

**Lee County Board Of County Commissioners  
Agenda Item Summary**

**Blue Sheet No. 20050860**

**1. ACTION REQUESTED/PURPOSE:** Grant three 10 foot wide by 50 foot long Perpetual Utility Easements to Florida Power & Light Company, pursuant to the terms and conditions as set forth in the Easement; authorize the Division of County Lands to handle and accept all documentation necessary to complete transaction.

**2. WHAT ACTION ACCOMPLISHES:** Provides for an underground, electrical power line connection between Bella Terra and an existing Florida Power & Light Company easement.

**3. MANAGEMENT RECOMMENDATION:** Management recommends Board approve the Action Requested

4. Departmental Category: 6 **CGR** 5. Meeting Date: **09-06-2005**

<b>6. Agenda:</b>		<b>7. Requirement/Purpose: (specify)</b>		<b>8. Request Initiated:</b>	
<input checked="" type="checkbox"/> Consent	<input checked="" type="checkbox"/> Statute	125		Commissioner _____	
<input type="checkbox"/> Administrative	<input type="checkbox"/> Ordinance	_____		Department _____ Independent	
<input type="checkbox"/> Appeals	<input type="checkbox"/> Admin. Code	_____		Division _____ County Lands	
<input type="checkbox"/> Public	<input type="checkbox"/> Other	_____		By: <u>Karen L.W. Forsyth, Director</u> <i>[Signature]</i>	
<input type="checkbox"/> Walk-On					

**9. Background:** The Division of County Lands received a request from Florida Power & Light Company for an easement to install an underground power line from the Bella Terra project to an existing Florida Power & Light Company easement.

The connections are necessary to "loop" the electrical system and provide an additional power service line. The additional power service will also provide a backup connection for the Lee County Utilities well facilities located south of Corkscrew Road.

Recording costs will be paid by Florida Power & Light Company.

**Attachments:** Easement, Location Map

**10. Review for Scheduling:**

Department Director	Purchasing or Contracts	Human Resources	Other	County Attorney	Budget Services				County Manager/P.W. Director
					Analyst	Risk	Grants	Aggr.	
<i>[Signature]</i>			<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>

**11. Commission Action:**  
 Approved  
 Deferred  
 Denied  
 Other

COUNTY ADMIN  
 8/19/05 10AM

RECEIVED BY  
 COUNTY ADMIN: *[Signature]*  
 8-19-05  
 11:30  
 COUNTY ADMIN  
 FORWARDED TO: *[Signature]*  
 8/25/05  
 9:00

Work Order No. 1342099  
Sec. 28/33 , Twp. 46S, Rge. 26E  
Parcel I.D. 28-46-26-00-00001.0040 & 33-46-26-00-00001.0000  
(Maintained By County Appraiser)

This Instrument Prepared By:  
Lee County - County Lands Division  
P.O. Box 398  
Fort Myers, FL 33902-0398

## EASEMENT

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, grant and give to **Florida Power & Light Company**, its licensees, agents, successors, and assigns, an easement forever for the construction, operation and maintenance of underground electric utility facilities (including wires, cables, conduits and appurtenant equipment) to be installed from time to time; with the right to reconstruct, improve, add to, enlarge, change the voltage, as well as, the size of and remove such facilities or any of them within an easement feet in width described as follows:

An FPL Company easement more particularly described on EXHIBIT "A", attached hereto and made a part hereof. Said easement prepared by Banks Engineering, Inc., dated 12-9-04.

Together with the right to permit any other person, firm or corporation to attach wires to any facilities hereunder and lay cable and conduit within the easement and to operate the same for communications 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 the lines or systems of communications or power transmission or distribution; 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.

**Florida Power & Light Company** will indemnify **Lee County, a political subdivision of the State of Florida**, against any liability resulting from the permitted uses in this easement. Any damage to the Grantor's property or improvements thereon as the result of **Florida Power & Light Company** (Grantee), its licensees, agents successors, and assigns will be restored by **Florida Power & Light Company** to the condition in which it existed before the damage.

IN WITNESS WHEREOF, the undersigned has signed and sealed this instrument on \_\_\_\_\_, 20 \_\_\_\_.

