

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

Blue Sheet No. 20051292-UTL

1. Action Requested/Purpose:

Authorize the Chairperson, on behalf of the BOCC, to execute Subordination of Utility Interests Agreement and Resolution documents requested by the Florida Department of Transportation (FDOT).

2. What Action Accomplishes:

Subordinates Lee County Utilities' (LCU) interests to FDOT at each property. LCU will continue to have utility rights at this property, except now it is subject to the control of FDOT.

3. Management Recommendation:

Approval.

4. Departmental Category: 10 - Utilities

CIOA

5. Meeting Date:

11-22-2005

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., Director
 Date: 11/7/05

9. Background:

The FDOT intends to complete the 4-laning of the roadway and drainage improvements along SR 739, Metro Parkway, from Daniels to Six Mile.

As part of the improvements, FDOT is acquiring additional rights-of-way (R-O-W) along the project corridor. Within the additional R-O-W property, LCU has existing recorded utility easements containing existing water and sewer line facilities. FDOT is requesting LCU utility interests be subordinate (secondary) to FDOT interests at each property. (LCU will continue to have utility rights at this property, except now it is subject to the control of FDOT.)

(CONT'D.)

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.	
<u>J. Lavender</u> Date: <u>11-7-05</u>	N/A Date:	N/A Date:		<u>S. Coovert</u> Date: <u>11-7-05</u>	<u>PM</u> <u>11/8/05</u>	<u>OR</u> <u>11/8/05</u>	<u>MP</u> <u>11/8/05</u>	<u>MM</u> <u>11/8/05</u>	<u>J. Lavender</u> Date: <u>11-7-05</u>

11. Commission Action:

- Approved
- Deferred
- Denied
- Other

RECEIVED BY COUNTY ADMIN: PM
 11-5-05
 11:50
 COUNTY ADMIN FORWARDED TO: AA
11-9-05
11 AM

Rec. by CoAtty
 Date: 11/8/05
 Time: 11:00 AM
 Forwarded To: Admin
11/8/05 11:30A

BLUE SHEET NO. 20051292-UTL
PAGE 2

The Subordination Agreement states LCU shall continue to have all rights under the specified real property interests, except that the use of the real property shall be subject to the control of the FDOT. Further, the Agreement states that in the event FDOT exercises its rights in a manner creating costs that LCU would not have otherwise incurred without the Agreement, then FDOT will bear those costs.

The following parcels of land are affected by the existing utility easements, as shown below:

Parcels:

1)	100.2	8)	109.2	15)	116.4	22)	127.4
2)	101.3	9)	110.4	16)	118.2	23)	128.2
3)	102.5	10)	111.4	17)	119.3	24)	130.3
4)	103.4	11)	112.3	18)	123.3	25)	809.2
5)	104.4	12)	113.3	19)	124.3	26)	815.4
6)	105.4	13)	114.3	20)	125.4	27)	819.3
7)	107.4	14)	115.4	21)	126.3		

Easements:

- 1) OR Book 3207, Page 0954
- 2) OR Book 3138, Page 0874
- 3) OR Book 2595, Page 0891
- 4) OR Book 2509, Page 0370
- 5) Plat Book 58, Page 5
- 6) Plat Book 45, Page 80
- 7) Plat Book 44, Page 83

Two duplicate sets of documents (for each of the 27 parcels) are attached for the Chairperson's signature. (Each set includes a Resolution and Subordination of Utility Interests Agreement. Signatures are needed on page 4 of the Agreement, and page 2 of the Resolution.)

After Chairperson's signature, return all documents to LCU for transmittal and subsequent execution by FDOT. FDOT shall then record the documents and provide the Lee County Minutes Office with original signature documents and LCU with photocopies.



23-UTL.02-07/99

Date: February 14, 2005
This instrument prepared
under the direction of:
Bruce P. Cury, General Counsel
Post Office Box 1249
City: Bartow, Florida 33830
Department of Transportation

F.P. NO. 4080401
PARCEL 100.2
SECTION 12011-000
STATE ROAD 739
COUNTY Lee

SUBORDINATION OF COUNTY UTILITY INTERESTS

THIS AGREEMENT, entered into this ____ day of _____, 20____, by and between the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, hereinafter called the FDOT, whose post office address is: Post Office Box 1249, Bartow, Florida 33831-1249 and LEE COUNTY BOARD OF COUNTY COMMISSIONERS, Utility Agency Organization, hereinafter called the UAO.

W I T N E S S E T H:

WHEREAS, the UAO presently has an interest in certain real property that is needed for a transportation facility; and

WHEREAS, the proposed use of the real property requires subordination of the UAO's interest to the FDOT; and

WHEREAS, the FDOT is willing to participate in the cost of locating, protecting, adjusting or removing the UAO'S facilities if necessary to prevent conflict between the UAO's facilities and the transportation facility;

NOW, THEREFORE, in consideration of the premises and the mutual covenants contained herein, the FDOT and the UAO hereby agree as follows:

1. The UAO hereby subordinates to the interest of FDOT, its successors, or assigns, any and all interest the UAO has in the real property described as follows:

SEE EXHIBIT "A"

The interest of the UAO being subordinated hereby includes, but is not necessarily limited to, the interest created by the following document:

RECORDED

INSTRUMENT	DATE	FROM	TO	O.R. BOOK/PAGE
Easement	06-22-99	Amerada Hess Corporation	Lee County Board of County Commissioners	OR 3138 Pg. 0874

2. The UAO shall continue to have all rights under the UAO'S real property interest document identified above, except that the use of the real property shall be subject to the control of the FDOT pursuant to paragraph 3 hereof.

3. The FDOT shall have the right to control the UAO's use of the real property interest created by the document identified above in the following manner:

a. The FDOT may require, for any present or future transportation facility project, that any facilities of the UAO be located, protected, adjusted, or removed as the FDOT determines is necessary (including the timing of any of such activities) to accommodate the transportation facility project. The UAO shall have the right to engage in additional protective measures during the transportation facility project beyond what the FDOT determines is necessary, provided that the cost of any such additional protective measures shall be borne by the UAO.

b. The UAO shall operate and maintain the UAO's facilities located on the real property in accordance with FDOT standards as set forth in the FDOT's then current Utility Accommodation Manual.

c. Any placement of new facilities or adjustment, upgrading, removal, or relocation of the UAO's facilities proposed by the UAO shall be subject to the prior approval of the FDOT as provided in and under the conditions of the FDOT's then current Utility Accommodation Manual. Approval will be granted through the issuance of a utility permit.

4. In the event the FDOT exercises its rights under paragraph 3 hereof and the exercise of those rights creates costs that the UAO would normally not have incurred had this subordination not been executed, the FDOT will bear the excess costs. Such costs shall include, but not necessarily be limited to, damage to the UAO's facilities resulting from failure of FDOT's protective measures where the UAO has not elected to undertake additional protective measures pursuant to subparagraph 3.a. hereof or the adjustment, relocation or removal of the UAO's facilities as the result of FDOT's activities. The specific arrangement for FDOT bearing the excess costs shall be by separate agreement.

IN WITNESS WHEREOF, the FDOT hereto has executed this agreement on the day and year first above written.

Executed in our presence
as witnesses:

STATE OF FLORIDA
DEPARTMENT OF
TRANSPORTATION

Signature

Print/Type Name

Signature

Print/Type Name

By: _____
District Secretary/Designee
for District One

Approved as to Form and
Legality:

Department Attorney

STATE OF FLORIDA
COUNTY OF _____

The foregoing instrument was acknowledged before me this
____ day of _____, 20__ by _____,
District Secretary/Designee for District One. He is personally
known to me or has produced _____
as identification.

(Affix Seal/Stamp here) Notary Signature: _____

Printed Name: _____

Notary Public in and for
the County and State last
aforesaid.
My Commission Expires:

Serial No.: _____

IN WITNESS WHEREOF, the County has caused these presents to be executed in its name by its Board of County Commissioners acting by the Chairperson or Vice-Chairperson of said Board, the day and year aforesaid.

ATTEST:
CHARLIE GREEN, EX-OFFICIO CLERK

BOARD OF COUNTY COMMISSIONERS
LEE COUNTY, FLORIDA

By: _____
Deputy Clerk

By: _____
Chair

Grantor(s) Mailing Address:
P.O. Box 398
Ft. Myers, FL 33902

APPROVED AS TO FORM:

Office of the County Attorney
Lee County, Florida

F.P. NO. 4080401

SECTION 12011-000

PARCEL 100

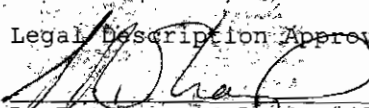
That portion of the southwest 1/4 of Section 30, Township 45 South, Range 25 East, Lee County, Florida.

Being described as follows:

Commence at the northeast corner of the southwest 1/4 of said Section 30; thence along the north line of said southwest 1/4, South 88°55'08" West a distance of 1,914.41 feet to the survey base line of State Road 739 (Metro Parkway); thence along said survey base line South 00°38'41" East a distance of 983.26 feet; thence South 89°21'19" West a distance of 55.00 to the westerly existing right of way line of said State Road 739 (per Section 12014-2504) for a POINT OF BEGINNING; thence along said westerly existing right of way line South 00°38'41" East a distance of 240.60 feet; thence continue along said westerly existing right of way line South 45°01'22" West a distance of 21.04 feet to the northerly existing right of way line of State Road 865 (Ben C. Pratt Six Mile Cypress Parkway [per Lee County Department of Transportation Project 18478 and Official Records Book 1138, Page 1366]); thence along said northerly existing right of way line South 89°08'53" West a distance of 9.95 feet; thence North 00°38'41" West a distance of 255.34 feet to said westerly existing right of way line of State Road 739; thence along said westerly existing right of way line North 89°21'19" East a distance of 25.00 feet to the POINT OF BEGINNING.

Containing 6,272 square feet.

Legal Description Approved by:


L. R. Sharp P.L.S. #4388

Date: FEBRUARY 14, 2005
NOT VALID UNLESS EMBOSSED

EXHIBIT "A"

Page 5

UTL.03

Date: February 14, 2005
This instrument prepared
under the direction of:
Bruce P. Cury, General Counsel
Post Office Box 1249
City: Bartow, Florida 33830
Department of Transportation

F.P. NO. 4080401
PARCEL 100.2
SECTION 12011-000
STATE ROAD 739
COUNTY Lee

R E S O L U T I O N

ON MOTION of Commissioner _____,
seconded by Commissioner _____,
the following Resolution was adopted:

WHEREAS, the State of Florida Department of Transportation proposes to construct or improve State Road No. 739, Section No. 12011-000, in Lee County, Florida: and

WHEREAS, it is necessary that certain easement rights now owned by Lee County be subordinated to the State of Florida Department of Transportation: and

WHEREAS, said subordination is in the best interest of the County: and

WHEREAS, the State of Florida Department of Transportation has made application to said County to execute and deliver to the State of Florida Department of Transportation a subordination of utility interest, or interests, in favor of the State of Florida, and said request having been duly considered.

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Lee County, that the application of the State of Florida Department of Transportation for a subordination of utility interest, or interests, is for transportation purposes which are in the public or community interest and for public welfare; that a subordination of utility interest, or interests, in favor of the State of Florida Department of Transportation, in Lee County, should be drawn and executed by this Board of County Commissioners. Consideration shall be \$ 1.00.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded forthwith to the State of Florida Department of Transportation at Bartow, Florida.

STATE OF FLORIDA

COUNTY OF _____

I HEREBY CERTIFY that the foregoing is a true copy of a Resolution adopted by the Board of County Commissioners Lee County, Florida at a meeting held on the _____ day of _____, 20____.

Clerk: Lisa L. Pierce
Board of County Commissioners
Lee County, Florida

ATTEST:
CHARLIE GREEN, EX-OFFICIO CLERK

BOARD OF COUNTY COMMISSIONERS
LEE COUNTY, FLORIDA

By: _____
Deputy Clerk

By: _____
Chairperson

APPROVED AS TO FORM:

David Owen, County Attorney
Office of the County Attorney
Lee County, Florida

23-UTL.02-07/99

Date: February 14, 2005
This instrument prepared
under the direction of:
Bruce P. Cury, General Co
Post Office Box 1249
City: Bartow, Florida 3
Department of Transportat

**(For Pub Res)
Reduced
copies for
copying
purposes
(BS 20051292)**

SUBORDINATION

THIS AGREEMENT, ent
20___, by and between the
TRANSPORTATION, hereinaft
address is: Post Office
and LEE COUNTY BOARD OF C
Organization, hereinafter

W 1

WHEREAS, the UAO presently has an interest in certain real
property that is needed for a transportation facility; and

WHEREAS, the proposed use of the real property requires
subordination of the UAO's interest to the FDOT; and

WHEREAS, the FDOT is willing to participate in the cost of
locating, protecting, adjusting or removing the UAO'S facilities
if necessary to prevent conflict between the UAO's facilities and
the transportation facility;

NOW, THEREFORE, in consideration of the premises and the
mutual covenants contained herein, the FDOT and the UAO hereby
agree as follows:

1. The UAO hereby subordinates to the interest of FDOT, its
successors, or assigns, any and all interest the UAO has in the
real property described as follows:

SEE EXHIBIT "A"

The interest of the UAO being subordinated hereby includes, but is not necessarily limited to, the interest created by the following document:

RECORDED

INSTRUMENT	DATE	FROM	TO	O.R. BOOK/PAGE
Easement	03-22-95	L. R. Mintz, Trustee	Lee County Board of County Commissioners	OR 2595 Pg. 0891

2. The UAO shall continue to have all rights under the UAO'S real property interest document identified above, except that the use of the real property shall be subject to the control of the FDOT pursuant to paragraph 3 hereof.

3. The FDOT shall have the right to control the UAO's use of the real property interest created by the document identified above in the following manner:

a. The FDOT may require, for any present or future transportation facility project, that any facilities of the UAO be located, protected, adjusted, or removed as the FDOT determines is necessary (including the timing of any of such activities) to accommodate the transportation facility project. The UAO shall have the right to engage in additional protective measures during the transportation facility project beyond what the FDOT determines is necessary, provided that the cost of any such additional protective measures shall be borne by the UAO.

b. The UAO shall operate and maintain the UAO's facilities located on the real property in accordance with FDOT standards as set forth in the FDOT's then current Utility Accommodation Manual.

c. Any placement of new facilities or adjustment, upgrading, removal, or relocation of the UAO's facilities proposed by the UAO shall be subject to the prior approval of the FDOT as provided in and under the conditions of the FDOT's then current Utility Accommodation Manual. Approval will be granted through the issuance of a utility permit.

4. In the event the FDOT exercises its rights under paragraph 3 hereof and the exercise of those rights creates costs that the UAO would normally not have incurred had this subordination not been executed, the FDOT will bear the excess costs. Such costs shall include, but not necessarily be limited to, damage to the UAO's facilities resulting from failure of FDOT's protective measures where the UAO has not elected to undertake additional protective measures pursuant to subparagraph 3.a. hereof or the adjustment, relocation or removal of the UAO's facilities as the result of FDOT's activities. The specific arrangement for FDOT bearing the excess costs shall be by separate agreement.

IN WITNESS WHEREOF, the FDOT hereto has executed this agreement on the day and year first above written.

Executed in our presence
as witnesses:

STATE OF FLORIDA
DEPARTMENT OF
TRANSPORTATION

Signature

By: _____
District Secretary/Designee
for District One

Print/Type Name

Approved as to Form and
Legality:

Signature

Print/Type Name

Department Attorney

STATE OF FLORIDA

COUNTY OF _____

The foregoing instrument was acknowledged before me this
____ day of _____, 20__ by _____
District Secretary/Designee for District One. He is personally
known to me or has produced _____
as identification.

(Affix Seal/Stamp here) Notary Signature: _____

Printed Name: _____

Notary Public in and for
the County and State last
aforesaid.
My Commission Expires:

Serial No.: _____

IN WITNESS WHEREOF, the County has caused these presents to be executed in its name by its Board of County Commissioners acting by the Chairperson or Vice-Chairperson of said Board, the day and year aforesaid.

ATTEST:
CHARLIE GREEN, EX-OFFICIO CLERK

BOARD OF COUNTY COMMISSIONERS
LEE COUNTY, FLORIDA

By: _____
Deputy Clerk

By: _____
Chair

Grantor(s) Mailing Address:
P.O. Box 398
Ft. Myers, FL 33902

APPROVED AS TO FORM:

Office of the County Attorney
Lee County, Florida

F.P. NO. 4080401

SECTION 12011-000

PARCEL 101

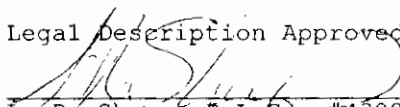
That portion of the southwest 1/4 of Section 30, Township 45 South, Range 25 East, Lee County, Florida.

Being described as follows:

Commence at the northeast corner of the southwest 1/4 of said Section 30; thence along the north line of said southwest 1/4, South 88°55'08" West a distance of 1,864.41 feet to the easterly existing right of way line of State Road 739 (Metro Parkway [per Section 12011-0000]) for a POINT OF BEGINNING; thence North 88°55'08" East a distance of 19.00 feet; thence South 00°38'41" East a distance of 610.77 feet; thence South 01°54'48" East a distance of 325.08 feet; thence South 00°38'41" East a distance of 302.79 feet to the northerly existing right of way line of State Road 865 (Ben C. Pratt Six Mile Cypress Parkway [per Lee County Department of Transportation Project 18478 and Official Records Book 1138, Page 1366]); thence along said northerly existing right of way line South 89°08'53" West a distance of 26.20 feet to said easterly existing right of way line of State Road 739; thence along said easterly existing right of way line North 00°38'41" West a distance of 1,238.51 feet to the POINT OF BEGINNING.

Containing 26,885 square feet.

Legal Description Approved by:


L. R. Sharp P.L.S. #4388

Date: FEBRUARY 14, 2005

NOT VALID UNLESS EMBOSSED

EXHIBIT "A"

Page 5

UTL.03

Date: February 14, 2005
This instrument prepared
under the direction of:
Bruce P. Cury, General Counsel
Post Office Box 1249
City: Bartow, Florida 33830
Department of Transportation

F.P. NO. 4080401
PARCEL 101.3
SECTION 12011-000
STATE ROAD 739
COUNTY Lee

R E S O L U T I O N

ON MOTION of Commissioner _____,
seconded by Commissioner _____,
the following Resolution was adopted:

WHEREAS, the State of Florida Department of Transportation proposes to construct or improve State Road No. 739, Section No. 12011-000, in Lee County, Florida: and

WHEREAS, it is necessary that certain easement rights now owned by _____ Lee County be subordinated to the State of Florida Department of Transportation: and

WHEREAS, said subordination is in the best interest of the County: and

WHEREAS, the State of Florida Department of Transportation has made application to said County to execute and deliver to the State of Florida Department of Transportation a subordination of utility interest, or interests, in favor of the State of Florida, and said request having been duly considered.

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of _____ Lee County, that the application of the State of Florida Department of Transportation for a subordination of utility interest, or interests, is for transportation purposes which are in the public or community interest and for public welfare; that a subordination of utility interest, or interests, in favor of the State of Florida Department of Transportation, in _____ Lee County, should be drawn and executed by this Board of County Commissioners. Consideration shall be \$ 1.00.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded forthwith to the State of Florida Department of Transportation at Bartow, Florida.

STATE OF FLORIDA

COUNTY OF _____

I HEREBY CERTIFY that the foregoing is a true copy of a Resolution adopted by the Board of County Commissioners Lee County, Florida at a meeting held on the _____ day of _____, 20____.

Clerk: Lisa L. Pierce
Board of County Commissioners
Lee County, Florida

ATTEST:
CHARLIE GREEN, EX-OFFICIO CLERK

BOARD OF COUNTY COMMISSIONERS
LEE COUNTY, FLORIDA

By: _____
Deputy Clerk

By: _____
Chairperson

APPROVED AS TO FORM:

David Owen, County Attorney
Office of the County Attorney
Lee County, Florida

23-UTL.02-07/99

Date: July 11, 2005
This instrument prepared
under the direction of:
Bruce P. Cury, General Counsel
Post Office Box 1249
City: Bartow, Florida 33830
Department of Transportation

F.P. NO. 4080401
PARCEL 102.5
SECTION 12011-000
STATE ROAD 739
COUNTY Lee

SUBORDINATION OF COUNTY UTILITY INTERESTS

THIS AGREEMENT, entered into this ____ day of _____,
20__, by and between the STATE OF FLORIDA DEPARTMENT OF
TRANSPORTATION, hereinafter called the FDOT, whose post office
address is: Post Office Box 1249, Bartow, Florida 33831-1249
and LEE COUNTY BOARD OF COUNTY COMMISSIONERS, Utility Agency
Organization, hereinafter called the UAO.

W I T N E S S E T H:

WHEREAS, the UAO presently has an interest in certain real
property that is needed for a transportation facility; and

WHEREAS, the proposed use of the real property requires
subordination of the UAO's interest to the FDOT; and

WHEREAS, the FDOT is willing to participate in the cost of
locating, protecting, adjusting or removing the UAO'S facilities
if necessary to prevent conflict between the UAO's facilities and
the transportation facility;

NOW, THEREFORE, in consideration of the premises and the
mutual covenants contained herein, the FDOT and the UAO hereby
agree as follows:

1. The UAO hereby subordinates to the interest of FDOT, its
successors, or assigns, any and all interest the UAO has in the
real property described as follows:

SEE EXHIBIT "A"

The interest of the UAO being subordinated hereby includes, but is not necessarily limited to, the interest created by the following document:

RECORDED

INSTRUMENT	DATE	FROM	TO	O.R. BOOK/PAGE
Easement	04-22-96	N/A	Lee County Board of County Commissioners	PB 58 Pg. 5

2. The UAO shall continue to have all rights under the UAO'S real property interest document identified above, except that the use of the real property shall be subject to the control of the FDOT pursuant to paragraph 3 hereof.

3. The FDOT shall have the right to control the UAO's use of the real property interest created by the document identified above in the following manner:

a. The FDOT may require, for any present or future transportation facility project, that any facilities of the UAO be located, protected, adjusted, or removed as the FDOT determines is necessary (including the timing of any of such activities) to accommodate the transportation facility project. The UAO shall have the right to engage in additional protective measures during the transportation facility project beyond what the FDOT determines is necessary, provided that the cost of any such additional protective measures shall be borne by the UAO.

b. The UAO shall operate and maintain the UAO's facilities located on the real property in accordance with FDOT standards as set forth in the FDOT's then current Utility Accommodation Manual.

c. Any placement of new facilities or adjustment, upgrading, removal, or relocation of the UAO's facilities proposed by the UAO shall be subject to the prior approval of the FDOT as provided in and under the conditions of the FDOT's then current Utility Accommodation Manual. Approval will be granted through the issuance of a utility permit.

4. In the event the FDOT exercises its rights under paragraph 3 hereof and the exercise of those rights creates costs that the UAO would normally not have incurred had this subordination not been executed, the FDOT will bear the excess costs. Such costs shall include, but not necessarily be limited to, damage to the UAO's facilities resulting from failure of FDOT's protective measures where the UAO has not elected to undertake additional protective measures pursuant to subparagraph 3.a. hereof or the adjustment, relocation or removal of the UAO's facilities as the result of FDOT's activities. The specific arrangement for FDOT bearing the excess costs shall be by separate agreement.

IN WITNESS WHEREOF, the FDOT hereto has executed this agreement on the day and year first above written.

Executed in our presence
as witnesses:

STATE OF FLORIDA
DEPARTMENT OF
TRANSPORTATION

Signature

By: _____
District Secretary/Designee
for District One

Print/Type Name

Approved as to Form and
Legality:

Signature

Print/Type Name

Department Attorney

STATE OF FLORIDA
COUNTY OF _____

The foregoing instrument was acknowledged before me this
____ day of _____, 20__ by _____,
District Secretary/Designee for District One. He is personally
known to me or has produced _____
as identification.

(Affix Seal/Stamp here) Notary Signature: _____

Printed Name: _____

Notary Public in and for
the County and State last
aforesaid.
My Commission Expires:

Serial No.: _____

IN WITNESS WHEREOF, the County has caused these presents to be executed in its name by its Board of County Commissioners acting by the Chairperson or Vice-Chairperson of said Board, the day and year aforesaid.

ATTEST:
CHARLIE GREEN, EX-OFFICIO CLERK

BOARD OF COUNTY COMMISSIONERS
LEE COUNTY, FLORIDA

By: _____
Deputy Clerk

By: _____
Chair

Grantor(s) Mailing Address:

P.O. Box 398
Ft. Myers, FL 33902

APPROVED AS TO FORM:

Office of the County Attorney
Lee County, Florida

F.P. NO. 4080401

SECTION 12011-000

PARCEL 102

That portion of Lot 6, Central Metropolitan Commercial Center South, a subdivision in Section 30, Township 45 South, Range 25 East, as per plat thereof recorded in Plat Book 58, Page 5, Public Records of Lee County, Florida.

Being described as follows:

BEGIN at the southeast corner of said Lot 6; thence along the south line of said Lot 6, South 88°55'08" West a distance of 12.50 feet; thence North 00°38'41" West a distance of 225.08 feet to the north line of said Lot 6; thence along said north line North 89°21'19" East a distance of 12.50 feet to the northeast corner of said Lot 6; thence along the east line of said Lot 6, South 00°38'41" East a distance of 224.98 feet to the POINT OF BEGINNING.

Containing 2,813 square feet.

Legal Description Approved by:

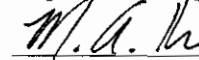

M. A. Kyser, P.L.S. #4366
Date: July 11, 2005
NOT VALID UNLESS EMBOSSED

EXHIBIT "A"

Page 5

UTL.03

Date: July 11, 2005
This instrument prepared under the direction of:
Bruce P. Cury, General Counsel
Post Office Box 1249
City: Bartow, Florida 33830
Department of Transportation

F.P. NO. 4080401
PARCEL 102.5
SECTION 12011-000
STATE ROAD 739
COUNTY Lee

R E S O L U T I O N

ON MOTION of Commissioner _____,
seconded by Commissioner _____,
the following Resolution was adopted:

WHEREAS, the State of Florida Department of Transportation proposes to construct or improve State Road No. 739, Section No. 12011-000, in Lee County, Florida: and

WHEREAS, it is necessary that certain easement rights now owned by Lee County be subordinated to the State of Florida Department of Transportation: and

WHEREAS, said subordination is in the best interest of the County: and

WHEREAS, the State of Florida Department of Transportation has made application to said County to execute and deliver to the State of Florida Department of Transportation a subordination of utility interest, or interests, in favor of the State of Florida, and said request having been duly considered.

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Lee County, that the application of the State of Florida Department of Transportation for a subordination of utility interest, or interests, is for transportation purposes which are in the public or community interest and for public welfare; that a subordination of utility interest, or interests, in favor of the State of Florida Department of Transportation, in Lee County, should be drawn and executed by this Board of County Commissioners. Consideration shall be \$ 1.00.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded forthwith to the State of Florida Department of Transportation at Bartow, Florida.

