

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

Blue Sheet No. 20060637

1. ACTION REQUESTED/PURPOSE: Approve Easement Purchase Agreement and Temporary Construction Easement Agreement for the acquisition of Parcels 100UE and 100TCE Gateway Waste Water Treatment Plant Forcemain Project No. 7000, in the amount of \$6,700; authorize payment of costs to close and the Division of County Lands to handle all documentation necessary to complete transaction.

2. WHAT ACTION ACCOMPLISHES: Acquisition of easements for expansion of the Gateway Waste Water Treatment Plant Forcemain.

3. MANAGEMENT RECOMMENDATION: Approve.

4. Departmental Category: 6

C6A

5. Meeting Date:

05-30-2006

6. Agenda:

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

7. Requirement/Purpose: (specify)

- Statute **125**
- Ordinance
- Admin. Code
- Other

8. Request Initiated:

Commissioner _____
Department Independent
Division County Lands
 By: Karen L.W. Forsyth, Director

9. Background:

Negotiated for: Utilities Division (One additional utility easement and temporary construction easement will be acquired under the parameters of this project).

Interest to Acquire: Utility Easement (± 1.14 acres) and Temporary Construction Easement (± 1.0 acre)

Property Details:

Owner: Richard K. Bennett, Trustee
Address: Daniels Parkway, Fort Myers (This property does not have an assigned street address).
STRAP No.: 17-45-26-00-00001.0010

Purchase Details:

Purchase Price: \$6,700
Costs to Close: Estimated to be \$750

Appraisal Information:

Company: Maxwell & Hendry Valuation Services
Appraised Value: \$6,617 (The indicated value does not include the portion of the easements within the FPL right of way, which were conveyed at no cost to the County).

Staff Recommendation: Staff recommends the Board approve the Action Requested.

Account: Funds are available in Account No. 20700048713.506110

Attachments: Easement Purchase Agreement, Temporary Construction Easement Agreement, Affidavit of Interest, Appraisal Data, Location Map, Title Data, Sales History

10. Review for Scheduling:

Department Director	Purchasing or Contracts	Human Resources	Other	County Attorney	Budget Services				County Manager/P.W. Director
					Analyst	Risk	Grants	Mgr	
<i>K. Forsyth</i>	N/A	N/A	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	HS 5/18/06

11. Commission Action:

- Approved
- Deferred
- Denied
- Other

RECEIVED BY COUNTY ADMIN: *[Signature]*
 5/17/06
 COUNTY ADMIN FORWARDED TO: *[Signature]*
 5/18/06
 3:30pm

County Atty
 Date: 5/18/06
 Time: 2:35pm
 Forwarded To: *[Signature]*
 5/18/06 4pm

Parcel: 100UE, 100TCE
Project: Gateway WWTP Forcemain, Project No. 7000
STRAP No.: 17-45-26-00-00001.0010

EASEMENT PURCHASE AGREEMENT

This Agreement made and entered into this ____ day of _____, 20 ____, by and between **RICHARD K. BENNETT**, as Successor Trustee of that certain Land Trust Number 5018, dated 1st day of August 1981, and known as Trust Number 5018, whose address is 3319 Boca Ciega Drive Naples, Florida, 34112, hereinafter referred to as Owner, and **LEE COUNTY**, a political subdivision of the State of Florida, for the use and benefit of said County, hereinafter referred to as Purchaser.

Whereas, Purchaser requires a perpetual, non-exclusive utility easement and temporary construction easement, located and described as set forth in Exhibits "A" and "B", respectively, which are attached hereto and made a part hereof by reference, for the construction and maintenance of utility facilities for the Gateway Wastewater Treatment Plant Forcemain project.

- a) Owner will grant said easements to Purchaser for the sum of \$6,700; with the Purchaser to pay recording costs, documentary stamps and title insurance.
- b) Owner agrees that said easements will be granted to Purchaser by execution of a perpetual utility easement, and temporary construction easement in the form and substance as provided in attached Exhibits "C" and "D", respectively.
- c) Purchaser will pay Owner the amount agreed upon in item (a) of this agreement by County Warrant within 60 days of the execution and acceptance of this Easement Purchase Agreement, the perpetual utility easement instrument, and temporary construction easement instrument by Purchaser.
- d) Owner agrees that Purchaser, its successors and assigns will be allowed to use said easement areas as specified in the perpetual utility easement instrument and the temporary construction easement instrument.
- e) Purchaser agrees to complete construction within the easement areas in a timely manner.

IN WITNESS WHEREOF, the parties have caused these presents to be executed in their respective names on the date first above written.

**SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:**

TWO SEPARATE WITNESSES:


1st Witness Signature

KRISTINE HUGHES
Printed name of 1st Witness


2nd Witness Signature

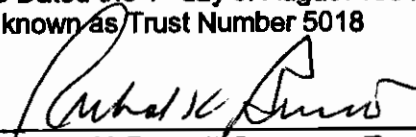
BARBARA A. THOMPSON
Printed name of 2nd Witness

ATTEST:

CHARLIE GREEN, CLERK

By: _____
Deputy Clerk

**RICHARD K. BENNETT, As Successor
Trustee of that certain Land Trust Number
5018 Dated the 1st day of August 1981,
and known as Trust Number 5018**

BY: 
Richard K. Bennett, Successor Trustee

**LEE COUNTY, FLORIDA, BY ITS
BOARD OF COUNTY COMMISSIONERS**

By: _____
Chairman or Vice-Chairman

APPROVED AS TO LEGAL FORM

Office of County Attorney

LEGAL DESCRIPTION

LEE COUNTY UTILITIES 20 FOOT UTILITY EASEMENT

A 20 FOOT WIDE STRIP OF LAND LOCATED IN THE NORTHEAST 1/4 OF SECTION 17, TOWNSHIP 45 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 17; THENCE RUN S 01°00'08" E, ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 17, FOR A DISTANCE OF 33.34 FEET; THENCE RUN S 37°57'04" E A DISTANCE OF 1547.10 FEET TO THE NORTHWESTERLY RIGHT-OF-WAY OF DANIELS PARKWAY (RIGHT-OF-WAY VARIES); THENCE RUN N 40°00'00" E, ALONG SAID NORTHWESTERLY RIGHT-OF-WAY, A DISTANCE OF 20.45 FEET; THENCE RUN N 37°57'04" W FOR A DISTANCE OF 1569.51 FEET TO THE POINT OF BEGINNING OF THE 20 FOOT WIDE STRIP OF LAND HEREIN DESCRIBED; CONTAINING 31,166 SQUARE FEET OR 0.72 ACRE, MORE OR LESS.

NOTES:

- 1.) BEARINGS SHOWN HEREON REFER TO EAST LINE OF THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 45 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA, AS BEING S 01°00'08" E.
- 2.) SUBJECT TO EASEMENTS, RESERVATIONS AND/OR RESTRICTIONS OF RECORD.
- 3.) DIMENSIONS SHOWN HEREON ARE IN FEET AND DECIMALS THEREOF.

Exhibit "A"

Page 1 of 4

Eric V. Sandoval

SIGNATURE

2-10-06

DATE SIGNED:

ERIC V. SANDOVAL (FOR THE FIRM - LB-734)
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERTIFICATE NO. 5223

* THIS IS NOT A SURVEY *

T&W
CONSULTING ENGINEERS, INC.
environmental * civil * structural * survey
5621 Banner Drive
Fort Myers, Florida 33912
(239) 276-1992 FAX (239) 276-0922
E-MAIL: ew@t&wonline.com
Certification # 734

DRAWN BY: MAT JOB NO.: 03929.01 SHEET 1 OF 2

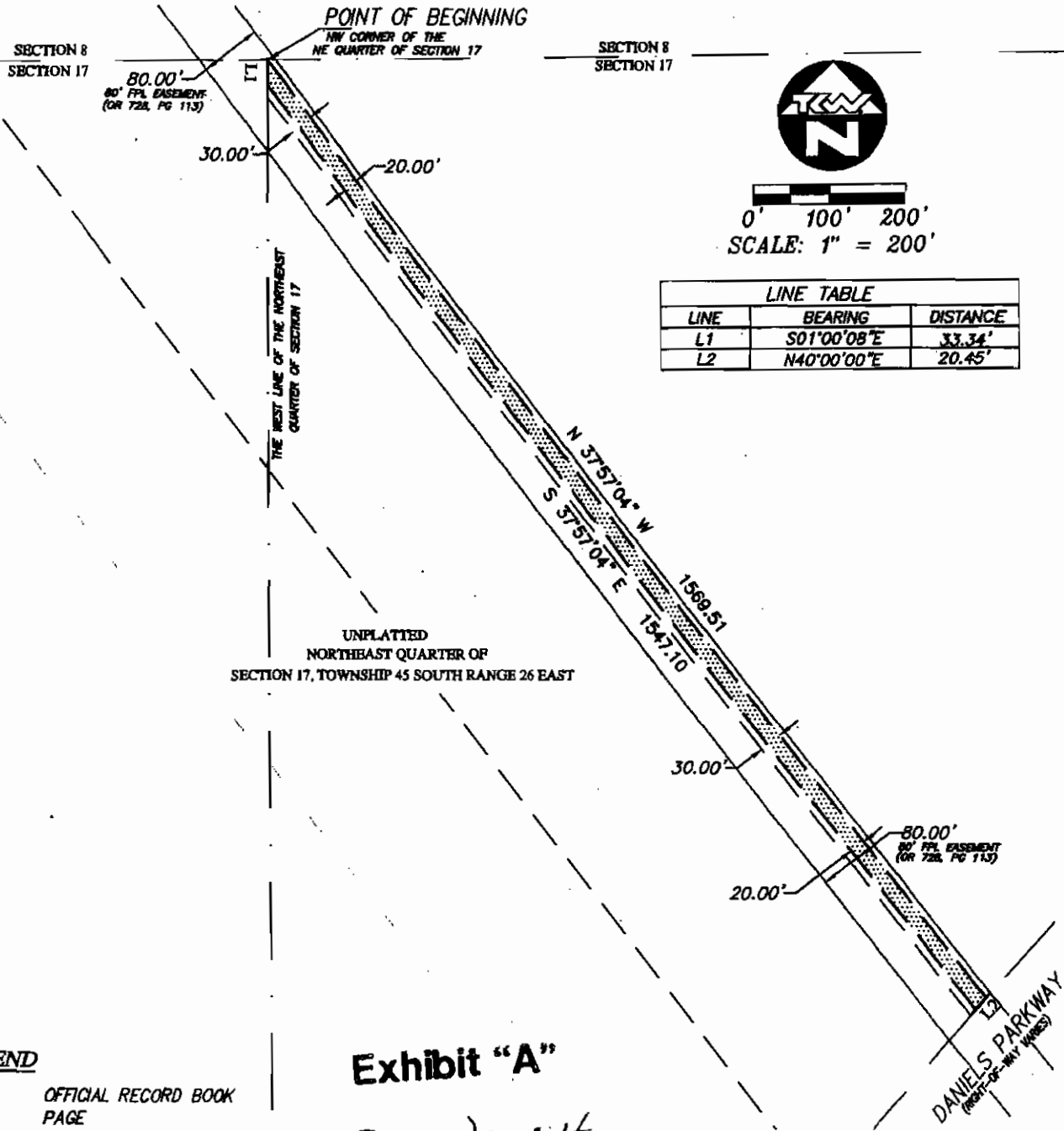
LEGAL DESCRIPTION

LEE COUNTY UTILITIES
A 20 UTILITY EASEMENT
SECTION 17, TOWNSHIP 45 SOUTH, RANGE 26 EAST,
LEE COUNTY, FLORIDA

DATE: FEBRUARY 2006

DRAWING: 03929GATEWAYFM

20 FOOT UTILITY EASEMENT



0' 100' 200'
SCALE: 1" = 200'

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S01°00'08"E	33.34'
L2	N40°00'00"E	20.45'

UNPLATTED
NORTHEAST QUARTER OF
SECTION 17, TOWNSHIP 45 SOUTH RANGE 26 EAST

LEGEND

- O.R. OFFICIAL RECORD BOOK
- PG. PAGE
- R.O.W. RIGHT OF WAY
- F.P.L. FLORIDA POWER AND LIGHT

Exhibit "A"