(OFFICIAL SEAL)

ATTEST:  
CHARLIE GREEN, CLERK

LEE COUNTY, FLORIDA, BY ITS  
BOARD OF COUNTY COMMISSIONERS

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

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

APPROVED AS TO LEGAL FORM:

BY \_\_\_\_\_  
Office of County Attorney

# **Banks Engineering, Inc.**

Professional Engineers, Planners & Land Surveyors  
FORT MYERS ♦ NAPLES ♦ SARASOTA

**EXHIBIT "A"**  
**PG 2 OF 4**

DESCRIPTION  
OF A  
PARCEL OF LAND  
LYING IN  
SECTIONS 28 AND 33, TOWNSHIP 46 SOUTH, RANGE 26 EAST  
LEE COUNTY, FLORIDA

## **(10' WIDE FPL EASEMENTS)**

A TRACT OR PARCELS OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTIONS 28 AND 33, TOWNSHIP 46 SOUTH, RANGE 26 EAST, OF SAID LEE COUNTY, BEING FURTHER BOUND AND DESCRIBED AS FOLLOWS:

### **CENTERLINE "A"**

**COMMENCING** AT THE SOUTHWEST CORNER OF SAID SECTION 28; THENCE N.02°07'59"W. ALONG THE WEST LINE OF SAID SECTION 28 FOR 278.49 FEET TO THE **POINT OF BEGINNING** OF THE HEREIN DESCRIBED CENTERLINE OF A FLORIDA POWER AND LIGHT COMPANY EASEMENT, 10.00 FEET IN WIDTH, THE SIDE LINES OF WHICH LIE 5.00 FEET EACH SIDE OF SAID CENTERLINE (AS MEASURED ON A PERPENDICULAR); THENCE N.87°52'01"E. FOR 49.99 FEET TO THE WEST LINE OF AN EXISTING FLORIDA POWER AND LIGHT COMPANY EASEMENT AS RECORDED IN OFFICIAL RECORDS BOOK 3022, AT PAGES 1128 OF THE PUBLIC RECORDS OF SAID LEE COUNTY, AND THE **POINT OF TERMINUS** OF THE HEREIN DESCRIBED CENTERLINE, THE SIDE LINES OF SAID EASEMENT TO BE LENGTHENED OR SORTENED TO INTERSECT AT ANGLE POINTS AND TRACT LINES.

**AND**

### **CENTERLINE "B"**

**COMMENCING** AT THE NORTHWEST CORNER OF SAID SECTION 33; THENCE S.00°21'08"W. ALONG THE WEST LINE OF SAID SECTION FOR 558.81 FEET TO THE **POINT OF BEGINNING** OF THE HEREIN DESCRIBED CENTERLINE OF A FLORIDA POWER AND LIGHT COMPANY EASEMENT, 10.00 FEET IN WIDTH, THE SIDE LINES OF WHICH LIE 5.00 FEET EACH SIDE OF SAID CENTERLINE (AS MEASURED ON A PERPENDICULAR); THENCE S.89°38'52"E FOR 50.26 FEET TO THE WEST LINE OF AN EXISTING FLORIDA POWER AND LIGHT COMPANY EASEMENT AS RECORDED IN OFFICIAL RECORDS BOOK 3022, AT PAGES 1128 OF THE PUBLIC RECORDS OF SAID LEE COUNTY, AND THE **POINT OF TERMINUS** OF THE HEREIN DESCRIBED CENTERLINE, THE SIDE LINES OF SAID EASEMENT TO BE LENGTHENED OR SORTENED TO INTERSECT AT ANGLE POINTS AND TRACT LINES.

**AND**

### **CENTERLINE "C"**

**COMMENCING** AT NORTHWEST CORNER OF SAID SECTION 33; THENCE S.00°21'08"W. ALONG THE WEST LINE OF SAID SECTION FOR 558.81 FEET; THENCE CONTINUE S.00°21'08"W. ALONG SAID WEST LINE FOR 699.49 FEET TO THE **POINT OF BEGINNING** OF THE HEREIN DESCRIBED CENTERLINE OF A FLORIDA POWER AND LIGHT COMPANY EASEMENT, 10.00 FEET IN WIDTH, THE SIDE LINES OF WHICH LIE 5.00 FEET EACH SIDE OF SAID CENTERLINE (AS MEASURED ON A PERPENDICULAR); THENCE S.89°38'52"E. FOR 50.59 FEET TO THE WEST LINE OF AN EXISTING FLORIDA POWER AND LIGHT COMPANY EASEMENT AS RECORDED IN OFFICIAL RECORDS BOOK 3022, AT PAGES 1128 OF THE PUBLIC RECORDS OF SAID LEE COUNTY, AND THE **POINT OF TERMINUS** OF THE HEREIN DESCRIBED CENTERLINE, THE SIDE LINES OF SAID EASEMENT TO BE LENGTHENED OR SORTENED TO INTERSECT AT ANGLE POINTS AND TRACT LINES.

