

LEE COUNTY BOARD OF COUNTY COMMISSIONERS  
AGENDA ITEM SUMMARY

BLUE SHEET NO: 20050052 -UTIL

1. REQUESTED MOTION:

**ACTION REQUESTED:** Approve final acceptance, by Resolution, and recording of one (1) utility easement as a donation for a water main extension serving *Gulf Coast Center*. This is a State of Florida contributed assets project located on the west side of Buckingham Road approximately 3.5 miles south of Palm Beach Boulevard (SR 80).

**WHY ACTION IS NECESSARY:** Provides potable water service to the existing State run residential facility for the mentally and physically impaired.

**WHAT ACTION ACCOMPLISHES:**

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

2. DEPARTMENTAL CATEGORY: 10  
COMMISSION DISTRICT #: 5

C10J

3. MEETING DATE: 02-01-2005

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
- DATE: 1/18/05

7. BACKGROUND:

The Board granted permission to construct on 06/10/03, Blue Sheet #20030309.  
 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.  
 Record Drawings 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 applicable connection/capacity fees have been paid.  
 Sanitary sewer service is currently provided by Lee County Utilities via an existing State owned on-site sewer system connecting to existing Lee County Utilities' infrastructure located within the Buckingham Road right-of-way.  
 Funds are available for recording fees in account number OD5360748700.504930.

SECTION 08 TOWNSHIP 44S RANGE 26E 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	
<i>J. Lavender</i> Date: 1/18/05	N/A Date:	N/A Date:	T.O. T. Osterhout Date: 1/18	S. Covert Date: 1/18/05	PM 1/19/05	1/20/05	1/20/05	PM 1/20/05	<i>J. Lavender</i> Date: 1/18/05

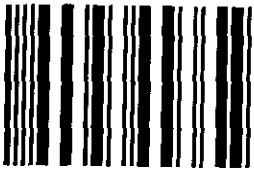
10. COMMISSION ACTION:

- APPROVED
- DENIED
- DEFERRED
- OTHER

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COUNTY ADMIN:  
1/19/05  
9:45 am SCJ  
COUNTY ADMIN  
FORWARDED TO: PM  
1/20/05  
Jpm

Rec. by CoAtty  
Date: 1/18/05  
Time: 4:15  
Forwarded To:  
Admin 1/19/05





**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

08442600000210000

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: STATE OF FL, C/O DIV. OF STATE LANDS**

Last First MI Corporate Name (if applicable)  
**3900 COMMONWEALTH BLVD, MS 115 TALLAHASSEE FL 32399**

Mailing Address City State Zip Code Phone No.  
**RICK DIAZ, P.E. UTIL. DIR. FT. MYERS FL 33902 (239) 4798181**

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 Property Located In County Code  
 \$ . 00 46  
 Month Day Year (Round to the nearest dollar.)

6. Type of Document Contract/Agreement for Deed  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  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 **1/18/05**

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
<b>This copy to Department of Revenue</b>  O. R. Book and Page Number and File Number <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> Date Recorded <input type="text"/> <input type="text"/> / <input type="text"/> <input type="text"/> / <input type="text"/> <input type="text"/> Month Day Year	

**This copy to Department of Revenue**

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

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

WHEREAS, it is the desire of "TIITF STATE OF FLORIDA, C/O DIV. OF STATE LANDS", owner of record, to make a contribution to Lee County Utilities of water facilities (**one water main extension**) serving "**GULF COAST CENTER**"; 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 **\$1,232,656.93** 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 Hall: \_\_\_\_\_ (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

COPY

LETTER OF COMPLETION

DATE: 11/12/2004

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** located at  
**Gulf Coast Center Potable Water System Improvements**  
(Name of Development/Project)

were designed by me and have been constructed in conformance with:  
**the revised plans, attached 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**

