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

Blue Sheet No. 20060401-UTL

1. Action Requested/Purpose:

Approve final acceptance, by Resolution and recording of one (1) Utility Easement, as a donation of one (1) 8" diameter fire line and one (1) 4" diameter water service serving Embassy Suites Hotel to provide potable water service and fire protection to this recently constructed hotel. This is a Developer Contributed asset project located on the northwest corner of I-75 and Corkscrew Road.

2. What Action Accomplishes:

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

3. Management Recommendation:

Appro	val.							
4. Departmental Category: 10 CIOA					5. Meeting Date: 05-16-2006			
6. Agenda:		7. Requirement/Purpose (specify)		8. Request Initiated:				
X	Consent		Statute		Commissioner			
	Administrative		Ordinance		Department	Public Works		
	Appeals		Admin. Code		Division (1)	<u>Utilities</u>		
	Public	X	Other	Approval	By:	- 427/06		
	Walk-On				S. Tvan Velez, P	. E., Acting Director		

9. Background:

Potable water services and fire lines do not require permission to construct by the Board, therefore, no previous Blue Sheet number is provided.

The installation has been inspected for conformance to the Lee County Utilities Operations Manual.

Satisfactory pressure and bacteriological testing has been completed.

Record drawings have been received.

Engineer's Certification of Completion has been provided—copy attached.

Project Location Map—copy attached.
Warranty has been provided—copy attached.

Waiver of Lien has been provided—copy attached. Certification of Contributed Assets has been provided—copy attached.

Sanitary sewer service is provided by Lee County Utilities via existing infrastructure located within the right-ofway of Corkscrew Commons Drive.

Funds are available for recording fees in account number OD5360748700.504930.

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

10. Review for Scheduling

Department Director	Purchasing or Contracts	Human Resources	Other	County Attorney		Budget	Sorvices		County Manager / P.W. Director
					Analyst	Risk	Grants	Mgr.	
	N/A	N/A	no.	5 (con/	P.M	28 100	14/	A pole	(0.7)
J. Lavender			T. Osterhout	S. Coovert	1/06	5/2/05	5/406	3/2/06	S. Lavender
Date:			Date: 427		3/1	νι 		1	Date: 4 78.00

1. Laven Date:		Date: 427	S. Coovert Date:	,   5 \\ \	) 51°	′	Date: 4 78.26
11.	Commission Action Approved Deferred Denied Other	:		RECEIVED BY COUNTY ADM 5-1-06 11 cum COUNTY ADM FORWARDED	IIN:	Date:	oy CoAtty

S \ENGR\W P\BLUE SHEETS-ENG\EMBASSY SUITES HOTEL-EASE-FA MMM BS 20060401 DOC-4/27/06 :23 PM

### RESOLUTION NO.

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

WHEREAS, it is the desire of "Carroll Hotel 21, LLC", owner of record, to make a contribution to Lee County Utilities of water facilities (one 8" diameter fire line; and, one 4" diameter water service), serving "EMBASSY SUITES HOTEL"; and,

WHEREAS, Lee County Utilities requires proof of a Release of Lien, a Warranty (one-year) on all labor and materials, an accurate value of contributed assets, and right-of-way and/or easement-indemnity granted for all systems being contributed to Lee County Utilities; and,

WHEREAS, all of the above information has been received and approved as complete by Lee County Utilities; and,

WHEREAS, Lee County Utilities has recommended to the Board of County Commissioners that the above-named system be accepted for ownership, operation, and maintenance.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA, that the above facilities, for a contributed value of \$21,538.75 is hereby ACCEPTED and acknowledged as an addition to Lee County Utilities.

moved for	FOREGOING RESOLUTION was of or its adoption. The motio	n was seconded by Commissi	oner
	Commissioner Bob Janes:		(1)
	Commissioner Douglas St. C	Cerny:	(2)
	Commissioner Ray Judah:		(3)
	Commissioner Tammara Hall:		(4)
	Commissioner John Albion:		(5)
DULY	PASSED AND ADOPTED this	day of	,2006.
ATTEST: CHARLIE	GREEN, CLERK	BOARD OF COUNTY COMMISSION OF LEE COUNTY, FLORIDA	NERS
By:	DEPUTY CLERK	By:	)MAN