STATE OF FLORIDA

COUNTY OF _____

I HEREBY CERTIFY that the foregoing is a true copy of a Resolution adopted by the Board of County Commissioners Lee County, Florida at a meeting held on the _____ day of _____, 20____.

Clerk: Lisa L. Pierce
Board of County Commissioners
Lee County, Florida

ATTEST:
CHARLIE GREEN, EX-OFFICIO CLERK

BOARD OF COUNTY COMMISSIONERS
LEE COUNTY, FLORIDA

By: _____
Deputy Clerk

By: _____
Chairperson

APPROVED AS TO FORM:

David Owen, County Attorney
Office of the County Attorney
Lee County, Florida

23-UTL.02-07/99

Date: July 11, 2005
This instrument prepared
under the direction of:
Bruce P. Cury, General Counsel
Post Office Box 1249
City: Bartow, Florida 33830
Department of Transportation

F.P. NO. 4080401
PARCEL 103.4
SECTION 12011-000
STATE ROAD 739
COUNTY Lee

SUBORDINATION OF COUNTY UTILITY INTERESTS

THIS AGREEMENT, entered into this ____ day of _____, 20__, by and between the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, hereinafter called the FDOT, whose post office address is: Post Office Box 1249, Bartow, Florida 33831-1249 and LEE COUNTY BOARD OF COUNTY COMMISSIONERS, Utility Agency Organization, hereinafter called the UAO.

W I T N E S S E T H:

WHEREAS, the UAO presently has an interest in certain real property that is needed for a transportation facility; and

WHEREAS, the proposed use of the real property requires subordination of the UAO's interest to the FDOT; and

WHEREAS, the FDOT is willing to participate in the cost of locating, protecting, adjusting or removing the UAO'S facilities if necessary to prevent conflict between the UAO's facilities and the transportation facility;

NOW, THEREFORE, in consideration of the premises and the mutual covenants contained herein, the FDOT and the UAO hereby agree as follows:

1. The UAO hereby subordinates to the interest of FDOT, its successors, or assigns, any and all interest the UAO has in the real property described as follows:

SEE EXHIBIT "A"

The interest of the UAO being subordinated hereby includes, but is not necessarily limited to, the interest created by the following document:

RECORDED

INSTRUMENT	DATE	FROM	TO	O.R. BOOK/PAGE
Easement	04-22-96	N/A	Lee County Board of County Commissioners	PB 58 Pg. 5

2. The UAO shall continue to have all rights under the UAO'S real property interest document identified above, except that the use of the real property shall be subject to the control of the FDOT pursuant to paragraph 3 hereof.

3. The FDOT shall have the right to control the UAO's use of the real property interest created by the document identified above in the following manner:

a. The FDOT may require, for any present or future transportation facility project, that any facilities of the UAO be located, protected, adjusted, or removed as the FDOT determines is necessary (including the timing of any of such activities) to accommodate the transportation facility project. The UAO shall have the right to engage in additional protective measures during the transportation facility project beyond what the FDOT determines is necessary, provided that the cost of any such additional protective measures shall be borne by the UAO.

b. The UAO shall operate and maintain the UAO's facilities located on the real property in accordance with FDOT standards as set forth in the FDOT's then current Utility Accommodation Manual.

c. Any placement of new facilities or adjustment, upgrading, removal, or relocation of the UAO's facilities proposed by the UAO shall be subject to the prior approval of the FDOT as provided in and under the conditions of the FDOT's then current Utility Accommodation Manual. Approval will be granted through the issuance of a utility permit.

4. In the event the FDOT exercises its rights under paragraph 3 hereof and the exercise of those rights creates costs that the UAO would normally not have incurred had this subordination not been executed, the FDOT will bear the excess costs. Such costs shall include, but not necessarily be limited to, damage to the UAO's facilities resulting from failure of FDOT's protective measures where the UAO has not elected to undertake additional protective measures pursuant to subparagraph 3.a. hereof or the adjustment, relocation or removal of the UAO's facilities as the result of FDOT's activities. The specific arrangement for FDOT bearing the excess costs shall be by separate agreement.

IN WITNESS WHEREOF, the FDOT hereto has executed this agreement on the day and year first above written.

Executed in our presence
as witnesses:

STATE OF FLORIDA
DEPARTMENT OF
TRANSPORTATION

Signature

By: _____
District Secretary/Designee
for District One

Print/Type Name

Approved as to Form and
Legality:

Signature

Print/Type Name

Department Attorney

STATE OF FLORIDA
COUNTY OF _____

The foregoing instrument was acknowledged before me this
____ day of _____, 20__ by _____,
District Secretary/Designee for District One. He is personally
known to me or has produced _____
as identification.

(Affix Seal/Stamp here) Notary Signature: _____

Printed Name: _____

Notary Public in and for
the County and State last
aforesaid.
My Commission Expires:

Serial No.: _____

IN WITNESS WHEREOF, the County has caused these presents to be executed in its name by its Board of County Commissioners acting by the Chairperson or Vice-Chairperson of said Board, the day and year aforesaid.

ATTEST:
CHARLIE GREEN, EX-OFFICIO CLERK

BOARD OF COUNTY COMMISSIONERS
LEE COUNTY, FLORIDA

By: _____
Deputy Clerk

By: _____
Chair

Grantor(s) Mailing Address:

P.O. Box 398
Ft. Myers, FL 33902

APPROVED AS TO FORM:

Office of the County Attorney
Lee County, Florida

F.P. NO. 4080401

SECTION 12011-000

PARCEL 103

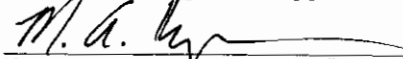
That portion of Lot 5, Central Metropolitan Commercial Center South, a subdivision in Section 30, Township 45 South, Range 25 East, as per plat thereof recorded in Plat Book 58, Page 5, Public Records of Lee County, Florida.

Being described as follows:

BEGIN at the southeast corner of said Lot 5; thence along the south line of said Lot 5, South 89°21'19" West a distance of 12.50 feet; thence North 00°38'41" West a distance of 159.98 feet to the north line of said Lot 5; thence along said north line North 89°21'19" East a distance of 12.50 feet to the northeast corner of said Lot 5; thence along the east line of said Lot 5, South 00°38'41" East a distance of 159.98 feet to the POINT OF BEGINNING.

Containing 2,000 square feet.

Legal Description Approved by:



M. A. Kyser P.L.S. #4366

Date: July 11, 2005

NOT VALID UNLESS EMBOSSED



EXHIBIT "A"

Page 5

UTL.03

Date: July 11, 2005
This instrument prepared
under the direction of:
Bruce P. Cury, General Counsel
Post Office Box 1249
City: Bartow, Florida 33830
Department of Transportation

F.P. NO. 4080401
PARCEL 103.4
SECTION 12011-000
STATE ROAD 739
COUNTY Lee

R E S O L U T I O N

ON MOTION of Commissioner _____,
seconded by Commissioner _____,
the following Resolution was adopted:

WHEREAS, the State of Florida Department of Transportation
proposes to construct or improve State Road No. 739, Section No.
12011-000, in Lee County, Florida: and

WHEREAS, it is necessary that certain easement rights now
owned by Lee County be subordinated to the
State of Florida Department of Transportation: and

WHEREAS, said subordination is in the best interest of the
County: and

WHEREAS, the State of Florida Department of Transportation
has made application to said County to execute and deliver to the
State of Florida Department of Transportation a subordination of
utility interest, or interests, in favor of the State of Florida,
and said request having been duly considered.

NOW THEREFORE, BE IT RESOLVED by the Board of County
Commissioners of Lee County, that the application
of the State of Florida Department of Transportation for a
subordination of utility interest, or interests, is for
transportation purposes which are in the public or community
interest and for public welfare; that a subordination of utility
interest, or interests, in favor of the State of Florida
Department of Transportation, in Lee County,
should be drawn and executed by this Board of County
Commissioners. Consideration shall be \$ 1.00.

BE IT FURTHER RESOLVED that a certified copy of this Resolution
be forwarded forthwith to the State of Florida Department of
Transportation at Bartow, Florida.

STATE OF FLORIDA

COUNTY OF _____

I HEREBY CERTIFY that the foregoing is a true copy of a Resolution adopted by the Board of County Commissioners Lee County, Florida at a meeting held on the _____ day of _____, 20____.

Clerk: Lisa L. Pierce
Board of County Commissioners
Lee County, Florida

ATTEST:
CHARLIE GREEN, EX-OFFICIO CLERK

BOARD OF COUNTY COMMISSIONERS
LEE COUNTY, FLORIDA

By: _____
Deputy Clerk

By: _____
Chairperson

APPROVED AS TO FORM:

David Owen, County Attorney
Office of the County Attorney
Lee County, Florida

23-UTL.02-07/99

Date: July 11, 2005

This instrument prepared
under the direction of:
Bruce P. Cury, General Counsel
Post Office Box 1249
City: Bartow, Florida 33830
Department of Transportation

F.P. NO. 4080401
PARCEL 104.4
SECTION 12011-000
STATE ROAD 739
COUNTY Lee

SUBORDINATION OF COUNTY UTILITY INTERESTS

THIS AGREEMENT, entered into this ___ day of _____,
20___, by and between the STATE OF FLORIDA DEPARTMENT OF
TRANSPORTATION, hereinafter called the FDOT, whose post office
address is: Post Office Box 1249, Bartow, Florida 33831-1249
and LEE COUNTY BOARD OF COUNTY COMMISSIONERS, Utility Agency
Organization, hereinafter called the UAO.

W I T N E S S E T H:

WHEREAS, the UAO presently has an interest in certain real
property that is needed for a transportation facility; and

WHEREAS, the proposed use of the real property requires
subordination of the UAO's interest to the FDOT; and

WHEREAS, the FDOT is willing to participate in the cost of
locating, protecting, adjusting or removing the UAO'S facilities
if necessary to prevent conflict between the UAO's facilities and
the transportation facility;

NOW, THEREFORE, in consideration of the premises and the
mutual covenants contained herein, the FDOT and the UAO hereby
agree as follows:

1. The UAO hereby subordinates to the interest of FDOT, its
successors, or assigns, any and all interest the UAO has in the
real property described as follows:

SEE EXHIBIT "A"

The interest of the UAO being subordinated hereby includes, but is not necessarily limited to, the interest created by the following document:

RECORDED

INSTRUMENT	DATE	FROM	TO	O.R. BOOK/PAGE
Easement	04-22-96	N/A	Lee County Board of County Commissioners	PB 58 Pg. 5

2. The UAO shall continue to have all rights under the UAO'S real property interest document identified above, except that the use of the real property shall be subject to the control of the FDOT pursuant to paragraph 3 hereof.

3. The FDOT shall have the right to control the UAO's use of the real property interest created by the document identified above in the following manner:

a. The FDOT may require, for any present or future transportation facility project, that any facilities of the UAO be located, protected, adjusted, or removed as the FDOT determines is necessary (including the timing of any of such activities) to accommodate the transportation facility project. The UAO shall have the right to engage in additional protective measures during the transportation facility project beyond what the FDOT determines is necessary, provided that the cost of any such additional protective measures shall be borne by the UAO.

b. The UAO shall operate and maintain the UAO's facilities located on the real property in accordance with FDOT standards as set forth in the FDOT's then current Utility Accommodation Manual.

c. Any placement of new facilities or adjustment, upgrading, removal, or relocation of the UAO's facilities proposed by the UAO shall be subject to the prior approval of the FDOT as provided in and under the conditions of the FDOT's then current Utility Accommodation Manual. Approval will be granted through the issuance of a utility permit.

4. In the event the FDOT exercises its rights under paragraph 3 hereof and the exercise of those rights creates costs that the UAO would normally not have incurred had this subordination not been executed, the FDOT will bear the excess costs. Such costs shall include, but not necessarily be limited to, damage to the UAO's facilities resulting from failure of FDOT's protective measures where the UAO has not elected to undertake additional protective measures pursuant to subparagraph 3.a. hereof or the adjustment, relocation or removal of the UAO's facilities as the result of FDOT's activities. The specific arrangement for FDOT bearing the excess costs shall be by separate agreement.

IN WITNESS WHEREOF, the FDOT hereto has executed this agreement on the day and year first above written.

Executed in our presence
as witnesses:

STATE OF FLORIDA
DEPARTMENT OF
TRANSPORTATION

Signature

By: _____
District Secretary/Designee
for District One

Print/Type Name

Approved as to Form and
Legality:

Signature

Print/Type Name

Department Attorney

STATE OF FLORIDA
COUNTY OF _____

The foregoing instrument was acknowledged before me this
____ day of _____, 20__ by _____,
District Secretary/Designee for District One. He is personally
known to me or has produced _____
as identification.

(Affix Seal/Stamp here) Notary Signature: _____

Printed Name: _____

Notary Public in and for
the County and State last
aforesaid.
My Commission Expires:

Serial No.: _____

IN WITNESS WHEREOF, the County has caused these presents to be executed in its name by its Board of County Commissioners acting by the Chairperson or Vice-Chairperson of said Board, the day and year aforesaid.

ATTEST:
CHARLIE GREEN, EX-OFFICIO CLERK

BOARD OF COUNTY COMMISSIONERS
LEE COUNTY, FLORIDA

By: _____
Deputy Clerk

By: _____
Chair

Grantor(s) Mailing Address:

P.O. Box 398
Ft. Myers, FL 33902

APPROVED AS TO FORM:

Office of the County Attorney
Lee County, Florida

F.P. NO. 4080401

SECTION 12011-000

PARCEL 104

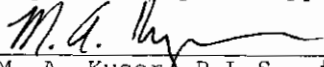
That portion of Lot 4, Central Metropolitan Commercial Center South, a subdivision in Section 30, Township 45 South, Range 25 East, as per plat thereof recorded in Plat Book 58, Page 5, Public Records of Lee County, Florida.

Being described as follows:

BEGIN at the southeast corner of said Lot 4; thence along the south line of said Lot 4, South 89°21'19" West a distance of 12.50 feet; thence North 00°38'41" West a distance of 220.79 feet to the north line of said Lot 4; thence along said north line North 88°56'39" East a distance of 12.50 feet to the northeast corner of said Lot 4; thence along the east line of said Lot 4, South 00°38'41" East a distance of 220.88 feet to the POINT OF BEGINNING.

Containing 2,760 square feet.

Legal Description Approved by:



M. A. Kyser, P.L.S. #4366
Date: July 11, 2005

NOT VALID UNLESS EMBOSSED



UTL.03

Date: July 11, 2005
This instrument prepared under the direction of:
Bruce P. Cury, General Counsel
Post Office Box 1249
City: Bartow, Florida 33830
Department of Transportation

F.P. NO. 4080401
PARCEL 104.4
SECTION 12011-000
STATE ROAD 739
COUNTY Lee

R E S O L U T I O N

ON MOTION of Commissioner _____,
seconded by Commissioner _____,
the following Resolution was adopted:

WHEREAS, the State of Florida Department of Transportation proposes to construct or improve State Road No. 739, Section No. 12011-000, in Lee County, Florida: and

WHEREAS, it is necessary that certain easement rights now owned by Lee County be subordinated to the State of Florida Department of Transportation: and

WHEREAS, said subordination is in the best interest of the County: and

WHEREAS, the State of Florida Department of Transportation has made application to said County to execute and deliver to the State of Florida Department of Transportation a subordination of utility interest, or interests, in favor of the State of Florida, and said request having been duly considered.

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Lee County, that the application of the State of Florida Department of Transportation for a subordination of utility interest, or interests, is for transportation purposes which are in the public or community interest and for public welfare; that a subordination of utility interest, or interests, in favor of the State of Florida Department of Transportation, in Lee County, should be drawn and executed by this Board of County Commissioners. Consideration shall be \$ 1.00.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded forthwith to the State of Florida Department of Transportation at Bartow, Florida.

STATE OF FLORIDA

COUNTY OF _____

I HEREBY CERTIFY that the foregoing is a true copy of a Resolution adopted by the Board of County Commissioners Lee County, Florida at a meeting held on the _____ day of _____, 20____.

Clerk: Lisa L. Pierce
Board of County Commissioners
Lee County, Florida

ATTEST:
CHARLIE GREEN, EX-OFFICIO CLERK

BOARD OF COUNTY COMMISSIONERS
LEE COUNTY, FLORIDA

By: _____
Deputy Clerk

By: _____
Chairperson

APPROVED AS TO FORM:

David Owen, County Attorney
Office of the County Attorney
Lee County, Florida

23-UTL.02-07/99

Date: July 11, 2005
This instrument prepared under the direction of:
Bruce P. Cury, General Counsel
Post Office Box 1249
City: Bartow, Florida 33830
Department of Transportation

F.P. NO. 4080401
PARCEL 105.4
SECTION 12011-000
STATE ROAD 739
COUNTY Lee

SUBORDINATION OF COUNTY UTILITY INTERESTS

THIS AGREEMENT, entered into this ____ day of _____, 20____, by and between the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, hereinafter called the FDOT, whose post office address is: Post Office Box 1249, Bartow, Florida 33831-1249 and LEE COUNTY BOARD OF COUNTY COMMISSIONERS, Utility Agency Organization, hereinafter called the UAO.

W I T N E S S E T H:

WHEREAS, the UAO presently has an interest in certain real property that is needed for a transportation facility; and

WHEREAS, the proposed use of the real property requires subordination of the UAO's interest to the FDOT; and

WHEREAS, the FDOT is willing to participate in the cost of locating, protecting, adjusting or removing the UAO'S facilities if necessary to prevent conflict between the UAO's facilities and the transportation facility;

NOW, THEREFORE, in consideration of the premises and the mutual covenants contained herein, the FDOT and the UAO hereby agree as follows:

1. The UAO hereby subordinates to the interest of FDOT, its successors, or assigns, any and all interest the UAO has in the real property described as follows:

SEE EXHIBIT "A"

The interest of the UAO being subordinated hereby includes, but is not necessarily limited to, the interest created by the following document:

RECORDED

INSTRUMENT	DATE	FROM	TO	O.R. BOOK/PAGE
Easement	04-22-96	N/A	Lee County Board of County Commissioners	PB 58 Pg. 5

2. The UAO shall continue to have all rights under the UAO'S real property interest document identified above, except that the use of the real property shall be subject to the control of the FDOT pursuant to paragraph 3 hereof.

3. The FDOT shall have the right to control the UAO's use of the real property interest created by the document identified above in the following manner:

a. The FDOT may require, for any present or future transportation facility project, that any facilities of the UAO be located, protected, adjusted, or removed as the FDOT determines is necessary (including the timing of any of such activities) to accommodate the transportation facility project. The UAO shall have the right to engage in additional protective measures during the transportation facility project beyond what the FDOT determines is necessary, provided that the cost of any such additional protective measures shall be borne by the UAO.

b. The UAO shall operate and maintain the UAO's facilities located on the real property in accordance with FDOT standards as set forth in the FDOT's then current Utility Accommodation Manual.

c. Any placement of new facilities or adjustment, upgrading, removal, or relocation of the UAO's facilities proposed by the UAO shall be subject to the prior approval of the FDOT as provided in and under the conditions of the FDOT's then current Utility Accommodation Manual. Approval will be granted through the issuance of a utility permit.

4. In the event the FDOT exercises its rights under paragraph 3 hereof and the exercise of those rights creates costs that the UAO would normally not have incurred had this subordination not been executed, the FDOT will bear the excess costs. Such costs shall include, but not necessarily be limited to, damage to the UAO's facilities resulting from failure of FDOT's protective measures where the UAO has not elected to undertake additional protective measures pursuant to subparagraph 3.a. hereof or the adjustment, relocation or removal of the UAO's facilities as the result of FDOT's activities. The specific arrangement for FDOT bearing the excess costs shall be by separate agreement.

IN WITNESS WHEREOF, the FDOT hereto has executed this agreement on the day and year first above written.

Executed in our presence
as witnesses:

STATE OF FLORIDA
DEPARTMENT OF
TRANSPORTATION

Signature

Print/Type Name

Signature

Print/Type Name

By: _____
District Secretary/Designee
for District One

Approved as to Form and
Legality:

Department Attorney

STATE OF FLORIDA

COUNTY OF _____

The foregoing instrument was acknowledged before me this
____ day of _____, 20__ by _____,
District Secretary/Designee for District One. He is personally
known to me or has produced _____
as identification.

(Affix Seal/Stamp here) Notary Signature: _____

Printed Name: _____

Notary Public in and for
the County and State last
aforesaid.
My Commission Expires:

Serial No.: _____

IN WITNESS WHEREOF, the County has caused these presents to be executed in its name by its Board of County Commissioners acting by the Chairperson or Vice-Chairperson of said Board, the day and year aforesaid.

ATTEST:
CHARLIE GREEN, EX-OFFICIO CLERK

BOARD OF COUNTY COMMISSIONERS
LEE COUNTY, FLORIDA

By: _____
Deputy Clerk

By: _____
Chair

Grantor(s) Mailing Address:

P.O. Box 398

Ft. Myers, FL 33902

APPROVED AS TO FORM:

Office of the County Attorney
Lee County, Florida

F.P. NO. 4080401

SECTION 12011-000

PARCEL 105

That portion of Lot 3, Central Metropolitan Commercial Center South, a subdivision in Section 30, Township 45 South, Range 25 East, as per plat thereof recorded in Plat Book 58, Page 5, Public Records of Lee County, Florida.

Being described as follows:

BEGIN at the southeast corner of said Lot 3; thence along the south line of said Lot 3, South 88°56'39" West a distance of 12.50 feet; thence North 00°38'41" West a distance of 219.13 feet to the north line of said Lot 3; thence along said north line North 89°21'19" East a distance of 12.50 feet to the northeast corner of said Lot 3; thence along the east line of said Lot 3, South 00°38'41" East a distance of 219.04 feet to the POINT OF BEGINNING.

Containing 2,739 square feet.

Legal Description Approved by:

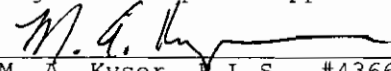

M. A. Kyser, V.L.S. #4366
Date: July 11, 2005
NOT VALID UNLESS EMBOSSED



EXHIBIT "A"

Page 5

UTL.03

Date: July 11, 2005
This instrument prepared under the direction of:
Bruce P. Cury, General Counsel
Post Office Box 1249
City: Bartow, Florida 33830
Department of Transportation

F.P. NO. 4080401
PARCEL 105.4
SECTION 12011-000
STATE ROAD 739
COUNTY Lee

R E S O L U T I O N

ON MOTION of Commissioner _____,
seconded by Commissioner _____,
the following Resolution was adopted:

WHEREAS, the State of Florida Department of Transportation proposes to construct or improve State Road No. 739, Section No. 12011-000, in Lee County, Florida: and

WHEREAS, it is necessary that certain easement rights now owned by Lee County be subordinated to the State of Florida Department of Transportation: and

WHEREAS, said subordination is in the best interest of the County: and

WHEREAS, the State of Florida Department of Transportation has made application to said County to execute and deliver to the State of Florida Department of Transportation a subordination of utility interest, or interests, in favor of the State of Florida, and said request having been duly considered.

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Lee County, that the application of the State of Florida Department of Transportation for a subordination of utility interest, or interests, is for transportation purposes which are in the public or community interest and for public welfare; that a subordination of utility interest, or interests, in favor of the State of Florida Department of Transportation, in Lee County, should be drawn and executed by this Board of County Commissioners. Consideration shall be \$ 1.00.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded forthwith to the State of Florida Department of Transportation at Bartow, Florida.

STATE OF FLORIDA

COUNTY OF _____

I HEREBY CERTIFY that the foregoing is a true copy of a Resolution adopted by the Board of County Commissioners Lee County, Florida at a meeting held on the _____ day of _____, 20____.

Clerk: Lisa L. Pierce
Board of County Commissioners
Lee County, Florida

ATTEST:
CHARLIE GREEN, EX-OFFICIO CLERK

BOARD OF COUNTY COMMISSIONERS
LEE COUNTY, FLORIDA

By: _____
Deputy Clerk

By: _____
Chairperson

APPROVED AS TO FORM:

David Owen, County Attorney
Office of the County Attorney
Lee County, Florida

23-UTL.02-07/99

Date: July 11, 2005
This instrument prepared under the direction of:
Bruce P. Cury, General Counsel
Post Office Box 1249
City: Bartow, Florida 33830
Department of Transportation

F.P. NO. 4080401
PARCEL 107.4
SECTION 12011-000
STATE ROAD 739
COUNTY Lee

SUBORDINATION OF COUNTY UTILITY INTERESTS

THIS AGREEMENT, entered into this _____ day of _____, 20____, by and between the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, hereinafter called the FDOT, whose post office address is: Post Office Box 1249, Bartow, Florida 33831-1249 and LEE COUNTY BOARD OF COUNTY COMMISSIONERS, Utility Agency Organization, hereinafter called the UAO.

W I T N E S S E T H:

WHEREAS, the UAO presently has an interest in certain real property that is needed for a transportation facility; and

WHEREAS, the proposed use of the real property requires subordination of the UAO's interest to the FDOT; and

WHEREAS, the FDOT is willing to participate in the cost of locating, protecting, adjusting or removing the UAO'S facilities if necessary to prevent conflict between the UAO's facilities and the transportation facility;

NOW, THEREFORE, in consideration of the premises and the mutual covenants contained herein, the FDOT and the UAO hereby agree as follows:

1. The UAO hereby subordinates to the interest of FDOT, its successors, or assigns, any and all interest the UAO has in the real property described as follows:

SEE EXHIBIT "A"

The interest of the UAO being subordinated hereby includes, but is not necessarily limited to, the interest created by the following document:

RECORDED

INSTRUMENT	DATE	FROM	TO	O.R. BOOK/PAGE
Easement	04-22-96	N/A	Lee County Board of County Commissioners	PB 58 Pg. 5

2. The UAO shall continue to have all rights under the UAO'S real property interest document identified above, except that the use of the real property shall be subject to the control of the FDOT pursuant to paragraph 3 hereof.

3. The FDOT shall have the right to control the UAO's use of the real property interest created by the document identified above in the following manner:

a. The FDOT may require, for any present or future transportation facility project, that any facilities of the UAO be located, protected, adjusted, or removed as the FDOT determines is necessary (including the timing of any of such activities) to accommodate the transportation facility project. The UAO shall have the right to engage in additional protective measures during the transportation facility project beyond what the FDOT determines is necessary, provided that the cost of any such additional protective measures shall be borne by the UAO.

b. The UAO shall operate and maintain the UAO's facilities located on the real property in accordance with FDOT standards as set forth in the FDOT's then current Utility Accommodation Manual.

c. Any placement of new facilities or adjustment, upgrading, removal, or relocation of the UAO's facilities proposed by the UAO shall be subject to the prior approval of the FDOT as provided in and under the conditions of the FDOT's then current Utility Accommodation Manual. Approval will be granted through the issuance of a utility permit.

4. In the event the FDOT exercises its rights under paragraph 3 hereof and the exercise of those rights creates costs that the UAO would normally not have incurred had this subordination not been executed, the FDOT will bear the excess costs. Such costs shall include, but not necessarily be limited to, damage to the UAO's facilities resulting from failure of FDOT's protective measures where the UAO has not elected to undertake additional protective measures pursuant to subparagraph 3.a. hereof or the adjustment, relocation or removal of the UAO's facilities as the result of FDOT's activities. The specific arrangement for FDOT bearing the excess costs shall be by separate agreement.