Very truly yours,

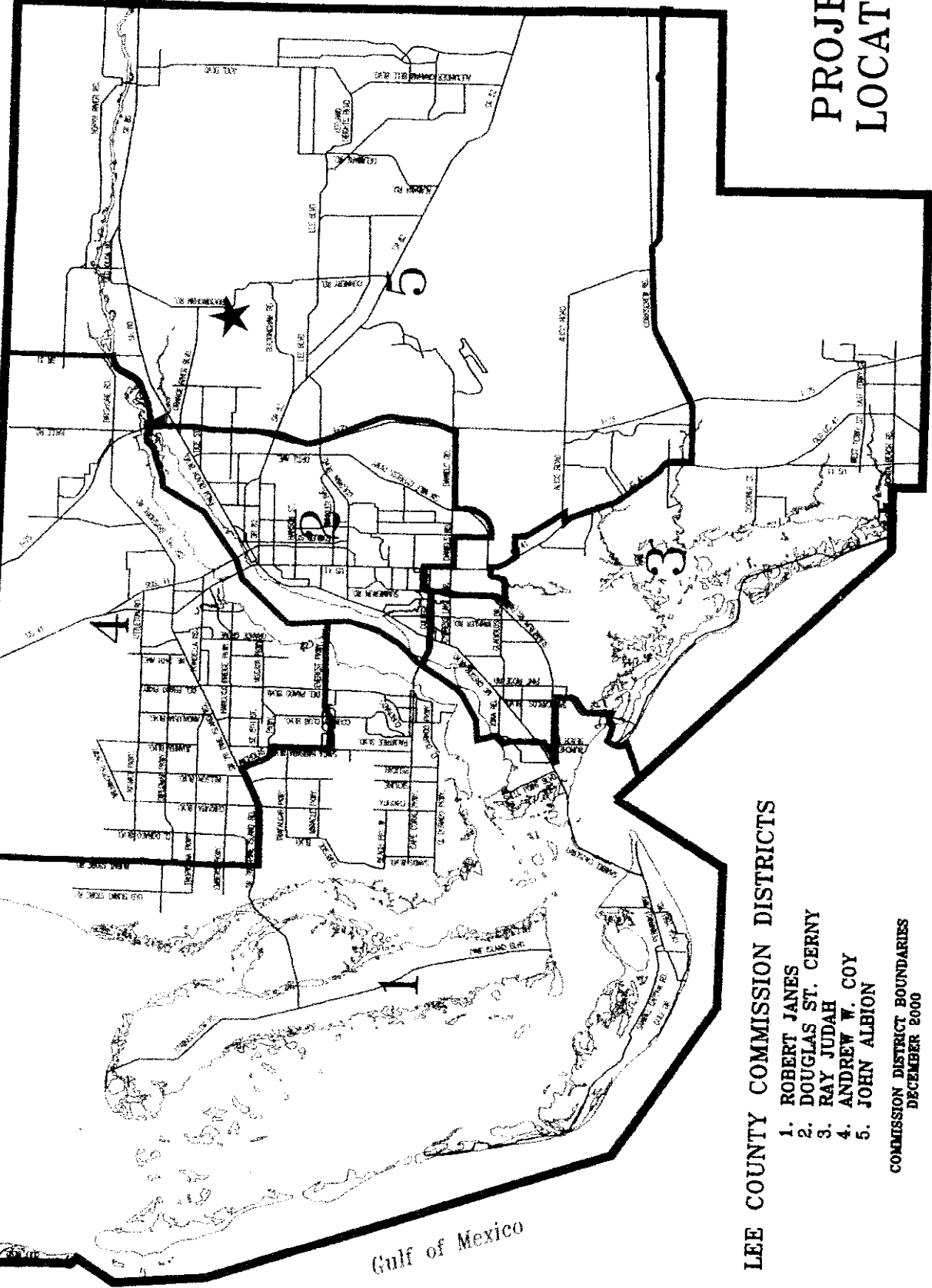
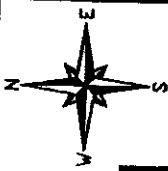
TKW Consulting Engineers, Inc.  
(Owner or Name of Corporation/Firm)

  
(Signature)

Project Manager/Partner  
(Title)

(Seal of Engineering Firm)

GULF COAST CENTER POTABLE WATER SYSTEM IMPROVEMENTS  
 08-44-26-00-00021.0000  
 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

Gulf of Mexico

**GULF COAST CENTER POTABLE WATER SYSTEM IMPROVEMENTS**

COMMISSION DISTRICT #5 - ALBION

RIVER RD

BUCKINGHAM RD

BUCKINGHAM RD

BOUC



CANAL

POND

POND

5820 BUCKINGHAM RD

08-44-26-00-00021.0000

**SUBJECT PARCELS**

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COPY

WAIVER AND RELEASE OF LIEN  
UPON FINAL PAYMENT

The undersigned lienor, in consideration of the final payment in the amount of Two Million two hundred forty-two thousand four hundred fifty dollars and 77/100 (\$2,242,450.77 *ok* ) hereby waives and releases its lien and right to claim a lien for labor, services, or materials furnished to the State of Florida on the job of Gulf Coast Center Porable Water System Improvement to the following described property:

