

WALK ON #2

Lee County Board Of County Commissioners
Agenda Item Summary

Blue Sheet No. 20060112

1. ACTION REQUESTED/PURPOSE: Approve the acceptance of the maintained right-of-way map and maintenance affidavits for Maria Drive, Pine Island.

2. WHAT ACTION ACCOMPLISHES: Maria Drive right-of-way has never been surveyed or recorded. Upon acceptance and recording of special purpose survey and maintenance affidavits the exact limits of county owned right-of-way will be established.

3. MANAGEMENT RECOMMENDATION: Staff recommends Board approve the action requested.

4. Departmental Category: 09

WO #2

5. Meeting Date: 02-07-2006

6. Agenda:

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

7. Requirement/Purpose: (specify)

- Statute 95.361
- Ordinance
- Admin. Code
- Other

8. Request Initiated:

Commissioner _____
 Department Transportation
 Division _____
 By: Scott M. Gilbertson

9. Background:

Lee County has maintained Maria Drive on Pine Island in excess of 15 years. Florida Statute 95.361 permits the county to declare that title to the road has been vested in the county when a map showing the lands so maintained as right-of-way has been filed in the Office of the Clerk of Court. Lee County has maintained Maria Drive in excess of the statutory requirements.

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.	
Amelia S. Gilbertson 2-1-06 for	NA	NA		DMC 2/2/06	RK 2/2	MF 2-2-06	2/2/06	2/3/06	J. Lavender Date 2-2-06

11. Commission Action:

- Approved
- Deferred
- Denied
- Other

RECEIVED BY
 COUNTY ADMIN:
 2-2-06
 10:10
 COUNTY ADMIN
 FORWARDED TO
 2/2/06
 4:10pm

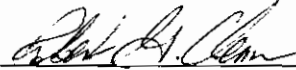
Rec. by CoAtty
 Date: 2/2/06
 Time: 9:40 AM
 Forwarded To:
 2/2/06 10:00
 ADMIN

Memorandum
from the
Division of County Lands

Date: February 2, 2006

To: Richard DeSalvo, Lee Cares

From:



Robert G. Clemens

Land Acquisition Manager

SUBJECT: Walk-on Blue Sheet Item for Board Meeting of February 7, 2006

Richard,

Please schedule the attached Blue Sheet for the Board Meeting of February 7, 2006. This Blue Sheet item assists in establishing legal public access to a proposed Lee County acquisition.


2006 FEB -2 AM 9:29
RECEIVED BY
LEE CO. ATTORNEY



**DEPARTMENT OF TRANSPORTATION
(SURVEY SECTION)**

DATE: January 12, 2006

TO: Margaret Lawson, Right of Way Supervisor

FROM: 
Arthur W. Parsons, P.L.S.
County Surveyor

RE: Maria Drive Maintained Right of Way

Attached is a Special Purpose Survey and Maintenance Affidavits for the Maria Drive Maintained Right of Way Project, The survey stationing for this project begins at Station 00+00.00 at a quarter-quarter corner ($\frac{1}{4}$ - $\frac{1}{4}$) and ends at Station 31+89.45 at point on the centerline of S-767 (Stringfellow Boulevard).

The total baseline length of this project is 0.6 miles.

Please prepare a blue sheet and other paperwork necessary for filing the maps and affidavits in the clerks office.

This project should be given the very highest priority as the right of way filing relates directly with the Fishermans CO-OP land purchase that Lee County BOCC is in the process finalizing. If there are any questions, please contact Robert Clemmons, County Lands.

Attachments: 1.) Special Purpose Survey (Mylar)

2.) Affidavits with reduced map.

C.C. Robert Clemmons, County Lands (Memo Only)

Maintenance Affidavit

Section: 33, TWP. 44-S, RGE. 22-E and Section 04, TWP. 45-S, RGE. 22-E
County Road: Maria Drive
County: Lee
Project: Right of Way

A F F I D A V I T

STATE OF FLORIDA
COUNTY OF LEE

Before me, the undersigned authority, personally appeared David Hingson whose address is 527 SE 21st Avenue, Cape Coral, FL 33990, who after being sworn, deposes and says:

That he has been employed by the County of LEE for the past 19 years, and is now employed by said LEE COUNTY as Maintenance Supervisor;

The deponent knows and verily says that LEE COUNTY, through its employees and contractors, has maintained Maria Drive in LEE COUNTY for the continuous widths as measured at right angles to the road centerline, viz:

FROM STATION	TO STATION	WIDTH MAINTAINED	LOCATION WITH REFERENCE TO EXISTING ROAD CENTER
00+00.00'	31+89.45'	Min. 55.00' Max. 62+03'	According to LEE CO. DOT right-of-way map attached hereto and made a part hereof.

