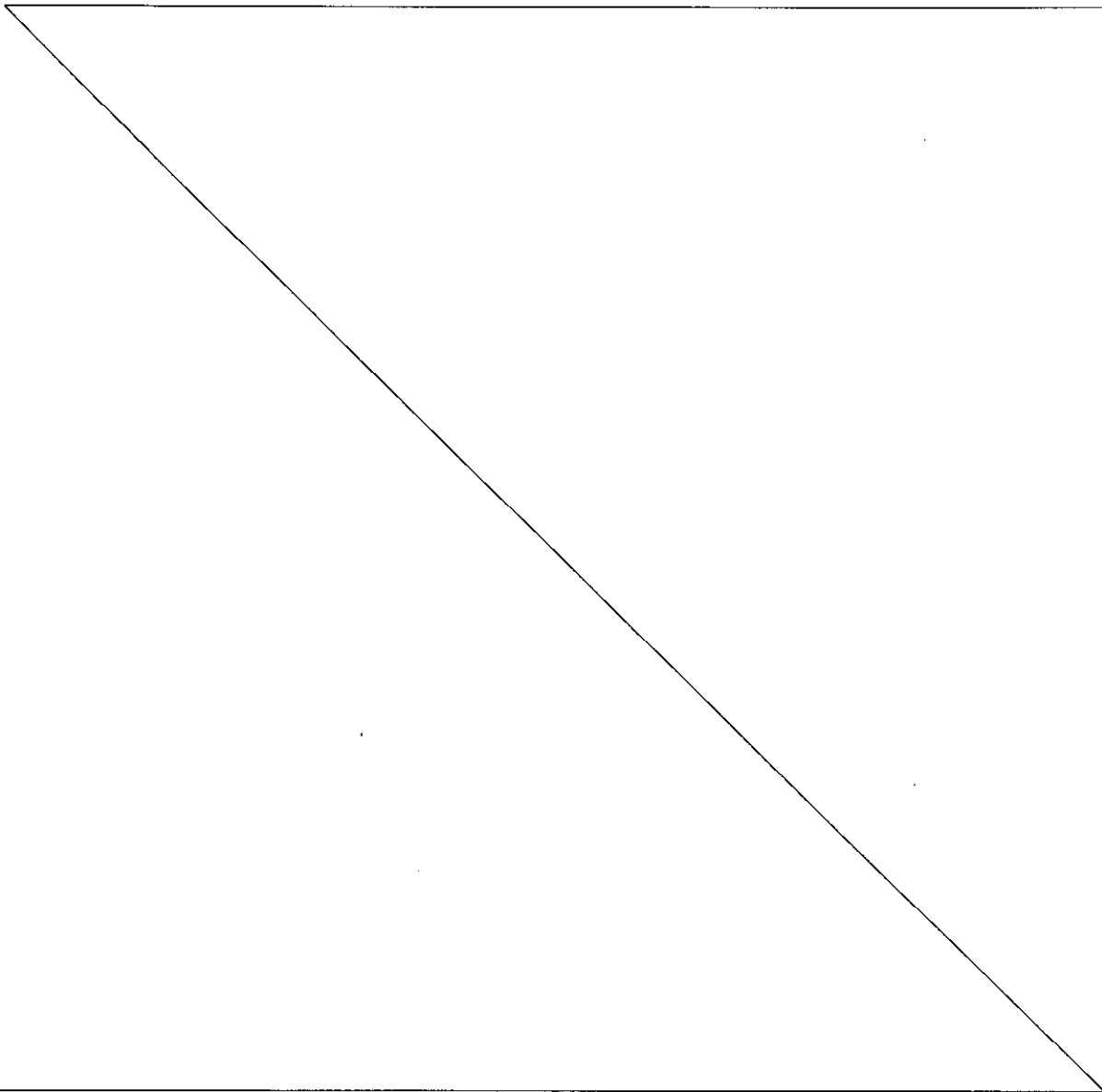
7. GRANTEE will be liable for money damages in tort for any injury to or loss of property, personal injury, or death caused by the negligent or wrongful act(s) or omission(s) of any official or employee of the GRANTEE while acting within the scope of the official's or employee's office or employment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

[Signature]  
[1<sup>st</sup> Witness' Signature]