Page 2 of 4

* THIS IS NOT A SURVEY *

TKW
CONSULTING ENGINEERS, INC.
environmental * civil * structural * survey
5621 Banner Drive
Fort Myers, Florida 33912
(239) 278-1992 FAX (239) 278-0922
E-MAIL tkw@tkwonline.com
Certification # 734

DRAWN BY: MAT	JOB NO.: 03929.01	SHEET 2 OF 2
SKETCH TO ACCOMPANY LEGAL DESCRIPTION		
LEE COUNTY UTILITIES 20 FOOT UTILITY EASEMENT SECTION 17, TOWNSHIP 45 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA		
DATE: FEBRUARY 2006	DRAWING: 03929GATEWAYFM	

LEGAL DESCRIPTION
LEE COUNTY UTILITIES
20 FOOT UTILITY EASEMENT

A PARCEL OF LAND LOCATED IN THE NORTHEAST 1/4 OF SECTION 17, TOWNSHIP 45 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 17; THENCE RUN NORTH 01°00'08" WEST ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 17, FOR A DISTANCE OF 220.54 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED; THENCE CONTINUE NORTH 01°00'08" WEST ALONG SAID LINE TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF DANIELS PARKWAY, FOR A DISTANCE OF 24.41 FEET; THENCE RUN NORTH 54°00'00" EAST FOR A DISTANCE OF 118.60 FEET TO THE BEGINNING OF A TANGENTIAL CIRCULAR CURVE CONCAVE NORTHWEST; THENCE RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 4,693.66 FEET, THROUGH A CENTRAL ANGLE OF 09°31'19", SUBTENDED BY A CHORD OF 779.13 FEET AT A BEARING OF NORTH 49°14'21" EAST, FOR AN ARC LENGTH OF 780.03 FEET TO THE END OF SAID CURVE AND TO A POINT ON THE WESTERLY LINE OF A 235 FOOT WIDE FLORIDA POWER AND LIGHT COMPANY EASEMENT RECORDED IN OFFICIAL RECORDS BOOK 1606, AT PAGE 1275; THENCE RUN SOUTH 37°57'04" EAST ALONG THE WESTERLY LINE OF SAID FLORIDA POWER AND LIGHT EASEMENT, FOR A DISTANCE OF 20.18 FEET TO A POINT ON A CIRCULAR CURVE CONCAVE NORTHWEST, WHOSE RADIUS POINT BEARS NORTH 45°29'22" WEST, A DISTANCE OF 4,713.66 FEET THEREFROM; THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 4,713.66 FEET, THROUGH A CENTRAL ANGLE OF 09°29'23", SUBTENDED BY A CHORD OF 779.81 FEET AT A BEARING OF SOUTH 49°15'19" WEST, FOR AN ARC LENGTH OF 780.70 FEET TO THE END OF SAID CURVE; THENCE RUN SOUTH 54°00'00" WEST FOR A DISTANCE OF 132.60 FEET TO A POINT ON THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 17 AND ALSO BEING THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED; CONTAINING 0.416 ACRE, MORE OR LESS.

NOTES:

- 1.) BEARINGS SHOWN HEREON REFER TO EAST LINE OF THE NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 45 SOUTH, RANGE 26 EAST AS BEING S 01°00'08" E.
- 2.) SUBJECT TO EASEMENTS, RESERVATIONS AND/OR RESTRICTIONS OF RECORD.
- 3.) DIMENSIONS SHOWN HEREON ARE IN FEET AND DECIMALS THEREOF.

Eric V. ...
 SIGNATURE: _____ DATE SIGNED: 12-21-05

Exhibit "A"

Page 3 of 4

ERIC V. ...
 PROFESSIONAL SURVEYOR AND MAPPER
 FLORIDA CERTIFICATE NO. 5222
 NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

*** THIS IS NOT A SURVEY ***

T&W
CONSULTING ENGINEERS, INC.
 environmental * civil * structural * survey
 5621 Banner Drive
 Fort Myers, Florida 33912
 (239) 278-1992 FAX (239) 278-0922
 E-MAIL tkw@tkwonline.com
 Certification # 734

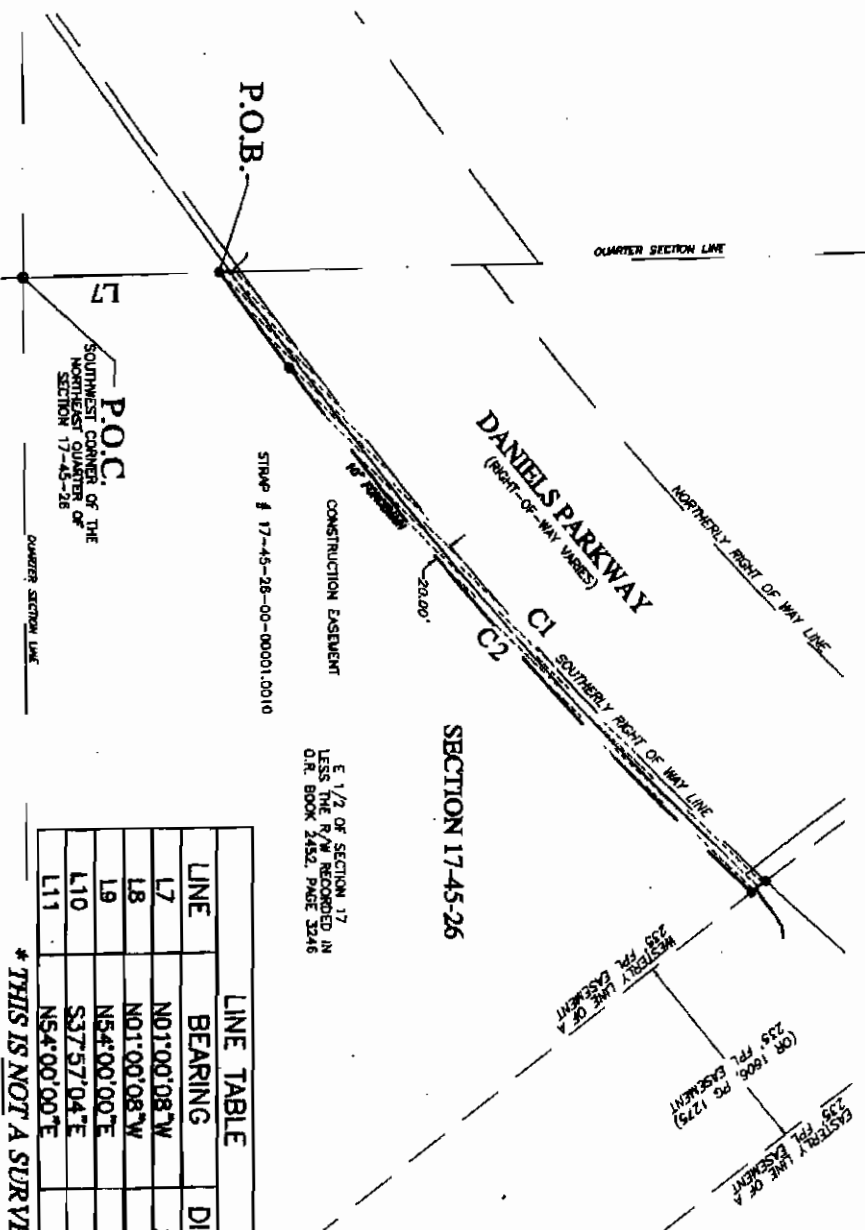
DRAWN BY: J.P.	JOB NO.: 03929.01	SHEET 1 OF 2
LEGAL DESCRIPTION		
LEE COUNTY UTILITIES A 20 FOOT UTILITY EASEMENT SECTION 17, TOWNSHIP 45 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA		
DATE: DECEMBER 2005	DRAWING: 03929GATEWAYFM	



0' 100' 200'
SCALE: 1" = 200'

CURVE TABLE					
CURVE	RADIUS	DELTA	LENGTH	CHORD	CHORD BEARING
C1	4693.66'	9°31'19"	780.03'	779.13'	N49°14'21"E
C2	4713.66'	9°29'23"	780.70'	779.81'	S49°15'19"W

20 FOOT UTILITY EASEMENT



E 1/2 OF SECTION 17
LESS THE R/W RECORDED IN
O.R. BOOK 3452, PAGE 3246

LINE	BEARING	DISTANCE
L7	N01°00'08"W	220.54'
L8	N01°00'08"W	24.41'
L9	N54°00'00"E	118.60'
L10	S37°57'04"E	20.18'
L11	N54°00'00"E	132.60'

* THIS IS NOT A SURVEY *

Exhibit "A"
Page 4 of 4

P.O.C. POINT OF COMMENCEMENT
P.O.B. POINT OF BEGINNING
O.R. OFFICIAL RECORD BOOK
PG. PAGE
R.O.W. RIGHT OF WAY
F.P.L. FLORIDA POWER AND LIGHT



CONSULTING ENGINEERS, INC.
environmental • civil • structural • survey
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Fort Myers, Florida 33912
(239) 278-1992 FAX (239) 278-0922
E-mail: ce@ce-engineers.com
Certification # 734

DRAWN BY: J.P. JOB NO.: 03929.01 SHEET 2 OF 2
SKETCH TO ACCOMPANY LEGAL DESCRIPTION
LEE COUNTY UTILITIES
20 FOOT UTILITY EASEMENT
SECTION 17, TOWNSHIP 45 SOUTH, RANGE 26 EAST,
LEE COUNTY, FLORIDA
DATE: DECEMBER 2006 DRAWING: 03929G/TEW/ATW

LEGAL DESCRIPTION

LEE COUNTY UTILITIES 10 FOOT TEMPORARY CONSTRUCTION EASEMENT

A 10 FOOT WIDE STRIP OF LAND LOCATED IN THE NORTHEAST 1/4 OF SECTION 17, TOWNSHIP 45 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

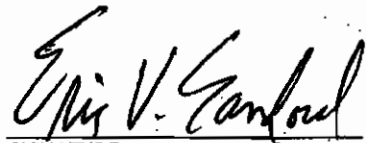
COMMENCE AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 17; THENCE RUN S 01°00'08" E, ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 17, FOR A DISTANCE OF 33.34 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE S 01°00'08" E, ALONG SAID WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 17, FOR A DISTANCE OF 16.64 FEET; THENCE RUN S 37°57'04" E A DISTANCE OF 1535.94 FEET TO THE NORTHWESTERLY RIGHT-OF-WAY OF DANIELS PARKWAY (RIGHT-OF-WAY VARIES); THENCE RUN N 40°00'00" E, ALONG SAID NORTHWESTERLY RIGHT-OF-WAY, A DISTANCE OF 10.23 FEET; THENCE RUN N 37°57'04" W FOR A DISTANCE OF 1547.10 FEET TO THE POINT OF BEGINNING OF THE 10 FOOT WIDE STRIP OF LAND HEREIN DESCRIBED; CONTAINING 15,415 SQUARE FEET OR 0.35 ACRE, MORE OR LESS.

NOTES:

- 1.) BEARINGS SHOWN HEREON REFER TO EAST LINE OF THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 45 SOUTH, RANGE 26 EAST AS BEING S 01°00'08" E.
- 2.) SUBJECT TO EASEMENTS, RESERVATIONS AND/OR RESTRICTIONS OF RECORD.
- 3.) DIMENSIONS SHOWN HEREON ARE IN FEET AND DECIMALS THEREOF.