IN WITNESS WHEREOF, the FDOT hereto has executed this agreement on the day and year first above written.

Executed in our presence
as witnesses:

STATE OF FLORIDA
DEPARTMENT OF
TRANSPORTATION

Signature

Print/Type Name

Signature

Print/Type Name

By: _____
District Secretary/Designee
for District One

Approved as to Form and
Legality:

Department Attorney

STATE OF FLORIDA
COUNTY OF _____

The foregoing instrument was acknowledged before me this
____ day of _____, 20__ by _____,
District Secretary/Designee for District One. He is personally
known to me or has produced _____
as identification.

(Affix Seal/Stamp here) Notary Signature: _____

Printed Name: _____

Notary Public in and for
the County and State last
aforesaid.
My Commission Expires:

Serial No.: _____

IN WITNESS WHEREOF, the County has caused these presents to be executed in its name by its Board of County Commissioners acting by the Chairperson or Vice-Chairperson of said Board, the day and year aforesaid.

ATTEST:
CHARLIE GREEN, EX-OFFICIO CLERK

BOARD OF COUNTY COMMISSIONERS
LEE COUNTY, FLORIDA

By: _____
Deputy Clerk

By: _____
Chair

Grantor(s) Mailing Address:

P.O. Box 398
Ft. Myers, FL 33902

APPROVED AS TO FORM:

Office of the County Attorney
Lee County, Florida

F.P. NO. 4080401

SECTION 12011-000

PARCEL 107

That portion of Lot 2, Central Metropolitan Commercial Center South, a subdivision in Section 30, Township 45 South, Range 25 East, as per plat thereof recorded in Plat Book 58, Page 5, Public Records of Lee County, Florida.

Being described as follows:

BEGIN at the southeast corner of said Lot 2; thence along the south line of said Lot 2, South 89°21'19" West a distance of 12.50 feet; thence North 00°38'41" West a distance of 159.97 feet to the north line of said Lot 2; thence along said north line North 89°21'19" East a distance of 12.50 feet to the northeast corner of said Lot 2; thence along the east line of said Lot 2, South 00°38'41" East a distance of 159.97 feet to the POINT OF BEGINNING.

Containing 2,000 square feet.

Legal Description Approved by:

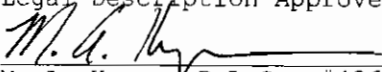

M. A. Kyser, P.L.S. #4366
Date: July 11, 2005
NOT VALID UNLESS EMBOSSED



EXHIBIT "A"

Page 5

UTL.03

Date: July 11, 2005
This instrument prepared under the direction of:
Bruce P. Cury, General Counsel
Post Office Box 1249
City: Bartow, Florida 33830
Department of Transportation

F.P. NO. 4080401
PARCEL 107.4
SECTION 12011-000
STATE ROAD 739
COUNTY Lee

R E S O L U T I O N

ON MOTION of Commissioner _____,
seconded by Commissioner _____,
the following Resolution was adopted:

WHEREAS, the State of Florida Department of Transportation proposes to construct or improve State Road No. 739, Section No. 12011-000, in Lee County, Florida: and

WHEREAS, it is necessary that certain easement rights now owned by Lee County be subordinated to the State of Florida Department of Transportation: and

WHEREAS, said subordination is in the best interest of the County: and

WHEREAS, the State of Florida Department of Transportation has made application to said County to execute and deliver to the State of Florida Department of Transportation a subordination of utility interest, or interests, in favor of the State of Florida, and said request having been duly considered.

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Lee County, that the application of the State of Florida Department of Transportation for a subordination of utility interest, or interests, is for transportation purposes which are in the public or community interest and for public welfare; that a subordination of utility interest, or interests, in favor of the State of Florida Department of Transportation, in Lee County, should be drawn and executed by this Board of County Commissioners. Consideration shall be \$ 1.00.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded forthwith to the State of Florida Department of Transportation at Bartow, Florida.

STATE OF FLORIDA

COUNTY OF _____

I HEREBY CERTIFY that the foregoing is a true copy of a Resolution adopted by the Board of County Commissioners Lee County, Florida at a meeting held on the _____ day of _____, 20____.

Clerk: Lisa L. Pierce
Board of County Commissioners
Lee County, Florida

ATTEST:
CHARLIE GREEN, EX-OFFICIO CLERK

BOARD OF COUNTY COMMISSIONERS
LEE COUNTY, FLORIDA

By: _____
Deputy Clerk

By: _____
Chairperson

APPROVED AS TO FORM:

David Owen, County Attorney
Office of the County Attorney
Lee County, Florida

23-UTL.02-07/99

Date: February 14, 2005
This instrument prepared
under the direction of:
Bruce P. Cury, General Counsel
Post Office Box 1249
City: Bartow, Florida 33830
Department of Transportation

F.P. NO. 4080401
PARCEL 109.2
SECTION 12011-000
STATE ROAD 739
COUNTY Lee

SUBORDINATION OF COUNTY UTILITY INTERESTS

THIS AGREEMENT, entered into this ____ day of _____, 20____, by and between the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, hereinafter called the FDOT, whose post office address is: Post Office Box 1249, Bartow, Florida 33831-1249 and LEE COUNTY BOARD OF COUNTY COMMISSIONERS, Utility Agency Organization, hereinafter called the UAO.

W I T N E S S E T H:

WHEREAS, the UAO presently has an interest in certain real property that is needed for a transportation facility; and

WHEREAS, the proposed use of the real property requires subordination of the UAO's interest to the FDOT; and

WHEREAS, the FDOT is willing to participate in the cost of locating, protecting, adjusting or removing the UAO'S facilities if necessary to prevent conflict between the UAO's facilities and the transportation facility;

NOW, THEREFORE, in consideration of the premises and the mutual covenants contained herein, the FDOT and the UAO hereby agree as follows:

1. The UAO hereby subordinates to the interest of FDOT, its successors, or assigns, any and all interest the UAO has in the real property described as follows:

SEE EXHIBIT "A"

The interest of the UAO being subordinated hereby includes, but is not necessarily limited to, the interest created by the following document:

RECORDED

INSTRUMENT	DATE	FROM	TO	O.R. BOOK/PAGE
Easement	12-21-99	Metro Land Group, L.L.C.	Lee County Board of County Commissioners	OR 3207 Pg. 0954

2. The UAO shall continue to have all rights under the UAO'S real property interest document identified above, except that the use of the real property shall be subject to the control of the FDOT pursuant to paragraph 3 hereof.

3. The FDOT shall have the right to control the UAO's use of the real property interest created by the document identified above in the following manner:

a. The FDOT may require, for any present or future transportation facility project, that any facilities of the UAO be located, protected, adjusted, or removed as the FDOT determines is necessary (including the timing of any of such activities) to accommodate the transportation facility project. The UAO shall have the right to engage in additional protective measures during the transportation facility project beyond what the FDOT determines is necessary, provided that the cost of any such additional protective measures shall be borne by the UAO.

b. The UAO shall operate and maintain the UAO's facilities located on the real property in accordance with FDOT standards as set forth in the FDOT's then current Utility Accommodation Manual.

c. Any placement of new facilities or adjustment, upgrading, removal, or relocation of the UAO's facilities proposed by the UAO shall be subject to the prior approval of the FDOT as provided in and under the conditions of the FDOT's then current Utility Accommodation Manual. Approval will be granted through the issuance of a utility permit.

4. In the event the FDOT exercises its rights under paragraph 3 hereof and the exercise of those rights creates costs that the UAO would normally not have incurred had this subordination not been executed, the FDOT will bear the excess costs. Such costs shall include, but not necessarily be limited to, damage to the UAO's facilities resulting from failure of FDOT's protective measures where the UAO has not elected to undertake additional protective measures pursuant to subparagraph 3.a. hereof or the adjustment, relocation or removal of the UAO's facilities as the result of FDOT's activities. The specific arrangement for FDOT bearing the excess costs shall be by separate agreement.

IN WITNESS WHEREOF, the FDOT hereto has executed this agreement on the day and year first above written.

Executed in our presence
as witnesses:

STATE OF FLORIDA
DEPARTMENT OF
TRANSPORTATION

Signature

By: _____
District Secretary/Designee
for District One

Print/Type Name

Approved as to Form and
Legality:

Signature

Print/Type Name

Department Attorney

STATE OF FLORIDA

COUNTY OF _____

The foregoing instrument was acknowledged before me this
____ day of _____, 20__ by _____,
District Secretary/Designee for District One. He is personally
known to me or has produced _____
as identification.

(Affix Seal/Stamp here) Notary Signature: _____

Printed Name: _____

Notary Public in and for
the County and State last
aforesaid.

My Commission Expires:

Serial No.: _____

IN WITNESS WHEREOF, the County has caused these presents to be executed in its name by its Board of County Commissioners acting by the Chairperson or Vice-Chairperson of said Board, the day and year aforesaid.

ATTEST:
CHARLIE GREEN, EX-OFFICIO CLERK

BOARD OF COUNTY COMMISSIONERS
LEE COUNTY, FLORIDA

By: _____
Deputy Clerk

By: _____
Chair

Grantor(s) Mailing Address:
P.O. Box 398
Ft. Myers, FL 33902

APPROVED AS TO FORM:

Office of the County Attorney
Lee County, Florida

F.P. NO. 4080401

SECTION 12011-000

PARCEL 109

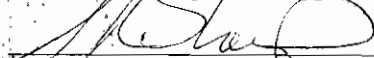
That portion of the northwest 1/4 of Section 30, Township 45 South, Range 25 East, Lee County, Florida.

Being described as follows:

Commence at the southeast corner of the northwest 1/4 of said Section 30; thence along the south line of said southwest 1/4, South 88°55'08" West a distance of 1,914.41 feet to the survey base line of State Road 739 (Metro Parkway); thence along said survey base line North 00°38'41" West a distance of 660.79 feet; thence North 88°56'47" East a distance of 50.00 feet to the easterly existing right of way line of said State Road 739 (per Section 12011-0000) for a POINT OF BEGINNING; thence along said easterly existing right of way line North 00°38'41" West a distance of 660.98 feet; thence North 88°58'12" East a distance of 12.50 feet; thence South 00°38'41" East a distance of 660.97 feet; thence South 88°56'47" West a distance of 12.50 feet to the POINT OF BEGINNING.

Containing 8,262 square feet.

Legal Description Approved by:



L. R. Sharp P.L.S. #4388

Date: FEBRUARY 14, 2005

NOT VALID UNLESS EMBOSSED

EXHIBIT "A"

Page 5

UTL.03

Date: February 14, 2005
This instrument prepared
under the direction of:
Bruce P. Cury, General Counsel
Post Office Box 1249
City: Bartow, Florida 33830
Department of Transportation

F.P. NO. 4080401
PARCEL 109.2
SECTION 12011-000
STATE ROAD 739
COUNTY Lee

R E S O L U T I O N

ON MOTION of Commissioner _____,
seconded by Commissioner _____,
the following Resolution was adopted:

WHEREAS, the State of Florida Department of Transportation
proposes to construct or improve State Road No. 739, Section No.
12011-000, in Lee County, Florida: and

WHEREAS, it is necessary that certain easement rights now
owned by Lee County be subordinated to the
State of Florida Department of Transportation: and

WHEREAS, said subordination is in the best interest of the
County: and

WHEREAS, the State of Florida Department of Transportation
has made application to said County to execute and deliver to the
State of Florida Department of Transportation a subordination of
utility interest, or interests, in favor of the State of Florida,
and said request having been duly considered.

NOW THEREFORE, BE IT RESOLVED by the Board of County
Commissioners of Lee County, that the application
of the State of Florida Department of Transportation for a
subordination of utility interest, or interests, is for
transportation purposes which are in the public or community
interest and for public welfare; that a subordination of utility
interest, or interests, in favor of the State of Florida
Department of Transportation, in Lee County,
should be drawn and executed by this Board of County
Commissioners. Consideration shall be \$ 1.00.

BE IT FURTHER RESOLVED that a certified copy of this Resolution
be forwarded forthwith to the State of Florida Department of
Transportation at Bartow, Florida.

STATE OF FLORIDA

COUNTY OF _____

I HEREBY CERTIFY that the foregoing is a true copy of a Resolution adopted by the Board of County Commissioners Lee County, Florida at a meeting held on the _____ day of _____, 20____.

Clerk: Lisa L. Pierce
Board of County Commissioners
Lee County, Florida

ATTEST:
CHARLIE GREEN, EX-OFFICIO CLERK

BOARD OF COUNTY COMMISSIONERS
LEE COUNTY, FLORIDA

By: _____
Deputy Clerk

By: _____
Chairperson

APPROVED AS TO FORM:

David Owen, County Attorney
Office of the County Attorney
Lee County, Florida

23-UTL.02-07/99

Date: October 5, 2005
This instrument prepared under the direction of:
Bruce P. Cury, General Counsel
Post Office Box 1249
City: Bartow, Florida 33830
Department of Transportation

F.P. NO. 4080401
PARCEL 110.4
SECTION 12011-000
STATE ROAD 739
COUNTY Lee

SUBORDINATION OF COUNTY UTILITY INTERESTS

THIS AGREEMENT, entered into this ____ day of _____, 20 ____, by and between the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, hereinafter called the FDOT, whose post office address is: Post Office Box 1249, Bartow, Florida 33831-1249 and LEE COUNTY BOARD OF COUNTY COMMISSIONERS, Utility Agency Organization, hereinafter called the UAO.

W I T N E S S E T H:

WHEREAS, the UAO presently has an interest in certain real property that is needed for a transportation facility; and

WHEREAS, the proposed use of the real property requires subordination of the UAO's interest to the FDOT; and

WHEREAS, the FDOT is willing to participate in the cost of locating, protecting, adjusting or removing the UAO'S facilities if necessary to prevent conflict between the UAO's facilities and the transportation facility;

NOW, THEREFORE, in consideration of the premises and the mutual covenants contained herein, the FDOT and the UAO hereby agree as follows:

1. The UAO hereby subordinates to the interest of FDOT, its successors, or assigns, any and all interest the UAO has in the real property described as follows:

SEE EXHIBIT "A"

The interest of the UAO being subordinated hereby includes, but is not necessarily limited to, the interest created by the following document:

RECORDED

INSTRUMENT	DATE	FROM	TO	O.R. BOOK/PAGE
Easement	07-02-90	N/A	Lee County Board of County Commissioners	PB 45 Pg. 80

2. The UAO shall continue to have all rights under the UAO'S real property interest document identified above, except that the use of the real property shall be subject to the control of the FDOT pursuant to paragraph 3 hereof.

3. The FDOT shall have the right to control the UAO's use of the real property interest created by the document identified above in the following manner:

a. The FDOT may require, for any present or future transportation facility project, that any facilities of the UAO be located, protected, adjusted, or removed as the FDOT determines is necessary (including the timing of any of such activities) to accommodate the transportation facility project. The UAO shall have the right to engage in additional protective measures during the transportation facility project beyond what the FDOT determines is necessary, provided that the cost of any such additional protective measures shall be borne by the UAO.

b. The UAO shall operate and maintain the UAO's facilities located on the real property in accordance with FDOT standards as set forth in the FDOT's then current Utility Accommodation Manual.

c. Any placement of new facilities or adjustment, upgrading, removal, or relocation of the UAO's facilities proposed by the UAO shall be subject to the prior approval of the FDOT as provided in and under the conditions of the FDOT's then current Utility Accommodation Manual. Approval will be granted through the issuance of a utility permit.

4. In the event the FDOT exercises its rights under paragraph 3 hereof and the exercise of those rights creates costs that the UAO would normally not have incurred had this subordination not been executed, the FDOT will bear the excess costs. Such costs shall include, but not necessarily be limited to, damage to the UAO's facilities resulting from failure of FDOT's protective measures where the UAO has not elected to undertake additional protective measures pursuant to subparagraph 3.a. hereof or the adjustment, relocation or removal of the UAO's facilities as the result of FDOT's activities. The specific arrangement for FDOT bearing the excess costs shall be by separate agreement.

IN WITNESS WHEREOF, the FDOT hereto has executed this agreement on the day and year first above written.

Executed in our presence
as witnesses:

STATE OF FLORIDA
DEPARTMENT OF
TRANSPORTATION

Signature

By: _____
District Secretary/Designee
for District One

Print/Type Name

Approved as to Form and
Legality:

Signature

Print/Type Name

Department Attorney

STATE OF FLORIDA

COUNTY OF _____

The foregoing instrument was acknowledged before me this
____ day of _____, 20__ by _____,
District Secretary/Designee for District One. He is personally
known to me or has produced _____
as identification.

(Affix Seal/Stamp here) Notary Signature: _____

Printed Name: _____

Notary Public in and for
the County and State last
aforesaid.
My Commission Expires:

Serial No.: _____

IN WITNESS WHEREOF, the County has caused these presents to be executed in its name by its Board of County Commissioners acting by the Chairperson or Vice-Chairperson of said Board, the day and year aforesaid.

ATTEST:
CHARLIE GREEN, EX-OFFICIO CLERK

BOARD OF COUNTY COMMISSIONERS
LEE COUNTY, FLORIDA

By: _____
Deputy Clerk

By: _____
Chair

Grantor(s) Mailing Address:
P.O. Box 398
Ft. Myers, FL 33902

APPROVED AS TO FORM:

Office of the County Attorney
Lee County, Florida

F.P. NO. 4080401

SECTION 12011-000

PARCEL 110

That portion of Lot 6, Central Metropolitan Commercial Center, a subdivision in Section 30, Township 45 South, Range 25 East, as per plat thereof recorded in Plat Book 45, Page 80, Public Records of Lee County, Florida.

Being described as follows:

BEGIN at the southeast corner of said Lot 6; thence along the south line of said Lot 6, South 88°58'12" West a distance of 12.50 feet; thence North 00°38'41" West a distance of 220.04 feet to the north line of said Lot 6; thence along said north line North 89°21'19" East a distance of 12.50 feet to the northeast corner of said Lot 6; thence along the east line of said Lot 6, South 00°38'41" East a distance of 219.96 feet to the POINT OF BEGINNING.

Containing 2,750 square feet.

Legal Description Approved by:

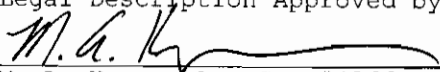

M. A. Kyser, P.L.S. #4366
Date: September 16, 2005
NOT VALID UNLESS EMBOSSED



EXHIBIT "A"

Page 5

UTL.03

Date: September 16, 2005
This instrument prepared under the direction of:
Bruce P. Cury, General Counsel
Post Office Box 1249
City: Bartow, Florida 33830
Department of Transportation

F.P. NO. 4080401
PARCEL 110.4
SECTION 12011-000
STATE ROAD 739
COUNTY Lee

R E S O L U T I O N

ON MOTION of Commissioner _____,
seconded by Commissioner _____,
the following Resolution was adopted:

WHEREAS, the State of Florida Department of Transportation proposes to construct or improve State Road No. 739, Section No. 12011-000, in Lee County, Florida: and

WHEREAS, it is necessary that certain easement rights now owned by Lee County be subordinated to the State of Florida Department of Transportation: and

WHEREAS, said subordination is in the best interest of the County: and

WHEREAS, the State of Florida Department of Transportation has made application to said County to execute and deliver to the State of Florida Department of Transportation a subordination of utility interest, or interests, in favor of the State of Florida, and said request having been duly considered.

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Lee County, that the application of the State of Florida Department of Transportation for a subordination of utility interest, or interests, is for transportation purposes which are in the public or community interest and for public welfare; that a subordination of utility interest, or interests, in favor of the State of Florida Department of Transportation, in Lee County, should be drawn and executed by this Board of County Commissioners. Consideration shall be \$1.00.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded forthwith to the State of Florida Department of Transportation at Bartow, Florida.

STATE OF FLORIDA

COUNTY OF _____

I HEREBY CERTIFY that the foregoing is a true copy of a Resolution adopted by the Board of County Commissioners Lee County, Florida at a meeting held on the _____ day of _____, 20____.

Clerk: Lisa L. Pierce
Board of County Commissioners
Lee County, Florida

ATTEST:
CHARLIE GREEN, EX-OFFICIO CLERK

BOARD OF COUNTY COMMISSIONERS
LEE COUNTY, FLORIDA

By: _____
Deputy Clerk

By: _____
Chairperson

APPROVED AS TO FORM:

David Owen, County Attorney
Office of the County Attorney
Lee County, Florida

23-UTL.02-07/99

Date: October 5, 2005	F.P. NO. 4080401
This instrument prepared	PARCEL 111.4
under the direction of:	SECTION 12011-000
Bruce P. Cury, General Counsel	STATE ROAD 739
Post Office Box 1249	COUNTY Lee
City: Bartow, Florida 33830	
Department of Transportation	

SUBORDINATION OF COUNTY UTILITY INTERESTS

THIS AGREEMENT, entered into this ____ day of _____, 20 ____, by and between the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, hereinafter called the FDOT, whose post office address is: Post Office Box 1249, Bartow, Florida 33831-1249 and LEE COUNTY BOARD OF COUNTY COMMISSIONERS, Utility Agency Organization, hereinafter called the UAO.

W I T N E S S E T H:

WHEREAS, the UAO presently has an interest in certain real property that is needed for a transportation facility; and

WHEREAS, the proposed use of the real property requires subordination of the UAO's interest to the FDOT; and

WHEREAS, the FDOT is willing to participate in the cost of locating, protecting, adjusting or removing the UAO'S facilities if necessary to prevent conflict between the UAO's facilities and the transportation facility;

NOW, THEREFORE, in consideration of the premises and the mutual covenants contained herein, the FDOT and the UAO hereby agree as follows:

1. The UAO hereby subordinates to the interest of FDOT, its successors, or assigns, any and all interest the UAO has in the real property described as follows:

SEE EXHIBIT "A"

The interest of the UAO being subordinated hereby includes, but is not necessarily limited to, the interest created by the following document:

RECORDED

INSTRUMENT	DATE	FROM	TO	O.R. BOOK/PAGE
Easement	07-02-90	N/A	Lee County Board of County Commissioners	PB 45 Pg. 80

2. The UAO shall continue to have all rights under the UAO'S real property interest document identified above, except that the use of the real property shall be subject to the control of the FDOT pursuant to paragraph 3 hereof.

3. The FDOT shall have the right to control the UAO's use of the real property interest created by the document identified above in the following manner:

a. The FDOT may require, for any present or future transportation facility project, that any facilities of the UAO be located, protected, adjusted, or removed as the FDOT determines is necessary (including the timing of any of such activities) to accommodate the transportation facility project. The UAO shall have the right to engage in additional protective measures during the transportation facility project beyond what the FDOT determines is necessary, provided that the cost of any such additional protective measures shall be borne by the UAO.

b. The UAO shall operate and maintain the UAO's facilities located on the real property in accordance with FDOT standards as set forth in the FDOT's then current Utility Accommodation Manual.

c. Any placement of new facilities or adjustment, upgrading, removal, or relocation of the UAO's facilities proposed by the UAO shall be subject to the prior approval of the FDOT as provided in and under the conditions of the FDOT's then current Utility Accommodation Manual. Approval will be granted through the issuance of a utility permit.

4. In the event the FDOT exercises its rights under paragraph 3 hereof and the exercise of those rights creates costs that the UAO would normally not have incurred had this subordination not been executed, the FDOT will bear the excess costs. Such costs shall include, but not necessarily be limited to, damage to the UAO's facilities resulting from failure of FDOT's protective measures where the UAO has not elected to undertake additional protective measures pursuant to subparagraph 3.a. hereof or the adjustment, relocation or removal of the UAO's facilities as the result of FDOT's activities. The specific arrangement for FDOT bearing the excess costs shall be by separate agreement.

IN WITNESS WHEREOF, the FDOT hereto has executed this agreement on the day and year first above written.

Executed in our presence
as witnesses:

STATE OF FLORIDA
DEPARTMENT OF
TRANSPORTATION

Signature

By: _____
District Secretary/Designee
for District One

Print/Type Name

Approved as to Form and
Legality:

Signature

Print/Type Name

Department Attorney

STATE OF FLORIDA

COUNTY OF _____

The foregoing instrument was acknowledged before me this
____ day of _____, 20__ by _____,
District Secretary/Designee for District One. He is personally
known to me or has produced _____
as identification.

(Affix Seal/Stamp here) Notary Signature: _____

Printed Name: _____

Notary Public in and for
the County and State last
aforesaid.

My Commission Expires:

Serial No.: _____

IN WITNESS WHEREOF, the County has caused these presents to be executed in its name by its Board of County Commissioners acting by the Chairperson or Vice-Chairperson of said Board, the day and year aforesaid.

ATTEST:
CHARLIE GREEN, EX-OFFICIO CLERK

BOARD OF COUNTY COMMISSIONERS
LEE COUNTY, FLORIDA

By: _____
Deputy Clerk

By: _____
Chair

Grantor(s) Mailing Address:
P.O. Box 398
Ft. Myers, FL 33902

APPROVED AS TO FORM:

Office of the County Attorney
Lee County, Florida

F.P. NO. 4080401

SECTION 12011-000

PARCEL 111

That portion of Lot 5, Central Metropolitan Commercial Center, a subdivision in Section 30, Township 45 South, Range 25 East, as per plat thereof recorded in Plat Book 45, Page 80, Public Records of Lee County, Florida.

Being described as follows:

BEGIN at the southeast corner of said Lot 5; thence along the south line of said Lot 5, South 89°21'19" West a distance of 12.50 feet; thence North 00°38'41" West a distance of 160.98 feet to the north line of said Lot 5; thence along said north line North 89°21'19" East a distance of 12.50 feet to the northeast corner of said Lot 5; thence along the east line of said Lot 5, South 00°38'41" East a distance of 160.98 feet to the POINT OF BEGINNING.

Containing 2,012 square feet.

Legal Description Approved by:



M. A. Kyser, P.L.S. #4366
Date: September 16, 2005
NOT VALID UNLESS EMBOSSED



EXHIBIT "A"

Page 5

UTL.03

Date: September 16, 2005
This instrument prepared
under the direction of:
Bruce P. Cury, General Counsel
Post Office Box 1249
City: Bartow, Florida 33830
Department of Transportation

F.P. NO. 4080401
PARCEL 111.4
SECTION 12011-000
STATE ROAD 739
COUNTY Lee

R E S O L U T I O N

ON MOTION of Commissioner _____,
seconded by Commissioner _____,
the following Resolution was adopted:

WHEREAS, the State of Florida Department of Transportation
proposes to construct or improve State Road No. 739, Section No.
12011-000, in Lee County, Florida: and

WHEREAS, it is necessary that certain easement rights now
owned by Lee County be subordinated to the
State of Florida Department of Transportation: and

WHEREAS, said subordination is in the best interest of the
County: and

WHEREAS, the State of Florida Department of Transportation
has made application to said County to execute and deliver to the
State of Florida Department of Transportation a subordination of
utility interest, or interests, in favor of the State of Florida,
and said request having been duly considered.