LAURI LALUMONDIERE  
[Type or Print Name]

[Signature]  
[2<sup>nd</sup> Witness' Signature]

BOBBIE ALBRECHT  
[Type or Print Name]

BY: [Signature]  
[Signature Grantor's/Owner's]

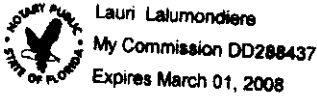
STEVEN T. SIEGEL  
[Type or Print Name]

SOLE MEMBER  
[Title]

STATE OF FLORIDA  
COUNTY OF MIAMI-DADE

The foregoing instrument was signed and acknowledged before me this 15 day of OCTOBER 2004 by STEVEN SIEGEL who produced the following as identification N/A or is personally know to me, and who did/did not take an oath.

[stamp or seal]



[Signature]  
[Signature of Notary]

LAURI LALUMONDIERE  
[Typed or Printed Name]

Approved and accepted for and on behalf of Lee County, Florida, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

ATTEST:  
CHARLIE GREEN, CLERK

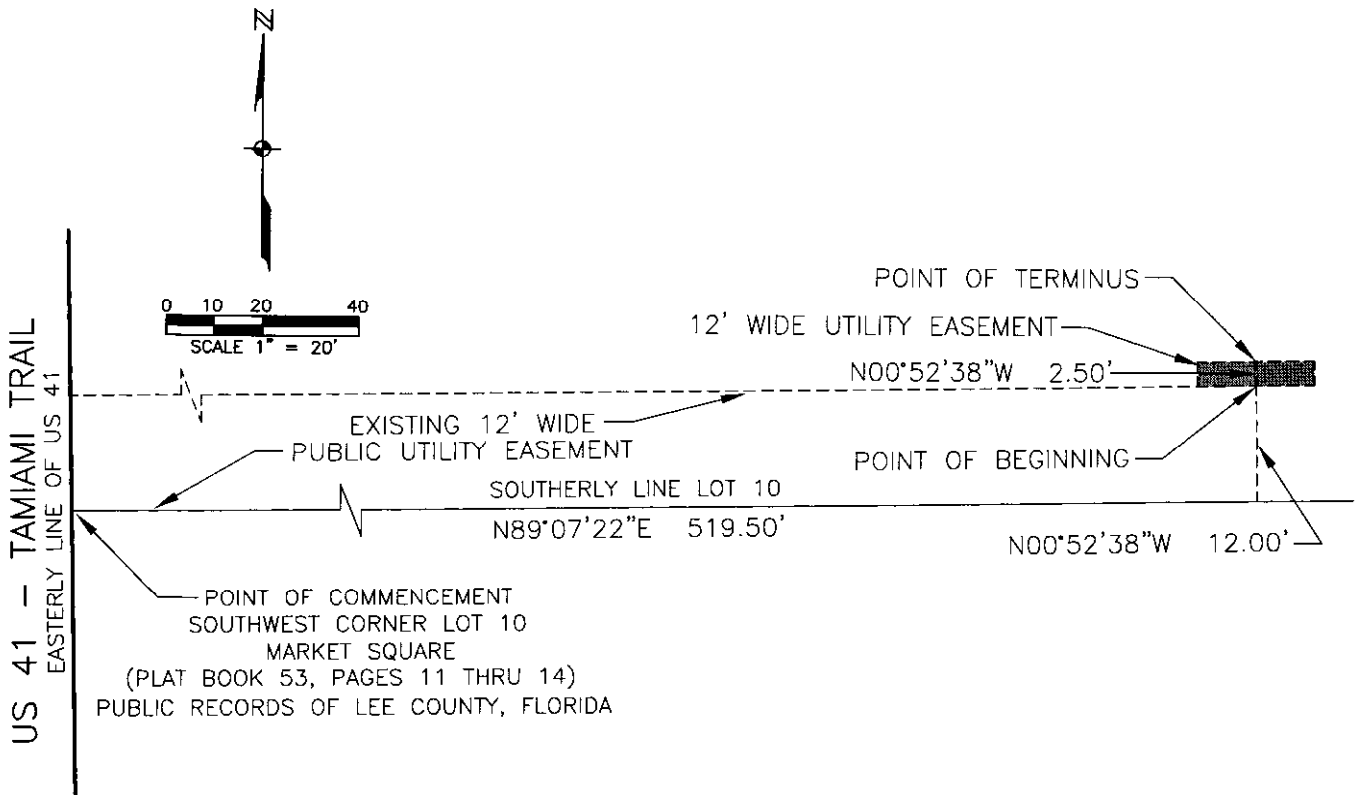
BOARD OF COUNTY COMMISSIONERS  
OF LEE COUNTY, FLORIDA

BY: \_\_\_\_\_  
Deputy Clerk

BY: \_\_\_\_\_  
Chairman

APPROVED AS TO FORM

BY: \_\_\_\_\_  
Office of the County Attorney



**EASEMENT "A"  
DESCRIPTION:**

A 12 FEET WIDE UTILITY EASEMENT LYING 6 FEET EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE.