Exhibit "B"

Page 1 of 4

 2-10-06
SIGNATURE DATE SIGNED:

ERIC V. SANDOVAL (FOR THE FIRM - LB-734)
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERTIFICATE NO. 5223

* THIS IS NOT A SURVEY *

TKW
CONSULTING ENGINEERS, INC.
environmental * civil * structural * survey
5621 Banner Drive
Fort Myers, Florida 33912
(239) 278-1962 FAX (239) 278-0922
E-MAIL tkw@tkwonline.com
Certification # 734

DRAWN BY: MAT JOB NO.: 03929.01 SHEET 1 OF 2

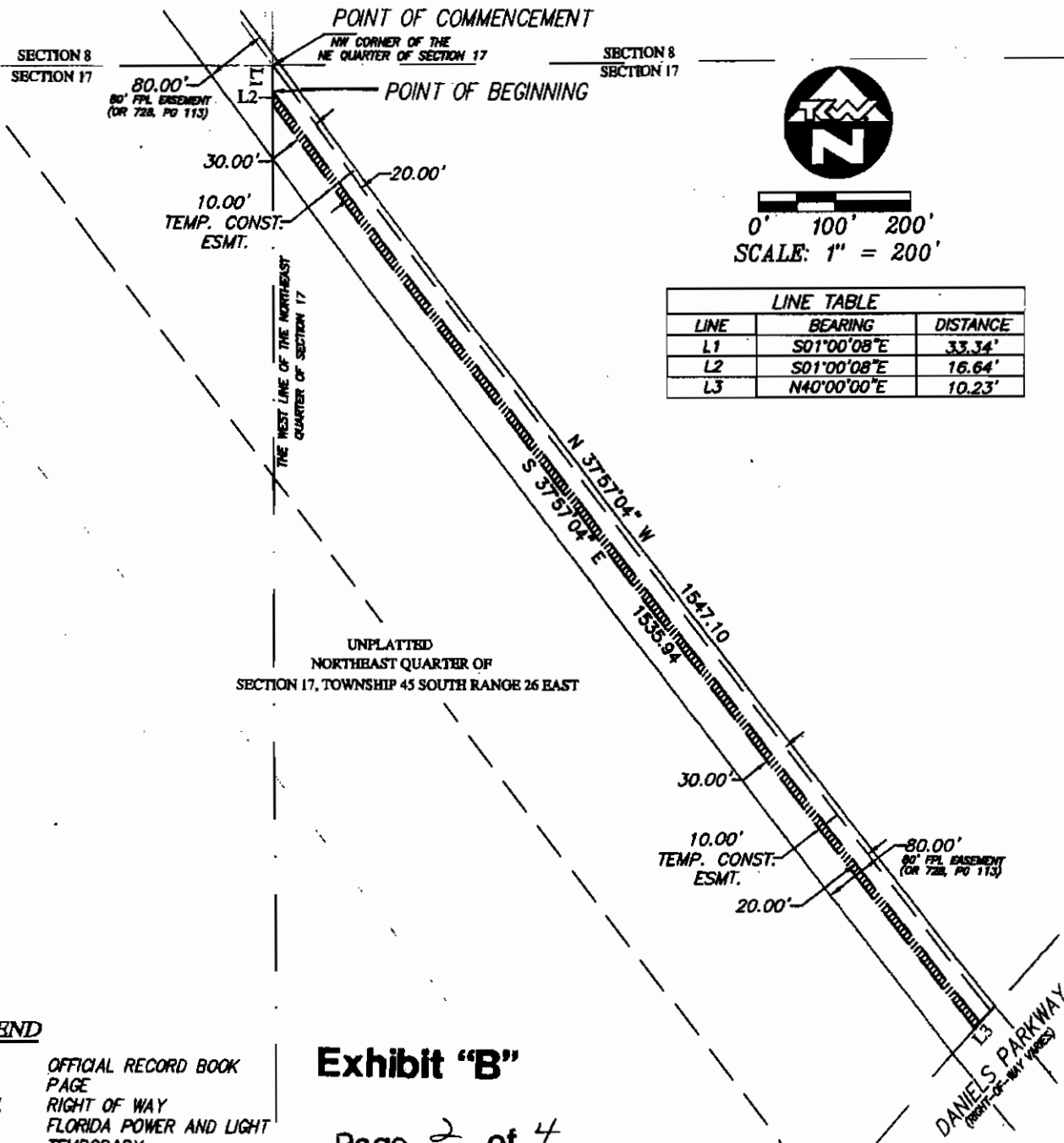
LEGAL DESCRIPTION

LEE COUNTY UTILITIES
A 10 FOOT TEMPORARY CONSTRUCTION EASEMENT
SECTION 17, TOWNSHIP 45 SOUTH, RANGE 26 EAST,
LEE COUNTY, FLORIDA

DATE: FEBRUARY 2006

DRAWING: 03929GATEWAYFM

10 FOOT TEMPORARY CONSTRUCTION EASEMENT



LINE TABLE		
LINE	BEARING	DISTANCE
L1	S01°00'08"E	33.34'
L2	S01°00'08"E	16.64'
L3	N40°00'00"E	10.23'

LEGEND

- O.R. OFFICIAL RECORD BOOK
- PG. PAGE
- R.O.W. RIGHT OF WAY
- F.P.L. FLORIDA POWER AND LIGHT
- TEMP. TEMPORARY
- CONST. CONSTRUCTION
- ESMT EASEMENT

Exhibit "B"

Page 2 of 4

* THIS IS NOT A SURVEY *



5881 Banner Drive
Fort Myers, Florida 33912
(239) 278-1662 FAX (239) 278-0922
E-MAIL t&w@t&wonline.com
Certification # 734

DRAWN BY: MAT JOB NO.: 03929.01 SHEET 2 OF 2

SKETCH TO ACCOMPANY LEGAL DESCRIPTION

LEE COUNTY UTILITIES
30 FOOT TEMPORARY CONSTRUCTION EASEMENT
SECTION 17, TOWNSHIP 45 SOUTH, RANGE 26 EAST,
LEE COUNTY, FLORIDA

DATE: FEBRUARY 2006

DRAWING: 03929GATEWAYFM

LEGAL DESCRIPTION

LEE COUNTY UTILITIES 30 FOOT TEMPORARY CONSTRUCTION EASEMENT

A PARCEL OF LAND LOCATED IN THE NORTHEAST 1/4 OF SECTION 17, TOWNSHIP 45 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 17; THENCE RUN NORTH 01°00'08" WEST ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 17 FOR A DISTANCE OF 183.92 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED; THENCE CONTINUE NORTH 01°00'08" WEST ALONG SAID LINE FOR A DISTANCE OF 36.62 FEET; THENCE RUN NORTH 54°00'00" EAST FOR A DISTANCE OF 132.60 FEET TO A POINT ON A CIRCULAR CURVE CONCAVE NORTHWEST, WHOSE RADIUS POINT BEARS NORTH 35°59'48" WEST; THENCE RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 4,713.66 FEET, THROUGH A CENTRAL ANGLE OF 09°29'23", SUBTENDED BY A CHORD OF 779.81 FEET AT A BEARING OF NORTH 49°15'19" EAST, FOR AN ARC LENGTH OF 780.70 FEET TO A POINT ON THE WESTERLY LINE OF A 235 FOOT WIDE FLORIDA POWER AND LIGHT COMPANY EASEMENT RECORDED IN OFFICIAL RECORDS BOOK 1606 AT PAGE 1275, AND THE END OF SAID CURVE; THENCE RUN SOUTH 37°57'04" EAST ALONG THE WESTERLY LINE OF SAID FLORIDA POWER AND LIGHT EASEMENT FOR A DISTANCE OF 30.26 FEET TO A POINT ON A CIRCULAR CURVE CONCAVE NORTHWEST, WHOSE RADIUS POINT BEARS NORTH 45°26'30" WEST, A DISTANCE OF 4,743.66 FEET THEREFROM; THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 4,743.66 FEET, THROUGH A CENTRAL ANGLE OF 09°26'30", SUBTENDED BY A CHORD OF 780.81 FEET AT A BEARING OF SOUTH 49°16'45" WEST, FOR AN ARC LENGTH OF 781.70 FEET TO THE END OF SAID CURVE; THENCE RUN SOUTH 54°00'00" WEST FOR A DISTANCE OF 153.60 FEET TO A POINT ON THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 17 AND ALSO BEING THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED; CONTAINING 0.636 ACRE, MORE OR LESS.

NOTES:

- 1.) BEARINGS SHOWN HEREON REFER TO EAST LINE OF THE NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 45 SOUTH, RANGE 26 EAST AS BEING N 01°00'08" W.
- 2.) SUBJECT TO EASEMENTS, RESERVATIONS AND/OR RESTRICTIONS OF RECORD.

(DIMENSIONS SHOWN HEREON ARE IN FEET AND DECIMALS THEREOF.)

Eric V. Sandoval
SIGNATURE

11-21-05
DATE SIGNED:

Exhibit "B"

Page 3 of 4

ERIC V. SANDOVAL FOR THE FIRM - LBTW
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERTIFICATE NO. 12223

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

* THIS IS NOT A SURVEY *



SEP1, BANNER DRIVE
FORT MYERS, FLORIDA 33912
(239) 278-1982 FAX (239) 278-0922
E-MAIL tcw@tcwonline.com
Certification # 734

DRAWN BY: J.P. JOB NO.: 03929.01 SHEET 1 OF 2

LEGAL DESCRIPTION

LEE COUNTY UTILITIES
A 30 FOOT TEMPORARY CONSTRUCTION EASEMENT
SECTION 17, TOWNSHIP 45 SOUTH, RANGE 26 EAST,
LEE COUNTY, FLORIDA

DATE: NOVEMBER, 2006 (REVISED) DRAWING: 03929GATEWAYFM



0' 100' 200'
SCALE: 1" = 200'

CURVE TABLE					
CURVE	RADIUS	DELTA	LENGTH	CHORD	CHORD BEARING
C1	4713.66'	9°29'23"	780.70'	779.81'	N49°15'19"E
C2	4743.66'	9°26'30"	781.70'	780.81'	S49°16'45"W

30 FOOT TEMPORARY CONSTRUCTION EASEMENT

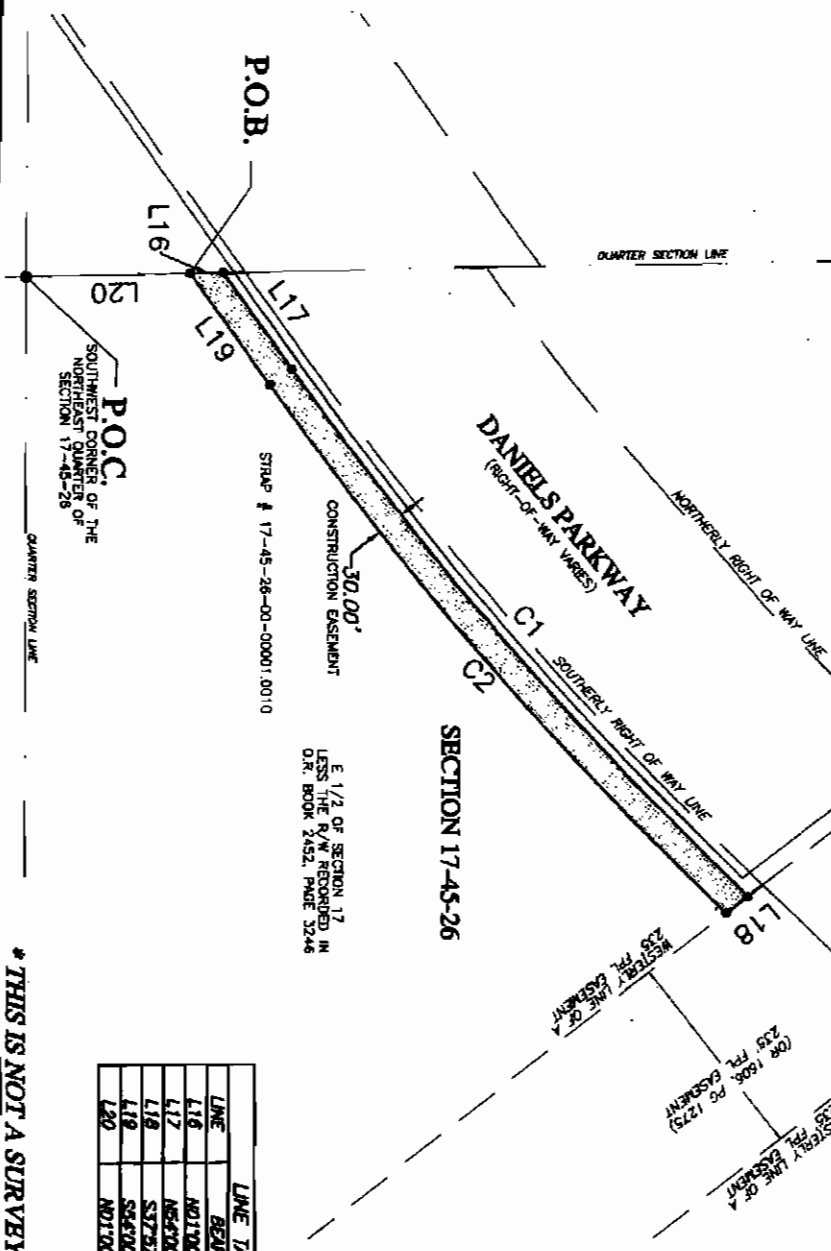


Exhibit "B"

