

1. Action Requested/Purpose:

Approve final acceptance, by Resolution, as a donation of a water main relocation and two water services serving *Applebee's at Corkscrew Commons* to provide potable water service to this recently constructed restaurant. This is a Developer Contributed asset project located on the south side of Corkscrew Common Drive approximately 300' east of Corkscrew Crossing Blvd.

2. What Action Accomplishes:

Provides adequate utility infrastructure to support development of the subject property and complies with the Lee County Utilities Operations Manual.

3. Management Recommendation:

Approval.

4. Departmental Category: 10 -

C10B

5. Meeting Date:

11-08-2005

6. Agenda:

- Consent
- Administrative
- Appeals
- Public
- Walk-On

7. Requirement/Purpose (specify)

- Statute
- Ordinance
- Admin. Code
- Other Approval

8. Request Initiated:

Commissioner _____
 Department Public Works
 Division Utilities
 By: Rick Diaz, P. E., Utilities Director
 Date: 10/21/05

9. Background:

Water services and water main relocations 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.
 Sanitary sewer service is provided by Lee County Utilities via connecting to existing infrastructure located within the Corkscrew Commons Drive.
 100% of the capacity fees have been paid.
 No Funds Required.

SECTION 35 TOWNSHIP 46S RANGE 25E DISTRICT # 5 COMMISSIONER ALBION

10. Review for Scheduling

Department Director	Purchasing or Contracts	Human Resources	Other	County Attorney	Budget Services				County Manager / P.W. Director
					Analyst	Risk	Grants	Mgr.	
<i>J. Lavender</i> Date: <u>10-25-05</u>	N/A	N/A	<u>T.O.</u> T. Osterhout Date: <u>10/20</u>	<u>S. Coovert</u> Date: _____	<u>P.M.</u> <u>10/27/05</u>	<u>JR</u> <u>10/27/05</u>	<u>KY</u> <u>10/27/05</u>	<u>ST</u> <u>10/27/05</u>	<i>J. Lavender</i> Date: <u>10-25-05</u>

11. Commission Action:

- Approved
- Deferred
- Denied
- Other

RECEIVED BY
 COUNTY ADMIN: PM
10-27-05
1:00
 COUNTY ADMIN
 FORWARDED TO: PL
10/27
SPM

Rec. by CoAtty
 Date: 10/26/05
 Time: 4:00pm
 Forwarded To:
 Co. Mgr.
10-27-05

RESOLUTION NO. _____

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

WHEREAS, it is the desire of "Florida Apple 1, LLC", owner of record, to make a contribution to Lee County Utilities of water facilities (a water main relocation and two water services), serving "APPLEBEE'S AT CORKSCREW COMMONS"; 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 \$5,240.00 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 Hall: _____ (4)
- Commissioner Albion: _____ (5)

DULY PASSED AND ADOPTED this _____ day of _____, 2005.

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: 10/11/2005

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

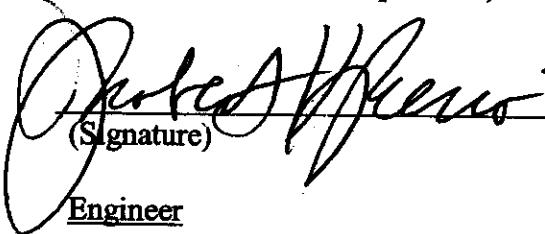
Gentlemen:

This is to certify that the **water distribution system** located in
Applebees @ Corkscrew Commons
(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 and

Very truly yours, #19841
Robert H. Pierro, PE Avid Engineering, Inc.
(Owner or Name of Corporation)