APPROVED AS TO FORM

OFFICE OF COUNTY ATTORNEY

BS 20060401-UTL

### LETTER OF COMPLETION

DATE: 2/7/2006

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

Gentlemen:

This is to certify that the water distribution system located at Embassy Suites Hotel

(Name of Development/Project)

was designed by me and have been constructed in conformance with:

the approved plans and the approved specifications

Upon completion of the work, we observed the following successful tests of the facilities:

Bacteriological Test, Pressure Test(s) - Water Main

Very truly yours,

Banks Engineering

(Owner or Name of Corporation/Firm)

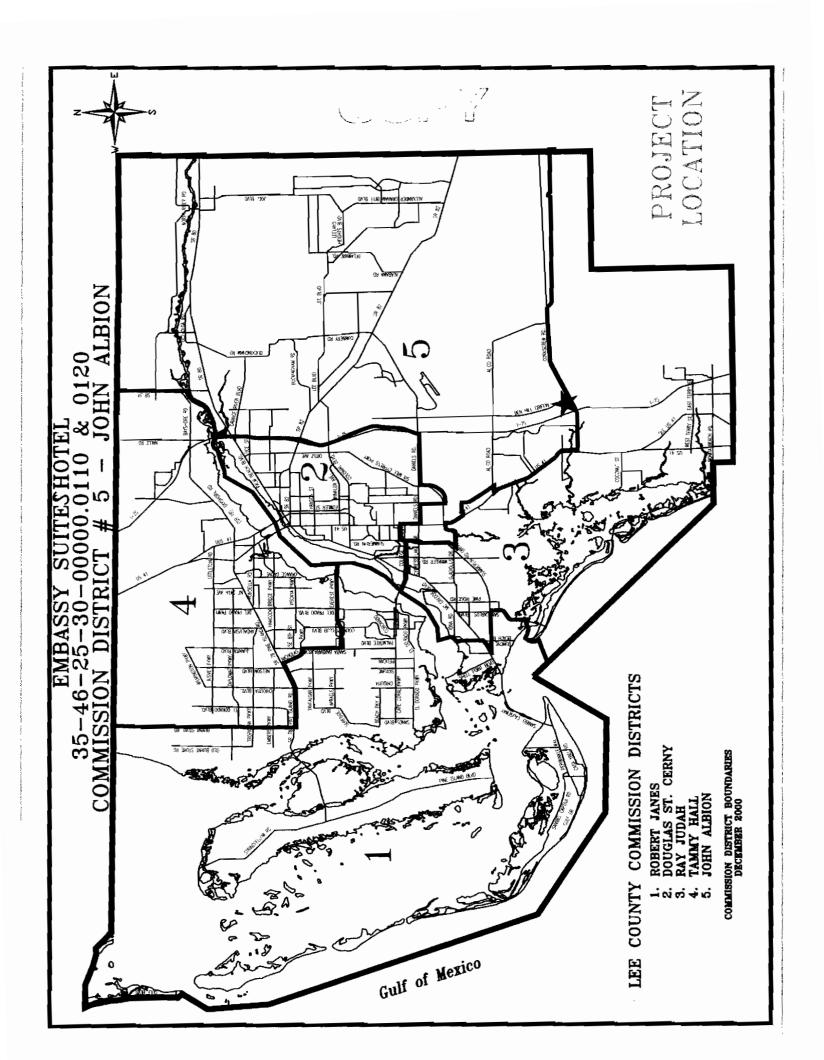
(Signature)

Matthew M. DuBois, P.E., Project Manager

(Name and Title)

(Seal of Engineering Firm)

LEE COUNTY
SOUTHWEST FLORIDA
(Forms - Letter of Completion - Revised 2004)



### WARRANTY

THE UNDERSIGNED parties do hereby warrant and/or guaranty all work executed by the contractor on the <u>water system</u> of <u>Embassy Suites</u> to be free from defects in material and workmanship for a period of one (1) year from the date of acceptance by the Lee County Board of County Commissioners. The undersigned parties further agree that they will, at their own expense, repair and replace all such defective work and all other work damaged by said defective work under this Warranty-Guaranty

It is furthermore understood that the consideration for the giving of this warranty and/or guaranty is the requirement by the General Conditions and Specifications under which the contract was let that such warranty and/or guaranty would be given.