NOW THEREFORE, BE IT RESOLVED by the Board of County
Commissioners of Lee County, that the application
of the State of Florida Department of Transportation for a
subordination of utility interest, or interests, is for
transportation purposes which are in the public or community
interest and for public welfare; that a subordination of utility
interest, or interests, in favor of the State of Florida
Department of Transportation, in Lee County,
should be drawn and executed by this Board of County
Commissioners. Consideration shall be \$ 1.00.

BE IT FURTHER RESOLVED that a certified copy of this Resolution
be forwarded forthwith to the State of Florida Department of
Transportation at Bartow, Florida.

STATE OF FLORIDA

COUNTY OF _____

I HEREBY CERTIFY that the foregoing is a true copy of a Resolution adopted by the Board of County Commissioners Lee County, Florida at a meeting held on the _____ day of _____, 20____.

Clerk: Lisa L. Pierce
Board of County Commissioners
Lee County, Florida

ATTEST:
CHARLIE GREEN, EX-OFFICIO CLERK

BOARD OF COUNTY COMMISSIONERS
LEE COUNTY, FLORIDA

By: _____
Deputy Clerk

By: _____
Chairperson

APPROVED AS TO FORM:

David Owen, County Attorney
Office of the County Attorney
Lee County, Florida

23-UTL.02-07/99

Date: October 5, 2005
This instrument prepared under the direction of:
Bruce P. Cury, General Counsel
Post Office Box 1249
City: Bartow, Florida 33830
Department of Transportation

F.P. NO. 4080401
PARCEL 112.3
SECTION 12011-000
STATE ROAD 739
COUNTY Lee

SUBORDINATION OF COUNTY UTILITY INTERESTS

THIS AGREEMENT, entered into this ____ day of _____, 20__, by and between the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, hereinafter called the FDOT, whose post office address is: Post Office Box 1249, Bartow, Florida 33831-1249 and LEE COUNTY BOARD OF COUNTY COMMISSIONERS, Utility Agency Organization, hereinafter called the UAO.

W I T N E S S E T H:

WHEREAS, the UAO presently has an interest in certain real property that is needed for a transportation facility; and

WHEREAS, the proposed use of the real property requires subordination of the UAO's interest to the FDOT; and

WHEREAS, the FDOT is willing to participate in the cost of locating, protecting, adjusting or removing the UAO'S facilities if necessary to prevent conflict between the UAO's facilities and the transportation facility;

NOW, THEREFORE, in consideration of the premises and the mutual covenants contained herein, the FDOT and the UAO hereby agree as follows:

1. The UAO hereby subordinates to the interest of FDOT, its successors, or assigns, any and all interest the UAO has in the real property described as follows:

SEE EXHIBIT "A"

The interest of the UAO being subordinated hereby includes, but is not necessarily limited to, the interest created by the following document:

RECORDED

INSTRUMENT	DATE	FROM	TO	O.R. BOOK/PAGE
Easement	07-02-90	N/A	Lee County Board of County Commissioners	PB 45 Pg. 80

2. The UAO shall continue to have all rights under the UAO'S real property interest document identified above, except that the use of the real property shall be subject to the control of the FDOT pursuant to paragraph 3 hereof.

3. The FDOT shall have the right to control the UAO's use of the real property interest created by the document identified above in the following manner:

a. The FDOT may require, for any present or future transportation facility project, that any facilities of the UAO be located, protected, adjusted, or removed as the FDOT determines is necessary (including the timing of any of such activities) to accommodate the transportation facility project. The UAO shall have the right to engage in additional protective measures during the transportation facility project beyond what the FDOT determines is necessary, provided that the cost of any such additional protective measures shall be borne by the UAO.

b. The UAO shall operate and maintain the UAO's facilities located on the real property in accordance with FDOT standards as set forth in the FDOT's then current Utility Accommodation Manual.

c. Any placement of new facilities or adjustment, upgrading, removal, or relocation of the UAO's facilities proposed by the UAO shall be subject to the prior approval of the FDOT as provided in and under the conditions of the FDOT's then current Utility Accommodation Manual. Approval will be granted through the issuance of a utility permit.

4. In the event the FDOT exercises its rights under paragraph 3 hereof and the exercise of those rights creates costs that the UAO would normally not have incurred had this subordination not been executed, the FDOT will bear the excess costs. Such costs shall include, but not necessarily be limited to, damage to the UAO's facilities resulting from failure of FDOT's protective measures where the UAO has not elected to undertake additional protective measures pursuant to subparagraph 3.a. hereof or the adjustment, relocation or removal of the UAO's facilities as the result of FDOT's activities. The specific arrangement for FDOT bearing the excess costs shall be by separate agreement.

IN WITNESS WHEREOF, the FDOT hereto has executed this agreement on the day and year first above written.

Executed in our presence
as witnesses:

STATE OF FLORIDA
DEPARTMENT OF
TRANSPORTATION

Signature

Print/Type Name

Signature

Print/Type Name

By: _____
District Secretary/Designee
for District One

Approved as to Form and
Legality:

Department Attorney

STATE OF FLORIDA
COUNTY OF _____

The foregoing instrument was acknowledged before me this
____ day of _____, 20__ by _____,
District Secretary/Designee for District One. He is personally
known to me or has produced _____
as identification.

(Affix Seal/Stamp here) Notary Signature: _____

Printed Name: _____

Notary Public in and for
the County and State last
aforesaid.
My Commission Expires:

Serial No.: _____

IN WITNESS WHEREOF, the County has caused these presents to be executed in its name by its Board of County Commissioners acting by the Chairperson or Vice-Chairperson of said Board, the day and year aforesaid.

ATTEST:
CHARLIE GREEN, EX-OFFICIO CLERK

BOARD OF COUNTY COMMISSIONERS
LEE COUNTY, FLORIDA

By: _____
Deputy Clerk

By: _____
Chair

Grantor(s) Mailing Address:
P.O. Box 398
Ft. Myers, FL 33902

APPROVED AS TO FORM:

Office of the County Attorney
Lee County, Florida

F.P. NO. 4080401

SECTION 12011-000

PARCEL 112

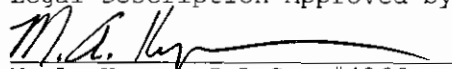
That portion of Lot 4, Central Metropolitan Commercial Center, a subdivision in Section 30, Township 45 South, Range 25 East, as per plat thereof recorded in Plat Book 45, Page 80, Public Records of Lee County, Florida.

Being described as follows:

BEGIN at the southeast corner of said Lot 4; thence along the south line of said Lot 4, South 89°21'19" West a distance of 12.50 feet; thence North 00°38'41" West a distance of 224.88 feet to the north line of said Lot 4; thence along said north line North 88°59'28" East a distance of 12.50 feet to the northeast corner of said Lot 4; thence along the east line of said Lot 4, South 00°38'41" East a distance of 224.96 feet to the POINT OF BEGINNING.

Containing 2,811 square feet.

Legal Description Approved by:


M. A. Kyser, P.L.S. #4366
Date: September 16, 2005
NOT VALID UNLESS EMBOSSED

UTL.03

Date: September 16, 2005
This instrument prepared
under the direction of:
Bruce P. Cury, General Counsel
Post Office Box 1249
City: Bartow, Florida 33830
Department of Transportation

F.P. NO. 4080401
PARCEL 112.3
SECTION 12011-000
STATE ROAD 739
COUNTY Lee

R E S O L U T I O N

ON MOTION of Commissioner _____,
seconded by Commissioner _____,
the following Resolution was adopted:

WHEREAS, the State of Florida Department of Transportation proposes to construct or improve State Road No. 739, Section No. 12011-000, in Lee County, Florida: and

WHEREAS, it is necessary that certain easement rights now owned by Lee County be subordinated to the State of Florida Department of Transportation: and

WHEREAS, said subordination is in the best interest of the County: and

WHEREAS, the State of Florida Department of Transportation has made application to said County to execute and deliver to the State of Florida Department of Transportation a subordination of utility interest, or interests, in favor of the State of Florida, and said request having been duly considered.

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Lee County, that the application of the State of Florida Department of Transportation for a subordination of utility interest, or interests, is for transportation purposes which are in the public or community interest and for public welfare; that a subordination of utility interest, or interests, in favor of the State of Florida Department of Transportation, in Lee County, should be drawn and executed by this Board of County Commissioners. Consideration shall be \$ 1.00.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded forthwith to the State of Florida Department of Transportation at Bartow, Florida.

STATE OF FLORIDA

COUNTY OF _____

I HEREBY CERTIFY that the foregoing is a true copy of a Resolution adopted by the Board of County Commissioners Lee County, Florida at a meeting held on the ____ day of _____, 20____.

Clerk: Lisa L. Pierce
Board of County Commissioners
Lee County, Florida

ATTEST:
CHARLIE GREEN, EX-OFFICIO CLERK

BOARD OF COUNTY COMMISSIONERS
LEE COUNTY, FLORIDA

By: _____
Deputy Clerk

By: _____
Chairperson

APPROVED AS TO FORM:

David Owen, County Attorney
Office of the County Attorney
Lee County, Florida

23-UTL.02-07/99

Date: October 5, 2005
This instrument prepared under the direction of:
Bruce P. Cury, General Counsel
Post Office Box 1249
City: Bartow, Florida 33830
Department of Transportation

F.P. NO. 4080401
PARCEL 113.3
SECTION 12011-000
STATE ROAD 739
COUNTY Lee

SUBORDINATION OF COUNTY UTILITY INTERESTS

THIS AGREEMENT, entered into this ____ day of _____, 20__, by and between the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, hereinafter called the FDOT, whose post office address is: Post Office Box 1249, Bartow, Florida 33831-1249 and LEE COUNTY BOARD OF COUNTY COMMISSIONERS, Utility Agency Organization, hereinafter called the UAO.

W I T N E S S E T H:

WHEREAS, the UAO presently has an interest in certain real property that is needed for a transportation facility; and

WHEREAS, the proposed use of the real property requires subordination of the UAO's interest to the FDOT; and

WHEREAS, the FDOT is willing to participate in the cost of locating, protecting, adjusting or removing the UAO'S facilities if necessary to prevent conflict between the UAO's facilities and the transportation facility;

NOW, THEREFORE, in consideration of the premises and the mutual covenants contained herein, the FDOT and the UAO hereby agree as follows:

1. The UAO hereby subordinates to the interest of FDOT, its successors, or assigns, any and all interest the UAO has in the real property described as follows:

SEE EXHIBIT "A"

The interest of the UAO being subordinated hereby includes, but is not necessarily limited to, the interest created by the following document:

RECORDED

INSTRUMENT	DATE	FROM	TO	O.R. BOOK/PAGE
Easement	07-02-90	N/A	Lee County Board of County Commissioners	PB 45 Pg. 80

2. The UAO shall continue to have all rights under the UAO'S real property interest document identified above, except that the use of the real property shall be subject to the control of the FDOT pursuant to paragraph 3 hereof.

3. The FDOT shall have the right to control the UAO's use of the real property interest created by the document identified above in the following manner:

a. The FDOT may require, for any present or future transportation facility project, that any facilities of the UAO be located, protected, adjusted, or removed as the FDOT determines is necessary (including the timing of any of such activities) to accommodate the transportation facility project. The UAO shall have the right to engage in additional protective measures during the transportation facility project beyond what the FDOT determines is necessary, provided that the cost of any such additional protective measures shall be borne by the UAO.

b. The UAO shall operate and maintain the UAO's facilities located on the real property in accordance with FDOT standards as set forth in the FDOT's then current Utility Accommodation Manual.

c. Any placement of new facilities or adjustment, upgrading, removal, or relocation of the UAO's facilities proposed by the UAO shall be subject to the prior approval of the FDOT as provided in and under the conditions of the FDOT's then current Utility Accommodation Manual. Approval will be granted through the issuance of a utility permit.

4. In the event the FDOT exercises its rights under paragraph 3 hereof and the exercise of those rights creates costs that the UAO would normally not have incurred had this subordination not been executed, the FDOT will bear the excess costs. Such costs shall include, but not necessarily be limited to, damage to the UAO's facilities resulting from failure of FDOT's protective measures where the UAO has not elected to undertake additional protective measures pursuant to subparagraph 3.a. hereof or the adjustment, relocation or removal of the UAO's facilities as the result of FDOT's activities. The specific arrangement for FDOT bearing the excess costs shall be by separate agreement.

IN WITNESS WHEREOF, the FDOT hereto has executed this agreement on the day and year first above written.

Executed in our presence
as witnesses:

STATE OF FLORIDA
DEPARTMENT OF
TRANSPORTATION

Signature

Print/Type Name

Signature

Print/Type Name

By: _____
District Secretary/Designee
for District One

Approved as to Form and
Legality:

Department Attorney

STATE OF FLORIDA
COUNTY OF _____

The foregoing instrument was acknowledged before me this
____ day of _____, 20__ by _____,
District Secretary/Designee for District One. He is personally
known to me or has produced _____
as identification.

(Affix Seal/Stamp here) Notary Signature: _____

Printed Name: _____

Notary Public in and for
the County and State last
aforesaid.
My Commission Expires:

Serial No.: _____

IN WITNESS WHEREOF, the County has caused these presents to be executed in its name by its Board of County Commissioners acting by the Chairperson or Vice-Chairperson of said Board, the day and year aforesaid.

ATTEST:
CHARLIE GREEN, EX-OFFICIO CLERK

BOARD OF COUNTY COMMISSIONERS
LEE COUNTY, FLORIDA

By: _____
Deputy Clerk

By: _____
Chair

Grantor(s) Mailing Address:
P.O. Box 398
Ft. Myers, FL 33902

APPROVED AS TO FORM:

Office of the County Attorney
Lee County, Florida

F.P. NO. 4080401

SECTION 12011-000

PARCEL 113

That portion of Lot 3, Central Metropolitan Commercial Center, a subdivision in Section 30, Township 45 South, Range 25 East, as per plat thereof recorded in Plat Book 45, Page 80, Public Records of Lee County, Florida.

Being described as follows:

BEGIN at the southeast corner of said Lot 3; thence along the south line of said Lot 3, South 88°59'28" West a distance of 12.50 feet; thence North 00°38'41" West a distance of 225.04 feet to the north line of said Lot 3; thence along said north line North 89°21'19" East a distance of 12.50 feet to the northeast corner of said Lot 3; thence along the east line of said Lot 4, South 00°38'41" East a distance of 224.96 feet to the POINT OF BEGINNING.

Containing 2,813 square feet.

Legal Description Approved by:

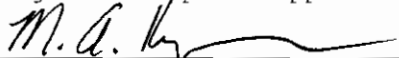

M. A. Kyser, P.L.S. #4366
Date: September 16, 2005
NOT VALID UNLESS EMBOSSED



EXHIBIT "A"

Page 5

UTL.03

Date: September 16, 2005
This instrument prepared
under the direction of:
Bruce P. Cury, General Counsel
Post Office Box 1249
City: Bartow, Florida 33830
Department of Transportation

F.P. NO. 4080401
PARCEL 113.3
SECTION 12011-000
STATE ROAD 739
COUNTY Lee

R E S O L U T I O N

ON MOTION of Commissioner _____,
seconded by Commissioner _____,
the following Resolution was adopted:

WHEREAS, the State of Florida Department of Transportation proposes to construct or improve State Road No. 739, Section No. 12011-000, in Lee County, Florida: and

WHEREAS, it is necessary that certain easement rights now owned by Lee County be subordinated to the State of Florida Department of Transportation: and

WHEREAS, said subordination is in the best interest of the County: and

WHEREAS, the State of Florida Department of Transportation has made application to said County to execute and deliver to the State of Florida Department of Transportation a subordination of utility interest, or interests, in favor of the State of Florida, and said request having been duly considered.

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Lee County, that the application of the State of Florida Department of Transportation for a subordination of utility interest, or interests, is for transportation purposes which are in the public or community interest and for public welfare; that a subordination of utility interest, or interests, in favor of the State of Florida Department of Transportation, in Lee County, should be drawn and executed by this Board of County Commissioners. Consideration shall be \$ 1.00.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded forthwith to the State of Florida Department of Transportation at Bartow, Florida.

STATE OF FLORIDA

COUNTY OF _____

I HEREBY CERTIFY that the foregoing is a true copy of a Resolution adopted by the Board of County Commissioners Lee County, Florida at a meeting held on the _____ day of _____, 20____.

Clerk: Lisa L. Pierce
Board of County Commissioners
Lee County, Florida

ATTEST:
CHARLIE GREEN, EX-OFFICIO CLERK

BOARD OF COUNTY COMMISSIONERS
LEE COUNTY, FLORIDA

By: _____
Deputy Clerk

By: _____
Chairperson

APPROVED AS TO FORM:

David Owen, County Attorney
Office of the County Attorney
Lee County, Florida

23-UTL.02-07/99

Date: October 5, 2005
This instrument prepared
under the direction of:
Bruce P. Cury, General Counsel
Post Office Box 1249
City: Bartow, Florida 33830
Department of Transportation

F.P. NO. 4080401
PARCEL 114.3
SECTION 12011-000
STATE ROAD 739
COUNTY Lee

SUBORDINATION OF COUNTY UTILITY INTERESTS

THIS AGREEMENT, entered into this _____ day of _____,
20___, by and between the STATE OF FLORIDA DEPARTMENT OF
TRANSPORTATION, hereinafter called the FDOT, whose post office
address is: Post Office Box 1249, Bartow, Florida 33831-1249
and LEE COUNTY BOARD OF COUNTY COMMISSIONERS, Utility Agency
Organization, hereinafter called the UAO.

W I T N E S S E T H:

WHEREAS, the UAO presently has an interest in certain real
property that is needed for a transportation facility; and

WHEREAS, the proposed use of the real property requires
subordination of the UAO's interest to the FDOT; and

WHEREAS, the FDOT is willing to participate in the cost of
locating, protecting, adjusting or removing the UAO'S facilities
if necessary to prevent conflict between the UAO's facilities and
the transportation facility;

NOW, THEREFORE, in consideration of the premises and the
mutual covenants contained herein, the FDOT and the UAO hereby
agree as follows:

1. The UAO hereby subordinates to the interest of FDOT, its
successors, or assigns, any and all interest the UAO has in the
real property described as follows:

SEE EXHIBIT "A"

The interest of the UAO being subordinated hereby includes, but is not necessarily limited to, the interest created by the following document:

RECORDED

INSTRUMENT	DATE	FROM	TO	O.R. BOOK/PAGE
Easement	07-02-90	N/A	Lee County Board of County Commissioners	PB 45 Pg. 80

2. The UAO shall continue to have all rights under the UAO'S real property interest document identified above, except that the use of the real property shall be subject to the control of the FDOT pursuant to paragraph 3 hereof.

3. The FDOT shall have the right to control the UAO's use of the real property interest created by the document identified above in the following manner:

a. The FDOT may require, for any present or future transportation facility project, that any facilities of the UAO be located, protected, adjusted, or removed as the FDOT determines is necessary (including the timing of any of such activities) to accommodate the transportation facility project. The UAO shall have the right to engage in additional protective measures during the transportation facility project beyond what the FDOT determines is necessary, provided that the cost of any such additional protective measures shall be borne by the UAO.

b. The UAO shall operate and maintain the UAO's facilities located on the real property in accordance with FDOT standards as set forth in the FDOT's then current Utility Accommodation Manual.

c. Any placement of new facilities or adjustment, upgrading, removal, or relocation of the UAO's facilities proposed by the UAO shall be subject to the prior approval of the FDOT as provided in and under the conditions of the FDOT's then current Utility Accommodation Manual. Approval will be granted through the issuance of a utility permit.

4. In the event the FDOT exercises its rights under paragraph 3 hereof and the exercise of those rights creates costs that the UAO would normally not have incurred had this subordination not been executed, the FDOT will bear the excess costs. Such costs shall include, but not necessarily be limited to, damage to the UAO's facilities resulting from failure of FDOT's protective measures where the UAO has not elected to undertake additional protective measures pursuant to subparagraph 3.a. hereof or the adjustment, relocation or removal of the UAO's facilities as the result of FDOT's activities. The specific arrangement for FDOT bearing the excess costs shall be by separate agreement.

IN WITNESS WHEREOF, the FDOT hereto has executed this agreement on the day and year first above written.

Executed in our presence
as witnesses:

STATE OF FLORIDA
DEPARTMENT OF
TRANSPORTATION

Signature

By: _____
District Secretary/Designee
for District One

Print/Type Name

Approved as to Form and
Legality:

Signature

Print/Type Name

Department Attorney

STATE OF FLORIDA

COUNTY OF _____

The foregoing instrument was acknowledged before me this
____ day of _____, 20__ by _____,
District Secretary/Designee for District One. He is personally
known to me or has produced _____
as identification.

(Affix Seal/Stamp here) Notary Signature: _____

Printed Name: _____

Notary Public in and for
the County and State last
aforesaid.

My Commission Expires:

Serial No.: _____

IN WITNESS WHEREOF, the County has caused these presents to be executed in its name by its Board of County Commissioners acting by the Chairperson or Vice-Chairperson of said Board, the day and year aforesaid.

ATTEST:
CHARLIE GREEN, EX-OFFICIO CLERK

BOARD OF COUNTY COMMISSIONERS
LEE COUNTY, FLORIDA

By: _____
Deputy Clerk

By: _____
Chair

Grantor(s) Mailing Address:
P.O. Box 398
Ft. Myers, FL 33902

APPROVED AS TO FORM:

Office of the County Attorney
Lee County, Florida

F.P. NO. 4080401

SECTION 12011-000

PARCEL 114

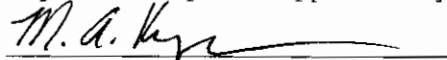
That portion of Lot 2, Central Metropolitan Commercial Center, a subdivision in Section 30, Township 45 South, Range 25 East, as per plat thereof recorded in Plat Book 45, Page 80, Public Records of Lee County, Florida.

Being described as follows:

BEGIN at the southeast corner of said Lot 2; thence along the south line of said Lot 2, South 89°21'19" West a distance of 12.50 feet; thence North 00°38'41" West a distance of 159.97 feet to the north line of said Lot 2; thence along said north line North 89°21'19" East a distance of 12.50 feet to the northeast corner of said Lot 2; thence along the east line of said Lot 2, South 00°38'41" East a distance of 159.97 feet to the POINT OF BEGINNING.

Containing 2,000 square feet.

Legal Description Approved by:



M. A. Kyser P.L.S. #4366

Date: *September 16, 2005*

NOT VALID UNLESS EMBOSSED

EXHIBIT "A"

Page 5

UTL.03

Date: September 16, 2005
This instrument prepared
under the direction of:
Bruce P. Cury, General Counsel
Post Office Box 1249
City: Bartow, Florida 33830
Department of Transportation

F.P. NO. 4080401
PARCEL 113.3
SECTION 12011-000
STATE ROAD 739
COUNTY Lee

R E S O L U T I O N

ON MOTION of Commissioner _____,
seconded by Commissioner _____,
the following Resolution was adopted:

WHEREAS, the State of Florida Department of Transportation proposes to construct or improve State Road No. 739, Section No. 12011-000, in Lee County, Florida: and

WHEREAS, it is necessary that certain easement rights now owned by Lee County be subordinated to the State of Florida Department of Transportation: and

WHEREAS, said subordination is in the best interest of the County: and

WHEREAS, the State of Florida Department of Transportation has made application to said County to execute and deliver to the State of Florida Department of Transportation a subordination of utility interest, or interests, in favor of the State of Florida, and said request having been duly considered.

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Lee County, that the application of the State of Florida Department of Transportation for a subordination of utility interest, or interests, is for transportation purposes which are in the public or community interest and for public welfare; that a subordination of utility interest, or interests, in favor of the State of Florida Department of Transportation, in Lee County, should be drawn and executed by this Board of County Commissioners. Consideration shall be \$ 1.00 .

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded forthwith to the State of Florida Department of Transportation at Bartow, Florida.

STATE OF FLORIDA

COUNTY OF _____

I HEREBY CERTIFY that the foregoing is a true copy of a Resolution adopted by the Board of County Commissioners Lee County, Florida at a meeting held on the _____ day of _____, 20____.

Clerk: Lisa L. Pierce
Board of County Commissioners
Lee County, Florida

ATTEST:
CHARLIE GREEN, EX-OFFICIO CLERK

BOARD OF COUNTY COMMISSIONERS
LEE COUNTY, FLORIDA

By: _____
Deputy Clerk

By: _____
Chairperson

APPROVED AS TO FORM:

David Owen, County Attorney
Office of the County Attorney
Lee County, Florida

23-UTL.02-07/99

Date: February 14, 2005
This instrument prepared
under the direction of:
Bruce P. Cury, General Counsel
Post Office Box 1249
City: Bartow, Florida 33830
Department of Transportation

F.P. NO. 4080401
PARCEL 115.4
SECTION 12011-000
STATE ROAD 739
COUNTY Lee

SUBORDINATION OF COUNTY UTILITY INTERESTS

THIS AGREEMENT, entered into this ____ day of _____,
20__, by and between the STATE OF FLORIDA DEPARTMENT OF
TRANSPORTATION, hereinafter called the FDOT, whose post office
address is: Post Office Box 1249, Bartow, Florida 33831-1249
and LEE COUNTY BOARD OF COUNTY COMMISSIONERS, Utility Agency
Organization, hereinafter called the UAO.

W I T N E S S E T H:

WHEREAS, the UAO presently has an interest in certain real
property that is needed for a transportation facility; and

WHEREAS, the proposed use of the real property requires
subordination of the UAO's interest to the FDOT; and

WHEREAS, the FDOT is willing to participate in the cost of
locating, protecting, adjusting or removing the UAO'S facilities
if necessary to prevent conflict between the UAO's facilities and
the transportation facility;

NOW, THEREFORE, in consideration of the premises and the
mutual covenants contained herein, the FDOT and the UAO hereby
agree as follows:

1. The UAO hereby subordinates to the interest of FDOT, its
successors, or assigns, any and all interest the UAO has in the
real property described as follows:

SEE EXHIBIT "A"

The interest of the UAO being subordinated hereby includes, but is not necessarily limited to, the interest created by the following document:

RECORDED

INSTRUMENT	DATE	FROM	TO	O.R. BOOK/PAGE
Easement	12-21-99	Metro Land Group, L.L.C.	Lee County Board of County Commissioners	OR 3207 Pg. 0954

2. The UAO shall continue to have all rights under the UAO'S real property interest document identified above, except that the use of the real property shall be subject to the control of the FDOT pursuant to paragraph 3 hereof.

3. The FDOT shall have the right to control the UAO's use of the real property interest created by the document identified above in the following manner:

a. The FDOT may require, for any present or future transportation facility project, that any facilities of the UAO be located, protected, adjusted, or removed as the FDOT determines is necessary (including the timing of any of such activities) to accommodate the transportation facility project. The UAO shall have the right to engage in additional protective measures during the transportation facility project beyond what the FDOT determines is necessary, provided that the cost of any such additional protective measures shall be borne by the UAO.

b. The UAO shall operate and maintain the UAO's facilities located on the real property in accordance with FDOT standards as set forth in the FDOT's then current Utility Accommodation Manual.

c. Any placement of new facilities or adjustment, upgrading, removal, or relocation of the UAO's facilities proposed by the UAO shall be subject to the prior approval of the FDOT as provided in and under the conditions of the FDOT's then current Utility Accommodation Manual. Approval will be granted through the issuance of a utility permit.