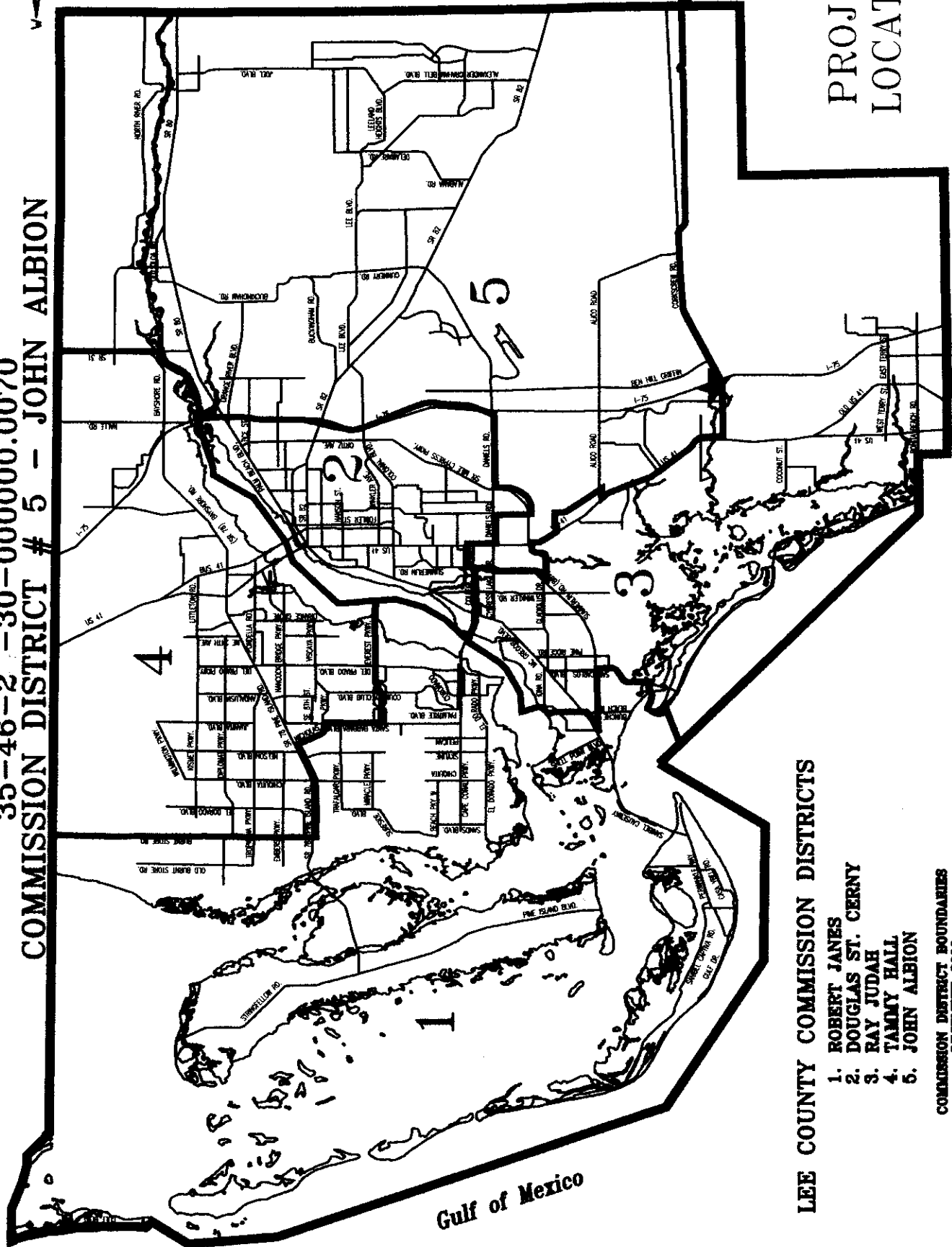
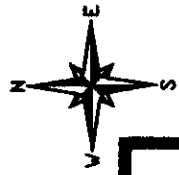

(Signature)
Engineer
(Title)

(Seal of Engineering Firm)

COPY

PROJECT
LOCATION

APPLEBEE'S AT CORKSCREW COMMONS
35-46-2 -30-000000.0070
COMMISSION DISTRICT # 5 - JOHN ALBION



LEE COUNTY COMMISSION DISTRICTS

- 1. ROBERT JAMES
- 2. DOUGLAS ST. CERNY
- 3. RAY JUDAH
- 4. TAMMY HALL
- 5. JOHN ALBION

COMMISSION DISTRICT BOUNDARIES
DECEMBER 2000

COPY

WARRANTY

THE UNDERSIGNED parties do hereby warrant and/or guaranty all work executed by the contractor on the water system of Applebee's at Corkscrew Commons 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.