B.J. Enterprises, Inc.	
(Contractor/Company Name)	
Michael Sappah, President	
(Authorized Representative, Title)	
BY: Michel Sm	
(Signature)	

STATE OF \_\_FL\_\_\_\_)
SS:
COUNTY OF Lee )

The foregoing instrument was signed and acknowledged before me this <u>25 th</u> day of <u>January</u>, 20 <u>06</u> by <u>Michael Sappah</u> who is personally known to me - \_\_\_\_\_, and who did not take an oath.

Notary Public Signature

Bruce Monnier
Printed Name of Notary Public



(Notary Seal & Commission Number)

# - 1

### WAIVER AND RELEASE OF LIEN UPON FINAL PAYMENT

The undersigned lienor, in consideration of the final payment in the amount of <a href="Twenty-One Thousand Five Hundred Thirty-Eight Dollars and Seventy-Five Cents (\$21,538.75">Twenty-One Thousand Five Hundred Thirty-Eight Dollars and Seventy-Five Cents (\$21,538.75")</a>) hereby waivers and releases its lien and right to claim a lien for labor, services, or materials furnished to <a href="Carroll Hotel 21">Carroll Hotel 21</a>, <a href="LLC">LLC</a> on the job of <a href="Embassy Suites">Embassy Suites</a> to the following described property:

Embassy Suites	Water Distribution System and Fire Line up to and including 1st OS and Y valve
(Name of Development/Project)	(Facilities Constructed)
10450 CORKSCREW COMMONS DR., ESTERO FL 33928 (Location)	35-46-25-30-00000.0120 and 35-46-25-30-00000.011A (Strap # or Section, Township & Range)
Dated on: January 25, 2006	
By: Duker Sen	B.J. Enterprises, Inc.
(Signature of Authorized Representative)	(Name of Firm or Corporation)
By: Michael Sappah	8102 Grady Drive
(Print Name of Authorized Representative)	(Address of Firm or Corporation)
Title: President	North Fort Myers, FL 33917-
TRIC. Tresident	(City, State & Zip Of Firm Or Corporation)
Phone #: (239)731-2333 Ext.	Fax#: (239)731-5205
STATE OFFL) SS: COUNTY OF Lee)	
The foregoing instrument was signed and acknowledged be Michael Sappah who is personally known to me -	
Bonded Thri: Budget Notary Services	lic Signature)
(Notary Seal & Commission Number)  Bruce Monn (Printed Nam	ne of Notary Public)

### CERTIFICATION OF CONTRIBUTORY ASSETS

PROJECT NAME:	Embassy Suites
STRAP NUMBER:	35-46-25-30-00000.0120 and 35-46-25-30-00000.011A
LOCATION:	10450 CORKSCREW COMMONS DR., ESTERO FL 33928
OWNER'S NAME: (as shown	on Deed) CARROLL HOTEL 21, LLC
OWNER'S ADDRESS:	12734 KENWOOD LN, STE. 35
OWNER'S ADDRESS:	FORT MYERS,FL 33907-

TYPE UTILITY SYSTEM: POTABLE WATER

(Please provide separate 'Certifications' for potable water, sanitary sewer and effluent reuse facilities.)

### DESCRIPTION AND COST OF MATERIAL, LABOR, AND SERVICES

Please list each element of the system from the drop-down list provided.