COMMENCING AT THE SOUTHWEST CORNER OF LOT 10 MARKET SQUARE AS RECORDED IN PLAT BOOK 53 AT PAGES 11 THRU 14 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE RUN N89°07'22"E FOR 519.50 FEET; THENCE RUN N00°52'38"W FOR 12.00 FEET TO THE NORTHERLY LINE OF A 12 WIDE UTILITY EASEMENT PER THE AFOREMENTIONED PLAT OF MARKET SQUARE, ALSO BEING THE POINT OF BEGINNING; THENCE CONTINUE N00°52'38"W FOR 2.50 FEET TO THE POINT OF TERMINUS.

CONTAINING 30 SQUARE FEET MORE OR LESS.

NOT A SURVEY

LELAND CLAYTON GATES, III (FOR THE FIRM LB 642)  
PROFESSIONAL SURVEYOR AND MAPPER,  
FLORIDA REGISTRATION CERTIFICATE NO. 5710

DATE SIGNED: **OCT 26 2004**  
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

IN MY PROFESSIONAL OPINION, AS A LICENSED FLORIDA PROFESSIONAL SURVEYOR AND MAPPER, THIS IS A TRUE AND CORRECT REPRESENTATION OF A RECENT SKETCH MADE UNDER MY DIRECTION.

**NOTES:**

1. THIS SKETCH DOES NOT MAKE ANY REPRESENTATIONS AS TO ZONING OR DEVELOPMENT RESTRICTIONS ON SUBJECT PARCEL.
2. BEARINGS ARE BASED ON THE PLAT. THE EASTERLY LINE OF US 41 AS BEING N01°14'48"W.
3. SKETCH IS NOT VALID WITHOUT ACCOMPANYING DESCRIPTION.