Page 4 of 4

LINE	BEARING	DISTANCE
L16	N01°00'00"W	38.82'
L17	N85°00'00"E	132.80'
L18	S75°00'00"E	30.28'
L19	S84°00'00"W	183.80'
L20	N01°00'00"W	183.92'

* THIS IS NOT A SURVEY *

DRAWN BY: J.P. JOB NO.: 09929.01 SHEET 2 OF 2

SKETCH TO ACCOMPANY LEGAL DESCRIPTION

LEE COUNTY UTILITIES
30 FOOT TEMPORARY CONSTRUCTION EASEMENT
SECTION 17, TOWNSHIP 46 SOUTH, RANGE 86 EAST,
LEE COUNTY, FLORIDA

DATE: NOVEMBER 2005 DRAWING: 09929GATEWAY



CONSULTING ENGINEERS, INC.
environmental • civil • structural • survey
5021 BARNER DRIVE
FORT MYERS, FLORIDA 33912
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E-Mail: lee@consulting-engineers.com
Certification # 724

P.O.C. POINT OF COMMENCEMENT
P.O.B. POINT OF BEGINNING
O.R. OFFICIAL RECORD BOOK
Pg. PAGE
R.O.W. RIGHT OF WAY
F.P.L. FLORIDA POWER AND LIGHT

This Instrument Prepared by:

Division of County Lands
Post Office Box 398
Fort Myers, Florida 33902-0398

Project: 7000/Regional Airport WWTP
STRAP No.: 17-45-26-00-00001.0010

THIS SPACE FOR RECORDING

GRANT OF PERPETUAL WASTEWATER/ WATER DISTRIBUTION EASEMENT

This GRANT OF PERPETUAL WASTEWATER/ WATER DISTRIBUTION EASEMENT (“Easement”), made and entered into this __ day of _____, 2006, between RICHARD K. BENNETT, as Successor Trustee of that certain Land Trust Number 5018, dated the 1st day of August 1981, and known as Trust Number 5018, whose address is 3319 Boca Ciega Drive, Naples, Florida 34112, hereinafter referred to as **GRANTOR**, and LEE COUNTY, a political subdivision of the State of Florida, whose address is Post Office Box 398, Fort Myers, Florida 33902-0398, 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 paid to the GRANTOR by the GRANTEE, the receipt of which is hereby acknowledged, **GRANTOR** hereby grants and transfers to the **GRANTEE**, its successors and assigns, the use of a perpetual, non-exclusive public utility easement situated in Lee County, Florida, and located and described as set forth in Exhibit "A" attached hereto and incorporated herein by this reference (“Easement Area”).

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 (the “Facilities”), to be located on, under, across and through the Easement Area, 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 facilities, in accordance with the terms and conditions set forth herein.

3. The Facilities 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. **GRANTEE** shall have the right, privilege and authority to construct, located, lay, maintain, operate, and inspect those utility lines, mains or facilities which shall be located on, over, across, under and through the Easement Area. **GRANTOR** reserves the right and privilege to use the Easement Area in common with the **GRANTEE** for all purposes, except as herein granted or as might interfere with **GRANTEE'S** use occupation or enjoyment thereof or as might cause a hazardous condition. **GRANTOR** hereby covenants that no houses, fences, buildings, carports, garages, storage sheds or any other structures shall be located, constructed excavated or created within the Easement Area, except that **GRANTOR** may utilize the Easement Area in a manner not inconsistent with, and not interfering with, the rights herein granted to **GRANTEE**.

4. Title to the utilities constructed hereunder will remain in the **GRANTEE, GRANTEE'S** successors, appointees and/or assigns.

5. Subject to any 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** covenants that it is the owner in fee simple of the Easement Area and that **GRANTOR** has the right to grant the approvals, privileges and easements stated herein, and further covenants that the **GRANTEE** shall have quiet and peaceful possession, use and enjoyment of the rights herein granted and accordingly, **GRANTOR** will forever warrant and defend the title and terms to this said easement and the quiet possession thereof against all claims and demands of all other entities.

6. **GRANTOR**, its heirs, successors or assigns, will indemnify and hold the **GRANTEE** harmless for any consequential damages to any houses, fences, buildings, carports, garages, storage sheds or any other structures subsequently constructed by **GRANTOR** in violation of Paragraph 3. within the Easement Area, which result from the required activities of the **GRANTEE** for any construction, maintenance or repairs to the Facilities located within the Easement Area.

To the extent allowed by law and subject to the provisions and limitations contained in §768.28, Florida Statutes, **GRANTEE** agrees to be liable for injury or loss of property, personal injury or death caused by the negligent or wrongful act or omission of any employee, or contractor of **GRANTEE** while acting within the scope of his office or employment under circumstances in which **GRANTEE**, if a private person, would be liable to the claimant in accordance with the general laws of the State of Florida.

GRANTEE shall promptly repair any damage to the Easement Area, or any adjacent property owned by **GRANTOR**, caused by **GRANTEE'S** exercising its rights under this easement, including, without limitation, repair and replacement of landscaping, ground cover, plantings, roadways, driveways, sidewalks, parking areas, fences, walks, utility lines and structures. In the event that **GRANTEE**, its employees, agents or

contractors cause damage to the Easement Area, or any improvements located in the Easement Area or **GRANTOR'S** in the exercise of the easement rights granted herein, **GRANTEE** agrees to restore the property or improvements so damaged to the condition and grade which existed prior to such damage, including repair and replacement of any landscaping, plantings, ground cover, roadways, driveways, sidewalks, parking areas, fences, walks, utility lines and structures within a reasonable period of time from the date of the occurrence of any such damage.

7. **GRANTEE** will have a 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 Easement Area or the construction, maintenance, or repairs located within the Easement Area will be restored by the County, to the condition in which it existed prior to the damage.

8. **GRANTEE** will be responsible for obtaining the necessary approvals from permitting agencies, for construction of **GRANTEE'S** Facilities, including, without limitation, environmental permitting and mitigation of any wetland impacts caused by the construction, operation and maintenance of the Facilities.

9. **GRANTEE** acknowledges and agrees that any rights granted hereunder shall be exercised by **GRANTEE** only in accordance and compliance with any and all applicable laws, ordinances, rules, regulations, permits and approvals, and any future modifications or amendments thereto. **GRANTOR** and **GRANTEE** covenant and agree that each respectively shall not cause or permit discharge onto, in or within the Easement Area any pollutants or other hazardous or environmentally unsound substances or materials prohibited or regulated under any federal, state or local law, ordinance, rule, regulation, or permit, except in accordance with such laws, ordinances, rules, regulations and permits.

10. **GRANTEE** shall exercise its rights and privileges hereunder at its own risk and expense, subject to **GRANTOR'S** obligations. Throughout the term of this easement, **GRANTEE** shall maintain general liability insurance or self insurance in compliance with the limits stipulated in section 768.28, Florida Statutes.

11. All covenants, terms, provisions and conditions herein contained shall inure to and be binding upon the heirs and/or legal representatives, successors and assigns of the parties hereto, respectively, and shall run with the land.

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

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF TWO WITNESSES:

By: _____
Richard K. Bennett, as Successor Trustee
Of that Certain Land Trust Number 5018,
Dated the 1st day of August 1981, and
Known as Trust Number 5018

1st WITNESS Signature

Printed name of 1st witness

2nd WITNESS Signature

Printed name of 2nd witness

STATE OF _____)
COUNTY OF _____)

The foregoing instrument was acknowledged before me this ____ day of _____, 2006,
by Richard K. Bennett, as Successor Trustee of that Land Trust Number 5018, dated the 1st day of
August 1981, and known as Trust Number 5018. He is personally known to me or has produced
_____ as identification.

(Type of identification)

(Signature of Notary Public)

(Name typed, printed or stamped)

(Title or Rank)
Serial Number, if any: _____

This instrument prepared by:
Lee County
County Lands
Post Office Box 398
Fort Myers, Florida 33902-0398

Project: Gateway Wastewater Forcemain
Project No.: 7000
STRAP No.: 17-45-26-00-00001.0010
Parcel No.: 100TCE

This Space for Recording

TEMPORARY CONSTRUCTION EASEMENT AGREEMENT

THIS AGREEMENT is made and entered into this _____ day of _____, 2006, between RICHARD K. BENNETT, as Successor Trustee of that certain Land Trust Number 5018, dated the 1st day of August 1981, and known as Land Trust No. 5018, whose address is 3319 Boca Ciega Drive, Naples, Florida 34112, hereinafter referred to as GRANTOR, and LEE COUNTY, a political subdivision of the State of Florida, whose address is Post Office Box 398, Fort Myers, Florida 33902, hereinafter referred to as GRANTEE.

W I T N E S S E T H:

THAT the GRANTOR is the owner of the lands described in Exhibit "A" and as such has the power to grant the GRANTEE an interest in such lands.

THAT the GRANTOR, for good and valuable consideration, receipt of which is hereby acknowledged, does hereby grant unto the GRANTEE, a temporary, non-exclusive easement on, upon, over, under, across and through the following described lands, as described in Exhibit "A" and attached hereto and incorporated herein ("Easement Area"), for the purpose of ingress and egress to and construction of the Gateway Forcemain Project 7000 where it abuts the above described property, by workmen, machinery and vehicles; and then restoring the said property and thereby connecting all new construction resulting from the project to that existing prior to construction.

THE construction period is expected to last for approximately three (3) months commencing on or before April 30, 2006. All rights granted to the GRANTEE by this Agreement shall automatically terminate and be extinguished and all rights granted herein shall revert to GRANTOR, its successors, transferees and assigns on July 31, 2006, or upon completion

of the work contemplated by this Agreement, whichever occurs first, unless extended by a written agreement between the parties. Notwithstanding the foregoing, upon termination of this temporary easement, and upon request of GRANTOR, GRANTEE shall promptly execute and deliver to GRANTOR in recordable form confirming termination herewith.

GRANTEE will restore the property described above to a safe and aesthetic condition, as such existed prior to construction. GRANTEE will grade the lands to match the new construction at no cost to GRANTOR. The completed work shall include, but not be limited to, restoring or replacing sod, mailboxes, driveways, sprinkler systems, and landscaping.

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

Two Witnesses:

AS TO GRANTOR:

BY: _____
Richard K. Bennett, as
Successor Trustee of that
certain Land Trust Number
5018, dated the 1st Day of
August, 1981, and known as
Trust Number 5018.

Signature of Witness

Print Name of Witness

Signature of Witness

Print Name of Witness

STATE OF _____
COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ day of _____, 2006 by Richard K. Bennett, as Successor Trustee of that certain Land Trust Number 5018, dated the 1st day of August, 1981, and known as Trust Number 5018. He is personally known to me or has produced _____ as identification.