Gulf Coast Center  
(Name of Development/Project)

water distribution system  
(Facilities Constructed)

5820 Buckingham Road, Fort Myers, Florida  
(Location)

08-44-26-00-00021.000, 17-44-26-00-00002.000  
(Strap # or Section, Township & Range)

Dated on: November 11, 2004

By:  
(Signature of Authorized Representative)

United Engineering Corp.  
(Name of Firm or Corporation)

By: Anthony J. Burke  
(Print Name of Authorized Representative)

405 SW 148<sup>th</sup> Avenue  
(Address of Firm or Corporation)

Title: President

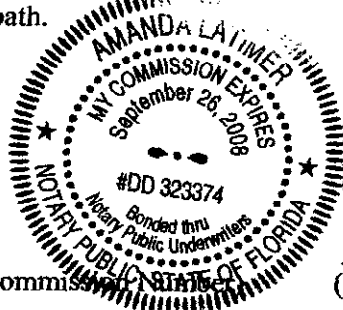
Davie, FL 33325-  
(City, State & Zip Of Firm Or Corporation)

Phone #: (954)370-5400 Ext.

Fax#: (954)370-5401

STATE OF FL )  
) SS:  
COUNTY OF Broward )

The foregoing instrument was signed and acknowledged before me this 11<sup>th</sup> day of November, 2004 by Anthony J. Burke who has produced the following as identification - Florida Drivers License , and who did take an oath.



[Signature]  
(Notary Public Signature)

AMANDA LATIMER  
(Printed Name of Notary Public)

(Notary Seal & Commission)



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)

ANTHONY J. BURKE, PRESIDENT

(Name & Title of Certifying Agent)

UNITED ENGINEERING CORP

(Name of Firm or Corporation)

405 SW 148 AVENUE

(Address of Firm or Corporation)

DAVIE, FL - 33325

STATE OF FLORIDA

) SS  
COUNTY OF BROWARD

The foregoing instrument was signed and acknowledged before me this 10<sup>th</sup> day of July, 2005 by Anthony J. Burke who has produced the following as identification personally known, and who did take an oath.

[Signature]  
\_\_\_\_\_  
Notary Public Signature

AMANDA LATIMER  
Printed Name of Notary Public

\_\_\_\_\_  
Notary Commission Number



Work Order No. \_\_\_\_\_  
Easement No. 31300  
Within BOT Lease No. 2524

### EASEMENT

This Instrument Prepared By

Name: Sylvia Roberts  
Co. Name: Department of Environmental Protection  
Address 3900 Commonwealth Boulevard  
Tallahassee, Florida 32399

Sec. 08, Twp 44S, Rge. 26E  
Parcel I.D.# 08-44-26-00-00021.0000  
(Maintained by County Appraiser)

Form 3722 (Stocked) Rev. 7/94

The undersigned, in consideration of the payment of \$1.00 and other good and valuable consideration, the adequacy and receipt of which is hereby acknowledged, grants and gives to Lee County, Florida, its licensees, agents, successors, and assigns, a non-exclusive easement for the construction, operation and maintenance of aboveground and underground water utility facilities (including pipes, meter, valves, backflow prevention device, and appurtenant equipment) to be maintained and inspected from time to time; with the right to reconstruct, improve, add to, enlarge, and remove such facilities or any of them within an easement 10 feet in width described as follows:

Reserved for Circuit Court

#### SEE EXHIBIT "A" ATTACHED HERETO

Together with the right to permit any other person, firm or corporation to inspect the backflow prevention device and meter within the easement and to operate the same for potable water purposes; the right of ingress and egress to said premises at all times; the right to clear the land and keep it cleared of all trees, undergrowth and other obstructions within the easement area; to trim and cut and keep trimmed and cut all dead, weak, leaning or dangerous trees or limbs outside of the easement area which might interfere with or fall upon water system devices; and further grants, to the fullest extent the undersigned has the power to grant, if at all, the rights hereinabove granted on the land heretofore described, over, along, under and across the roads, streets or highways adjoining or through said property.

IN WITNESS WHEREOF, the undersigned has signed and sealed this instrument on June 10, 2004.