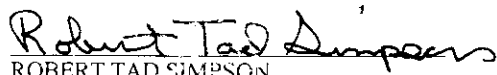
**SHEET 1 OF 3**

PARCELS CONTAIN 1508 SQUARE FEET MORE OR LESS

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY OF RECORD.

ASSUMED NORTH BASED ON THE WEST LINE OF SECTION 28, TOWNSHIP 46 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA, AS BEARING N 89°06'16" E.

DESCRIPTION PREPARED: 12-09-04

  
ROBERT TAD SIMPSON  
REGISTERED LAND SURVEYOR  
FLORIDA CERTIFICATION NO. 5559

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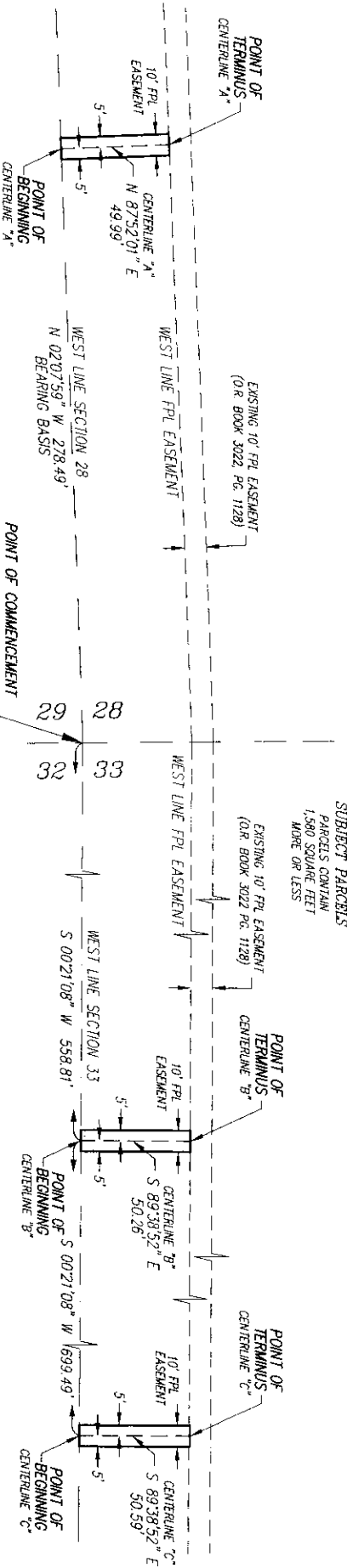


EXHIBIT "A"  
PG 4 OF 4

# SKETCH OF DESCRIPTION

OF  
A TRACT OR PARCEL OF LAND LYING IN  
SECTION 28 AND 33, TOWNSHIP 46 SOUTH, RANGE 26 EAST  
LEE COUNTY, FLORIDA  
(10' WIDE FPL EASEMENT)

**Bank's Engineering, Inc.**  
PROFESSIONAL ENGINEERS, LAND SURVEYORS & PLANNERS  
FLORIDA BUSINESS CERTIFICATION NUMBER LB 6890  
10511 SIX MILE CYPRESS PARKWAY - SUITE 101  
FORT MYERS, FLORIDA 33912  
(239) 939-5450



**LEGEND:**  
FPL INDICATES FLORIDA POWER AND LIGHT COMPANY  
O.R. INDICATES OFFICIAL RECORDS  
PG. INDICATES PAGE

**NOTES:**  
1.) SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY OF RECORD.  
2.) ASSUMED NORTH BASED THE WEST LINE OF SECTION 28, TOWNSHIP 46 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA AS BEARING N 89°06'16" E.

PREPARED 12-09-04  
SHEET 2 OF 2

SEE SHEET 1 OF 2 FOR COMPLETE DESCRIPTION.  
THIS SKETCH OF DESCRIPTION IS NOT A BOUNDARY SURVEY

*Robert Tad Simpson*  
ROBERT TAD SIMPSON  
REGISTERED LAND SURVEYOR  
FLORIDA CERTIFICATION NO. 5559  
THIS SKETCH OF DESCRIPTION IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL BASED SCALE OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

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