SEAL

Signature of Notary Public

Print Name of Notary Public

Exhibit "D"

AS TO GRANTEE:

LEE COUNTY, FLORIDA, BY ITS
BOARD OF COUNTY COMMISSIONERS

ATTEST:
Charlie Green, Clerk

By: _____
Deputy Clerk

By: _____
Chairwoman or Vice Chairman

Date: _____

Approved As to Form:

Office of County Attorney

This instrument prepared by:
Lee County
County Lands
Post Office Box 398
Fort Myers, Florida 33902-0398

Project: Gateway Wastewater Forcemain
Project No.: 7000
STRAP No.: 17-45-26-00-00001.0010
Parcel No.: 100TCE

This Space for Recording

TEMPORARY CONSTRUCTION EASEMENT AGREEMENT

THIS AGREEMENT is made and entered into this _____ day of _____, 2006, between RICHARD K. BENNETT, as Successor Trustee of that certain Land Trust Number 5018, dated the 1st day of August 1981, and known as Land Trust No. 5018, whose address is 3319 Boca Ciega Drive, Naples, Florida 34112, hereinafter referred to as GRANTOR, and LEE COUNTY, a political subdivision of the State of Florida, whose address is Post Office Box 398, Fort Myers, Florida 33902, hereinafter referred to as GRANTEE.

W I T N E S S E T H:

THAT the GRANTOR is the owner of the lands described in Exhibit "A" and as such has the power to grant the GRANTEE an interest in such lands.

THAT the GRANTOR, for good and valuable consideration, receipt of which is hereby acknowledged, does hereby grant unto the GRANTEE, a temporary, non-exclusive easement on, upon, over, under, across and through the following described lands, as described in Exhibit "A" and attached hereto and incorporated herein ("Easement Area"), for the purpose of ingress and egress to and construction of the Gateway Forcemain Project 7000 where it abuts the above described property, by workmen, machinery and vehicles; and then restoring the said property and thereby connecting all new construction resulting from the project to that existing prior to construction.

THE construction period is expected to last for approximately three (3) months commencing on or before April 30, 2006. All rights granted to the GRANTEE by this Agreement shall automatically terminate and be extinguished and all rights granted herein shall revert to GRANTOR, its successors, transferees and assigns on July 31, 2006, or upon completion

of the work contemplated by this Agreement, whichever occurs first, unless extended by a written agreement between the parties. Notwithstanding the foregoing, upon termination of this temporary easement, and upon request of GRANTOR, GRANTEE shall promptly execute and deliver to GRANTOR in recordable form confirming termination herewith.

GRANTEE will restore the property described above to a safe and aesthetic condition, as such existed prior to construction. GRANTEE will grade the lands to match the new construction at no cost to GRANTOR. The completed work shall include, but not be limited to, restoring or replacing sod, mailboxes, driveways, sprinkler systems, and landscaping.

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

Two witnesses:

AS TO GRANTOR:

BY: Richard K. Bennett
Richard K. Bennett, as
Successor Trustee of that
certain Land Trust Number
5018, dated the 1st Day of
August, 1981, and known as
Trust Number 5018.

Kristine Hughes
Signature of Witness

KRISTINE HUGHES
Print Name of Witness

Barbara A. Thompson
Signature of Witness

BARBARA A. THOMPSON
Print Name of Witness

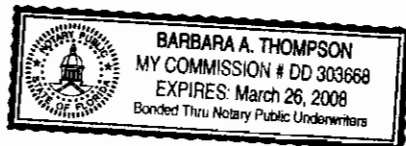
STATE OF Florida
COUNTY OF Collier

The foregoing instrument was acknowledged before me this 5th day of May, 2006 by Richard K. Bennett, as Successor Trustee of that certain Land Trust Number 5018, dated the 1st day of August, 1981, and known as Trust Number 5018. He is personally known to me or has produced _____ as identification.

SEAL

Barbara A. Thompson
Signature of Notary Public

Print Name of Notary Public



AS TO GRANTEE:

LEE COUNTY, FLORIDA, BY ITS
BOARD OF COUNTY COMMISSIONERS

ATTEST:
Charlie Green, Clerk

By: _____
Deputy Clerk

By: _____
Chairwoman or Vice Chairman

Date: _____

Approved AS to Form:

Office of County Attorney

LEGAL DESCRIPTION

LEE COUNTY UTILITIES 10 FOOT TEMPORARY CONSTRUCTION EASEMENT

A 10 FOOT WIDE STRIP OF LAND LOCATED IN THE NORTHEAST 1/4 OF SECTION 17, TOWNSHIP 45 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 17; THENCE RUN S 01°00'08" E, ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 17, FOR A DISTANCE OF 33.34 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE S 01°00'08" E, ALONG SAID WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 17, FOR A DISTANCE OF 16.64 FEET; THENCE RUN S 37°57'04" E A DISTANCE OF 1535.94 FEET TO THE NORTHWESTERLY RIGHT-OF-WAY OF DANIELS PARKWAY (RIGHT-OF-WAY VARIES); THENCE RUN N 40°00'00" E, ALONG SAID NORTHWESTERLY RIGHT-OF-WAY, A DISTANCE OF 10.23 FEET; THENCE RUN N 37°57'04" W FOR A DISTANCE OF 1547.10 FEET TO THE POINT OF BEGINNING OF THE 10 FOOT WIDE STRIP OF LAND HEREIN DESCRIBED; CONTAINING 15,415 SQUARE FEET OR 0.35 ACRE, MORE OR LESS.

NOTES:

- 1.) BEARINGS SHOWN HEREON REFER TO EAST LINE OF THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 45 SOUTH, RANGE 26 EAST AS BEING S 01°00'08" E.
- 2.) SUBJECT TO EASEMENTS, RESERVATIONS AND/OR RESTRICTIONS OF RECORD.
- 3.) DIMENSIONS SHOWN HEREON ARE IN FEET AND DECIMALS THEREOF.

Exhibit "A"

Page 1 of 4

Eric V. Sandoval 2-10-06

SIGNATURE DATE SIGNED:

ERIC V. SANDOVAL (FOR THE FIRM - LB-734)
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERTIFICATE NO. 5223

* THIS IS NOT A SURVEY *

TKW
CONSULTING ENGINEERS, INC.
environmental * civil * structural * survey

5821 Banner Drive
Fort Myers, Florida 33912
(239) 278-1992 FAX (239) 278-0922
E-MAIL tkw@tkwonline.com
Certification # 734

DRAWN BY: MAT JOB NO.: 03929.01 SHEET 1 OF 2

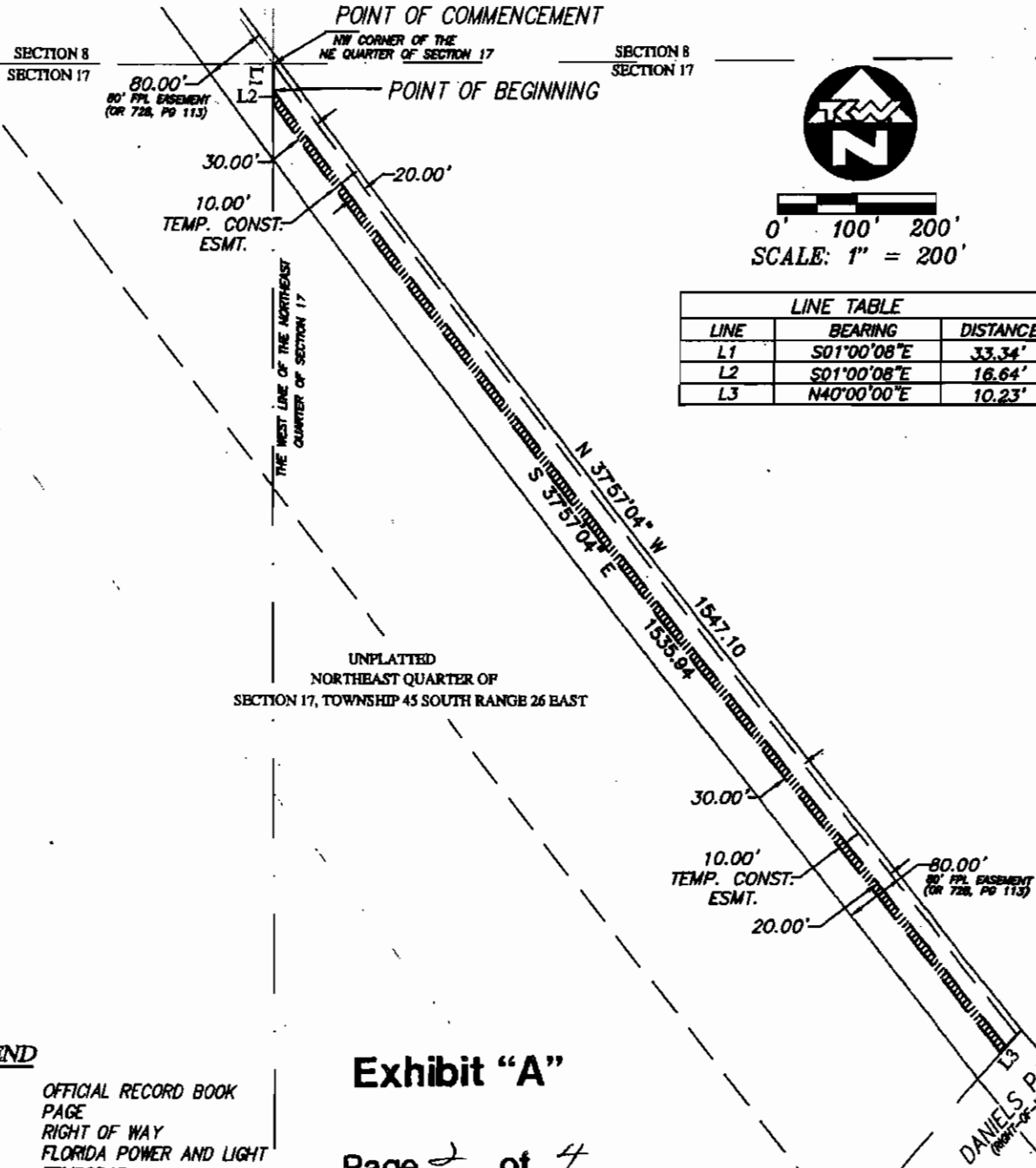
LEGAL DESCRIPTION

LEE COUNTY UTILITIES
A 10 FOOT TEMPORARY CONSTRUCTION EASEMENT
SECTION 17, TOWNSHIP 45 SOUTH, RANGE 26 EAST,
LEE COUNTY, FLORIDA

DATE: FEBRUARY 2006

DRAWING: 03929GATEWAYFM

10 FOOT TEMPORARY CONSTRUCTION EASEMENT



UNPLATTED
NORTHEAST QUARTER OF
SECTION 17, TOWNSHIP 45 SOUTH RANGE 26 EAST

Exhibit "A"

Page 2 of 4

LEGEND

- O.R. OFFICIAL RECORD BOOK
- PG. PAGE
- R.O.W. RIGHT OF WAY
- F.P.L. FLORIDA POWER AND LIGHT
- TEMP. TEMPORARY
- CONST. CONSTRUCTION
- ESMT. EASEMENT

* THIS IS NOT A SURVEY *



5621 Banner Drive
Fort Myers, Florida 33912
(239) 278-1962 FAX (239) 278-0922
E-MAIL tkw@tkwonline.com
Certification # 734

DRAWN BY: MAT JOB NO.: 03929.01 SHEET 2 OF 2

SKETCH TO ACCOMPANY LEGAL DESCRIPTION

LEE COUNTY UTILITIES
30 FOOT TEMPORARY CONSTRUCTION EASEMENT
SECTION 17, TOWNSHIP 45 SOUTH, RANGE 26 EAST,
LEE COUNTY, FLORIDA

DATE: FEBRUARY 2006

DRAWING: 03929GATEWAYFM

LEGAL DESCRIPTION

LEE COUNTY UTILITIES 30 FOOT TEMPORARY CONSTRUCTION EASEMENT


A PARCEL OF LAND LOCATED IN THE NORTHEAST 1/4 OF SECTION 17, TOWNSHIP 45 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 17; THENCE RUN NORTH 01°00'08" WEST ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 17 FOR A DISTANCE OF 183.92 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED; THENCE CONTINUE NORTH 01°00'08" WEST ALONG SAID LINE FOR A DISTANCE OF 36.62 FEET; THENCE RUN NORTH 54°00'00" EAST FOR A DISTANCE OF 132.60 FEET TO A POINT ON A CIRCULAR CURVE CONCAVE NORTHWEST, WHOSE RADIUS POINT BEARS NORTH 35°59'48" WEST; THENCE RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 4,713.66 FEET, THROUGH A CENTRAL ANGLE OF 09°29'23", SUBTENDED BY A CHORD OF 779.81 FEET AT A BEARING OF NORTH 49°15'19" EAST, FOR AN ARC LENGTH OF 780.70 FEET TO A POINT ON THE WESTERLY LINE OF A 235 FOOT WIDE FLORIDA POWER AND LIGHT COMPANY EASEMENT RECORDED IN OFFICIAL RECORDS BOOK 1606 AT PAGE 1275, AND THE END OF SAID CURVE; THENCE RUN SOUTH 37°57'04" EAST ALONG THE WESTERLY LINE OF SAID FLORIDA POWER AND LIGHT EASEMENT FOR A DISTANCE OF 30.26 FEET TO A POINT ON A CIRCULAR CURVE CONCAVE NORTHWEST, WHOSE RADIUS POINT BEARS NORTH 45°26'30" WEST, A DISTANCE OF 4,743.66 FEET THEREFROM; THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 4,743.66 FEET, THROUGH A CENTRAL ANGLE OF 09°26'30", SUBTENDED BY A CHORD OF 780.81 FEET AT A BEARING OF SOUTH 49°16'45" WEST, FOR AN ARC LENGTH OF 781.70 FEET TO THE END OF SAID CURVE; THENCE RUN SOUTH 54°00'00" WEST FOR A DISTANCE OF 153.60 FEET TO A POINT ON THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 17 AND ALSO BEING THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED; CONTAINING 0.636 ACRE, MORE OR LESS.