(Length - 0.6 Miles)

and that such maintenance by said LEE COUNTY has been continuous for the period of time from 1987 to 2006.

David Hingson
DEPONENT

Sworn to and subscribed before me this 18 day of January A.D. 2006.

STATE OF FLORIDA
COUNTY OF LEE

Frances Shahbazian
NOTARY PUBLIC
State of Florida at Large

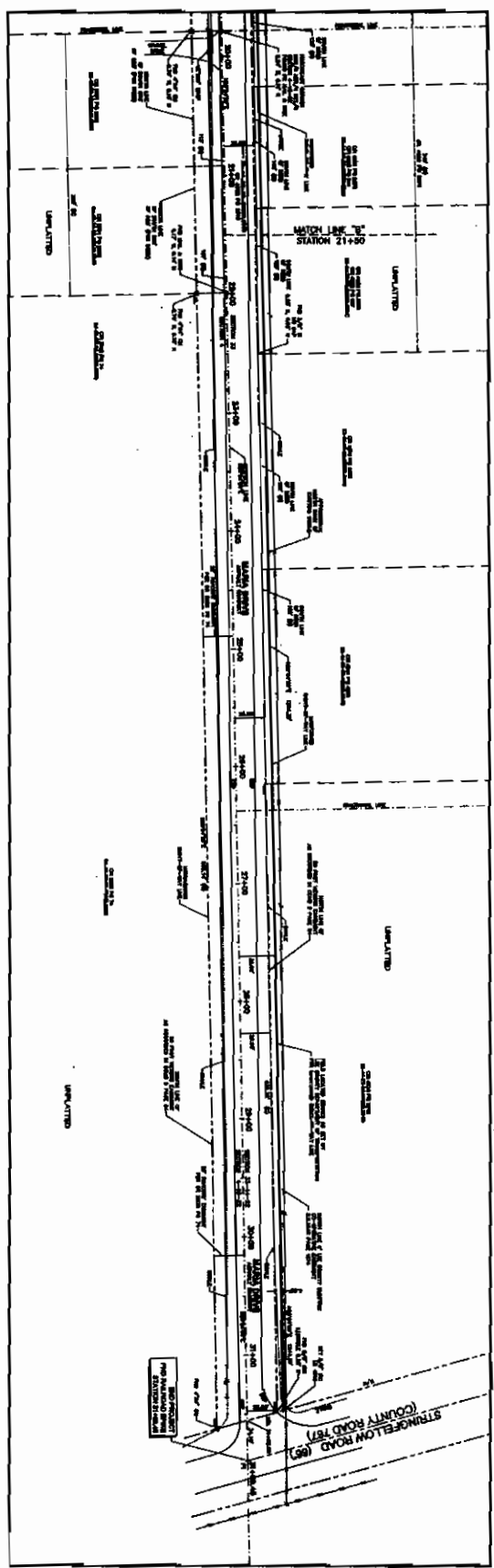
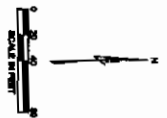
Frances Shahbazian
Printed Name of Notary Public

My Commission Expires June 3, 2009

This instrument prepared by:
Arthur W. Parsons, County Surveyor
Lee County Department of Public Works

(The foregoing instrument was
(acknowledged before me by)
(David Hingson)
(who has produced a Fla.)
(DRIVER'S LICENSE)
(No. H525-173-48-046-0)
(and who did take an oath.)