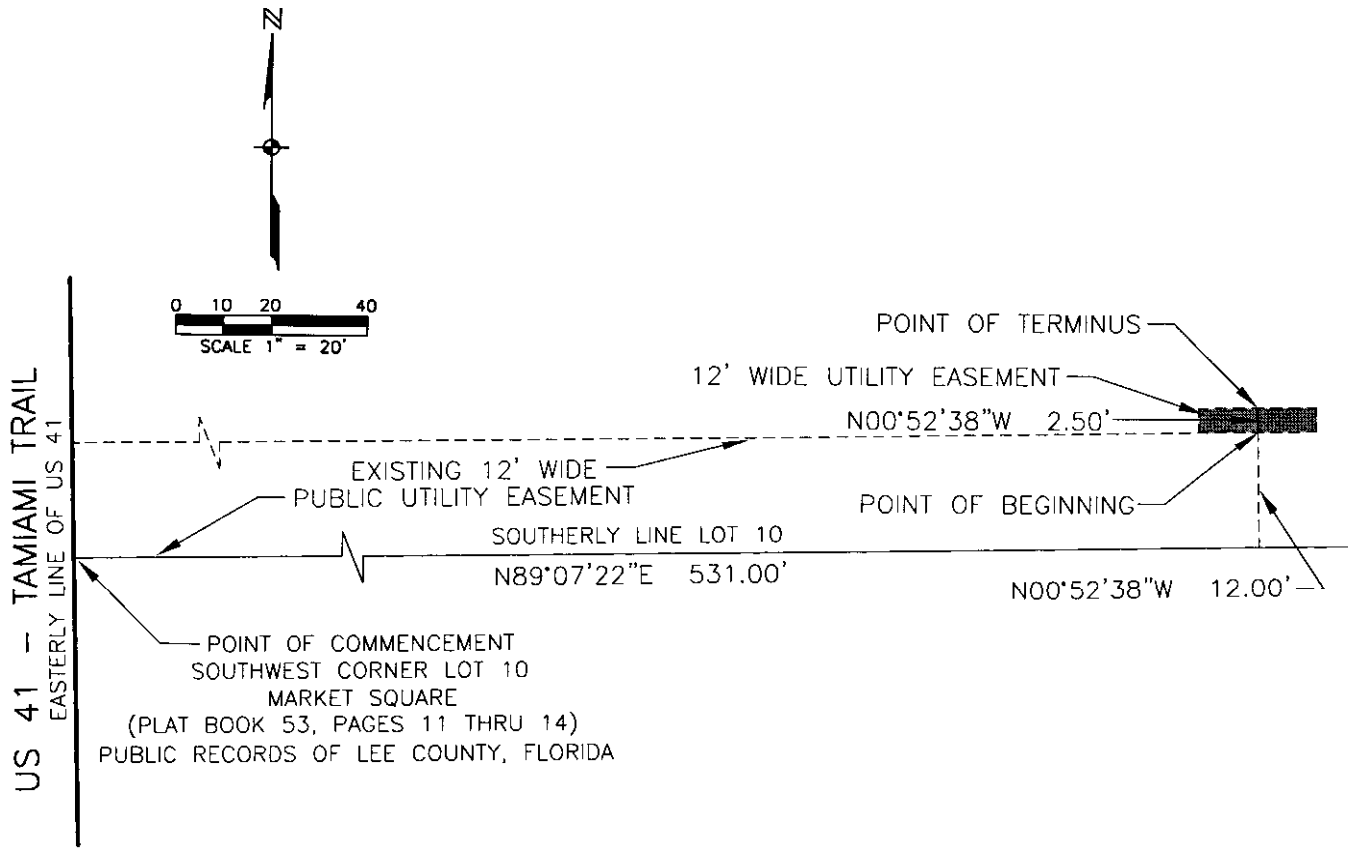


18501 MURDOCK CIRCLE, SUITE 404  
PORT CHARLOTTE, FL 33948  
PHONE (941) 625-9919  
FAX (941) 625-3269  
E.B #642 & L.B. #642

**UTILITY EASEMENT  
SKETCH & DESCRIPTION**

DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
10/12/04	20033857	24-45-24	AS SHOWN	1 OF 3

J:\20030000\20033857\S & D LT 10 SAN 02A.dwg (EASEMENTS) lcg Oct 27, 2004 - 2:24pm



**EASEMENT "B"**  
DESCRIPTION:

A 12 FEET WIDE UTILITY EASEMENT LYING 6 FEET EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE.  
 COMMENCING AT THE SOUTHWEST CORNER OF LOT 10 MARKET SQUARE AS RECORDED IN PLAT BOOK 53 AT PAGES 11 THRU 14 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE RUN N89°07'22"E FOR 531.00 FEET; THENCE RUN N00°52'38"W FOR 12.00 FEET TO THE NORTHERLY LINE OF A 12 WIDE UTILITY EASEMENT PER THE AFOREMENTIONED PLAT OF MARKET SQUARE, ALSO BEING THE POINT OF BEGINNING; THENCE CONTINUE N00°52'38"W FOR 2.50 FEET TO THE POINT OF TERMINUS.  
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NOTES:

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2. BEARINGS ARE BASED ON THE PLAT. THE EASTERLY LINE OF US 41 AS BEING N01°14'48"W.
3. SKETCH IS NOT VALID WITHOUT ACCOMPANYING DESCRIPTION.