Signed, sealed and delivered  
in the presence of:  
Sylvia S. Roberts  
Witness Signature

Sylvia S. Roberts  
Type/Print Witness Name

Judy Woodard  
Witness Signature

Judy Woodard  
Type/Print Witness Name

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

By: Gloria C. Nelson  
Gloria C. Nelson, Operations and Management  
Consultant Manager, Bureau of Public Land  
Administration, Division of State Lands, Department  
of Environmental Protection

Approved as to Form and Legality  
By: [Signature]  
DEP Attorney

STATE OF FLORIDA  
COUNTY OF LEON

The foregoing instrument was acknowledged before me this 10<sup>th</sup> day of June, 2003, by GLORIA C. NELSON, as Operations and Management Consultant Manager, Bureau of Public Land Administration, Division of State Lands, Department of Environmental Protection, acting as an agent for and on behalf of the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida. She is personally known to me.

Notary Public,  
Signature: Cheryl J. King

Print Name: \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_

(SEAL)



## Legal Description

### A 10 FOOT WIDE UTILITY EASEMENT AT GULF COAST CENTER FORT MYERS, FLORIDA

A 10 foot wide strip of land located in the Southwest 1/4 (SW 1/4) of the Southeast 1/4 (SE 1/4) of Section 8, Township 44 South, Range 26 East, Lee County, Florida, being more particularly described as follows:

**COMMENCE** at the intersection of the Westerly right-of-way line of Buckingham Road ( State Road S 82 A), a 66 foot wide right-of-way, and North line of the Southwest 1/4 of the Southeast 1/4 of Section 8, Township 44 South, Range 26 East, Lee County, Florida; thence run S 02°12'00" E, along the westerly right-of-way line of said Buckingham Road, for a distance of 178.05 feet to the **POINT OF BEGINNING** of the herein described parcel of land; thence run S 87°48'00" W for a distance of 92.00 feet; thence run S 02°12'00" E for a distance of 10.00 feet; thence run N 87°48'00" E for a distance of 92.00 feet to a point on the westerly right-of-way line of said Buckingham Road, thence run N 02°12'00' W, along said westerly right-of-way line, for a distance of 10.00 feet to the **POINT OF BEGINNING** of the parcel of land herein described, containing 920 square feet, more or less.

This property is subject to easements, reservation and or restriction of record.

Owner of record is Trustee of the Internal Improvement Trust Fund, State of Florida.  
STRAP # 08-44-26-00-00021.0000

Site address is 5820 Buckingham Road, Fort Myers, Florida 33905

Bearings shown herein refer to the westerly right-of-way line of Buckingham Road, as being S 02°12'00" E.

TKW Consulting Engineers, Inc.



Date 5-17-04

Eric V. Sandoval  
Professional Surveyor and Mapper  
Florida Certificate No. 5223