ITEM	SIZE	QUANTITY	UNIT	UNIT COST	TOTAL
TAPPING SLEEVE W/VALVE WATER MAIN	10" x 8"	1.0	EA	\$3,550.00	\$3,550.00
HDPE SDR-11 CASING	16"	40.0	LF	\$115.00	\$4,600.00
HDPE SDR-11	8"	41.0	LF	\$21.25	\$871.25
CL-50 DIP	8"	30.0	LF	\$24.75	\$742.50
GATE VALVE	8"	1.0	EA	\$1,050.00	\$1,050.00
FIRE LINE UP TO AND INCL 1ST OS + Y VALVE	8"	2.0	EA	\$2,150.00	\$4,300.00
SINGLE WATER SERVICE/COMPLETE (REMOVED)	4"	1.0	EA	\$4,500.00	\$4,500.00
ASSORTED FITTINGS		1.0	LS	\$1,925.00	\$1,925.00
<u>TOTAL</u>					\$21,538.75

(If more space is required, use additional forms(s).



LEE COUNTY
SOUTHWEST FLORIDA
Contractor's Certification of Contributory Assets – Form (June2004)

I do hereby certify that the quantities of material and services described above are a true and accurate representation of the as-installed cost of the system being contributed to Lee County and corresponds with the record drawings.

	CERTIFYING:
	X Muhael High
	(Signature of Certifying-Agent)
	NO. 10 1 P. 11
	Michael Sappah, President
	(Name & Title of Certifying Agent)
	B.J. Enterprises, Inc.
	(Name of Firm or Corporation)
	8102 Grady Drive
	(Address of Firm or Corporation)
	N. 4. E. 4 M Ft. 22017
	North Fort Myers, FL 33917 -
STATE OFFL)	
) SS:	
COUNTY OF Lee )	
The foregoing instrument was signed and a	cknowledged before me this 25 th day of January, 2006 by
	nown to me, and who did not take an oath.
who is personally it	, and the state an early
	Topological Control of the Control o
Notary Public Signature	BRUCE MONNIER MY COMMISSION # DD 277360
Bruce Monnier	* FXPIRES: December 25, 2007
Printed Name of Notary Public	Bonded Thru Budget Notary Services
Timedianie of from y 1 done	
Notary Commission Number	(NOTARY SEAL)