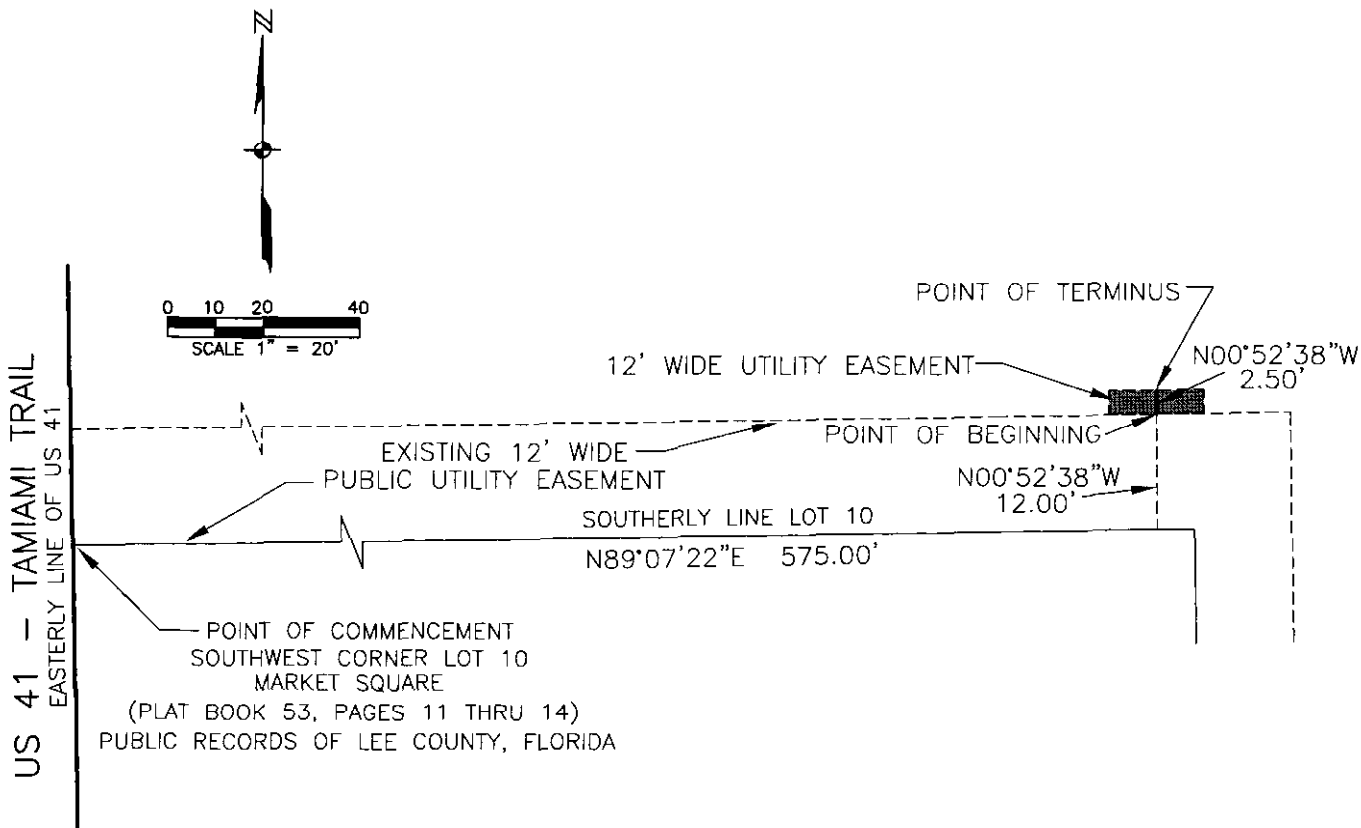


18501 MURDOCK CIRCLE, SUITE 404  
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 PHONE (941) 625-9919  
 FAX (941) 625-3269  
 E.B #642 & L.B. #642

UTILITY EASEMENT SKETCH & DESCRIPTION				
DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
10/12/04	20033857	24-45-24	AS SHOWN	2 OF 3

J:\20030000\20033857\S & D LT 10 SAN 02A.dwg (EASEMENTS) leg Oct. 27, 2004 - 2:25am





**EASEMENT "C"  
DESCRIPTION:**

A 12 FEET WIDE UTILITY EASEMENT LYING 5 FEET EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE.

COMMENCING AT THE SOUTHWEST CORNER OF LOT 10 MARKET SQUARE AS RECORDED IN PLAT BOOK 53 AT PAGES 11 THRU 14 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE RUN N89°07'22"E FOR 575.00 FEET; THENCE RUN N00°52'38"W FOR 12.00 FEET TO THE POINT OF BEGINNING; THENCE RUN N00°52'38"E FOR 2.50 FEET TO THE POINT OF TERMINUS.

CONTAINING 30 SQUARE FEET MORE OR LESS.