4. In the event the FDOT exercises its rights under paragraph 3 hereof and the exercise of those rights creates costs that the UAO would normally not have incurred had this subordination not been executed, the FDOT will bear the excess costs. Such costs shall include, but not necessarily be limited to, damage to the UAO's facilities resulting from failure of FDOT's protective measures where the UAO has not elected to undertake additional protective measures pursuant to subparagraph 3.a. hereof or the adjustment, relocation or removal of the UAO's facilities as the result of FDOT's activities. The specific arrangement for FDOT bearing the excess costs shall be by separate agreement.

IN WITNESS WHEREOF, the FDOT hereto has executed this agreement on the day and year first above written.

Executed in our presence
as witnesses:

STATE OF FLORIDA
DEPARTMENT OF
TRANSPORTATION

Signature

Print/Type Name

Signature

Print/Type Name

By: _____
District Secretary/Designee
for District One

Approved as to Form and
Legality:

Department Attorney

STATE OF FLORIDA
COUNTY OF _____

The foregoing instrument was acknowledged before me this
____ day of _____, 20__ by _____,
District Secretary/Designee for District One. He is personally
known to me or has produced _____
as identification.

(Affix Seal/Stamp here) Notary Signature: _____

Printed Name: _____

Notary Public in and for
the County and State last
aforesaid.
My Commission Expires:

Serial No.: _____

IN WITNESS WHEREOF, the County has caused these presents to be executed in its name by its Board of County Commissioners acting by the Chairperson or Vice-Chairperson of said Board, the day and year aforesaid.

ATTEST:
CHARLIE GREEN, EX-OFFICIO CLERK

By: _____
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
LEE COUNTY, FLORIDA

By: _____
Chair

Grantor(s) Mailing Address:
P.O. Box 398
Ft. Myers, FL 33902

APPROVED AS TO FORM:

Office of the County Attorney
Lee County, Florida

F.P. NO. 4080401

SECTION 12011-000

PARCEL 115

That portion of the northwest 1/4 of Section 30, Township 45 South, Range 25 East, Lee County, Florida.

Being described as follows:

Commence at the northeast corner of the northwest 1/4 of said Section 30; thence along the north line of said northwest 1/4, South 89°01'17" West a distance of 1,889.79 feet to the survey base line of State Road 739 (Metro Parkway); thence along said survey base line South 00°38'41" East a distance of 50.00 feet; thence North 89°01'17" East a distance of 50.00 feet to the easterly existing right of way line of said State Road 739 (per Section 12011-0000) for a POINT OF BEGINNING; thence North 89°01'17" East a distance of 12.50 feet; thence South 00°38'41" East a distance of 1,271.71 feet; thence South 88°58'12" West a distance of 12.50 feet to said easterly existing right of way line; thence along said easterly existing right of way line North 00°38'41" West a distance of 1,271.72 feet to the POINT OF BEGINNING.

Containing 15,895 square feet.

Legal Description Approved by:

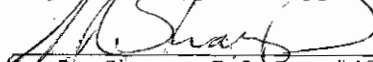

L. R. Sharp P.L.S. #4388
Date: FEBRUARY 14, 2005
NOT VALID UNLESS EMBOSSED

EXHIBIT "A"

Page 5

UTL.03

Date: February 14, 2005
This instrument prepared
under the direction of:
Bruce P. Cury, General Counsel
Post Office Box 1249
City: Bartow, Florida 33830
Department of Transportation

F.P. NO. 4080401
PARCEL 115.4
SECTION 12011-000
STATE ROAD 739
COUNTY Lee

R E S O L U T I O N

ON MOTION of Commissioner _____,
seconded by Commissioner _____,
the following Resolution was adopted:

WHEREAS, the State of Florida Department of Transportation proposes to construct or improve State Road No. 739, Section No. 12011-000, in Lee County, Florida: and

WHEREAS, it is necessary that certain easement rights now owned by Lee County be subordinated to the State of Florida Department of Transportation: and

WHEREAS, said subordination is in the best interest of the County: and

WHEREAS, the State of Florida Department of Transportation has made application to said County to execute and deliver to the State of Florida Department of Transportation a subordination of utility interest, or interests, in favor of the State of Florida, and said request having been duly considered.

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Lee County, that the application of the State of Florida Department of Transportation for a subordination of utility interest, or interests, is for transportation purposes which are in the public or community interest and for public welfare; that a subordination of utility interest, or interests, in favor of the State of Florida Department of Transportation, in Lee County, should be drawn and executed by this Board of County Commissioners. Consideration shall be \$ 1.00.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded forthwith to the State of Florida Department of Transportation at Bartow, Florida.

STATE OF FLORIDA

COUNTY OF _____

I HEREBY CERTIFY that the foregoing is a true copy of a Resolution adopted by the Board of County Commissioners Lee County, Florida at a meeting held on the _____ day of _____, 20____.

Clerk: Lisa L. Pierce
Board of County Commissioners
Lee County, Florida

ATTEST:
CHARLIE GREEN, EX-OFFICIO CLERK

BOARD OF COUNTY COMMISSIONERS
LEE COUNTY, FLORIDA

By: _____
Deputy Clerk

By: _____
Chairperson

APPROVED AS TO FORM:

David Owen, County Attorney
Office of the County Attorney
Lee County, Florida

23-UTL.02-07/99

Date: October 5, 2005
This instrument prepared
under the direction of:
Bruce P. Cury, General Counsel
Post Office Box 1249
City: Bartow, Florida 33830
Department of Transportation

F.P. NO. 4080401
PARCEL 116.4
SECTION 12011-000
STATE ROAD 739
COUNTY Lee

SUBORDINATION OF COUNTY UTILITY INTERESTS

THIS AGREEMENT, entered into this ____ day of _____,
20__, by and between the STATE OF FLORIDA DEPARTMENT OF
TRANSPORTATION, hereinafter called the FDOT, whose post office
address is: Post Office Box 1249, Bartow, Florida 33831-1249
and LEE COUNTY BOARD OF COUNTY COMMISSIONERS, Utility Agency
Organization, hereinafter called the UAO.

W I T N E S S E T H:

WHEREAS, the UAO presently has an interest in certain real
property that is needed for a transportation facility; and

WHEREAS, the proposed use of the real property requires
subordination of the UAO's interest to the FDOT; and

WHEREAS, the FDOT is willing to participate in the cost of
locating, protecting, adjusting or removing the UAO'S facilities
if necessary to prevent conflict between the UAO's facilities and
the transportation facility;

NOW, THEREFORE, in consideration of the premises and the
mutual covenants contained herein, the FDOT and the UAO hereby
agree as follows:

1. The UAO hereby subordinates to the interest of FDOT, its
successors, or assigns, any and all interest the UAO has in the
real property described as follows:

SEE EXHIBIT "A"

The interest of the UAO being subordinated hereby includes, but is not necessarily limited to, the interest created by the following document:

RECORDED

INSTRUMENT	DATE	FROM	TO	O.R. BOOK/PAGE
Easement	07-02-90	N/A	Lee County Board of County Commissioners	PB 45 Pg. 80

2. The UAO shall continue to have all rights under the UAO'S real property interest document identified above, except that the use of the real property shall be subject to the control of the FDOT pursuant to paragraph 3 hereof.

3. The FDOT shall have the right to control the UAO's use of the real property interest created by the document identified above in the following manner:

a. The FDOT may require, for any present or future transportation facility project, that any facilities of the UAO be located, protected, adjusted, or removed as the FDOT determines is necessary (including the timing of any of such activities) to accommodate the transportation facility project. The UAO shall have the right to engage in additional protective measures during the transportation facility project beyond what the FDOT determines is necessary, provided that the cost of any such additional protective measures shall be borne by the UAO.

b. The UAO shall operate and maintain the UAO's facilities located on the real property in accordance with FDOT standards as set forth in the FDOT's then current Utility Accommodation Manual.

c. Any placement of new facilities or adjustment, upgrading, removal, or relocation of the UAO's facilities proposed by the UAO shall be subject to the prior approval of the FDOT as provided in and under the conditions of the FDOT's then current Utility Accommodation Manual. Approval will be granted through the issuance of a utility permit.

4. In the event the FDOT exercises its rights under paragraph 3 hereof and the exercise of those rights creates costs that the UAO would normally not have incurred had this subordination not been executed, the FDOT will bear the excess costs. Such costs shall include, but not necessarily be limited to, damage to the UAO's facilities resulting from failure of FDOT's protective measures where the UAO has not elected to undertake additional protective measures pursuant to subparagraph 3.a. hereof or the adjustment, relocation or removal of the UAO's facilities as the result of FDOT's activities. The specific arrangement for FDOT bearing the excess costs shall be by separate agreement.

IN WITNESS WHEREOF, the FDOT hereto has executed this agreement on the day and year first above written.

Executed in our presence
as witnesses:

STATE OF FLORIDA
DEPARTMENT OF
TRANSPORTATION

Signature

By: _____
District Secretary/Designee
for District One

Print/Type Name

Approved as to Form and
Legality:

Signature

Print/Type Name

Department Attorney

STATE OF FLORIDA

COUNTY OF _____

The foregoing instrument was acknowledged before me this
____ day of _____, 20__ by _____,
District Secretary/Designee for District One. He is personally
known to me or has produced _____
as identification.

(Affix Seal/Stamp here) Notary Signature: _____

Printed Name: _____

Notary Public in and for
the County and State last
aforesaid.
My Commission Expires:

Serial No.: _____

IN WITNESS WHEREOF, the County has caused these presents to be executed in its name by its Board of County Commissioners acting by the Chairperson or Vice-Chairperson of said Board, the day and year aforesaid.

ATTEST:
CHARLIE GREEN, EX-OFFICIO CLERK

BOARD OF COUNTY COMMISSIONERS
LEE COUNTY, FLORIDA

By: _____
Deputy Clerk

By: _____
Chair

Grantor(s) Mailing Address:
P.O. Box 398
Ft. Myers, FL 33902

APPROVED AS TO FORM:

Office of the County Attorney
Lee County, Florida

F.P. NO. 4080401

SECTION 12011-000

PARCEL 116

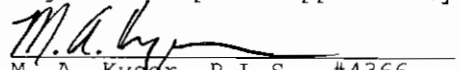
That portion of Lot 1, Central Metropolitan Commercial Center, a subdivision in Section 30, Township 45 South, Range 25 East, as per plat thereof recorded in Plat Book 45, Page 80, Public Records of Lee County, Florida.

Being described as follows:

BEGIN at the southeast corner of said Lot 1; thence along the south line of said Lot 1, South 89°21'19" West a distance of 12.50 feet; thence North 00°38'41" West a distance of 200.91 feet to the north line of said Lot 1; thence along said north line North 89°01'17" East a distance of 12.50 feet to the northeast corner of said Lot 1; thence along the east line of said Lot 1, South 00°38'41" East a distance of 200.98 feet to the POINT OF BEGINNING.

Containing 2,512 square feet.

Legal Description Approved by:


M. A. Kyser P.L.S. #4366
Date: September 16, 2005
NOT VALID UNLESS EMBOSSED

UTL.03

Date: September 16, 2005
This instrument prepared
under the direction of:
Bruce P. Cury, General Counsel
Post Office Box 1249
City: Bartow, Florida 33830
Department of Transportation

F.P. NO. 4080401
PARCEL 116.4
SECTION 12011-000
STATE ROAD 739
COUNTY Lee

R E S O L U T I O N

ON MOTION of Commissioner _____,
seconded by Commissioner _____,
the following Resolution was adopted:

WHEREAS, the State of Florida Department of Transportation proposes to construct or improve State Road No. 739, Section No. 12011-000, in Lee County, Florida: and

WHEREAS, it is necessary that certain easement rights now owned by Lee County be subordinated to the State of Florida Department of Transportation: and

WHEREAS, said subordination is in the best interest of the County: and

WHEREAS, the State of Florida Department of Transportation has made application to said County to execute and deliver to the State of Florida Department of Transportation a subordination of utility interest, or interests, in favor of the State of Florida, and said request having been duly considered.

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Lee County, that the application of the State of Florida Department of Transportation for a subordination of utility interest, or interests, is for transportation purposes which are in the public or community interest and for public welfare; that a subordination of utility interest, or interests, in favor of the State of Florida Department of Transportation, in Lee County, should be drawn and executed by this Board of County Commissioners. Consideration shall be \$ 1.00.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded forthwith to the State of Florida Department of Transportation at Bartow, Florida.

STATE OF FLORIDA

COUNTY OF _____

I HEREBY CERTIFY that the foregoing is a true copy of a Resolution adopted by the Board of County Commissioners Lee County, Florida at a meeting held on the _____ day of _____, 20____.

Clerk: Lisa L. Pierce
Board of County Commissioners
Lee County, Florida

ATTEST:
CHARLIE GREEN, EX-OFFICIO CLERK

BOARD OF COUNTY COMMISSIONERS
LEE COUNTY, FLORIDA

By: _____
Deputy Clerk

By: _____
Chairperson

APPROVED AS TO FORM:

David Owen, County Attorney
Office of the County Attorney
Lee County, Florida

23-UTL.02-07/99

Date: October 5, 2005
This instrument prepared under the direction of:
Bruce P. Cury, General Counsel
Post Office Box 1249
City: Bartow, Florida 33830
Department of Transportation

F.P. NO. 4080401
PARCEL 118.2
SECTION 12011-000
STATE ROAD 739
COUNTY Lee

SUBORDINATION OF COUNTY UTILITY INTERESTS

THIS AGREEMENT, entered into this ____ day of _____, 20__, by and between the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, hereinafter called the FDOT, whose post office address is: Post Office Box 1249, Bartow, Florida 33831-1249 and LEE COUNTY BOARD OF COUNTY COMMISSIONERS, Utility Agency Organization, hereinafter called the UAO.

W I T N E S S E T H:

WHEREAS, the UAO presently has an interest in certain real property that is needed for a transportation facility; and

WHEREAS, the proposed use of the real property requires subordination of the UAO's interest to the FDOT; and

WHEREAS, the FDOT is willing to participate in the cost of locating, protecting, adjusting or removing the UAO'S facilities if necessary to prevent conflict between the UAO's facilities and the transportation facility;

NOW, THEREFORE, in consideration of the premises and the mutual covenants contained herein, the FDOT and the UAO hereby agree as follows:

1. The UAO hereby subordinates to the interest of FDOT, its successors, or assigns, any and all interest the UAO has in the real property described as follows:

SEE EXHIBIT "A"

The interest of the UAO being subordinated hereby includes, but is not necessarily limited to, the interest created by the following document:

RECORDED

INSTRUMENT	DATE	FROM	TO	O.R. BOOK/PAGE
Easement	03-11-90	N/A	Lee County Board of County Commissioners	PB 44 Pg. 83

2. The UAO shall continue to have all rights under the UAO'S real property interest document identified above, except that the use of the real property shall be subject to the control of the FDOT pursuant to paragraph 3 hereof.

3. The FDOT shall have the right to control the UAO's use of the real property interest created by the document identified above in the following manner:

a. The FDOT may require, for any present or future transportation facility project, that any facilities of the UAO be located, protected, adjusted, or removed as the FDOT determines is necessary (including the timing of any of such activities) to accommodate the transportation facility project. The UAO shall have the right to engage in additional protective measures during the transportation facility project beyond what the FDOT determines is necessary, provided that the cost of any such additional protective measures shall be borne by the UAO.

b. The UAO shall operate and maintain the UAO's facilities located on the real property in accordance with FDOT standards as set forth in the FDOT's then current Utility Accommodation Manual.

c. Any placement of new facilities or adjustment, upgrading, removal, or relocation of the UAO's facilities proposed by the UAO shall be subject to the prior approval of the FDOT as provided in and under the conditions of the FDOT's then current Utility Accommodation Manual. Approval will be granted through the issuance of a utility permit.

4. In the event the FDOT exercises its rights under paragraph 3 hereof and the exercise of those rights creates costs that the UAO would normally not have incurred had this subordination not been executed, the FDOT will bear the excess costs. Such costs shall include, but not necessarily be limited to, damage to the UAO's facilities resulting from failure of FDOT's protective measures where the UAO has not elected to undertake additional protective measures pursuant to subparagraph 3.a. hereof or the adjustment, relocation or removal of the UAO's facilities as the result of FDOT's activities. The specific arrangement for FDOT bearing the excess costs shall be by separate agreement.

IN WITNESS WHEREOF, the FDOT hereto has executed this agreement on the day and year first above written.

Executed in our presence
as witnesses:

STATE OF FLORIDA
DEPARTMENT OF
TRANSPORTATION

Signature

By: _____
District Secretary/Designee
for District One

Print/Type Name

Approved as to Form and
Legality:

Signature

Print/Type Name

Department Attorney

STATE OF FLORIDA

COUNTY OF _____

The foregoing instrument was acknowledged before me this
____ day of _____, 20__ by _____,
District Secretary/Designee for District One. He is personally
known to me or has produced _____
as identification.

(Affix Seal/Stamp here) Notary Signature: _____

Printed Name: _____

Notary Public in and for
the County and State last
aforesaid.
My Commission Expires:

Serial No.: _____

IN WITNESS WHEREOF, the County has caused these presents to be executed in its name by its Board of County Commissioners acting by the Chairperson or Vice-Chairperson of said Board, the day and year aforesaid.

ATTEST:
CHARLIE GREEN, EX-OFFICIO CLERK

BOARD OF COUNTY COMMISSIONERS
LEE COUNTY, FLORIDA

By: _____
Deputy Clerk

By: _____
Chair

Grantor(s) Mailing Address:
P.O. Box 398
Ft. Myers, FL 33902

APPROVED AS TO FORM:

Office of the County Attorney
Lee County, Florida

FP NO. 4080401

SECTION 12011-000

PARCEL 118

That portion of Lot 21, Metropolitan Business Park, a subdivision in Section 19, Township 45 South, Range 25 East as per plat thereof recorded in Plat Book 44, Page 83, Public Records of Lee County, Florida.

Being described as follows:

BEGIN at the southeast corner of said Lot 21; thence along the south line of said Lot 21, South 89°00'41" West a distance of 13.58 feet; thence leaving said south line, North 04°07'05" East a distance of 123.56 feet; thence North 42°23'23" West a distance of 29.97 feet to the north line of said Lot 21 and the beginning of a curve concave southerly and having a radius of 177.50 feet; thence along said north line the arc of said curve to the right a distance of 38.74 feet through a central angle of 12°30'18" with a chord bearing North 89°03'30" East to the northeast corner of said Lot 21 and end of said curve; thence along the east line of said Lot 21, South 05°23'10" West a distance of 146.43 feet to the POINT OF BEGINNING.

Containing 2,486 square feet.

Legal Description Approved by:



M. A. Kyser P.L.S. #4366
Date: July 11, 2005
NOT VALID UNLESS EMBOSSED

EXHIBIT "A"

Page 5

UTL.03

Date: July 11, 2005
This instrument prepared under the direction of:
Bruce P. Cury, General Counsel
Post Office Box 1249
City: Bartow, Florida 33830
Department of Transportation

F.P. NO. 4080401
PARCEL 118.2
SECTION 12011-000
STATE ROAD 739
COUNTY Lee

R E S O L U T I O N

ON MOTION of Commissioner _____,
seconded by Commissioner _____,
the following Resolution was adopted:

WHEREAS, the State of Florida Department of Transportation proposes to construct or improve State Road No. 739, Section No. 12011-000, in Lee County, Florida: and

WHEREAS, it is necessary that certain easement rights now owned by Lee County be subordinated to the State of Florida Department of Transportation: and

WHEREAS, said subordination is in the best interest of the County: and

WHEREAS, the State of Florida Department of Transportation has made application to said County to execute and deliver to the State of Florida Department of Transportation a subordination of utility interest, or interests, in favor of the State of Florida, and said request having been duly considered.

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Lee County, that the application of the State of Florida Department of Transportation for a subordination of utility interest, or interests, is for transportation purposes which are in the public or community interest and for public welfare; that a subordination of utility interest, or interests, in favor of the State of Florida Department of Transportation, in Lee County, should be drawn and executed by this Board of County Commissioners. Consideration shall be \$ 1.00.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded forthwith to the State of Florida Department of Transportation at Bartow, Florida.

STATE OF FLORIDA

COUNTY OF _____

I HEREBY CERTIFY that the foregoing is a true copy of a Resolution adopted by the Board of County Commissioners Lee County, Florida at a meeting held on the _____ day of _____, 20____.

Clerk: Lisa L. Pierce
Board of County Commissioners
Lee County, Florida

ATTEST:
CHARLIE GREEN, EX-OFFICIO CLERK

BOARD OF COUNTY COMMISSIONERS
LEE COUNTY, FLORIDA

By: _____
Deputy Clerk

By: _____
Chairperson

APPROVED AS TO FORM:

David Owen, County Attorney
Office of the County Attorney
Lee County, Florida

23-UTL.02-07/99

Date: October 5, 2005
This instrument prepared under the direction of:
Bruce P. Cury, General Counsel
Post Office Box 1249
City: Bartow, Florida 33830
Department of Transportation

F.P. NO. 4080401
PARCEL 119.3
SECTION 12011-000
STATE ROAD 739
COUNTY Lee

SUBORDINATION OF COUNTY UTILITY INTERESTS

THIS AGREEMENT, entered into this ____ day of _____, 20 __, by and between the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, hereinafter called the FDOT, whose post office address is: Post Office Box 1249, Bartow, Florida 33831-1249 and LEE COUNTY BOARD OF COUNTY COMMISSIONERS, Utility Agency Organization, hereinafter called the UAO.

W I T N E S S E T H:

WHEREAS, the UAO presently has an interest in certain real property that is needed for a transportation facility; and

WHEREAS, the proposed use of the real property requires subordination of the UAO'S interest to the FDOT; and

WHEREAS, the FDOT is willing to participate in the cost of locating, protecting, adjusting or removing the UAO'S facilities if necessary to prevent conflict between the UAO'S facilities and the transportation facility;

NOW, THEREFORE, in consideration of the premises and the mutual covenants contained herein, the FDOT and the UAO hereby agree as follows:

1. The UAO hereby subordinates to the interest of FDOT, its successors, or assigns, any and all interest the UAO has in the real property described as follows:

SEE EXHIBIT "A"

The interest of the UAO being subordinated hereby includes, but is not necessarily limited to, the interest created by the following document:

RECORDED

INSTRUMENT	DATE	FROM	TO	O.R. BOOK/PAGE
Easement	05-11-94	D. K. Corbett and Patrick J. Hayes, Co- Trustee	Lee County Board of County Commissioners	OR 2509 PG 0370
Easement	04-22-96	N/A	" " "	PB 58 PG 5

2. The UAO shall continue to have all rights under the UAO'S real property interest document identified above, except that the use of the real property shall be subject to the control of the FDOT pursuant to paragraph 3 hereof.

3. The FDOT shall have the right to control the UAO'S use of the real property interest created by the document identified above in the following manner:

a. The FDOT may require, for any present or future transportation facility project, that any facilities of the UAO be located, protected, adjusted, or removed as the FDOT determines is necessary (including the timing of any of such activities) to accommodate the transportation facility project. The UAO shall have the right to engage in additional protective measures during the transportation facility project beyond what the FDOT determines is necessary, provided that the cost of any such additional protective measures shall be borne by the UAO.

b. The UAO shall operate and maintain the UAO'S facilities located on the real property in accordance with FDOT standards as set forth in the FDOT'S then current Utility Accommodation Manual.

c. Any placement of new facilities or adjustment, upgrading, removal, or relocation of the UAO'S facilities proposed by the UAO shall be subject to the prior approval of the FDOT as provided in and under the conditions of the FDOT'S then current Utility Accommodation Manual. Approval will be granted through the issuance of a utility permit.

4. In the event the FDOT exercises its rights under paragraph 3 hereof and the exercise of those rights creates costs that the UAO would normally not have incurred had this subordination not been executed, the FDOT will bear the excess costs. Such costs shall include, but not necessarily be limited to, damage to the UAO'S facilities resulting from failure of FDOT'S protective measures where the UAO has not elected to undertake additional protective measures pursuant to subparagraph 3.a. hereof or the adjustment, relocation or removal of the UAO'S facilities as the result of FDOT'S activities. The specific arrangement for FDOT bearing the excess costs shall be by separate agreement.

IN WITNESS WHEREOF, the FDOT hereto has executed this agreement on the day and year first above written.

Executed in our presence
as witnesses:

STATE OF FLORIDA
DEPARTMENT OF
TRANSPORTATION

Signature

By: _____
District Secretary/Designee
for District One

Print/Type Name

Approved as to Form and
Legality:

Signature

Print/Type Name

Department Attorney

STATE OF FLORIDA

COUNTY OF _____

The foregoing instrument was acknowledged before me this
____ day of _____, 20__ by _____,
District Secretary/Designee for District One. He is personally
known to me or has produced _____
as identification.

(Affix Seal/Stamp here) Notary Signature: _____

Printed Name: _____

Notary Public in and for
the County and State last
aforesaid.
My Commission Expires:

Serial No.: _____

IN WITNESS WHEREOF, the County has caused these presents to be executed in its name by its Board of County Commissioners acting by the Chairperson or Vice-Chairperson of said Board, the day and year aforesaid.

ATTEST:
CHARLIE GREEN, EX-OFFICIO CLERK

BOARD OF COUNTY COMMISSIONERS
LEE COUNTY, FLORIDA.

By: _____
Deputy Clerk

By: _____
Chair

Grantor(s) Mailing Address:
P.O.Box 398
Ft. Myers, FL 33902

APPROVED AS TO FORM:

Office of the County Attorney
Lee County, Florida

FP NO. 4080401

SECTION 12011-000

PARCEL 119

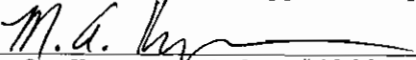
That portion of Lot 1, Central Metropolitan Commercial Center South, a subdivision in Section 30, Township 45 South, Range 25 East as per plat thereof recorded in Plat Book 58, Page 5, Public Records of Lee County, Florida.

Being described as follows:

BEGIN at the northeast corner of said Lot 1; thence along the east line of said Lot 1, South 00°38'41" East a distance of 221.89 feet to the southeast corner of said Lot 1; thence along the south line of said Lot 1, South 89°21'19" West a distance of 12.50 feet; thence leaving said south line, North 00°38'41" West a distance of 221.88 feet to the north line of said Lot 1; thence along said north line, North 88°58'12" East a distance of 12.50 feet to the POINT OF BEGINNING.

Containing 2,774 square feet.