- LEGEND
EASEMENTS
EASEMENT GRANTORS
EASEMENT GRANTEE
EASEMENT TYPE
EASEMENT DATE

SPERATIC PURPOSE SURVEY
MANVA DRIVE / MAINTAINED RIGHT-OF-WAY MAP
Bequa, Whitaker, Latta & Kerish, Inc. (a.s.c.)
CONSULTING ENGINEER - SURVEYING AND SURVEY - TEXAS
STATE LICENSE NO. 12474
DATE: 08/27/2013
SCALE: AS SHOWN

Maintenance Affidavit

Section: 33, TWP. 44-S, RGE. 22-E and Section 04, TWP. 45-S, RGE. 22-E
County Road: Maria Drive
County: Lee
Project: Right of Way

AFFIDAVIT

STATE OF FLORIDA
COUNTY OF LEE

Before me, the undersigned authority, personally appeared Bruce W. Stark, whose address is 906 SE 15th Street, Cape Coral, FL 33990, who after being sworn, deposes and says:

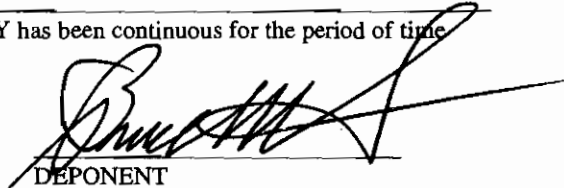
That he has been employed by the County of LEE for the past 17 years, and is now employed by said LEE COUNTY as Maintenance Supervisor;

The deponent knows and verily says that LEE COUNTY, through its employees and contractors, has maintained Maria Drive in LEE COUNTY for the continuous widths as measured at right angles to the road centerline, viz:

FROM STATION	TO STATION	WIDTH MAINTAINED	LOCATION WITH REFERENCE TO EXISTING ROAD CENTER
00+00.00'	31+89.45'	Min. 55.00' Max. 62+03'	According to LEE CO. DOT right-of-way map attached hereto and made a part hereof.

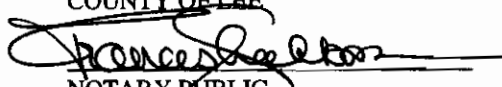
(Length - 0.6 Miles)

and that such maintenance by said LEE COUNTY has been continuous for the period of time from 1989 to 2006.


DEPONENT

Sworn to and subscribed before me this 12 day of January A.D. 2006.

(The foregoing instrument was (acknowledged before me by)
(Bruce W. Stark)
(who has produced a Fla.)
(DRIVER'S LICENSE)
(No. S367-079-49-256-7)
(and who did take an oath.)

STATE OF FLORIDA
COUNTY OF LEE

NOTARY PUBLIC
State of Florida at Large

Frances Shahbazian
Printed Name of Notary Public

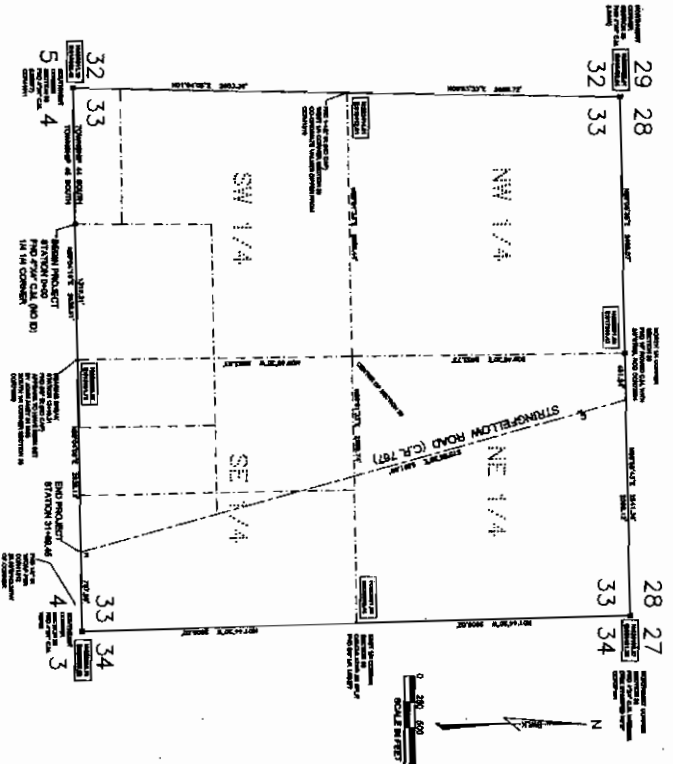
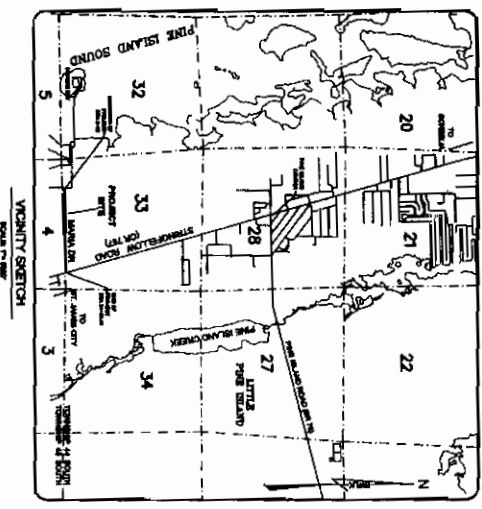
My Commission Expires: June 3, 2009