NOT A SURVEY

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PROFESSIONAL SURVEYOR AND MAPPER,  
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OCT 26 2004

DATE SIGNED: \_\_\_\_\_  
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3. SKETCH IS NOT VALID WITHOUT ACCOMPANYING DESCRIPTION.

**JOHNSON  
ENGINEERING**

18501 MURDOCK CIRCLE, SUITE 404  
PORT CHARLOTTE, FL 33948  
PHONE (941) 625-9919  
FAX (941) 625-3269  
E.B #642 & L.B. #642

**UTILITY EASEMENT  
SKETCH & DESCRIPTION**

DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
10/12/04	20033857	24-45-24	AS SHOWN	3 OF 3

J:\20030000\20033857\S & D LT 10 SAN 02A.dwg (EASEMENTS) lcg Oct 27, 2004 - 2:25pm

COPY

TO: LEE COUNTY FINANCE DEPARTMENT

FROM: UTILITIES ENGINEERING  
(Department)

V#111463  
BS 20041242

SUE GULLEDGE

A. AUTHORIZATION:

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

Purchase Order # N/A for MARKET SQUARE SHOPPING CENTER, LOT 10 project. EASEMENT: MARKET SQUARE ASSOCIATES, LLC  
ACCOUNT NO. OD5360748700.504930

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

SUE GULLEDGE  
11-2-04  
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



**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.

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

2445241100000010B

2. Mark (x) all Multi-parcel  
 that apply 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: MARKET SQUARE ASSOCIATES LLC**

Last First MI Corporate Name (if applicable)  
**1401 BRICKELL AVE, STE 520 MIAMI FL 33131**

Mailing Address City State Zip Code Phone No.  
**RICK DIAZ, P.E. UTIL. DIR. FT. MYERS FL 33902 ( )**

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

Mailing Address City State Zip Code Phone No.  
**SALE/TRANSFER PRICE**

5. Date of Sale/Transfer \$ . 00 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: \$ . 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 NO \$ . 00

12. Amount of Documentary Stamp Tax \$ 0.00

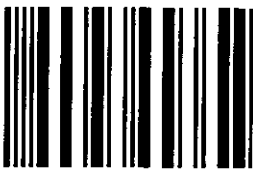
13. If no tax is due in number 12, is deed exempt from Documentary Stamp Tax under s. 201.02(6), Florida Statutes? YES NO  
 Under penalties of perjury, I declare that I have read the foregoing return and that the facts stated in it are true. If prepared by someone other than the taxpayer, his/her declaration is based on all information of which he/her has any knowledge.

Signature of Grantor or Grantee or Agent \_\_\_\_\_ Date **11/4/04**

WARNING: FAILURE TO FILE THIS RETURN OR ALTERNATIVE FORM APPROVED BY THE DEPARTMENT OF REVENUE SHALL RESULT IN A PENALTY OF \$25 OR 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
<b>This copy to Department of Revenue</b>	
O. R. Book and Page Number and File Number	
Date Recorded	
Month Day Year	

**This copy to Department of Revenue**



**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  
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 Appraiser's Office) →

2445241100000010B

2. Mark (x) all  
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Multi-parcel  
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Transaction is a split  
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Property was improved  
 with building(s) at time  
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3. Grantor (Seller):

**EASEMENT DONATION BY:**

**MARKET SQUARE ASSOCIATES LLC**

Last First MI Corporate Name (if applicable)  
**1401 BRICKELL AVE, STE 520 MIAMI FL 33131**

4. Grantee (Buyer):

**RICK DIAZ, P.E. UTIL. DIR. FOR LEE CO. BD. OF CO. COMMISSIONERS**

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

5. Date of Sale/Transfer

Sale/Transfer Price

Month / Day / Year \$ (Round to the nearest dollar.) . 00 Property Located In Lee

6. Type of Document

Contract/Agreement  
 for Deed  
 Warranty  
 Deed  
 Quit Claim  
 Deed

Other

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

\$ . 00 Cents

12. Amount of Documentary Stamp Tax

\$ . 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

Date 11/4/04

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To be completed by the Clerk of the Circuit Court's Office	Clerks Date Stamp
<b>This copy to Property Appraiser</b>	
O. R. Book and Page Number and File Number	
Date Recorded	

**This copy to Property Appraiser**