### FLORIDA DEPARTMENT OF REVENUE RETURN FOR TRANSFERS OF INTEREST IN REAL PROPERTY

FDOR10240300 DR-219

Ш	(PLEASE READ IN	STRUCTIONS BEFORE C	OMPLETING)	R. 07/98
			f typing, enter numbers as shown below.	
1.	Parcel Identification Number (If Parcel ID not available	5 6 7 8 9	0123456789	1
	please call County Property Appraiser's Office) →	354625300000	00120 & 011A	
2.	Mark (x) all Multi-parcel that apply transaction? →	Transaction is a split or cutout from another parcel? →	Property was improved with building(s) at time of sale/transfer?	
3.	Grantor (Seller): BS 20060401 EASEM	ENT:	CARROLL HOTEL 21, LI	'C
1	Last First 2734 KENWOOD LN, STE 35	FT. MYERS	Corporate Name (if applicable)  FL 33907	
_	Mailing Address	City	State Zip Code Phone No.	
4.	Grantee (Buyer):		LEE CO. BD. OF CO. COMMIS	SIONERS
	Last First P. O. BOX 398	FT. MYERS	Corporate Name (if applicable)  FL 33902 (2394798)	181
	Mailing Address	City	State Zip Code Phone No.	
5.	Date of Sale/Transfer	Sale/Transfer Price	Property L	
	Month Day Year (Rou	nd to the nearest dollar.)	Located in Lee	
6.	Type of Document Contract/Agreement Other	7. Are any mortgages or		/ <b>x</b> NO
	Warranty Quit Claim	outstanding mortgage (Round to the nearest dollar.)		00
	To the best of your knowledge, were there unusual circuit	metagons or conditions to the	colo/transfer	نالت
0.	such as: Forced sale by court order? Foreclosure pending Sale of a partial or undivided interest? Related to seller by	? Distress Sale? Title defects?		/ <b>x</b> NO
9.	Was the sale/transfer financed? YES / NO	If "Yes", please indicate type or	r types of financing:	
	Conventional Seller Provided	Agreement or Contract for Deed	Other	
10.	Property Type: Residential Commercial Industrial	Institutional/ Agricultural Miscellaneous		Timeshare
	Mark (x) all that apply			
	To the best of your knowledge, was personal property included in the sale/transfer? If "Yes", please state the	YES / K NO	\$	. Cents
	amount attributable to the personal property. (Round to the Amount of Documentary Stamp Tax	nearest dollar.)		70
	If no tax is due in number 12, is deed exempt from Docume	entary Stamp Tax under s. 201.	02(6), Florida Statutes? YFS	/NO
	Under penalties of perjury, I declare that I have read	ne foregoing return and that the	e facts stated in it are true. If prepared by some	
ı	than the taxpayer, his/her declaration is based on all/in Signature of Grantor or Grantee or Agent	normation of which he/her has	-	<u>ع</u>
L	WARNING FAILURE TO FILE THIS RETURN OR ALTERNATIVE FOR	M APPROVED BY THE DEPARTMENT (		
	OTHER PENALTY IMPOSED BY THE REVENUE LAW OF FLORIDA.			
	To be completed by the Clerk of the Circuit	Court's Office	Clerks Date Stamp	
	This copy to Property Appraiser			
C	). R. Book			
Pa	ge Number			}
	and			
Fi	le Number			
Dat	e Recorded / / / / / / / / / / / / / / / / / /			
	Month Day Year		l	

## FLORIDA DEPARTMENT OF REVENUE RETURN FOR TRANSFERS OF INTEREST IN REAL PROPERTY

(PLEASE READ INSTRUCTIONS REFORE COMPLETING)

ÎNET

FDOR10240300 DR-219 R. 07/98

 Parcel Identification Number (If Parcel ID not available please call County Property Appraiser's Office) → (PLEASE READ INSTRUCTIONS BEFORE COMPLETING)
Enter numbers as shown below.

If typing, enter nu

If typing, enter numbers as shown below.

O 1 2 3 4 5 6 7 8 9 0123456789

### 35462530000000120 & 011A

	Mark (x) all that apply transaction? →  Grantor (Seller):   Multi-parcel transaction? →  BS 20060401	or	Fransaction is a split or cutout from another parcel?	CARF	Property was with building(sof sale/transfe	s) at time er? →	
	Last	First F	T. MYERS	FL Co	rporate Name (if app	olicable)	
	Mailing Address S. IVAN VELEZ PE Grantee (Buyer): Last P. O. BOX 398	ACTING (	City UTIL DIR	State FOR LEE CO	Zip Code Pt		
_	Mailing Address		City	State		none No.	
5.	Date of Sale/Transfer	\$alo	ile/Transfer Price		Property	46 County Cod	ie
	3 10 2000	•	to the means delice	, . C	U Located In	40	
6.	Month Day Year  Type of Document Contract/Agreement for Deed	★ Other		·/ ages on the propert ortgage balance:	ty? If "Yes",	YES	× NO
	Warranty Quit Claim Deed Deed	(Ro	Round to the nearest	Œ			0 0
8.	To the best of your knowledge, were there un such as: Forced sale by court order? Foreclosu Sale of a partial or undivided interest? Related to	re pending? Di	Distress Sale? Title de			YES	× NO
9.	Was the sale/transfer financed? YES		Yes", please indicate Agreement or	type or types of fin	ancing:		
	Conventional Seller Provided		Contract for Deed	Other			
10.	Property Type: Residential Commercial Mark (x) all that apply	Industrial A		utional/ flaneous Govern	nment Vacant	Acreage Times	hare
	To the best of your knowledge, was personal included in the sale/transfer? If "Yes", please sta amount attributable to the personal property. (R. Amount of Documentary Stamp Tax	te the		NO \$	0.70		Cents 0
13.	Under penalties of perjury, I declare that I have read the foregoing return and that the facts stated in it are true. If prepared by someone other than the taxpayer, his/her declaration is based on all information of which he/her has any knowledge.  Signature of Grantor or Grantee or Agent  Date 42706						
•	WARNING FAILURE TO FILE THIS RETURN OR ALTEI OTHER PENALTY IMPOSED BY THE REVENUE LAW O	RNATIVE FORM AP	PPROVED BY THE DEPAR	RTMENT OF REVENUE S	SHALL RESULT IN A PENA	LTY OF \$25.00 IN ADDITIO	ON TO ANY
	To be completed by the Clerk of th		ourt's Office		Clerks	Date Stamp	
This copy to Department of Revenue							
		,					
	O. R. Book						
	File Number						
Da	ate Recorded//	Year					