This instrument prepared by:
Arthur W. Parsons, County Surveyor
Lee County Department of Public Works

SPECIFIC PURPOSE RIGHT OF WAY SURVEY OF MARIA DRIVE

LYING IN
SECTION 33, TOWNSHIP 44 SOUTH, RANGE 22 EAST &
SECTION 4 TOWNSHIP 45 SOUTH, RANGE 22 EAST,
PINE ISLAND, LEE COUNTY, FLORIDA



LEGEND

—	Right of Way Boundary
---	Property Boundary
---	Survey Boundary
---	Section Boundary
---	Quarter Section Boundary
---	Survey Line
---	Utility Line
---	Water Course
---	Other

ATTENTION IS DIRECTED TO THE FACT THAT THESE PLANS MAY HAVE BEEN REDUCED IN SIZE DURING REPRODUCTION. THIS MUST BE CONSIDERED WHEN OBTAINING SCALED DATA.

THIS IS TO CERTIFY THAT THE SURVEY CONDUCTED BY THE SURVEYOR HAS BEEN MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE FLORIDA STATUTES AND THE RULES OF THE BOARD OF SURVEYING AND MAPPING, STATE OF FLORIDA. THE SURVEYOR HAS FOUND THAT THE SURVEY IS CORRECT AND ACCURATE AND THAT THE PLANS HEREBY SUBMITTED ARE A TRUE AND CORRECT REPRESENTATION OF THE SURVEY MADE.

STATEMENT OF THE BOARD OF SURVEYING AND MAPPING

APPROVED AND AUTHORIZED:

DATE: _____

SURVEY NOTES:

1. THE PURPOSE OF THIS SURVEY IS TO DETERMINE THE LOCATION AND WIDTH OF THE RIGHT OF WAY FOR MARIA DRIVE.
2. THE SURVEY WAS CONDUCTED ON THE DATE OF _____.
3. THE SURVEY WAS CONDUCTED BY _____.
4. THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE REQUIREMENTS OF THE FLORIDA STATUTES AND THE RULES OF THE BOARD OF SURVEYING AND MAPPING, STATE OF FLORIDA.
5. THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE REQUIREMENTS OF THE FLORIDA STATUTES AND THE RULES OF THE BOARD OF SURVEYING AND MAPPING, STATE OF FLORIDA.

INDEX OF DRAWINGS

SHEET NO. _____ DESCRIPTION _____

SHEET 1 COVER SHEET - SECTION 33

SHEET 2-4 DETAILED LOCATION SURVEY

MAKING OPERATIONS

THE SURVEYOR HAS MADE THE NECESSARY OPERATIONS TO MAKE THE SURVEY CORRECT AND ACCURATE. THE SURVEYOR HAS FOUND THAT THE SURVEY IS CORRECT AND ACCURATE AND THAT THE PLANS HEREBY SUBMITTED ARE A TRUE AND CORRECT REPRESENTATION OF THE SURVEY MADE.

MARIA DRIVE / MAINTAINED RIGHT-OF-WAY MAP

Beall, Winkler, Lule & Karsh, Inc. (20 441)

1001 S. GULF BLVD., SUITE 100, PINE ISLAND, FL 33908