Legal Description Approved by:


M. A. Kyser, P.L.S. #4366
Date: July 11, 2005
NOT VALID UNLESS EMBOSSED



UTL.03

Date: July 11, 2005
This instrument prepared under the direction of:
Bruce P. Cury, General Counsel
Post Office Box 1249
City: Bartow, Florida 33830
Department of Transportation

F.P. NO. 4080401
PARCEL 119.3
SECTION 12011-000
STATE ROAD 739
COUNTY Lee

R E S O L U T I O N

ON MOTION of Commissioner _____,
seconded by Commissioner _____,
the following Resolution was adopted:

WHEREAS, the State of Florida Department of Transportation proposes to construct or improve State Road No. 739, Section No. 12011-000, in Lee County, Florida: and

WHEREAS, it is necessary that certain easement rights now owned by Lee _____ County be subordinated to the State of Florida Department of Transportation: and

WHEREAS, said subordination is in the best interest of the County: and

WHEREAS, the State of Florida Department of Transportation has made application to said County to execute and deliver to the State of Florida Department of Transportation a subordination of utility interest, or interests, in favor of the State of Florida, and said request having been duly considered.

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Lee _____ County, that the application of the State of Florida Department of Transportation for a subordination of utility interest, or interests, is for transportation purposes which are in the public or community interest and for public welfare; that a subordination of utility interest, or interests, in favor of the State of Florida Department of Transportation, in Lee _____ County, should be drawn and executed by this Board of County Commissioners. Consideration shall be \$ 1.00 _____.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded forthwith to the State of Florida Department of Transportation at Post Office Box 1249, Bartow, Florida 33831-1249.

STATE OF FLORIDA

COUNTY OF LEE

I HEREBY CERTIFY that the foregoing is a true copy of a Resolution adopted by the BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA at a meeting held on the _____ day of _____, 20____.

Clerk: Lisa L. Pierce
Board of County Commissioners
Lee County, Florida

ATTEST:
CHARLIE GREEN, EX-OFFICIO CLERK

BOARD OF COUNTY COMMISSIONERS
LEE COUNTY, FLORIDA

By: _____
Deputy Clerk

By: _____
Chairperson

APPROVED AS TO FORM:

David Owen, County Attorney
Office of the County Attorney
Lee County, Florida

23-UTL.02-07/99

Date: October 5, 2005
This instrument prepared
under the direction of:
Bruce P. Cury, General Counsel
Post Office Box 1249
City: Bartow, Florida 33830
Department of Transportation

F.P. NO. 4080401
PARCEL 123.3
SECTION 12011-000
STATE ROAD 739
COUNTY Lee

SUBORDINATION OF COUNTY UTILITY INTERESTS

THIS AGREEMENT, entered into this ____ day of _____,
20___, by and between the STATE OF FLORIDA DEPARTMENT OF
TRANSPORTATION, hereinafter called the FDOT, whose post office
address is: Post Office Box 1249, Bartow, Florida 33831-1249
and LEE COUNTY BOARD OF COUNTY COMMISSIONERS, Utility Agency
Organization, hereinafter called the UAO.

W I T N E S S E T H:

WHEREAS, the UAO presently has an interest in certain real
property that is needed for a transportation facility; and

WHEREAS, the proposed use of the real property requires
subordination of the UAO's interest to the FDOT; and

WHEREAS, the FDOT is willing to participate in the cost of
locating, protecting, adjusting or removing the UAO'S facilities
if necessary to prevent conflict between the UAO's facilities and
the transportation facility;

NOW, THEREFORE, in consideration of the premises and the
mutual covenants contained herein, the FDOT and the UAO hereby
agree as follows:

1. The UAO hereby subordinates to the interest of FDOT, its
successors, or assigns, any and all interest the UAO has in the
real property described as follows:

SEE EXHIBIT "A"

The interest of the UAO being subordinated hereby includes, but is not necessarily limited to, the interest created by the following document:

RECORDED

INSTRUMENT	DATE	FROM	TO	O.R. BOOK/PAGE
Easement	03-11-90	N/A	Lee County Board of County Commissioners	PB 44 Pg. 83

2. The UAO shall continue to have all rights under the UAO'S real property interest document identified above, except that the use of the real property shall be subject to the control of the FDOT pursuant to paragraph 3 hereof.

3. The FDOT shall have the right to control the UAO's use of the real property interest created by the document identified above in the following manner:

a. The FDOT may require, for any present or future transportation facility project, that any facilities of the UAO be located, protected, adjusted, or removed as the FDOT determines is necessary (including the timing of any of such activities) to accommodate the transportation facility project. The UAO shall have the right to engage in additional protective measures during the transportation facility project beyond what the FDOT determines is necessary, provided that the cost of any such additional protective measures shall be borne by the UAO.

b. The UAO shall operate and maintain the UAO's facilities located on the real property in accordance with FDOT standards as set forth in the FDOT's then current Utility Accommodation Manual.

c. Any placement of new facilities or adjustment, upgrading, removal, or relocation of the UAO's facilities proposed by the UAO shall be subject to the prior approval of the FDOT as provided in and under the conditions of the FDOT's then current Utility Accommodation Manual. Approval will be granted through the issuance of a utility permit.

4. In the event the FDOT exercises its rights under paragraph 3 hereof and the exercise of those rights creates costs that the UAO would normally not have incurred had this subordination not been executed, the FDOT will bear the excess costs. Such costs shall include, but not necessarily be limited to, damage to the UAO's facilities resulting from failure of FDOT's protective measures where the UAO has not elected to undertake additional protective measures pursuant to subparagraph 3.a. hereof or the adjustment, relocation or removal of the UAO's facilities as the result of FDOT's activities. The specific arrangement for FDOT bearing the excess costs shall be by separate agreement.

IN WITNESS WHEREOF, the FDOT hereto has executed this agreement on the day and year first above written.

Executed in our presence
as witnesses:

STATE OF FLORIDA
DEPARTMENT OF
TRANSPORTATION

Signature

Print/Type Name

Signature

Print/Type Name

By: _____
District Secretary/Designee
for District One

Approved as to Form and
Legality:

Department Attorney

STATE OF FLORIDA
COUNTY OF _____

The foregoing instrument was acknowledged before me this
____ day of _____, 20__ by _____,
District Secretary/Designee for District One. He is personally
known to me or has produced _____
as identification.

(Affix Seal/Stamp here) Notary Signature: _____

Printed Name: _____

Notary Public in and for
the County and State last
aforesaid.
My Commission Expires:

Serial No.: _____

IN WITNESS WHEREOF, the County has caused these presents to be executed in its name by its Board of County Commissioners acting by the Chairperson or Vice-Chairperson of said Board, the day and year aforesaid.

ATTEST:
CHARLIE GREEN, EX-OFFICIO CLERK

By: _____
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
LEE COUNTY, FLORIDA

By: _____
Chair

Grantor(s) Mailing Address:
P.O. Box 398
Ft. Myers, FL 33902

APPROVED AS TO FORM:

Office of the County Attorney
Lee County, Florida

FP NO. 4080401

SECTION 12011-000

PARCEL 123

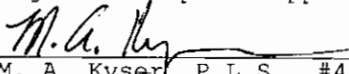
Those portions of Lots 13 and 14, Metropolitan Business Park, a subdivision in Section 19, Township 45 South, Range 25 East as per plat thereof recorded in Plat Book 44, Page 83, Public Records of Lee County, Florida.

Being described as follows:

BEGIN at the southeast corner of said Lot 13; thence along the south line of said Lot 13, South 89°00'41" West a distance of 12.50 feet; thence leaving said south line, North 00°38'41" West a distance of 156.26 feet to the beginning of a curve concave easterly and having a radius of 1,162.52 feet; thence along the arc of said curve to the right a distance of 71.80 feet through a central angle of 03°32'20" with a chord bearing North 01°07'29" East to the north line of said Lot 14 and end of said curve; thence along said north line, North 89°00'41" East a distance of 12.53 feet to the northeast corner of said Lot 14 and the beginning of a curve concave easterly and having a radius of 1,150.00 feet; thence along the east line of said Lot 14 the arc of said curve to the left a distance of 71.88 feet through a central angle of 03°34'52" with a chord bearing South 01°08'45" West to the end of said curve; thence along the east line of said Lots 13 and 14, South 00°38'41" East a distance of 156.19 feet to the POINT OF BEGINNING.

Containing 2,851 square feet.

Legal Description Approved by:


M. A. Kyser P.L.S. #4366
Date: July 11, 2005
NOT VALID UNLESS EMBOSSED

UTL.03

Date: July 11, 2005
This instrument prepared under the direction of:
Bruce P. Cury, General Counsel
Post Office Box 1249
City: Bartow, Florida 33830
Department of Transportation

F.P. NO. 4080401
PARCEL 123.3
SECTION 12011-000
STATE ROAD 739
COUNTY Lee

R E S O L U T I O N

ON MOTION of Commissioner _____,
seconded by Commissioner _____,
the following Resolution was adopted:

WHEREAS, the State of Florida Department of Transportation proposes to construct or improve State Road No. 739, Section No. 12011-000, in Lee County, Florida: and

WHEREAS, it is necessary that certain easement rights now owned by Lee County be subordinated to the State of Florida Department of Transportation: and

WHEREAS, said subordination is in the best interest of the County: and

WHEREAS, the State of Florida Department of Transportation has made application to said County to execute and deliver to the State of Florida Department of Transportation a subordination of utility interest, or interests, in favor of the State of Florida, and said request having been duly considered.

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Lee County, that the application of the State of Florida Department of Transportation for a subordination of utility interest, or interests, is for transportation purposes which are in the public or community interest and for public welfare; that a subordination of utility interest, or interests, in favor of the State of Florida Department of Transportation, in Lee County, should be drawn and executed by this Board of County Commissioners. Consideration shall be \$ 1.00.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded forthwith to the State of Florida Department of Transportation at Bartow, Florida.

STATE OF FLORIDA

COUNTY OF _____

I HEREBY CERTIFY that the foregoing is a true copy of a Resolution adopted by the Board of County Commissioners Lee County, Florida at a meeting held on the ____ day of _____, 20____.

Clerk: Lisa L. Pierce
Board of County Commissioners
Lee County, Florida

ATTEST:
CHARLIE GREEN, EX-OFFICIO CLERK

BOARD OF COUNTY COMMISSIONERS
LEE COUNTY, FLORIDA

By: _____
Deputy Clerk

By: _____
Chairperson

APPROVED AS TO FORM:

David Owen, County Attorney
Office of the County Attorney
Lee County, Florida

23-UTL.02-07/99

Date: October 5, 2005
This instrument prepared
under the direction of:
Bruce P. Cury, General Counsel
Post Office Box 1249
City: Bartow, Florida 33830
Department of Transportation

F.P. NO. 4080401
PARCEL 124.3
SECTION 12011-000
STATE ROAD 739
COUNTY Lee

SUBORDINATION OF COUNTY UTILITY INTERESTS

THIS AGREEMENT, entered into this ____ day of _____,
20__, by and between the STATE OF FLORIDA DEPARTMENT OF
TRANSPORTATION, hereinafter called the FDOT, whose post office
address is: Post Office Box 1249, Bartow, Florida 33831-1249
and LEE COUNTY BOARD OF COUNTY COMMISSIONERS, Utility Agency
Organization, hereinafter called the UAO.

W I T N E S S E T H:

WHEREAS, the UAO presently has an interest in certain real
property that is needed for a transportation facility; and

WHEREAS, the proposed use of the real property requires
subordination of the UAO's interest to the FDOT; and

WHEREAS, the FDOT is willing to participate in the cost of
locating, protecting, adjusting or removing the UAO'S facilities
if necessary to prevent conflict between the UAO's facilities and
the transportation facility;

NOW, THEREFORE, in consideration of the premises and the
mutual covenants contained herein, the FDOT and the UAO hereby
agree as follows:

1. The UAO hereby subordinates to the interest of FDOT, its
successors, or assigns, any and all interest the UAO has in the
real property described as follows:

SEE EXHIBIT "A"

The interest of the UAO being subordinated hereby includes, but is not necessarily limited to, the interest created by the following document:

RECORDED

INSTRUMENT	DATE	FROM	TO	O.R. BOOK/PAGE
Easement	03-11-90	N/A	Lee County Board of County Commissioners	PB 44 Pg. 83

2. The UAO shall continue to have all rights under the UAO'S real property interest document identified above, except that the use of the real property shall be subject to the control of the FDOT pursuant to paragraph 3 hereof.

3. The FDOT shall have the right to control the UAO's use of the real property interest created by the document identified above in the following manner:

a. The FDOT may require, for any present or future transportation facility project, that any facilities of the UAO be located, protected, adjusted, or removed as the FDOT determines is necessary (including the timing of any of such activities) to accommodate the transportation facility project. The UAO shall have the right to engage in additional protective measures during the transportation facility project beyond what the FDOT determines is necessary, provided that the cost of any such additional protective measures shall be borne by the UAO.

b. The UAO shall operate and maintain the UAO's facilities located on the real property in accordance with FDOT standards as set forth in the FDOT's then current Utility Accommodation Manual.

c. Any placement of new facilities or adjustment, upgrading, removal, or relocation of the UAO's facilities proposed by the UAO shall be subject to the prior approval of the FDOT as provided in and under the conditions of the FDOT's then current Utility Accommodation Manual. Approval will be granted through the issuance of a utility permit.

4. In the event the FDOT exercises its rights under paragraph 3 hereof and the exercise of those rights creates costs that the UAO would normally not have incurred had this subordination not been executed, the FDOT will bear the excess costs. Such costs shall include, but not necessarily be limited to, damage to the UAO's facilities resulting from failure of FDOT's protective measures where the UAO has not elected to undertake additional protective measures pursuant to subparagraph 3.a. hereof or the adjustment, relocation or removal of the UAO's facilities as the result of FDOT's activities. The specific arrangement for FDOT bearing the excess costs shall be by separate agreement.

IN WITNESS WHEREOF, the FDOT hereto has executed this agreement on the day and year first above written.

Executed in our presence
as witnesses:

STATE OF FLORIDA
DEPARTMENT OF
TRANSPORTATION

Signature

By: _____
District Secretary/Designee
for District One

Print/Type Name

Approved as to Form and
Legality:

Signature

Print/Type Name

Department Attorney

STATE OF FLORIDA
COUNTY OF _____

The foregoing instrument was acknowledged before me this
____ day of _____, 20__ by _____,
District Secretary/Designee for District One. He is personally
known to me or has produced _____
as identification.

(Affix Seal/Stamp here) Notary Signature: _____

Printed Name: _____

Notary Public in and for
the County and State last
aforesaid.
My Commission Expires:

Serial No.: _____

IN WITNESS WHEREOF, the County has caused these presents to be executed in its name by its Board of County Commissioners acting by the Chairperson or Vice-Chairperson of said Board, the day and year aforesaid.

ATTEST:
CHARLIE GREEN, EX-OFFICIO CLERK

By: _____
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
LEE COUNTY, FLORIDA

By: _____
Chair

Grantor(s) Mailing Address:
P.O. Box 398
Ft. Myers, FL 33902

APPROVED AS TO FORM:

Office of the County Attorney
Lee County, Florida

FP NO. 4080401

SECTION 12011-000

PARCEL 124

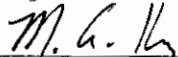
Those portions of Lots 15 and 16, Metropolitan Business Park, a subdivision in Section 19, Township 45 South, Range 25 East as per plat thereof recorded in Plat Book 44, Page 83, Public Records of Lee County, Florida.

Being described as follows:

BEGIN at the southeast corner of said Lot 15; thence along the south line of said Lot 15, South 89°00'41" West a distance of 12.53 feet to the beginning of a curve concave easterly and having a radius of 1,162.52 feet; thence leaving said south line the arc of said curve to the right a distance of 50.56 feet through a central angle of 02°29'31" with a chord bearing North 04°08'25" East to the end of said curve; thence North 05°23'10" East a distance of 189.17 feet to the north line of said Lot 16; thence along said north line, North 89°02'13" East a distance of 12.58 feet to the northeast corner of said Lot 16; thence along the east line of said Lots 15 and 16, South 05°23'10" West a distance of 190.57 feet to the beginning of a curve concave easterly and having a radius of 1,150.00 feet; thence continue along the east line of said Lot 15 the arc of said curve to the left a distance of 49.17 feet through a central angle of 02°26'59" with a chord bearing South 04°09'41" West to the end of said curve and the POINT OF BEGINNING.

Containing 2,997 square feet.

Legal Description Approved by:


M. A. Kyser P.L.S. #4366
Date: July 11, 2005
NOT VALID UNLESS EMBOSSED

UTL.03

Date: July 11, 2005
This instrument prepared under the direction of:
Bruce P. Cury, General Counsel
Post Office Box 1249
City: Bartow, Florida 33830
Department of Transportation

F.P. NO. 4080401
PARCEL 124.3
SECTION 12011-000
STATE ROAD 739
COUNTY Lee

R E S O L U T I O N

ON MOTION of Commissioner _____,
seconded by Commissioner _____,
the following Resolution was adopted:

WHEREAS, the State of Florida Department of Transportation proposes to construct or improve State Road No. 739, Section No. 12011-000, in Lee County, Florida: and

WHEREAS, it is necessary that certain easement rights now owned by Lee County be subordinated to the State of Florida Department of Transportation: and

WHEREAS, said subordination is in the best interest of the County: and

WHEREAS, the State of Florida Department of Transportation has made application to said County to execute and deliver to the State of Florida Department of Transportation a subordination of utility interest, or interests, in favor of the State of Florida, and said request having been duly considered.

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Lee County, that the application of the State of Florida Department of Transportation for a subordination of utility interest, or interests, is for transportation purposes which are in the public or community interest and for public welfare; that a subordination of utility interest, or interests, in favor of the State of Florida Department of Transportation, in Lee County, should be drawn and executed by this Board of County Commissioners. Consideration shall be \$ 1.00 .

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded forthwith to the State of Florida Department of Transportation at Bartow, Florida.

STATE OF FLORIDA

COUNTY OF _____

I HEREBY CERTIFY that the foregoing is a true copy of a Resolution adopted by the Board of County Commissioners Lee County, Florida at a meeting held on the ____ day of _____, 20____.

Clerk: Lisa L. Pierce
Board of County Commissioners
Lee County, Florida

ATTEST:
CHARLIE GREEN, EX-OFFICIO CLERK

BOARD OF COUNTY COMMISSIONERS
LEE COUNTY, FLORIDA

By: _____
Deputy Clerk

By: _____
Chairperson

APPROVED AS TO FORM:

David Owen, County Attorney
Office of the County Attorney
Lee County, Florida

23-UTL.02-07/99

Date: October 5, 2005
This instrument prepared under the direction of:
Bruce P. Cury, General Counsel
Post Office Box 1249
City: Bartow, Florida 33830
Department of Transportation

F.P. NO. 4080401
PARCEL 125.4
SECTION 12011-000
STATE ROAD 739
COUNTY Lee

SUBORDINATION OF COUNTY UTILITY INTERESTS

THIS AGREEMENT, entered into this ____ day of _____, 20__, by and between the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, hereinafter called the FDOT, whose post office address is: Post Office Box 1249, Bartow, Florida 33831-1249 and LEE COUNTY BOARD OF COUNTY COMMISSIONERS, Utility Agency Organization, hereinafter called the UAO.

W I T N E S S E T H:

WHEREAS, the UAO presently has an interest in certain real property that is needed for a transportation facility; and

WHEREAS, the proposed use of the real property requires subordination of the UAO's interest to the FDOT; and

WHEREAS, the FDOT is willing to participate in the cost of locating, protecting, adjusting or removing the UAO'S facilities if necessary to prevent conflict between the UAO's facilities and the transportation facility;

NOW, THEREFORE, in consideration of the premises and the mutual covenants contained herein, the FDOT and the UAO hereby agree as follows:

1. The UAO hereby subordinates to the interest of FDOT, its successors, or assigns, any and all interest the UAO has in the real property described as follows:

SEE EXHIBIT "A"

The interest of the UAO being subordinated hereby includes, but is not necessarily limited to, the interest created by the following document:

RECORDED

INSTRUMENT	DATE	FROM	TO	O.R. BOOK/PAGE
Easement	03-11-90	N/A	Lee County Board of County Commissioners	PB 44 Pg. 83

2. The UAO shall continue to have all rights under the UAO'S real property interest document identified above, except that the use of the real property shall be subject to the control of the FDOT pursuant to paragraph 3 hereof.

3. The FDOT shall have the right to control the UAO's use of the real property interest created by the document identified above in the following manner:

a. The FDOT may require, for any present or future transportation facility project, that any facilities of the UAO be located, protected, adjusted, or removed as the FDOT determines is necessary (including the timing of any of such activities) to accommodate the transportation facility project. The UAO shall have the right to engage in additional protective measures during the transportation facility project beyond what the FDOT determines is necessary, provided that the cost of any such additional protective measures shall be borne by the UAO.

b. The UAO shall operate and maintain the UAO's facilities located on the real property in accordance with FDOT standards as set forth in the FDOT's then current Utility Accommodation Manual.

c. Any placement of new facilities or adjustment, upgrading, removal, or relocation of the UAO's facilities proposed by the UAO shall be subject to the prior approval of the FDOT as provided in and under the conditions of the FDOT's then current Utility Accommodation Manual. Approval will be granted through the issuance of a utility permit.

4. In the event the FDOT exercises its rights under paragraph 3 hereof and the exercise of those rights creates costs that the UAO would normally not have incurred had this subordination not been executed, the FDOT will bear the excess costs. Such costs shall include, but not necessarily be limited to, damage to the UAO's facilities resulting from failure of FDOT's protective measures where the UAO has not elected to undertake additional protective measures pursuant to subparagraph 3.a. hereof or the adjustment, relocation or removal of the UAO's facilities as the result of FDOT's activities. The specific arrangement for FDOT bearing the excess costs shall be by separate agreement.

IN WITNESS WHEREOF, the FDOT hereto has executed this agreement on the day and year first above written.

Executed in our presence
as witnesses:

STATE OF FLORIDA
DEPARTMENT OF
TRANSPORTATION

Signature

By: _____
District Secretary/Designee
for District One

Print/Type Name

Approved as to Form and
Legality:

Signature

Print/Type Name

Department Attorney

STATE OF FLORIDA
COUNTY OF _____

The foregoing instrument was acknowledged before me this
____ day of _____, 20__ by _____,
District Secretary/Designee for District One. He is personally
known to me or has produced _____
as identification.

(Affix Seal/Stamp here) Notary Signature: _____

Printed Name: _____

Notary Public in and for
the County and State last
aforesaid.
My Commission Expires:

Serial No.: _____

IN WITNESS WHEREOF, the County has caused these presents to be executed in its name by its Board of County Commissioners acting by the Chairperson or Vice-Chairperson of said Board, the day and year aforesaid.

ATTEST:
CHARLIE GREEN, EX-OFFICIO CLERK

BOARD OF COUNTY COMMISSIONERS
LEE COUNTY, FLORIDA

By: _____
Deputy Clerk

By: _____
Chair

Grantor(s) Mailing Address:
P.O. Box 398
Ft. Myers, FL 33902

APPROVED AS TO FORM:

Office of the County Attorney
Lee County, Florida

FP NO. 4080401

SECTION 12011-000

PARCEL 125

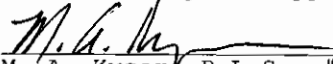
Those portions of Lots 17 and 18, Metropolitan Business Park, a subdivision in Section 19, Township 45 South, Range 25 East as per plat thereof recorded in Plat Book 44, Page 83, Public Records of Lee County, Florida.

Being described as follows:

BEGIN at the southeast corner of said Lot 17; thence along the south line of said Lot 17, South 89°02'13" West a distance of 12.58 feet; thence leaving said south line, North 05°23'10" East a distance of 246.75 feet to the north line of said Lot 18; thence along said north line, North 89°00'41" East a distance of 12.58 feet to the northeast corner of said Lot 18; thence along the east line of said Lots 17 and 18, South 05°23'10" West a distance of 246.75 feet to the POINT OF BEGINNING.

Containing 3,085 square feet.

Legal Description Approved by:


M. A. Kyser P.L.S. #4366
Date: July 11, 2005
NOT VALID UNLESS EMBOSSED

UTL.03

Date: July 11, 2005
This instrument prepared under the direction of:
Bruce P. Cury, General Counsel
Post Office Box 1249
City: Bartow, Florida 33830
Department of Transportation

F.P. NO. 4080401
PARCEL 125.4
SECTION 12011-000
STATE ROAD 739
COUNTY Lee

R E S O L U T I O N

ON MOTION of Commissioner _____,
seconded by Commissioner _____,
the following Resolution was adopted:

WHEREAS, the State of Florida Department of Transportation proposes to construct or improve State Road No. 739, Section No. 12011-000, in Lee County, Florida: and

WHEREAS, it is necessary that certain easement rights now owned by Lee County be subordinated to the State of Florida Department of Transportation: and

WHEREAS, said subordination is in the best interest of the County: and

WHEREAS, the State of Florida Department of Transportation has made application to said County to execute and deliver to the State of Florida Department of Transportation a subordination of utility interest, or interests, in favor of the State of Florida, and said request having been duly considered.

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Lee County, that the application of the State of Florida Department of Transportation for a subordination of utility interest, or interests, is for transportation purposes which are in the public or community interest and for public welfare; that a subordination of utility interest, or interests, in favor of the State of Florida Department of Transportation, in Lee County, should be drawn and executed by this Board of County Commissioners. Consideration shall be \$1.00.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded forthwith to the State of Florida Department of Transportation at Bartow, Florida.

STATE OF FLORIDA

COUNTY OF _____

I HEREBY CERTIFY that the foregoing is a true copy of a Resolution adopted by the Board of County Commissioners Lee County, Florida at a meeting held on the _____ day of _____, 20____.

Clerk: Lisa L. Pierce
Board of County Commissioners
Lee County, Florida

ATTEST:
CHARLIE GREEN, EX-OFFICIO CLERK

BOARD OF COUNTY COMMISSIONERS
LEE COUNTY, FLORIDA

By: _____
Deputy Clerk

By: _____
Chairperson

APPROVED AS TO FORM:

David Owen, County Attorney
Office of the County Attorney
Lee County, Florida

23-UTL.02-07/99

Date: October 5, 2005
This instrument prepared under the direction of:
Bruce P. Cury, General Counsel
Post Office Box 1249
City: Bartow, Florida 33830
Department of Transportation

F.P. NO. 4080401
PARCEL 126.3
SECTION 12011-000
STATE ROAD 739
COUNTY Lee

SUBORDINATION OF COUNTY UTILITY INTERESTS

THIS AGREEMENT, entered into this ____ day of _____, 20__, by and between the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, hereinafter called the FDOT, whose post office address is: Post Office Box 1249, Bartow, Florida 33831-1249 and LEE COUNTY BOARD OF COUNTY COMMISSIONERS, Utility Agency Organization, hereinafter called the UAO.