NOTES:

- 1.) BEARINGS SHOWN HEREON REFER TO EAST LINE OF THE NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 45 SOUTH, RANGE 26 EAST AS BEING N 01°00'08" W.
- 2.) SUBJECT TO EASEMENTS, RESERVATIONS AND/OR RESTRICTIONS OF RECORD.

DIMENSIONS SHOWN HEREON ARE IN FEET AND DECIMALS THEREOF.


SIGNATURE: Eric V. Grandval DATE SIGNED: 11-21-05

ERIC V. GRANDVAL FOR THE FIRM: LB7741
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERTIFICATE NO. 12223

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

Exhibit "A"

Page 3 of 4

*** THIS IS NOT A SURVEY ***

TKW
CONSULTING ENGINEERS, INC.
environmental • civil • structural • survey

5881 Barber Drive
Fort Myers, Florida 33912
(239) 278-1922 FAX (239) 278-0922
E-MAIL tkw@tkwonline.com
Certification # 724

DRAWN BY: J.P. JOB NO.: 03929.01 SHEET 1 OF 2

LEGAL DESCRIPTION

LEE COUNTY UTILITIES
A 30 FOOT TEMPORARY CONSTRUCTION EASEMENT
SECTION 17, TOWNSHIP 45 SOUTH, RANGE 26 EAST,
LEE COUNTY, FLORIDA

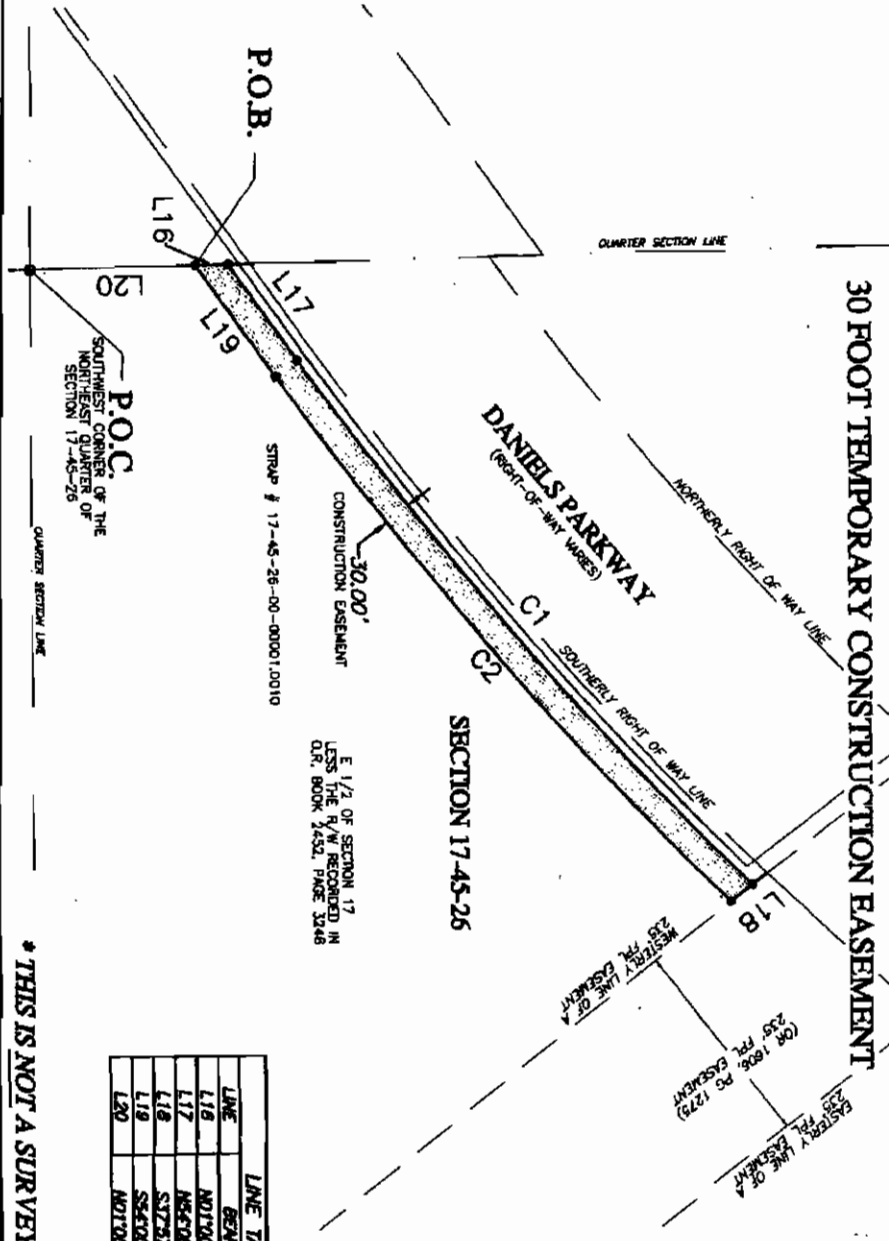
DATE: NOVEMBER, 2005 (REVISED) DRAWING: 03929GATEWAYFM



0' 100' 200'
SCALE: 1" = 200'

CURVE TABLE					
CURVE	RADIUS	DELTA	LENGTH	CHORD	CHORD BEARING
C1	4713.66'	9°29'23"	780.70'	779.81'	N49°15'19"E
C2	4743.66'	9°26'30"	781.70'	780.81'	S49°16'45"W

30 FOOT TEMPORARY CONSTRUCTION EASEMENT



LINE	BEARING	DISTANCE
L16	N01°00'00"W	36.62'
L17	N85°00'00"E	132.80'
L18	S17°27'04"E	30.28'
L19	S82°02'00"W	143.60'
L20	N01°00'00"W	143.92'

Exhibit "A"
Page 4 of 4

* THIS IS NOT A SURVEY *

P.O.C. POINT OF COMMENCEMENT
P.O.B. POINT OF BEGINNING
O.R. OFFICIAL RECORD BOOK
PG. PAGE
R.O.W. RIGHT OF WAY
F.P.L. FLORIDA POWER AND LIGHT

CONSULTING ENGINEERS, INC.
environmental • civil • structural • survey

10221 Baywater Drive
Fort Myers, FL 33913
Tel: (813) 278-0822
Fax: (813) 278-0822
E-mail: info@cei.com
Certification # 734

DRAWN BY: J.P. JOB NO.: 03929.01 SHEET 2 OF 2
SKETCH TO ACCOMPANY LEGAL DESCRIPTION
LEE COUNTY UTILITIES
30 FOOT TEMPORARY CONSTRUCTION EASEMENT
SECTION 17, TOWNSHIP 46 SOUTH, RANGE 26 EAST,
LEE COUNTY, FLORIDA
DATE: NOVEMBER 2005 DRAWING: 03929CATEW ATW

STRAP: 17-45-26-00-00001.0010
Project: Gateway WWTP Forcemain Project, No. 7000
Parcels: 100UE & 100TCE

AFFIDAVIT OF INTEREST IN REAL PROPERTY

THIS AFFIDAVIT OF INTEREST IN REAL PROPERTY is made and entered this 5th day of May, 2006 for the sole purpose of compliance with Section 286.23 of the Florida Statutes.

The undersigned hereby swears and affirms under oath, subject to the penalties prescribed for perjury, that the following is true:

The Name and Address of the Grantor is:

Richard K. Bennett, as Successor Trustee, Trust No. 5018
3319 Boca Ciega Dr.
Naples, Florida 34112

The name(s) and address(es) of every person having a beneficial interest in real property that will be conveyed to Lee County are:

1. _____
2. See attached
3. _____
4. _____
5. _____

The real property to be conveyed to Lee County is known as:

See Exhibits "A" and "B", attached hereto and incorporated herein by reference.

FURTHER AFFIANT SAYETH NAUGHT.

By: *Richard K. Bennett*
Richard K. Bennett, as Successor Trustee, of that certain Land Trust No. 5018, dated the 1st day of August, 1981, and known as Trust No. 5018.

3319 Boca Ciega Drive
Naples, Florida 34112

Kristine Hughes
Witness Signature

KRISTINE HUGHES
Print Name of 1st Witness

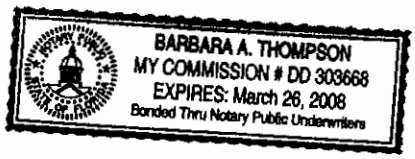
Barbara A. Thompson
Witness Signature

BARBARA A THOMPSON
Print Name of 2nd Witness

STATE OF Florida
COUNTY OF Collier

SWORN TO AND SUBSCRIBED before me this 5th day of May, 2006 by
Richard K. Bennett, as Successor Trustee of that certain Land Trust Number 5018, dated
the 1st day of August 1981, and Known as Trust Number 5018, on behalf of the Trust. He is
personally known to me or has produced _____ as identification.