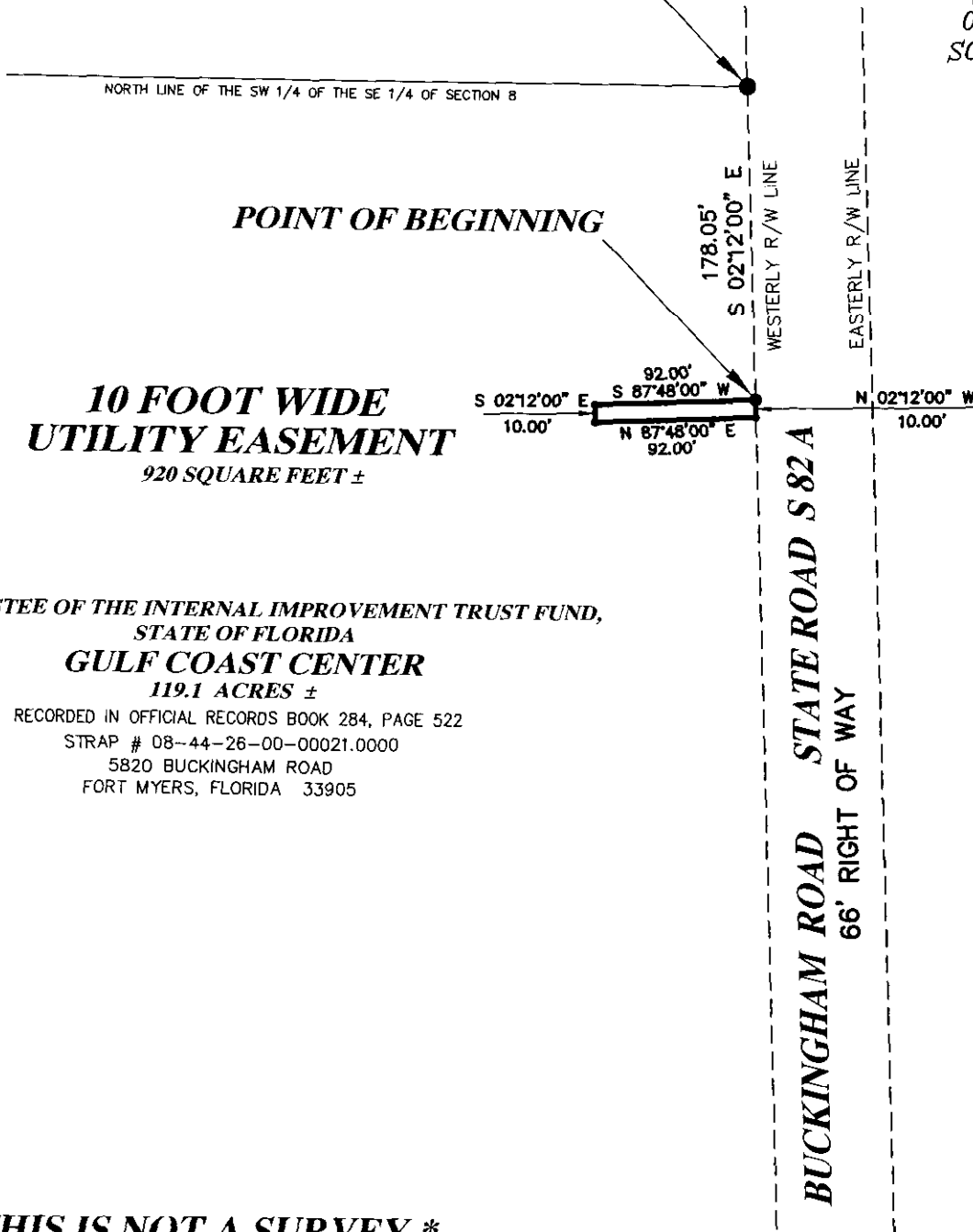
SHEET 1 OF 2



0' 50' 100'  
SCALE: 1" = 100'

**POINT OF COMMENCEMENT**

INTERSECTION OF THE WESTERLY R/W LINE  
OF BUCKINGHAM ROAD AND THE NORTH LINE  
OF SW 1/4 OF THE SE 1/4 OF SECTION 8



**10 FOOT WIDE  
UTILITY EASEMENT**  
920 SQUARE FEET ±

TRUSTEE OF THE INTERNAL IMPROVEMENT TRUST FUND,  
STATE OF FLORIDA  
**GULF COAST CENTER**  
119.1 ACRES ±  
RECORDED IN OFFICIAL RECORDS BOOK 284, PAGE 522  
STRAP # 08-44-26-00-00021.0000  
5820 BUCKINGHAM ROAD  
FORT MYERS, FLORIDA 33905

**BUCKINGHAM ROAD STATE ROAD S 82 A**  
66' RIGHT OF WAY

**\* THIS IS NOT A SURVEY \***

SEE SHEET 1 OF 2 FOR LEGAL DESCRIPTION



5621 Banner Drive  
Fort Myers, Florida 33912  
(239) 278-1992 • FAX (239) 278-0922  
E-MAIL tkw@tkwonline.com  
Survey Certification LB 734

DRAWN BY: EVS    JOB NO.: 04524.00    SHEET 2 OF 2

**SKETCH TO ACCOMPANY**

**GULF COAST CENTER**  
**10 FOOT WIDE UTILITY EASEMENT**  
SECTION 8, TOWNSHIP 44 SOUTH, RANGE 26 EAST,  
LEE COUNTY, FLORIDA

DATE: MAY 17, 2004

DRAWING: UTILITYESMT

TO: LEE COUNTY FINANCE DEPARTMENT

FROM: UTILITIES ENGINEERING  
(Department)  
SUE GULLEDGE

V#111463  
BS 20050052-UTL

A. AUTHORIZATION:

This transmittal authorizes the UTIL. ENGINEERING  
office to incur expenses for filing/record against:  
Purchase Order # N/A for GULF COAST CENTER project.

EASEMENT: STATE OF FLORIDA, DIV. OF STATE LANDS  
ACCOUNT NO. OD5360748700.504930

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

*Sue Gullledge*  
SUE GULLEDGE Signature Authorization  
1-14-05

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