W I T N E S S E T H:

WHEREAS, the UAO presently has an interest in certain real property that is needed for a transportation facility; and

WHEREAS, the proposed use of the real property requires subordination of the UAO's interest to the FDOT; and

WHEREAS, the FDOT is willing to participate in the cost of locating, protecting, adjusting or removing the UAO'S facilities if necessary to prevent conflict between the UAO's facilities and the transportation facility;

NOW, THEREFORE, in consideration of the premises and the mutual covenants contained herein, the FDOT and the UAO hereby agree as follows:

1. The UAO hereby subordinates to the interest of FDOT, its successors, or assigns, any and all interest the UAO has in the real property described as follows:

SEE EXHIBIT "A"

The interest of the UAO being subordinated hereby includes, but is not necessarily limited to, the interest created by the following document:

RECORDED

INSTRUMENT	DATE	FROM	TO	O.R. BOOK/PAGE
Easement	03-11-90	N/A	Lee County Board of County Commissioners	PB 44 Pg. 83

2. The UAO shall continue to have all rights under the UAO'S real property interest document identified above, except that the use of the real property shall be subject to the control of the FDOT pursuant to paragraph 3 hereof.

3. The FDOT shall have the right to control the UAO's use of the real property interest created by the document identified above in the following manner:

a. The FDOT may require, for any present or future transportation facility project, that any facilities of the UAO be located, protected, adjusted, or removed as the FDOT determines is necessary (including the timing of any of such activities) to accommodate the transportation facility project. The UAO shall have the right to engage in additional protective measures during the transportation facility project beyond what the FDOT determines is necessary, provided that the cost of any such additional protective measures shall be borne by the UAO.

b. The UAO shall operate and maintain the UAO's facilities located on the real property in accordance with FDOT standards as set forth in the FDOT's then current Utility Accommodation Manual.

c. Any placement of new facilities or adjustment, upgrading, removal, or relocation of the UAO's facilities proposed by the UAO shall be subject to the prior approval of the FDOT as provided in and under the conditions of the FDOT's then current Utility Accommodation Manual. Approval will be granted through the issuance of a utility permit.

4. In the event the FDOT exercises its rights under paragraph 3 hereof and the exercise of those rights creates costs that the UAO would normally not have incurred had this subordination not been executed, the FDOT will bear the excess costs. Such costs shall include, but not necessarily be limited to, damage to the UAO's facilities resulting from failure of FDOT's protective measures where the UAO has not elected to undertake additional protective measures pursuant to subparagraph 3.a. hereof or the adjustment, relocation or removal of the UAO's facilities as the result of FDOT's activities. The specific arrangement for FDOT bearing the excess costs shall be by separate agreement.

IN WITNESS WHEREOF, the FDOT hereto has executed this agreement on the day and year first above written.

Executed in our presence
as witnesses:

STATE OF FLORIDA
DEPARTMENT OF
TRANSPORTATION

Signature

By: _____
District Secretary/Designee
for District One

Print/Type Name

Approved as to Form and
Legality:

Signature

Print/Type Name

Department Attorney

STATE OF FLORIDA

COUNTY OF _____

The foregoing instrument was acknowledged before me this
____ day of _____, 20__ by _____,
District Secretary/Designee for District One. He is personally
known to me or has produced _____
as identification.

(Affix Seal/Stamp here) Notary Signature: _____

Printed Name: _____

Notary Public in and for
the County and State last
aforesaid.
My Commission Expires:

Serial No.: _____

IN WITNESS WHEREOF, the County has caused these presents to be executed in its name by its Board of County Commissioners acting by the Chairperson or Vice-Chairperson of said Board, the day and year aforesaid.

ATTEST:
CHARLIE GREEN, EX-OFFICIO CLERK

BOARD OF COUNTY COMMISSIONERS
LEE COUNTY, FLORIDA

By: _____
Deputy Clerk

By: _____
Chair

Grantor(s) Mailing Address:
P.O. Box 398
Ft. Myers, FL 33902

APPROVED AS TO FORM:

Office of the County Attorney
Lee County, Florida

FP NO. 4080401

SECTION 12011-000

PARCEL 126

That portion of Lot 19, Metropolitan Business Park, a subdivision in Section 19, Township 45 South, Range 25 East as per plat thereof recorded in Plat Book 44, Page 83, Public Records of Lee County, Florida.

Being described as follows:

BEGIN at the southeast corner of said Lot 19; thence along the south line of said Lot 19, South 89°00'41" West a distance of 12.58 feet; thence leaving said south line, North 05°23'10" East a distance of 115.00 feet to the north line of said Lot 19; thence along said north line, North 89°00'41" East a distance of 12.58 feet to the northeast corner of said Lot 19; thence along the east line of said Lot 19, South 05°23'10" West a distance of 115.00 feet to the POINT OF BEGINNING.

Containing 1,438 square feet.

Legal Description Approved by:

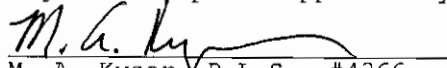

M. A. Kyser, P.L.S. #4366
Date: July 11, 2005
NOT VALID UNLESS EMBOSSED

EXHIBIT "A"

Page 5

UTL.03

Date: July 11, 2005
This instrument prepared under the direction of:
Bruce P. Cury, General Counsel
Post Office Box 1249
City: Bartow, Florida 33830
Department of Transportation

F.P. NO. 4080401
PARCEL 126.3
SECTION 12011-000
STATE ROAD 739
COUNTY Lee

R E S O L U T I O N

ON MOTION of Commissioner _____,
seconded by Commissioner _____,
the following Resolution was adopted:

WHEREAS, the State of Florida Department of Transportation proposes to construct or improve State Road No. 739, Section No. 12011-000, in Lee County, Florida: and

WHEREAS, it is necessary that certain easement rights now owned by Lee County be subordinated to the State of Florida Department of Transportation: and

WHEREAS, said subordination is in the best interest of the County: and

WHEREAS, the State of Florida Department of Transportation has made application to said County to execute and deliver to the State of Florida Department of Transportation a subordination of utility interest, or interests, in favor of the State of Florida, and said request having been duly considered.

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Lee County, that the application of the State of Florida Department of Transportation for a subordination of utility interest, or interests, is for transportation purposes which are in the public or community interest and for public welfare; that a subordination of utility interest, or interests, in favor of the State of Florida Department of Transportation, in Lee County, should be drawn and executed by this Board of County Commissioners. Consideration shall be \$ 1.00.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded forthwith to the State of Florida Department of Transportation at Bartow, Florida.

STATE OF FLORIDA

COUNTY OF _____

I HEREBY CERTIFY that the foregoing is a true copy of a Resolution adopted by the Board of County Commissioners Lee County, Florida at a meeting held on the _____ day of _____, 20____.

Clerk: Lisa L. Pierce
Board of County Commissioners
Lee County, Florida

ATTEST:
CHARLIE GREEN, EX-OFFICIO CLERK

BOARD OF COUNTY COMMISSIONERS
LEE COUNTY, FLORIDA

By: _____
Deputy Clerk

By: _____
Chairperson

APPROVED AS TO FORM:

David Owen, County Attorney
Office of the County Attorney
Lee County, Florida

23-UTL.02-07/99

Date: October 5, 2005
This instrument prepared under the direction of:
Bruce P. Cury, General Counsel
Post Office Box 1249
City: Bartow, Florida 33830
Department of Transportation

F.P. NO. 4080401
PARCEL 127.4
SECTION 12011-000
STATE ROAD 739
COUNTY Lee

SUBORDINATION OF COUNTY UTILITY INTERESTS

THIS AGREEMENT, entered into this ____ day of _____, 20__, by and between the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, hereinafter called the FDOT, whose post office address is: Post Office Box 1249, Bartow, Florida 33831-1249 and LEE COUNTY BOARD OF COUNTY COMMISSIONERS, Utility Agency Organization, hereinafter called the UAO.

W I T N E S S E T H:

WHEREAS, the UAO presently has an interest in certain real property that is needed for a transportation facility; and

WHEREAS, the proposed use of the real property requires subordination of the UAO's interest to the FDOT; and

WHEREAS, the FDOT is willing to participate in the cost of locating, protecting, adjusting or removing the UAO'S facilities if necessary to prevent conflict between the UAO's facilities and the transportation facility;

NOW, THEREFORE, in consideration of the premises and the mutual covenants contained herein, the FDOT and the UAO hereby agree as follows:

1. The UAO hereby subordinates to the interest of FDOT, its successors, or assigns, any and all interest the UAO has in the real property described as follows:

SEE EXHIBIT "A"

The interest of the UAO being subordinated hereby includes, but is not necessarily limited to, the interest created by the following document:

RECORDED

INSTRUMENT	DATE	FROM	TO	O.R. BOOK/PAGE
Easement	03-11-90	N/A	Lee County Board of County Commissioners	PB 44 Pg. 83

2. The UAO shall continue to have all rights under the UAO'S real property interest document identified above, except that the use of the real property shall be subject to the control of the FDOT pursuant to paragraph 3 hereof.

3. The FDOT shall have the right to control the UAO's use of the real property interest created by the document identified above in the following manner:

a. The FDOT may require, for any present or future transportation facility project, that any facilities of the UAO be located, protected, adjusted, or removed as the FDOT determines is necessary (including the timing of any of such activities) to accommodate the transportation facility project. The UAO shall have the right to engage in additional protective measures during the transportation facility project beyond what the FDOT determines is necessary, provided that the cost of any such additional protective measures shall be borne by the UAO.

b. The UAO shall operate and maintain the UAO's facilities located on the real property in accordance with FDOT standards as set forth in the FDOT's then current Utility Accommodation Manual.

c. Any placement of new facilities or adjustment, upgrading, removal, or relocation of the UAO's facilities proposed by the UAO shall be subject to the prior approval of the FDOT as provided in and under the conditions of the FDOT's then current Utility Accommodation Manual. Approval will be granted through the issuance of a utility permit.

4. In the event the FDOT exercises its rights under paragraph 3 hereof and the exercise of those rights creates costs that the UAO would normally not have incurred had this subordination not been executed, the FDOT will bear the excess costs. Such costs shall include, but not necessarily be limited to, damage to the UAO's facilities resulting from failure of FDOT's protective measures where the UAO has not elected to undertake additional protective measures pursuant to subparagraph 3.a. hereof or the adjustment, relocation or removal of the UAO's facilities as the result of FDOT's activities. The specific arrangement for FDOT bearing the excess costs shall be by separate agreement.

IN WITNESS WHEREOF, the FDOT hereto has executed this agreement on the day and year first above written.

Executed in our presence
as witnesses:

STATE OF FLORIDA
DEPARTMENT OF
TRANSPORTATION

Signature

By: _____
District Secretary/Designee
for District One

Print/Type Name

Approved as to Form and
Legality:

Signature

Print/Type Name

Department Attorney

STATE OF FLORIDA

COUNTY OF _____

The foregoing instrument was acknowledged before me this
____ day of _____, 20__ by _____,
District Secretary/Designee for District One. He is personally
known to me or has produced _____
as identification.

(Affix Seal/Stamp here) Notary Signature: _____

Printed Name: _____

Notary Public in and for
the County and State last
aforesaid.

My Commission Expires:

Serial No.: _____

IN WITNESS WHEREOF, the County has caused these presents to be executed in its name by its Board of County Commissioners acting by the Chairperson or Vice-Chairperson of said Board, the day and year aforesaid.

ATTEST:
CHARLIE GREEN, EX-OFFICIO CLERK

BOARD OF COUNTY COMMISSIONERS
LEE COUNTY, FLORIDA

By: _____
Deputy Clerk

By: _____
Chair

Grantor(s) Mailing Address:
P.O. Box 398
Ft. Myers, FL 33902

APPROVED AS TO FORM:

Office of the County Attorney
Lee County, Florida

FP NO. 4080401

SECTION 12011-000

PARCEL 127

That portion of Lot 20, Metropolitan Business Park, a subdivision in Section 19, Township 45 South, Range 25 East as per plat thereof recorded in Plat Book 44, Page 83, Public Records of Lee County, Florida.

Being described as follows:

BEGIN at the southeast corner of said Lot 20, thence along the south line of said Lot 20, South 89°00'41" West a distance of 12.58 feet; thence leaving said south line, North 05°23'10" East a distance of 67.85 feet; thence North 04°07'04" East a distance of 45.05 feet to the north line of said Lot 20; thence along said north line, North 89°00'41" East a distance of 13.58 feet to the northeast corner of said Lot 20; thence along the east line of said Lot 20, South 05°23'10" West a distance of 113.00 feet to the POINT OF BEGINNING.

Containing 1,435 square feet.

Legal Description Approved by:

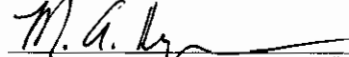

M. A. Kyser P.L.S. #4366
Date: July 11, 2005
NOT VALID UNLESS EMBOSSED

EXHIBIT "A"

Page 5

UTL.03

Date: July 11, 2005
This instrument prepared under the direction of:
Bruce P. Cury, General Counsel
Post Office Box 1249
City: Bartow, Florida 33830
Department of Transportation

F.P. NO. 4080401
PARCEL 127.4
SECTION 12011-000
STATE ROAD 739
COUNTY Lee

R E S O L U T I O N

ON MOTION of Commissioner _____,
seconded by Commissioner _____,
the following Resolution was adopted:

WHEREAS, the State of Florida Department of Transportation proposes to construct or improve State Road No. 739, Section No. 12011-000, in Lee County, Florida: and

WHEREAS, it is necessary that certain easement rights now owned by Lee County be subordinated to the State of Florida Department of Transportation: and

WHEREAS, said subordination is in the best interest of the County: and

WHEREAS, the State of Florida Department of Transportation has made application to said County to execute and deliver to the State of Florida Department of Transportation a subordination of utility interest, or interests, in favor of the State of Florida, and said request having been duly considered.

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Lee County, that the application of the State of Florida Department of Transportation for a subordination of utility interest, or interests, is for transportation purposes which are in the public or community interest and for public welfare; that a subordination of utility interest, or interests, in favor of the State of Florida Department of Transportation, in Lee County, should be drawn and executed by this Board of County Commissioners. Consideration shall be \$ 1.00.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded forthwith to the State of Florida Department of Transportation at Bartow, Florida.

STATE OF FLORIDA

COUNTY OF _____

I HEREBY CERTIFY that the foregoing is a true copy of a Resolution adopted by the Board of County Commissioners Lee County, Florida at a meeting held on the ____ day of _____, 20____.

Clerk: Lisa L. Pierce
Board of County Commissioners
Lee County, Florida

ATTEST:
CHARLIE GREEN, EX-OFFICIO CLERK

BOARD OF COUNTY COMMISSIONERS
LEE COUNTY, FLORIDA

By: _____
Deputy Clerk

By: _____
Chairperson

APPROVED AS TO FORM:

David Owen, County Attorney
Office of the County Attorney
Lee County, Florida

23-UTL.02-07/99

Date: October 5, 2005
This instrument prepared under the direction of:
Bruce P. Cury, General Counsel
Post Office Box 1249
City: Bartow, Florida 33830
Department of Transportation

F.P. NO. 4080401
PARCEL 128.2
SECTION 12011-000
STATE ROAD 739
COUNTY Lee

SUBORDINATION OF COUNTY UTILITY INTERESTS

THIS AGREEMENT, entered into this ____ day of _____, 20____, by and between the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, hereinafter called the FDOT, whose post office address is: Post Office Box 1249, Bartow, Florida 33831-1249 and LEE COUNTY BOARD OF COUNTY COMMISSIONERS, Utility Agency Organization, hereinafter called the UAO.

W I T N E S S E T H:

WHEREAS, the UAO presently has an interest in certain real property that is needed for a transportation facility; and

WHEREAS, the proposed use of the real property requires subordination of the UAO's interest to the FDOT; and

WHEREAS, the FDOT is willing to participate in the cost of locating, protecting, adjusting or removing the UAO'S facilities if necessary to prevent conflict between the UAO's facilities and the transportation facility;

NOW, THEREFORE, in consideration of the premises and the mutual covenants contained herein, the FDOT and the UAO hereby agree as follows:

1. The UAO hereby subordinates to the interest of FDOT, its successors, or assigns, any and all interest the UAO has in the real property described as follows:

SEE EXHIBIT "A"

The interest of the UAO being subordinated hereby includes, but is not necessarily limited to, the interest created by the following document:

RECORDED

INSTRUMENT	DATE	FROM	TO	O.R. BOOK/PAGE
Easement	03-11-90	N/A	Lee County Board of County Commissioners	PB 44 Pg. 83

2. The UAO shall continue to have all rights under the UAO'S real property interest document identified above, except that the use of the real property shall be subject to the control of the FDOT pursuant to paragraph 3 hereof.

3. The FDOT shall have the right to control the UAO's use of the real property interest created by the document identified above in the following manner:

a. The FDOT may require, for any present or future transportation facility project, that any facilities of the UAO be located, protected, adjusted, or removed as the FDOT determines is necessary (including the timing of any of such activities) to accommodate the transportation facility project. The UAO shall have the right to engage in additional protective measures during the transportation facility project beyond what the FDOT determines is necessary, provided that the cost of any such additional protective measures shall be borne by the UAO.

b. The UAO shall operate and maintain the UAO's facilities located on the real property in accordance with FDOT standards as set forth in the FDOT's then current Utility Accommodation Manual.

c. Any placement of new facilities or adjustment, upgrading, removal, or relocation of the UAO's facilities proposed by the UAO shall be subject to the prior approval of the FDOT as provided in and under the conditions of the FDOT's then current Utility Accommodation Manual. Approval will be granted through the issuance of a utility permit.

4. In the event the FDOT exercises its rights under paragraph 3 hereof and the exercise of those rights creates costs that the UAO would normally not have incurred had this subordination not been executed, the FDOT will bear the excess costs. Such costs shall include, but not necessarily be limited to, damage to the UAO's facilities resulting from failure of FDOT's protective measures where the UAO has not elected to undertake additional protective measures pursuant to subparagraph 3.a. hereof or the adjustment, relocation or removal of the UAO's facilities as the result of FDOT's activities. The specific arrangement for FDOT bearing the excess costs shall be by separate agreement.

IN WITNESS WHEREOF, the FDOT hereto has executed this agreement on the day and year first above written.

Executed in our presence
as witnesses:

STATE OF FLORIDA
DEPARTMENT OF
TRANSPORTATION

Signature

Print/Type Name

Signature

Print/Type Name

By: _____
District Secretary/Designee
for District One

Approved as to Form and
Legality:

Department Attorney

STATE OF FLORIDA
COUNTY OF _____

The foregoing instrument was acknowledged before me this
____ day of _____, 20__ by _____,
District Secretary/Designee for District One. He is personally
known to me or has produced _____
as identification.

(Affix Seal/Stamp here) Notary Signature: _____

Printed Name: _____

Notary Public in and for
the County and State last
aforesaid.
My Commission Expires:

Serial No.: _____

IN WITNESS WHEREOF, the County has caused these presents to be executed in its name by its Board of County Commissioners acting by the Chairperson or Vice-Chairperson of said Board, the day and year aforesaid.

ATTEST:
CHARLIE GREEN, EX-OFFICIO CLERK

BOARD OF COUNTY COMMISSIONERS
LEE COUNTY, FLORIDA

By: _____
Deputy Clerk

By: _____
Chair

Grantor(s) Mailing Address:
P.O. Box 398
Ft. Myers, FL 33902

APPROVED AS TO FORM:

Office of the County Attorney
Lee County, Florida

FP NO. 4080401

SECTION 12011-000

PARCEL 128

That portion of Lot 12, Metropolitan Business Park, a subdivision in Section 19, Township 45 South, Range 25 East as per plat thereof recorded in Plat Book 44, Page 83, Public Records of Lee County, Florida.

Being described as follows:

BEGIN at the southeast corner of said Lot 12; thence along the south line of said Lot 12, South 89°00'41" West a distance of 12.50 feet; thence leaving said south line, North 00°38'41" West a distance of 138.00 feet to the north line of said Lot 12; thence along said north line, North 89°00'41" East a distance of 12.50 feet to the northeast corner of said Lot 12; thence along the east line of said Lot 12, South 00°38'41" East a distance of 138.00 feet to the POINT OF BEGINNING.

Containing 1,725 square feet.

Legal Description Approved by:



M. A. Kyser P.L.S. #4366
Date: July 11, 2005
NOT VALID UNLESS EMBOSSED

EXHIBIT "A"

Page 5

UTL.03

Date: July 11, 2005
This instrument prepared under the direction of:
Bruce P. Cury, General Counsel
Post Office Box 1249
City: Bartow, Florida 33830
Department of Transportation

F.P. NO. 4080401
PARCEL 128.2
SECTION 12011-000
STATE ROAD 739
COUNTY Lee

R E S O L U T I O N

ON MOTION of Commissioner _____,
seconded by Commissioner _____,
the following Resolution was adopted:

WHEREAS, the State of Florida Department of Transportation proposes to construct or improve State Road No. 739, Section No. 12011-000, in Lee County, Florida: and

WHEREAS, it is necessary that certain easement rights now owned by Lee County be subordinated to the State of Florida Department of Transportation: and

WHEREAS, said subordination is in the best interest of the County: and

WHEREAS, the State of Florida Department of Transportation has made application to said County to execute and deliver to the State of Florida Department of Transportation a subordination of utility interest, or interests, in favor of the State of Florida, and said request having been duly considered.

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Lee County, that the application of the State of Florida Department of Transportation for a subordination of utility interest, or interests, is for transportation purposes which are in the public or community interest and for public welfare; that a subordination of utility interest, or interests, in favor of the State of Florida Department of Transportation, in Lee County, should be drawn and executed by this Board of County Commissioners. Consideration shall be \$ 1.00.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded forthwith to the State of Florida Department of Transportation at Bartow, Florida.

STATE OF FLORIDA

COUNTY OF _____

I HEREBY CERTIFY that the foregoing is a true copy of a Resolution adopted by the Board of County Commissioners Lee County, Florida at a meeting held on the ____ day of _____, 20____.

Clerk: Lisa L. Pierce
Board of County Commissioners
Lee County, Florida

ATTEST:
CHARLIE GREEN, EX-OFFICIO CLERK

BOARD OF COUNTY COMMISSIONERS
LEE COUNTY, FLORIDA

By: _____
Deputy Clerk

By: _____
Chairperson

APPROVED AS TO FORM:

David Owen, County Attorney
Office of the County Attorney
Lee County, Florida

23-UTL.02-07/99

Date: October 5, 2005
This instrument prepared
under the direction of:
Bruce P. Cury, General Counsel
Post Office Box 1249
City: Bartow, Florida 33830
Department of Transportation

F.P. NO. 4080401
PARCEL 130.3
SECTION 12011-000
STATE ROAD 739
COUNTY Lee

SUBORDINATION OF COUNTY UTILITY INTERESTS

THIS AGREEMENT, entered into this ____ day of _____, 20__, by and between the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, hereinafter called the FDOT, whose post office address is: Post Office Box 1249, Bartow, Florida 33831-1249 and LEE COUNTY BOARD OF COUNTY COMMISSIONERS, Utility Agency Organization, hereinafter called the UAO.

W I T N E S S E T H:

WHEREAS, the UAO presently has an interest in certain real property that is needed for a transportation facility; and

WHEREAS, the proposed use of the real property requires subordination of the UAO's interest to the FDOT; and

WHEREAS, the FDOT is willing to participate in the cost of locating, protecting, adjusting or removing the UAO'S facilities if necessary to prevent conflict between the UAO's facilities and the transportation facility;

NOW, THEREFORE, in consideration of the premises and the mutual covenants contained herein, the FDOT and the UAO hereby agree as follows:

1. The UAO hereby subordinates to the interest of FDOT, its successors, or assigns, any and all interest the UAO has in the real property described as follows:

SEE EXHIBIT "A"

The interest of the UAO being subordinated hereby includes, but is not necessarily limited to, the interest created by the following document:

RECORDED

INSTRUMENT	DATE	FROM	TO	O.R. BOOK/PAGE
Easement	03-11-90	N/A	Lee County Board of County Commissioners	PB 44 Pg. 83

2. The UAO shall continue to have all rights under the UAO'S real property interest document identified above, except that the use of the real property shall be subject to the control of the FDOT pursuant to paragraph 3 hereof.

3. The FDOT shall have the right to control the UAO's use of the real property interest created by the document identified above in the following manner:

a. The FDOT may require, for any present or future transportation facility project, that any facilities of the UAO be located, protected, adjusted, or removed as the FDOT determines is necessary (including the timing of any of such activities) to accommodate the transportation facility project. The UAO shall have the right to engage in additional protective measures during the transportation facility project beyond what the FDOT determines is necessary, provided that the cost of any such additional protective measures shall be borne by the UAO.

b. The UAO shall operate and maintain the UAO's facilities located on the real property in accordance with FDOT standards as set forth in the FDOT's then current Utility Accommodation Manual.

c. Any placement of new facilities or adjustment, upgrading, removal, or relocation of the UAO's facilities proposed by the UAO shall be subject to the prior approval of the FDOT as provided in and under the conditions of the FDOT's then current Utility Accommodation Manual. Approval will be granted through the issuance of a utility permit.

4. In the event the FDOT exercises its rights under paragraph 3 hereof and the exercise of those rights creates costs that the UAO would normally not have incurred had this subordination not been executed, the FDOT will bear the excess costs. Such costs shall include, but not necessarily be limited to, damage to the UAO's facilities resulting from failure of FDOT's protective measures where the UAO has not elected to undertake additional protective measures pursuant to subparagraph 3.a. hereof or the adjustment, relocation or removal of the UAO's facilities as the result of FDOT's activities. The specific arrangement for FDOT bearing the excess costs shall be by separate agreement.

IN WITNESS WHEREOF, the FDOT hereto has executed this agreement on the day and year first above written.

Executed in our presence
as witnesses:

STATE OF FLORIDA
DEPARTMENT OF
TRANSPORTATION

Signature

By: _____
District Secretary/Designee
for District One

Print/Type Name

Approved as to Form and
Legality:

Signature

Print/Type Name

Department Attorney

STATE OF FLORIDA
COUNTY OF _____

The foregoing instrument was acknowledged before me this
____ day of _____, 20__ by _____,
District Secretary/Designee for District One. He is personally
known to me or has produced _____
as identification.

(Affix Seal/Stamp here) Notary Signature: _____

Printed Name: _____

Notary Public in and for
the County and State last
aforesaid.
My Commission Expires:

Serial No.: _____

IN WITNESS WHEREOF, the County has caused these presents to be executed in its name by its Board of County Commissioners acting by the Chairperson or Vice-Chairperson of said Board, the day and year aforesaid.

ATTEST:
CHARLIE GREEN, EX-OFFICIO CLERK

By: _____
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
LEE COUNTY, FLORIDA

By: _____
Chair

Grantor(s) Mailing Address:
P.O. Box 398
Ft. Myers, FL 33902

APPROVED AS TO FORM:

Office of the County Attorney
Lee County, Florida

FP NO. 4080401

SECTION 12011-000

PARCEL 130

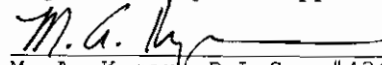
That portion of Lot 1, Metropolitan Business Park, a subdivision in Section 19, Township 45 South, Range 25 East as per plat thereof recorded in Plat Book 44, Page 83, Public Records of Lee County, Florida.