SEAL



Barbara A. Thompson
Signature of Notary Public

Print Name of Notary Public

81
retention

.Land Trust 5018

MRS. LYNN ANDERSON
401 Widgeon Point
Naples, FL 34105

BARRY L HEATH
25307 Paradise Road
Bonita Springs, FL 34135

KAREN L. GARDNER
9 Shelter Cove Lane #204
Hilton Head Is, SC 29928

MRS. RUTH ROLQUIN
Pelican Lake
4555 Southern Breeze Dr.
#4578
Naples, FL 34114

BRUCE DEE, TRUSTEE
1167 Third Street South
Naples, FL 34102

BCM PARTNEPSHIP
Attn: Fred Baldassari
75 Taylor Street
Bedford, OH 44146

MS. JO WALTERS
819 Peacock Plaza #533
P.O. Box 9104
Key West, FL 33041-9104

NANCY THORESEN
3056 Horizon Lane #1302
Naples, FL 34109

EDGAR E. DAVIS P/S
778 Regency Reserve Circle
#1601
Naples, FL 34119

MR/MRS GARY CLEMENTS
16701 Lathrop Ave
Harvey, IL 60426

JAMIE L. LARSON
7016 Jamestown Manor Dr.
Riverview, FL 33569

Keith Jassy
1313 Turner Place
Naples, FL 34110

VICKI MANZ
27567 Grove Road
Bonita Springs, FL 34135

JEFFREY H. MANZ, TTEE
27567 Grove Road
Bonita Springs, FL 34135

ORION PARTNERS, LTD
2029 Imperial G.C. Blvd
Naples, FL 34110

Mr. William F. and
Patricia Ann Federer,
Tenants by the Entirities
9251 SW Lipe Street
Arcadia, FL 34269

Peg Heugel
P.O. Box 2085
Marco Island, FL 34146

RIBEK Defined Benefit Tr.
c/o Ed Mace
720 Goodlette Rd. N. #202
Naples, FL 34102

Jennifer Hug
197 Caribbean Rd.
Naples, FL 34108

JACK ROBERTS
4051 Gulfshore Blvd N.
Apt. 1202
Naples, FL 34103

RIBEK COMPANY
c/o Ed Mace
720 Goodlette Rd. N. #202
Naples, FL 34102

MR/MRS FRED HUGG, Ttees
of Joan Hug Trust
197 Caribbean Road
Naples, FL 34108

ROBERT KATZENMEYER
5801 Glencove Drive
Naples, FL 34108

Don & Annie Wynn Irr. Tr.
959 17th Avenue South
Naples, FL 34102

PAUL S. HELBING
12600 Fox Ridge Dr #6101
Bonita Springs, FL 34135

TOM FINLAY
AM South Bank
4851 Tamiami Tr. N.
Naples, FL 34103

DONALD PETERSON
2156 Seton Place
Germantown, TN 38139

THOMAS&MARY LOU ALTOFF
1267 Cypress Woods Dr.
Naples, FL 34103

MARIAN B. WARNKEN, TTEE
2071 Sevilla Way
Naples, FL 34109

BRADFORD PETERSON
P.O. Box 2086
Ft. Lauderdale, FL 33303

Land Trust 5018

John Jassy
1313 Turner Place
Naples, FL 34110

R. MICHAEL MARSTON
Spence Marston & Bunch
250 N. Belcher Rd. #100
Clearwater, FL 33575

LAURA PETERSON
1001 Queen Anne Ave. N
PH2
Seattle, WA 98109

ROBERT N. WILLIS
6807 Aegean Drive
Milton, FL 32583

Thomas&Elizabeth O'ROURKE
4525 NW 80th Terrace
Ocala, FL 32675

CAROLYN PETERSON RICHTER
2260 Peachtree Road, C-4
Atlanta, GA 30309

RUSSELL J. CARTER
9468 Cattail Road
Pleasantville, OH 43148

PATRICIA A. CARPENTER
491 Newburne Point
Bloomfield Hills, MI
48304

RALPH E. PETERSON
P.O. Box 18138
Panama City Beach, FL
32417

DONALD & RITA SMILEY
13333 Queen Palm Run
N. Fort Myers, FL 33903

WESLEY G. DOWNING
205 South Lake Drive
Naples, FL 34102

DODGE & DODGE INTL. CORP
4301 Gulfshore Blvd N. PH5
Naples, FL 34103

ANDRE L. LAZ, MD PA
Profit Sharing Plan
1994 Imperial Golf Course
Naples, FL 34110

KENNETH D. CARTER
3900 7th Ave. N.W.
Naples, FL 34113

BONANZA, LTD
c/o Arthur K. White
388 5th Street South
Naples, FL 34102

RALPH P. FRENGEL
4780 West Blvd
Naples, FL 34103

WILLIAM R. SEACH
1220 South Ocean Blvd.
Delray Beach, FL 33483

DAVID E. FRYE, TRUSTEE
3411 Tamiami Trail North
Naples, FL 34103

Wipfli Ullrich Bertelson
ATTN: Keith Koszarek
First American Center
P.O. Box 8010
Wausau, WI 54402

CARSON MCEACHERN, TRUSTEE
396 Mooringline Drive
Naples, FL 34102

SUNSHINE HARDWARE INC. P/S
c/o Larry Wynn
9220 Bonita Beach Road
Bonita Springs, FL 33923

JOHN ABBOTT
175 E. Hilo Street
Naples, FL 34113

LARRY WYNN
9220 Bonita Beach Rd.
Suite 200
Bonita Springs, FL 33923

CDM Properties, L.L.C.
L. Gene DeAgostino, Member
3001 W. Big Beaver Rd. 704
Troy, MI 48084

Sharon B. Davis
RR #2 Box 448
Dalton, PA 18414

William Minarich Trust
c/o PETE MINARICH
4681 First Ave. SW
Naples, FL 34119

ROBERT B. SPENCE, CPA
Spence, Marston & Bunch
250 N. Belcher Rd. Ste 100
Clearwater, FL 33575-5605

DR. RAYMOND PFISTER
1325 Seventh St. South
Naples, FL 34102

John Recco
6974 Greentree Dr
Naples, FL 34108

Land Trust 5018

EARL FRYE
1185 Immokalee Rd. #210
Naples, FL 34110

PATRICIA CARPENTER
4151 Gulfshore Blvd N
#1101
Naples, FL 34103

Judy Taylor
8273 Langshire Way
Fort Myers, FL 33912

JAMES E. DOANE, JR. TTEE
2240 Tarpon Rd
Naples, FL 34108

Swallow Invts., L.L.C.
Peter Swallow, Manager
2492 Pinery
Highland, MI 48356

Douglas A. Thompson
11 Greyabbey Trail
West Hill, Ontario, Canada
M1E 1V6

KELLY ANN BROWN
600 Triple Tree Rd.
Bozeman, MT 59715

Robert D. Kemp Trust
Ruth Kemp Trustee
c/o Greg Kemp
689 Vintage Reserve Cir.
#15C
Naples, FL 34119

Gary K. Nelson
7116 Francisco Drive
Fort Worth, TX 76133

DANIELLE I. DOANE
6105 Solitaire Way
McLean, VA 22101

Jon E. Nelson
2022 W. Willow Lakes Cove
Springfield, MO 65810

Penny McDonough
2029 Imperial Golf Course
Naples, FL 34110
(oct-june)

Patricia Amore (Carney)
3 Lear Drive
Pittsburgh, PA 15235

Linda J. O'Connell
18 Radcliff Road
Wellesley, MA 02482

Earl Frye
P.O. Box 844
Linville, NC 28646

James Doane, Sr.
791 Wedge Dr
Naples, FL 34102

John A. Recco
18 Hickory Drive
Medfield, MA 02052

Russell J. Carter
2297 Musser Rd
Baltimore, OH 43105

Ward D. Powers, Sr
3001 W. Big Beaver Rd 704
Troy, MI 48084

John A. Recco (New?)
19 Village Hill Ln Apt 6
Natick, MA 01760

Fifth Third Bank, Florida
Attn: Amy Solem
2150 Goodlette Road, 7th
floor
Naples, FL 34103

Douglas Turner
1581 Berkshire Farm Drive
Snellville, GA 30078
(Wade Turner)

LEGAL DESCRIPTION
LEE COUNTY UTILITIES
20 FOOT UTILITY EASMENT

A 20 FOOT WIDE STRIP OF LAND LOCATED IN THE NORTHEAST 1/4 OF SECTION 17, TOWNSHIP 45 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 17; THENCE RUN S 01°00'08" E, ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 17, FOR A DISTANCE OF 33.34 FEET; THENCE RUN S 37°57'04" E A DISTANCE OF 1547.10 FEET TO THE NORTHWESTERLY RIGHT-OF-WAY OF DANIELS PARKWAY (RIGHT-OF-WAY VARIES); THENCE RUN N 40°00'00" E, ALONG SAID NORTHWESTERLY RIGHT-OF-WAY, A DISTANCE OF 20.45 FEET; THENCE RUN N 37°57'04" W FOR A DISTANCE OF 1569.51 FEET TO THE POINT OF BEGINNING OF THE 20 FOOT WIDE STRIP OF LAND HEREIN DESCRIBED; CONTAINING 31,166 SQUARE FEET OR 0.72 ACRE, MORE OR LESS.

NOTES:

- 1.) BEARINGS SHOWN HEREON REFER TO EAST LINE OF THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 45 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA, AS BEING S 01°00'08" E.
- 2.) SUBJECT TO EASEMENTS, RESERVATIONS AND/OR RESTRICTIONS OF RECORD.
- 3.) DIMENSIONS SHOWN HEREON ARE IN FEET AND DECIMALS THEREOF.

Exhibit "A"

Page 1 of 4

Eric V. Sandoval 2-10-06
 SIGNATURE DATE SIGNED:
 ERIC V. SANDOVAL (FOR THE FIRM - LB-734)
 PROFESSIONAL SURVEYOR AND MAPPER
 FLORIDA CERTIFICATE NO. 5223

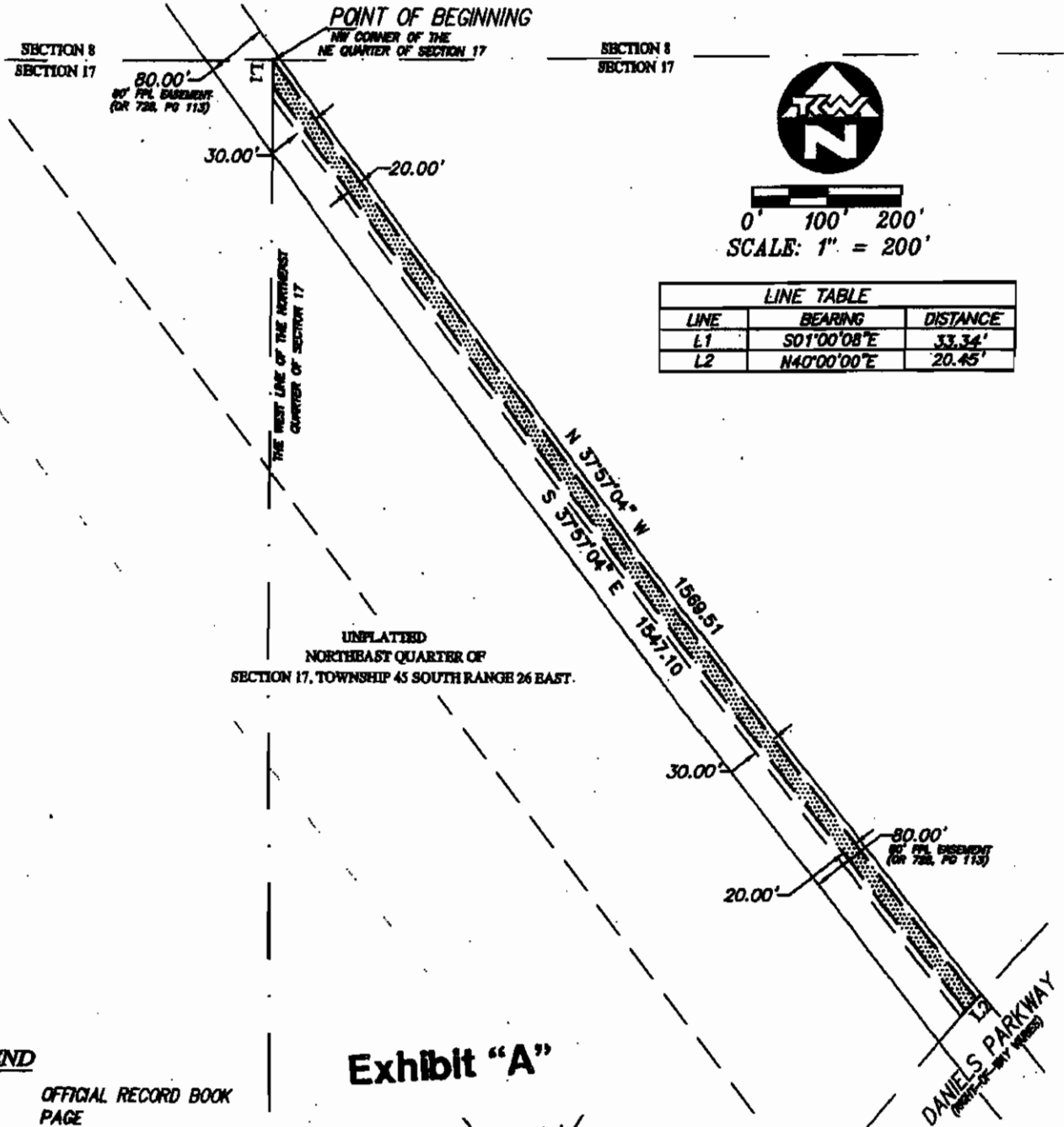
* THIS IS NOT A SURVEY *



environmental • civil • structural • survey
 5881 Sanger Drive
 Fort Myers, Florida 33912
 (239) 278-1992 FAX (239) 278-0622
 E-MAIL: tkw@tkwonline.com
 Certification # 734

DRAWN BY: MAT	JOB NO.: 08929.01	SHEET 1 OF 2
LEGAL DESCRIPTION		
LEE COUNTY UTILITIES A 20 UTILITY EASEMENT SECTION 17, TOWNSHIP 45 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA		
DATE: FEBRUARY 2006	DRAWING: 08929GATEWAYFM	

20 FOOT UTILITY EASEMENT



0' 100' 200'
SCALE: 1" = 200'

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S01°00'08"E	33.34'
L2	N40°00'00"E	20.45'

UNPLATTED
NORTHEAST QUARTER OF
SECTION 17, TOWNSHIP 45 SOUTH RANGE 26 EAST.