TO: RECORDERS OFFICE

PLEASE PUT MY NAME ON THE ATTENTION LINE:

Sue Gulledge

**CHARGE TO: LEE COUNTY UTILITIES -LCU 500283** 

ACCOUNT NO. OD5360748700.504930

THANK YOU.

### **FOR UTILITIES USE ONLY:**

BLUE SHEET NO. 20060401-UTL

PROJECT NAME: EMBASSY SUITES HOTEL

This Instrument Prepared By: Lee County Utilities 1500 Monroe Street - 3<sup>rd</sup> Floor Fort Myers, Florida 33901

Strap Numbers:

35-46-25-30-00000.0120 and 35-46-25-30-00000.011A

#### LCU 500283

(THIS SPACE RESERVED FOR RECORDING)

### GRANT OF PERPETUAL PUBLIC UTILITY EASEMENT

THIS INDENTURE is made and entered into this \_\_\_\_\_ day of \_\_\_\_\_ 2006, by and between "Carroll Hotel 21, LLC", Owner, who's address is 12734 Kenwood Lane, Suite 35, Fort Myers, FL 33907, hereinafter referred to as GRANTOR(S), and LEE COUNTY, a political subdivision of the State of Florida, hereinafter referred to as GRANTEE.

### WITNESSETH:

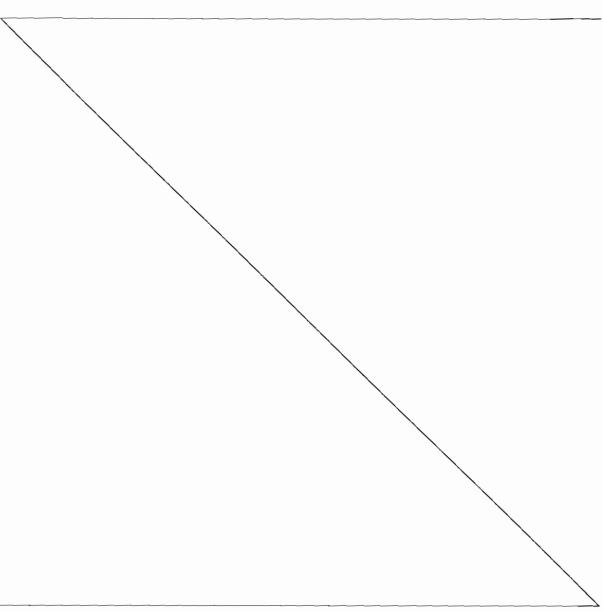
- 1. For and in consideration of the sum of TEN DOLLARS (\$10.00) and other good and valuable consideration, the receipt of which is hereby acknowledged and accepted, GRANTOR hereby grants, bargains, sells and transfers to the GRANTEE, its successors and assigns, a perpetual public utility easement situated in Lee County, Florida, located and described as set forth in Exhibit "A", attached hereto and made a part hereof.
- 2. GRANTEE, its successors, appointees and assigns, are granted the right, privilege, and authority to construct, replace, renew, extend and maintain a wastewater collection and/or water distribution system, together with, but not limited to, all necessary service connections, manholes, valves, fire hydrants, lift stations and appurtenances, to be located on, under, across and through the easement which is located on the property described (Exhibit "A"), with the additional right, privilege and authority to remove, replace, repair and enlarge said system, and to trim and remove roots, trees, shrubs, bushes and plants, and remove fences or other improvements which may affect the operation of lines, mains and/or utility facilities.