Being described as follows:

BEGIN at the northeast corner of said Lot 1, thence along the east line of said Lot 1, South 05°23'10" West a distance of 97.40 feet to the southeast corner of said Lot 1 and the beginning of a curve concave southerly and having a radius of 222.50 feet; thence along the south line of said Lot 1 the arc of said curve to the left a distance of 27.57 feet through a central angle of 07°06'01" with a chord bearing North 88°13'27" West to the end of said curve; thence leaving said south line, North 05°23'10" East a distance of 96.07 feet to the north line of said Lot 1; thence along said north line, North 89°02'08" East a distance of 27.67 feet to the POINT OF BEGINNING.

Containing 2,652 square feet.

Legal Description Approved by:


M. A. Kysar, P.L.S. #4366
Date: July 11, 2005
NOT VALID UNLESS EMBOSSED

UTL.03

Date: July 11, 2005
This instrument prepared under the direction of:
Bruce P. Cury, General Counsel
Post Office Box 1249
City: Bartow, Florida 33830
Department of Transportation

F.P. NO. 4080401
PARCEL 130.3
SECTION 12011-000
STATE ROAD 739
COUNTY Lee

R E S O L U T I O N

ON MOTION of Commissioner _____,
seconded by Commissioner _____,
the following Resolution was adopted:

WHEREAS, the State of Florida Department of Transportation proposes to construct or improve State Road No. 739, Section No. 12011-000, in Lee County, Florida: and

WHEREAS, it is necessary that certain easement rights now owned by Lee County be subordinated to the State of Florida Department of Transportation: and

WHEREAS, said subordination is in the best interest of the County: and

WHEREAS, the State of Florida Department of Transportation has made application to said County to execute and deliver to the State of Florida Department of Transportation a subordination of utility interest, or interests, in favor of the State of Florida, and said request having been duly considered.

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Lee County, that the application of the State of Florida Department of Transportation for a subordination of utility interest, or interests, is for transportation purposes which are in the public or community interest and for public welfare; that a subordination of utility interest, or interests, in favor of the State of Florida Department of Transportation, in Lee County, should be drawn and executed by this Board of County Commissioners. Consideration shall be \$ 1.00.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded forthwith to the State of Florida Department of Transportation at Bartow, Florida.

STATE OF FLORIDA

COUNTY OF _____

I HEREBY CERTIFY that the foregoing is a true copy of a Resolution adopted by the Board of County Commissioners Lee County, Florida at a meeting held on the ____ day of _____, 20____.

Clerk: Lisa L. Pierce
Board of County Commissioners
Lee County, Florida

ATTEST:
CHARLIE GREEN, EX-OFFICIO CLERK

BOARD OF COUNTY COMMISSIONERS
LEE COUNTY, FLORIDA

By: _____
Deputy Clerk

By: _____
Chairperson

APPROVED AS TO FORM:

David Owen, County Attorney
Office of the County Attorney
Lee County, Florida

23-UTL.02-07/99

Date: February 14, 2005
This instrument prepared
under the direction of:
Bruce P. Cury, General Counsel
Post Office Box 1249
City: Bartow, Florida 33830
Department of Transportation

F.P. NO. 4080401
PARCEL 809.2
SECTION 12011-000
STATE ROAD 739
COUNTY Lee

SUBORDINATION OF COUNTY UTILITY INTERESTS

THIS AGREEMENT, entered into this ____ day of _____, 20____, by and between the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, hereinafter called the FDOT, whose post office address is: Post Office Box 1249, Bartow, Florida 33831-1249 and LEE COUNTY BOARD OF COUNTY COMMISSIONERS, Utility Agency Organization, hereinafter called the UAO.

W I T N E S S E T H:

WHEREAS, the UAO presently has an interest in certain real property that is needed for a transportation facility; and

WHEREAS, the proposed use of the real property requires subordination of the UAO's interest to the FDOT; and

WHEREAS, the FDOT is willing to participate in the cost of locating, protecting, adjusting or removing the UAO'S facilities if necessary to prevent conflict between the UAO's facilities and the transportation facility;

NOW, THEREFORE, in consideration of the premises and the mutual covenants contained herein, the FDOT and the UAO hereby agree as follows:

1. The UAO hereby subordinates to the interest of FDOT, its successors, or assigns, any and all interest the UAO has in the real property described as follows:

SEE EXHIBIT "A"

The interest of the UAO being subordinated hereby includes, but is not necessarily limited to, the interest created by the following document:

RECORDED

INSTRUMENT	DATE	FROM	TO	O.R. BOOK/PAGE
Easement	12-21-99	Metro Land Group, L.L.C.	Lee County Board of County Commissioners	OR 3207 Pg. 0954

2. The UAO shall continue to have all rights under the UAO'S real property interest document identified above, except that the use of the real property shall be subject to the control of the FDOT pursuant to paragraph 3 hereof.

3. The FDOT shall have the right to control the UAO's use of the real property interest created by the document identified above in the following manner:

a. The FDOT may require, for any present or future transportation facility project, that any facilities of the UAO be located, protected, adjusted, or removed as the FDOT determines is necessary (including the timing of any of such activities) to accommodate the transportation facility project. The UAO shall have the right to engage in additional protective measures during the transportation facility project beyond what the FDOT determines is necessary, provided that the cost of any such additional protective measures shall be borne by the UAO.

b. The UAO shall operate and maintain the UAO's facilities located on the real property in accordance with FDOT standards as set forth in the FDOT's then current Utility Accommodation Manual.

c. Any placement of new facilities or adjustment, upgrading, removal, or relocation of the UAO's facilities proposed by the UAO shall be subject to the prior approval of the FDOT as provided in and under the conditions of the FDOT's then current Utility Accommodation Manual. Approval will be granted through the issuance of a utility permit.

4. In the event the FDOT exercises its rights under paragraph 3 hereof and the exercise of those rights creates costs that the UAO would normally not have incurred had this subordination not been executed, the FDOT will bear the excess costs. Such costs shall include, but not necessarily be limited to, damage to the UAO's facilities resulting from failure of FDOT's protective measures where the UAO has not elected to undertake additional protective measures pursuant to subparagraph 3.a. hereof or the adjustment, relocation or removal of the UAO's facilities as the result of FDOT's activities. The specific arrangement for FDOT bearing the excess costs shall be by separate agreement.

IN WITNESS WHEREOF, the FDOT hereto has executed this agreement on the day and year first above written.

Executed in our presence
as witnesses:

STATE OF FLORIDA
DEPARTMENT OF
TRANSPORTATION

Signature

By: _____
District Secretary/Designee
for District One

Print/Type Name

Approved as to Form and
Legality:

Signature

Print/Type Name

Department Attorney

STATE OF FLORIDA
COUNTY OF _____

The foregoing instrument was acknowledged before me this
____ day of _____, 20__ by _____,
District Secretary/Designee for District One. He is personally
known to me or has produced _____
as identification.

(Affix Seal/Stamp here) Notary Signature: _____

Printed Name: _____

Notary Public in and for
the County and State last
aforesaid.
My Commission Expires:

Serial No.: _____

IN WITNESS WHEREOF, the County has caused these presents to be executed in its name by its Board of County Commissioners acting by the Chairperson or Vice-Chairperson of said Board, the day and year aforesaid.

ATTEST:
CHARLIE GREEN, EX-OFFICIO CLERK

BOARD OF COUNTY COMMISSIONERS
LEE COUNTY, FLORIDA

By: _____
Deputy Clerk

By: _____
Chair

Grantor(s) Mailing Address:
P.O. Box 398
Ft. Myers, FL 33902

APPROVED AS TO FORM:

Office of the County Attorney
Lee County, Florida

F.P. NO. 4080401

SECTION 12011-000

PARCEL 809

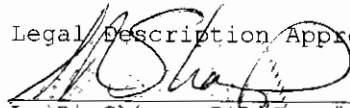
That portion of the northwest 1/4 of Section 30, Township 45 South, Range 25 East, Lee County, Florida.

Being described as follows:

Commence at the southeast corner of the northwest 1/4 of said Section 30; thence along the south line of said southwest 1/4, South 88°55'08" West a distance of 1,914.41 feet to the survey base line of State Road 739 (Metro Parkway); thence along said survey base line North 00°38'41" West a distance of 660.79 feet; thence North 88°56'47" East a distance of 62.50 feet for a POINT OF BEGINNING; thence North 00°38'41" West a distance of 660.97 feet; thence North 88°58'12" East a distance of 5.00 feet; thence South 00°38'41" East a distance of 257.68 feet; thence South 15°13'07" East a distance of 49.68 feet; thence South 00°38'41" East a distance of 9.40 feet; thence South 03°10'10" West a distance of 142.83 feet; thence South 00°38'41" East distance of 203.27 feet; thence South 88°56'47" West a distance of 8.00 feet to the POINT OF BEGINNING.

Containing 5,437 square feet.

Legal Description Approved by:



L. R. Sharp P.L.S. #4388

Date: FEBRUARY 14, 2005

NOT VALID UNLESS EMBOSSED

EXHIBIT "A"

Page 5

UTL.03

Date: February 14, 2005
This instrument prepared
under the direction of:
Bruce P. Cury, General Counsel
Post Office Box 1249
City: Bartow, Florida 33830
Department of Transportation

F.P. NO. 4080401
PARCEL 809.2
SECTION 12011-000
STATE ROAD 739
COUNTY Lee

R E S O L U T I O N

ON MOTION of Commissioner _____,
seconded by Commissioner _____,
the following Resolution was adopted:

WHEREAS, the State of Florida Department of Transportation
proposes to construct or improve State Road No. 739, Section No.
12011-000, in Lee County, Florida: and

WHEREAS, it is necessary that certain easement rights now
owned by Lee County be subordinated to the
State of Florida Department of Transportation: and

WHEREAS, said subordination is in the best interest of the
County: and

WHEREAS, the State of Florida Department of Transportation
has made application to said County to execute and deliver to the
State of Florida Department of Transportation a subordination of
utility interest, or interests, in favor of the State of Florida,
and said request having been duly considered.

NOW THEREFORE, BE IT RESOLVED by the Board of County
Commissioners of Lee County, that the application
of the State of Florida Department of Transportation for a
subordination of utility interest, or interests, is for
transportation purposes which are in the public or community
interest and for public welfare; that a subordination of utility
interest, or interests, in favor of the State of Florida
Department of Transportation, in Lee County,
should be drawn and executed by this Board of County
Commissioners. Consideration shall be \$1.00.

BE IT FURTHER RESOLVED that a certified copy of this Resolution
be forwarded forthwith to the State of Florida Department of
Transportation at Bartow, Florida.

STATE OF FLORIDA

COUNTY OF _____

I HEREBY CERTIFY that the foregoing is a true copy of a Resolution adopted by the Board of County Commissioners Lee County, Florida at a meeting held on the _____ day of _____, 20____.

Clerk: Lisa L. Pierce
Board of County Commissioners
Lee County, Florida

ATTEST:
CHARLIE GREEN, EX-OFFICIO CLERK

BOARD OF COUNTY COMMISSIONERS
LEE COUNTY, FLORIDA

By: _____
Deputy Clerk

By: _____
Chairperson

APPROVED AS TO FORM:

David Owen, County Attorney
Office of the County Attorney
Lee County, Florida

23-UTL.02-07/99

Date: February 14, 2005
This instrument prepared
under the direction of:
Bruce P. Cury, General Counsel
Post Office Box 1249
City: Bartow, Florida 33830
Department of Transportation

F.P. NO. 4080401
PARCEL 815.4
SECTION 12011-000
STATE ROAD 739
COUNTY Lee

SUBORDINATION OF COUNTY UTILITY INTERESTS

THIS AGREEMENT, entered into this ____ day of _____,
20____, by and between the STATE OF FLORIDA DEPARTMENT OF
TRANSPORTATION, hereinafter called the FDOT, whose post office
address is: Post Office Box 1249, Bartow, Florida 33831-1249
and LEE COUNTY BOARD OF COUNTY COMMISSIONERS, Utility Agency
Organization, hereinafter called the UAO.

W I T N E S S E T H:

WHEREAS, the UAO presently has an interest in certain real
property that is needed for a transportation facility; and

WHEREAS, the proposed use of the real property requires
subordination of the UAO's interest to the FDOT; and

WHEREAS, the FDOT is willing to participate in the cost of
locating, protecting, adjusting or removing the UAO'S facilities
if necessary to prevent conflict between the UAO's facilities and
the transportation facility;

NOW, THEREFORE, in consideration of the premises and the
mutual covenants contained herein, the FDOT and the UAO hereby
agree as follows:

1. The UAO hereby subordinates to the interest of FDOT, its
successors, or assigns, any and all interest the UAO has in the
real property described as follows:

SEE EXHIBIT "A"

The interest of the UAO being subordinated hereby includes, but is not necessarily limited to, the interest created by the following document:

RECORDED

INSTRUMENT	DATE	FROM	TO	O.R. BOOK/PAGE
Easement	12-21-99	Metro Land Group, L.L.C.	Lee County Board of County Commissioners	OR 3207 Pg. 0954

2. The UAO shall continue to have all rights under the UAO'S real property interest document identified above, except that the use of the real property shall be subject to the control of the FDOT pursuant to paragraph 3 hereof.

3. The FDOT shall have the right to control the UAO's use of the real property interest created by the document identified above in the following manner:

a. The FDOT may require, for any present or future transportation facility project, that any facilities of the UAO be located, protected, adjusted, or removed as the FDOT determines is necessary (including the timing of any of such activities) to accommodate the transportation facility project. The UAO shall have the right to engage in additional protective measures during the transportation facility project beyond what the FDOT determines is necessary, provided that the cost of any such additional protective measures shall be borne by the UAO.

b. The UAO shall operate and maintain the UAO's facilities located on the real property in accordance with FDOT standards as set forth in the FDOT's then current Utility Accommodation Manual.

c. Any placement of new facilities or adjustment, upgrading, removal, or relocation of the UAO's facilities proposed by the UAO shall be subject to the prior approval of the FDOT as provided in and under the conditions of the FDOT's then current Utility Accommodation Manual. Approval will be granted through the issuance of a utility permit.

4. In the event the FDOT exercises its rights under paragraph 3 hereof and the exercise of those rights creates costs that the UAO would normally not have incurred had this subordination not been executed, the FDOT will bear the excess costs. Such costs shall include, but not necessarily be limited to, damage to the UAO's facilities resulting from failure of FDOT's protective measures where the UAO has not elected to undertake additional protective measures pursuant to subparagraph 3.a. hereof or the adjustment, relocation or removal of the UAO's facilities as the result of FDOT's activities. The specific arrangement for FDOT bearing the excess costs shall be by separate agreement.

IN WITNESS WHEREOF, the FDOT hereto has executed this agreement on the day and year first above written.

Executed in our presence
as witnesses:

STATE OF FLORIDA
DEPARTMENT OF
TRANSPORTATION

Signature

By: _____
District Secretary/Designee
for District One

Print/Type Name

Approved as to Form and
Legality:

Signature

Print/Type Name

Department Attorney

STATE OF FLORIDA

COUNTY OF _____

The foregoing instrument was acknowledged before me this
____ day of _____, 20__ by _____,
District Secretary/Designee for District One. He is personally
known to me or has produced _____
as identification.

(Affix Seal/Stamp here) Notary Signature: _____

Printed Name: _____

Notary Public in and for
the County and State last
aforesaid.
My Commission Expires:

Serial No.: _____

IN WITNESS WHEREOF, the County has caused these presents to be executed in its name by its Board of County Commissioners acting by the Chairperson or Vice-Chairperson of said Board, the day and year aforesaid.

ATTEST:
CHARLIE GREEN, EX-OFFICIO CLERK

By: _____
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
LEE COUNTY, FLORIDA

By: _____
Chair

Grantor(s) Mailing Address:
P.O. Box 398
Ft. Myers, FL 33902

APPROVED AS TO FORM:

Office of the County Attorney
Lee County, Florida

F.P. NO. 4080401

SECTION 12011-000

PARCEL 815

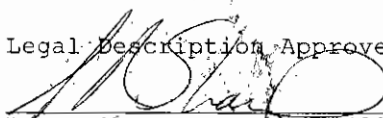
That portion of the northwest 1/4 of Section 30, Township 45 South, Range 25 East, Lee County, Florida.

Being described as follows:

Commence at the northeast corner of the northwest 1/4 of said Section 30; thence along the north line of said northwest 1/4, South 89°01'17" West a distance 1,889.79 feet to the survey base line of State Road 739 (Metro Parkway); thence along said survey base line South 00°38'41" East a distance of 50.00 feet; thence North 89°01'17" East a distance of 62.50 feet for a POINT OF BEGINNING; thence North 89°01'17" East a distance of 7.00 feet; thence South 00°38'41" East a distance of 629.40 feet; thence South 89°21'19" West a distance of 2.00 feet; thence South 00°38'41" East a distance of 642.32 feet; thence South 88°58'12" West a distance of 5.00 feet; thence North 00°38'41" West a distance of 1,271.71 feet to the POINT OF BEGINNING.

Containing 7,617 square feet.

Legal Description Approved by:


L. R. Sharp P.L.S. #4388

Date: FEBRUARY 14, 2005

NOT VALID UNLESS EMBOSSED

EXHIBIT "A"

Page 5

UTL.03

Date: February 14, 2005
This instrument prepared under the direction of:
Bruce P. Cury, General Counsel
Post Office Box 1249
City: Bartow, Florida 33830
Department of Transportation

F.P. NO. 4080401
PARCEL 815.4
SECTION 12011-000
STATE ROAD 739
COUNTY Lee

R E S O L U T I O N

ON MOTION of Commissioner _____,
seconded by Commissioner _____,
the following Resolution was adopted:

WHEREAS, the State of Florida Department of Transportation proposes to construct or improve State Road No. 739, Section No. 12011-000, in Lee County, Florida: and

WHEREAS, it is necessary that certain easement rights now owned by Lee County be subordinated to the State of Florida Department of Transportation: and

WHEREAS, said subordination is in the best interest of the County: and

WHEREAS, the State of Florida Department of Transportation has made application to said County to execute and deliver to the State of Florida Department of Transportation a subordination of utility interest, or interests, in favor of the State of Florida, and said request having been duly considered.

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Lee County, that the application of the State of Florida Department of Transportation for a subordination of utility interest, or interests, is for transportation purposes which are in the public or community interest and for public welfare; that a subordination of utility interest, or interests, in favor of the State of Florida Department of Transportation, in Lee County, should be drawn and executed by this Board of County Commissioners. Consideration shall be \$ 1.00.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded forthwith to the State of Florida Department of Transportation at Bartow, Florida.

STATE OF FLORIDA

COUNTY OF _____

I HEREBY CERTIFY that the foregoing is a true copy of a Resolution adopted by the Board of County Commissioners Lee County, Florida at a meeting held on the _____ day of _____, 20____.

Clerk: Lisa L. Pierce
Board of County Commissioners
Lee County, Florida

ATTEST:
CHARLIE GREEN, EX-OFFICIO CLERK

BOARD OF COUNTY COMMISSIONERS
LEE COUNTY, FLORIDA

By: _____
Deputy Clerk

By: _____
Chairperson

APPROVED AS TO FORM:

David Owen, County Attorney
Office of the County Attorney
Lee County, Florida

23-UTL.02-07/99

Date: February 11, 2005
This instrument prepared
under the direction of:
Bruce P. Cury, General Counsel
Post Office Box 1249
City: Bartow, Florida 33830
Department of Transportation

F.P. NO. 4080401
PARCEL 819.3
SECTION 12011-000
STATE ROAD 739
COUNTY Lee

SUBORDINATION OF COUNTY UTILITY INTERESTS

THIS AGREEMENT, entered into this ____ day of _____,
20____, by and between the STATE OF FLORIDA DEPARTMENT OF
TRANSPORTATION, hereinafter called the FDOT, whose post office
address is: Post Office Box 1249, Bartow, Florida 33831-1249
and LEE COUNTY BOARD OF COUNTY COMMISSIONERS, Utility Agency
Organization, hereinafter called the UAO.

W I T N E S S E T H:

WHEREAS, the UAO presently has an interest in certain real
property that is needed for a transportation facility; and

WHEREAS, the proposed use of the real property requires
subordination of the UAO'S interest to the FDOT; and

WHEREAS, the FDOT is willing to participate in the cost of
locating, protecting, adjusting or removing the UAO'S facilities
if necessary to prevent conflict between the UAO'S facilities and
the transportation facility;

NOW, THEREFORE, in consideration of the premises and the
mutual covenants contained herein, the FDOT and the UAO hereby
agree as follows:

1. The UAO hereby subordinates to the interest of FDOT, its
successors, or assigns, any and all interest the UAO has in the
real property described as follows:

SEE EXHIBIT "A"

The interest of the UAO being subordinated hereby includes, but is not necessarily limited to, the interest created by the following document:

RECORDED

INSTRUMENT	DATE	FROM	TO	O.R. BOOK/PAGE
Easement	05-11-94	D. K. Corbett and Patrick J. Hayes, Co- Trustees	Lee County Board of County Commissioners	OR 2509 PG 0370

2. The UAO shall continue to have all rights under the UAO'S real property interest document identified above, except that the use of the real property shall be subject to the control of the FDOT pursuant to paragraph 3 hereof.

3. The FDOT shall have the right to control the UAO'S use of the real property interest created by the document identified above in the following manner:

a. The FDOT may require, for any present or future transportation facility project, that any facilities of the UAO be located, protected, adjusted, or removed as the FDOT determines is necessary (including the timing of any of such activities) to accommodate the transportation facility project. The UAO shall have the right to engage in additional protective measures during the transportation facility project beyond what the FDOT determines is necessary, provided that the cost of any such additional protective measures shall be borne by the UAO.

b. The UAO shall operate and maintain the UAO'S facilities located on the real property in accordance with FDOT standards as set forth in the FDOT'S then current Utility Accommodation Manual.

c. Any placement of new facilities or adjustment, upgrading, removal, or relocation of the UAO'S facilities proposed by the UAO shall be subject to the prior approval of the FDOT as provided in and under the conditions of the FDOT'S then current Utility Accommodation Manual. Approval will be granted through the issuance of a utility permit.

4. In the event the FDOT exercises its rights under paragraph 3 hereof and the exercise of those rights creates costs that the UAO would normally not have incurred had this subordination not been executed, the FDOT will bear the excess costs. Such costs shall include, but not necessarily be limited to, damage to the UAO'S facilities resulting from failure of FDOT'S protective measures where the UAO has not elected to undertake additional protective measures pursuant to subparagraph 3.a. hereof or the adjustment, relocation or removal of the UAO'S facilities as the result of FDOT'S activities. The specific arrangement for FDOT bearing the excess costs shall be by separate agreement.

IN WITNESS WHEREOF, the FDOT hereto has executed this agreement on the day and year first above written.

Executed in our presence
as witnesses:

STATE OF FLORIDA
DEPARTMENT OF
TRANSPORTATION

Signature

By: _____
District Secretary/Designee
for District One

Print/Type Name

Approved as to Form and
Legality:

Signature

Print/Type Name

Department Attorney

STATE OF FLORIDA

COUNTY OF _____

The foregoing instrument was acknowledged before me this
____ day of _____, 20__ by _____,
District Secretary/Designee for District One. He is personally
known to me or has produced _____
as identification.

(Affix Seal/Stamp here) Notary Signature: _____

Printed Name: _____

Notary Public in and for
the County and State last
aforesaid.
My Commission Expires:

Serial No.: _____

IN WITNESS WHEREOF, the County has caused these presents to be executed in its name by its Board of County Commissioners acting by the Chairperson or Vice-Chairperson of said Board, the day and year aforesaid.

ATTEST: BOARD OF COUNTY COMMISSIONERS
CHARLIE GREEN, EX-OFFICIO CLERK LEE COUNTY, FLORIDA.

By: _____ By: _____
Deputy Clerk Chair

Grantor(s) Mailing Address:
P.O.Box 398
Ft. Myers, FL 33902

APPROVED AS TO FORM:

Office of the County Attorney
Lee County, Florida

FP NO. 4080401

SECTION 12011-000

PARCEL 819

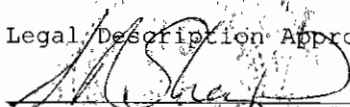
That portion of Lot 1, Central Metropolitan Commercial Center South, a subdivision in Section 30, Township 45 South, Range 25 East as per plat thereof recorded in Plat Book 58, Page 5, Public Records of Lee County, Florida.

Being described as follows:

Commence at the northeast corner of said Lot 1; thence along the north line of said Lot 1, South 88°58'12" West a distance of 12.50 feet for a POINT OF BEGINNING; thence leaving said north line, South 00°38'41" East a distance of 221.89 feet to the south line of said Lot 1; thence along said south line, South 89°21'19" West a distance of 2.00 feet; thence leaving said south line, North 00°38'41" West a distance of 221.88 feet to the north line of said Lot 1; thence along said north line, North 88°58'12" East a distance of 2.00 feet to the POINT OF BEGINNING.

Containing 444 square feet.

Legal Description Approved by:


L. R. Sharp P.L.S. #4388

Date: FEBRUARY 14, 2005

NOT VALID UNLESS EMBOSSED

EXHIBIT "A"

Page 5

UTL.03

Date: February 11, 2005
This instrument prepared under the direction of:
Bruce P. Cury, General Counsel
Post Office Box 1249
City: Bartow, Florida 33830
Department of Transportation

F.P. NO. 4080401
PARCEL 819.3
SECTION 12011-000
STATE ROAD 739
COUNTY Lee

R E S O L U T I O N

ON MOTION of Commissioner _____,
seconded by Commissioner _____,
the following Resolution was adopted:

WHEREAS, the State of Florida Department of Transportation proposes to construct or improve State Road No. 739, Section No. 12011-000, in Lee County, Florida: and

WHEREAS, it is necessary that certain easement rights now owned by Lee County be subordinated to the State of Florida Department of Transportation: and

WHEREAS, said subordination is in the best interest of the County: and

WHEREAS, the State of Florida Department of Transportation has made application to said County to execute and deliver to the State of Florida Department of Transportation a subordination of utility interest, or interests, in favor of the State of Florida, and said request having been duly considered.

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Lee County, that the application of the State of Florida Department of Transportation for a subordination of utility interest, or interests, is for transportation purposes which are in the public or community interest and for public welfare; that a subordination of utility interest, or interests, in favor of the State of Florida Department of Transportation, in Lee County, should be drawn and executed by this Board of County Commissioners. Consideration shall be \$ 1.00.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded forthwith to the State of Florida Department of Transportation at Post Office Box 1249, Bartow, Florida 33831-1249.

STATE OF FLORIDA

COUNTY OF LEE

I HEREBY CERTIFY that the foregoing is a true copy of a Resolution adopted by the BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA at a meeting held on the _____ day of _____, 20____.

Clerk: Lisa L. Pierce
Board of County Commissioners
Lee County, Florida

ATTEST:
CHARLIE GREEN, EX-OFFICIO CLERK

BOARD OF COUNTY COMMISSIONERS
LEE COUNTY, FLORIDA

By: _____
Deputy Clerk

By: _____
Chairperson

APPROVED AS TO FORM:

David Owen, County Attorney
Office of the County Attorney
Lee County, Florida