Michael Sappah
(Name of Owner/Contractor)

BY: *Michael Sappah*
(Signature of Owner/Contractor)

STATE OF FL)
) SS:
COUNTY OF Lee)

The foregoing instrument was signed and acknowledged before me this 17th day of OCT, 2005 by Michael Sappah who is personally known to me - _____, and who did not take an oath.

Bruce Monnier
Notary Public Signature

Bruce Monnier
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 Five Thousand Two Hundred Forty & 00/100's (\$5,240.00) hereby waives and releases its lien and right to claim a lien for labor, services, or materials furnished to Florida Apple 1, LLC on the job of Applebee's @ Corkscrew to the following described property:

Applebee's @ Corkscrew
(Name of Development/Project)

water distribution system
(Facilities Constructed)

10391 Corkscrew Commons Drive
(Location)

35-46-25-30-00000.0070
(Strap # or Section, Township & Range)

Dated on: October 12, 2005

By: 
(Signature of Authorized Representative)

B.J. Enterprises, Inc.
(Name of Firm or Corporation)

By: Michael Sappah
(Print Name of Authorized Representative)

8102 Grady Dr
(Address of Firm or Corporation)

Title: President

N Fort Myers, FL 33917-
(City, State & Zip Of Firm Or Corporation)

Phone #: (239)731-2333 Ext.

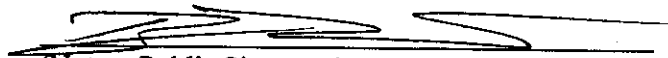
Fax#: (239)731-2333

STATE OF FL)
) SS:
COUNTY OF Lee)

The foregoing instrument was signed and acknowledged before me this 17 th day of October, 2005 by Michael Sappah who is personally known to me - _____, and who did not take an oath.



BRUCE MONNIER
MY COMMISSION # DD 277360
EXPIRES: December 25, 2007
Bonded Thru Budget Notary Services


(Notary Public Signature)

(Notary Seal & Commission Number)

Bruce Monnier
(Printed Name of Notary Public)

CERTIFICATION OF CONTRIBUTORY ASSETS

PROJECT NAME: Applebee's at Corkscrew Commons

STRAP NUMBER: 35-46-25-30-00000.0070

LOCATION: 10391 Corkscrew Commons Drive

OWNER'S NAME: Florida Apple 1, LLC

OWNER'S ADDRESS: 250 S. Australian Ave, Ste 1110

OWNER'S ADDRESS: West Palm beach,FL 33401-

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
CL-50 DIP	10"	20.0	LF	\$36.00	\$720.00
ASSORTED FITTINGS	10"	4.0	EA	\$380.00	\$1,520.00
ASSORTED FITTINGS	10"	2.0	EA	\$250.00	\$500.00
SINGLE WATER SERVICE/COMPLETE	1.5"	1.0	EA	\$1,500.00	\$1,500.00
SINGLE WATER SERVICE/COMPLETE	1"	1.0	EA	\$1,000.00	\$1,000.00
TOTAL					\$5,240.00

(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 *Michael Sappah*
(Signature of Certifying Agent)

Michael Sappah President
(Name & Title of Certifying Agent)

B.J. Enterprises, Inc.
(Name of Firm or Corporation)

8102 Grady Dr
(Address of Firm or Corporation)

N Fort Myers, FL 33917 -

STATE OF FL)
) SS:
COUNTY OF Lee)

The foregoing instrument was signed and acknowledged before me this 17 th day of October, 2005 by Michael Sappah who is personally known to me - _____, and who did not take an oath.

Bruce Monnier
Notary Public Signature

Bruce Monnier
Printed Name of Notary Public



BRUCE MONNIER
MY COMMISSION # DD 277360
EXPIRES: December 25, 2007
Bonded Thru Budget Notary Services

Notary Commission Number

(NOTARY SEAL)