BS 20060401-UTL

- 3. The public utility easement will not be limited to any particular diameter size or type and/or number of connections to other water/sewer mains for providing water/sewer service to this and any adjacent properties. The total area of this public utility easement is reserved for utility lines, mains, or appurtenant facilities and for any landscaping (excluding trees), walkways, roadways, drainage ways, or similar uses. Houses, fences, buildings, carports, garages, storage sheds, overhangs, or any other structures or portions of structures may not be constructed on or placed within this easement at anytime, present or future, by GRANTOR, or its heirs, successors or assigns.
- 4. Title to all utilities constructed and/or placed hereunder by GRANTEE or its agents will remain in the GRANTEE, GRANTEE's successors, appointees, and/or assigns.
- 5. Subject to any pre-existing easements for public highways or roads, railroads, laterals, ditches, pipelines and electrical transmission or distribution lines and telephone and cable television lines covering the land herein described, GRANTOR(S) covenant that they are lawfully seized and possessed of the described real property (Exhibit "A"), have good and lawful right and power to sell and convey it, and that the said property is free from any and all liens and encumbrances, except as herein stated, and accordingly, GRANTOR(S) will forever defend the right, title and terms of this said easement and the quiet possession thereof by GRANTEE against all claims and demands of all other entities.
- 6. GRANTOR(S), its heirs, successors or assigns, agrees to assume all liability for any consequential damages to any houses, fences, buildings, carports, garages, storage sheds, overhangs, or any other structures or portions of structures subsequently constructed by GRANTOR(S) in violation of paragraph 3. within the above easement, which result from the required activities of the GRANTEE for any construction, maintenance or repairs to the utilities located within the above-described easement.
- 7. GRANTEE will be liable for money damages in tort for any injury to or loss of property, personal injury, or death caused by the negligent or wrongful act(s) or omission(s) of any official or employee of the GRANTEE while acting within the scope of the official's or employee's office or employment under circumstances in which a private person would be found to be liable in accordance with the general laws of the State of Florida, and subject to the limitations as set out in Section 768.28, Florida Statutes, as it may be revised, amended or renumbered from time to time.
- 8. GRANTEE will have reasonable right of access across GRANTOR's property for the purposes of reaching the described easement (Exhibit "A") on either paved or unpaved surfaces. Any damage to GRANTOR's property or permitted improvements thereon as the result of such access to the described easement or the construction, maintenance, or repairs located within the described easement shall be restored by GRANTEE, to the condition in which it existed prior to the damage, as is reasonably practicable.

- 9. By acceptance of this easement, the GRANTEE assumes no responsibility for ownership or maintenance of any associated roads. The easement is strictly for utility purposes.
- 10. This easement will be binding upon the parties hereto, their successors in interest and any assigns.

(Balance of Page Left Intentionally Blank)



**IN WITNESS WHEREOF**, the GRANTOR has caused this document to be signed on the date and year first above written.

andra Antonica	BY: Jan Ramb
[1 <sup>st</sup> Witness' Signature]	Signature Grantor's Owner's]
Candace Antorelli	Caroll Hotel 21, LLC - Jim Carroll
[Type or Print Name]	[Type or Print Name]
Habi & Remni	Director
[2 <sup>nd</sup> Witness' Signature]	[Title]
Rich Geinin	
[Type or Print Name]	
STATE OF FLORIDA  COUNTY OF <u>Lee</u>	
The foregoing instrument was s	signed and acknowledged before me this $13$
day of Juliary 2005, by	who produced the following as identification
·	or is personally know to me,
and who did/did not take an oath.	
[stamp or seal]	Januar Hullery
JENNIFER DUMONT-GALLOWAY, MY COMMISSION # DD 310243 L  MY COMMISSION # DD 310243 L  EXPIRES: June 18, 2008  Bonded Thru Notary Public Underwriters	Jennfar Dument - Mallaway

[Typed or Printed Name]

Ap	proved and accepted for a	and on beha	alf of Lee County, Florida, this
day of	,	2006.	
ATTEST: CHARLIE GREEN, CLERK			RD OF COUNTY COMMISSIONERS EE COUNTY, FLORIDA
BY: Dep	outy Clerk	_ BY:	Tammara Hall, Chairwoman
		BY:	APPROVED AS TO FORM
			Office of the County Attorney Scott S. Coovert, Esquire

### Banks Engineering

### PROFESSIONAL ENGINEERS, PLANNERS & LAND SURVEYORS

Fort Myers ◆ Naples ◆ Sarasota ◆ Port Charlotte

DESCRIPTION
OF A
PARCEL OF LAND
LYING IN
SECTION 35, TOWNSHIP 46 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA

### (LEE COUNTY UTILITY EASEMENT)

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTION 35, TOWNSHIP 46 SOUTH, RANGE 25 EAST, BEING A PORTION OF LOT 12; ESTERO INTERSTATE COMMERCE PARK, AS RECORDED IN PLAT BOOK 73, AT PAGE 11 THROUGH 12, PUBLIC RECORDS OF SAID LEE COUNTY BEING FURTHER BOUND AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE EASTERLY MOST CORNER OF SAID LOT 12, THENCE S.05°47'04"W. ALONG THE EASTERLY LINE OF SAID LOT AND THE WESTERLY LINE OF TRACT "A", CORKSCREW COMMONS DRIVE (35.00 FEET WIDE) OF SAID ESTERO INTERSTATE COMMERCE PARK FOR 75.39 FEET; THENCE N.84°12'56"W. FOR 10.00 FEET TO THE **POINT OF BEGINNING**; THENCE CONTINUE N.84°12'56"W. FOR 7.00 FEET; THENCE S.05°47'04"W. FOR 20.00 FEET; THENCE S.84°12'56"E. FOR 7.00 FEET; THENCE N.05°47'04"E. FOR 20.00 FEET TO THE **POINT OF BEGINNING**.

#### AND

COMMENCING AT THE SOUTHWESTERLY CORNER OF SAID LOT 12; THENCE N.87°18'16"E. ALONG THE SOUTHERLY LINE OF SAID LOT AND THE NORTHERLY LINE OF TRACT "A", CORKSCREW COMMONS DRIVE (35.00 FEET WIDE) OF SAID ESTERO INTERSTATE COMMERCE PARK FOR 12.83 FEET; THENCE N.02°39'17"W. FOR 10.00 FEET TO THE **POINT OF BEGINNING**; THENCE CONTINUE N.02°39'17"W. FOR 24.00 FEET; THENCE N.87°17'54"E. FOR 42.00 FEET; THENCE S.02°39'17"E. FOR 24.00 FEET; THENCE S.87°17'54"W. FOR 42.00 FEET TO THE **POINT OF BEGINNING**.

PARCELS CONTAIN 0.0263 ACRES, MORE OR LESS.

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

ASSUMED NORTH BASED ON THE WESTERLY LINE OF LOT 12, ESTERO INTERSTATE COMMERCE PARK, AS RECORDED IN PLAT BOOK 73, AT PAGE 11 THROUGH 12, PUBLIC RECORDS OF LEE COUNTY FLORIDA AS BEARING N.02°41'44"W.

DESCRIPTION PREPARED: 01-18-06

RICHARD M. RITZ

REGISTERED LAND SURVEYOR FLORIDA CERTIFICATION NO. 4009

S-JOBS 17XX-1700 SURVEYING DESCRIPTIONS 1700 LCUE SKILDOUS JOBS 17XX-1700 SURVEYING DESCRIPTIONS 1700 LCUL SKILDWG

SHEET 1 OF 2