DANIELS PARKWAY
(PART OF R.O.W. EASEMENT)

- LEGEND**
- O.R. OFFICIAL RECORD BOOK
 - PG. PAGE
 - R.O.W. RIGHT OF WAY
 - F.P.L. FLORIDA POWER AND LIGHT

Exhibit "A"
Page 2 of 4

* THIS IS NOT A SURVEY *

T&W CONSULTING ENGINEERS, INC.
environmental • civil • structural • survey
6881 Banner Drive
Fort Myers, Florida 33912
(239) 278-1992 FAX (239) 278-0922
E-MAIL t&w@t&wonline.com
Certification # 724

DRAWN BY: MAT	JOB NO.: 08929.01	SHEET 2 OF 2
SKETCH TO ACCOMPANY LEGAL DESCRIPTION		
LEE COUNTY UTILITIES 20 FOOT UTILITY EASEMENT SECTION 17, TOWNSHIP 45 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA		
DATE: FEBRUARY 2006	DRAWING: 08929GATEWAYFM	

LEGAL DESCRIPTION
LEE COUNTY UTILITIES
20 FOOT UTILITY EASEMENT

A PARCEL OF LAND LOCATED IN THE NORTHEAST 1/4 OF SECTION 17, TOWNSHIP 45 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 17; THENCE RUN NORTH 01°00'08" WEST ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 17, FOR A DISTANCE OF 220.54 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED; THENCE CONTINUE NORTH 01°00'08" WEST ALONG SAID LINE TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF DANIELS PARKWAY, FOR A DISTANCE OF 24.41 FEET; THENCE RUN NORTH 54°00'00" EAST FOR A DISTANCE OF 118.60 FEET TO THE BEGINNING OF A TANGENTIAL CIRCULAR CURVE CONCAVE NORTHWEST; THENCE RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 4,693.66 FEET, THROUGH A CENTRAL ANGLE OF 09°31'19", SUBTENDED BY A CHORD OF 779.13 FEET AT A BEARING OF NORTH 49°14'21" EAST, FOR AN ARC LENGTH OF 780.03 FEET TO THE END OF SAID CURVE AND TO A POINT ON THE WESTERLY LINE OF A 235 FOOT WIDE FLORIDA POWER AND LIGHT COMPANY EASEMENT RECORDED IN OFFICIAL RECORDS BOOK 1606, AT PAGE 1275; THENCE RUN SOUTH 37°57'04" EAST ALONG THE WESTERLY LINE OF SAID FLORIDA POWER AND LIGHT EASEMENT, FOR A DISTANCE OF 20.18 FEET TO A POINT ON A CIRCULAR CURVE CONCAVE NORTHWEST, WHOSE RADIUS POINT BEARS NORTH 45°29'22" WEST, A DISTANCE OF 4,713.66 FEET THEREFROM; THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 4,713.66 FEET, THROUGH A CENTRAL ANGLE OF 09°29'23"; SUBTENDED BY A CHORD OF 779.81 FEET AT A BEARING OF SOUTH 49°15'19" WEST, FOR AN ARC LENGTH OF 780.70 FEET TO THE END OF SAID CURVE; THENCE RUN SOUTH 54°00'00" WEST FOR A DISTANCE OF 132.60 FEET TO A POINT ON THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 17 AND ALSO BEING THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED; CONTAINING 0.416 ACRE, MORE OR LESS.

NOTES:

- 1.) BEARINGS SHOWN HEREON REFER TO EAST LINE OF THE NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 45 SOUTH, RANGE 26 EAST AS BEING S 01°00'08" E.
- 2.) SUBJECT TO EASEMENTS, RESERVATIONS AND/OR RESTRICTIONS OF RECORD.
- 3.) DIMENSIONS SHOWN HEREON ARE IN FEET AND DECIMALS THEREOF.

[Handwritten Signature]
 DATE SIGNED: 12-21-05
 ERIC [unclear] FOR THE FIRM LISTED
 PROJECT: [unclear]
 FLORIDA [unclear]
 NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A
 FLORIDA [unclear]

Exhibit "A"

Page 3 of 4

*** THIS IS NOT A SURVEY ***

T&W
CONSULTING ENGINEERS, INC.
 environmental • civil • structural • survey
 5095 Banner Drive
 Fort Myers, Florida 33912
 (239) 378-1992 FAX (239) 378-0922
 E-MAIL: t&w@t&wonline.com
 Certification # 734

DRAWN BY: J.P.	JOB NO.: 03929.01	SHEET 1 OF 2
LEGAL DESCRIPTION		
LEE COUNTY UTILITIES A 20 FOOT UTILITY EASEMENT SECTION 17, TOWNSHIP 45 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA		
DATE: DECEMBER 2005	DRAWING: 03929GATEWAYFM	

LEGAL DESCRIPTION
LEE COUNTY UTILITIES
10 FOOT TEMPORARY CONSTRUCTION EASEMENT

A 10 FOOT WIDE STRIP OF LAND LOCATED IN THE NORTHEAST 1/4 OF SECTION 17, TOWNSHIP 45 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 17; THENCE RUN S 01°00'08" E, ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 17, FOR A DISTANCE OF 33.34 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE S 01°00'08" E, ALONG SAID WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 17, FOR A DISTANCE OF 16.64 FEET; THENCE RUN S 37°57'04" E A DISTANCE OF 1535.94 FEET TO THE NORTHWESTERLY RIGHT-OF-WAY OF DANIELS PARKWAY (RIGHT-OF-WAY VARIES); THENCE RUN N 40°00'00" E, ALONG SAID NORTHWESTERLY RIGHT-OF-WAY, A DISTANCE OF 10.23 FEET; THENCE RUN N 37°57'04" W FOR A DISTANCE OF 1547.10 FEET TO THE POINT OF BEGINNING OF THE 10 FOOT WIDE STRIP OF LAND HEREIN DESCRIBED; CONTAINING 15,415 SQUARE FEET OR 0.35 ACRE, MORE OR LESS.

NOTES:

- 1.) BEARINGS SHOWN HEREON REFER TO EAST LINE OF THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 45 SOUTH, RANGE 26 EAST AS BEING S 01°00'08" E.
- 2.) SUBJECT TO EASEMENTS, RESERVATIONS AND/OR RESTRICTIONS OF RECORD.
- 3.) DIMENSIONS SHOWN HEREON ARE IN FEET AND DECIMALS THEREOF.

Exhibit "B"

Page 1 of 4

Eric V. Sandoval 2-10-06
 SIGNATURE DATE SIGNED:

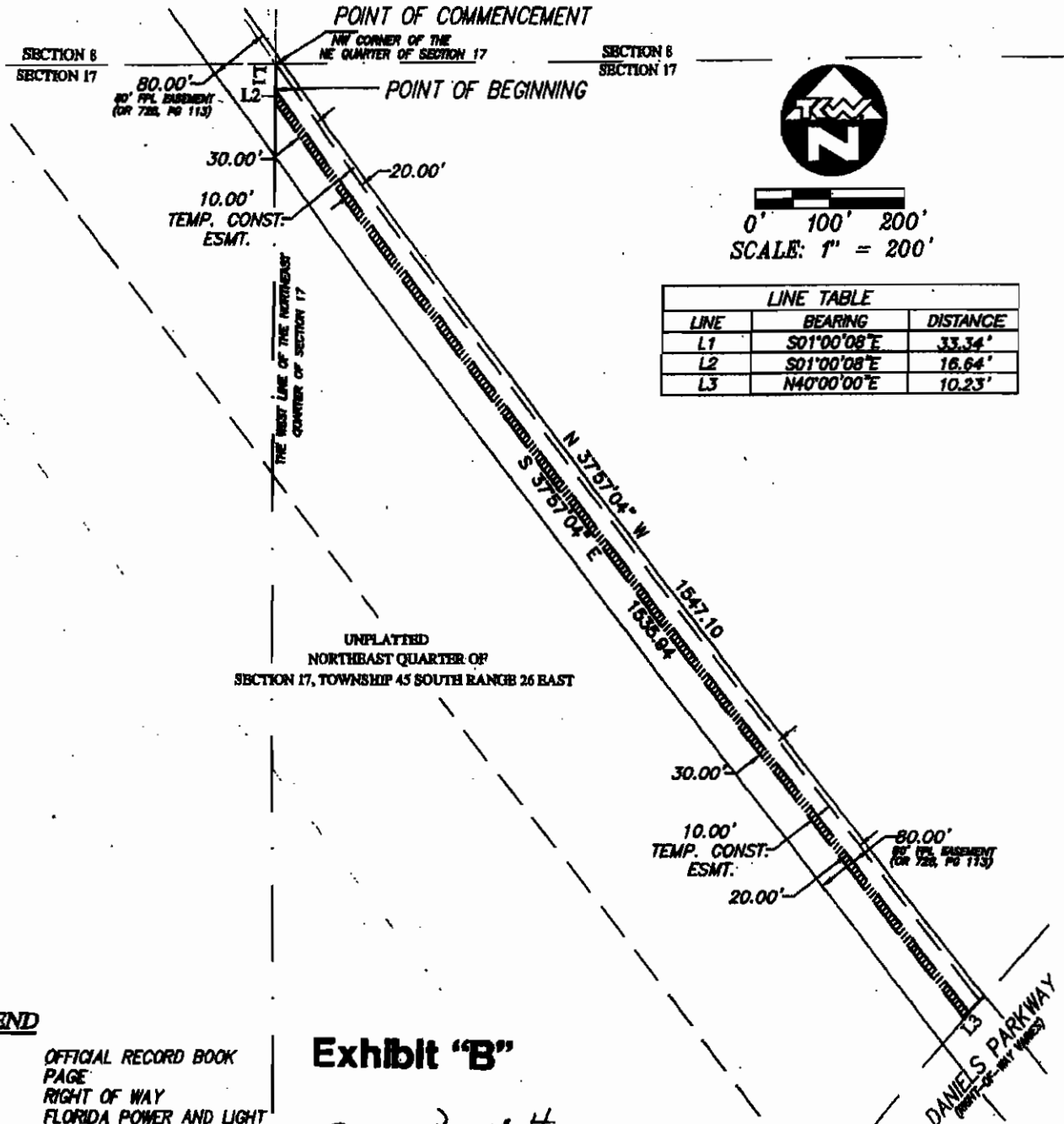
ERIC V. SANDOVAL (FOR THE FIRM - LB-734)
 PROFESSIONAL SURVEYOR AND MAPPER
 FLORIDA CERTIFICATE NO. 5223

* THIS IS NOT A SURVEY *

T&W
CONSULTING ENGINEERS, INC.
 environmental • civil • structural • survey
 5881 Sanger Drive
 Fort Myers, Florida 33913
 (239) 278-1882 FAX (239) 278-0822
 E-MAIL: t&w@tandwonline.com
 Certification # 724

DRAWN BY: MAT	JOB NO.: 03929.01	SHEET 1 OF 2
LEGAL DESCRIPTION		
LEE COUNTY UTILITIES A 10 FOOT TEMPORARY CONSTRUCTION EASEMENT SECTION 17, TOWNSHIP 45 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA		
DATE: FEBRUARY 2006	DRAWING: 03929GATEWAYFM	

10 FOOT TEMPORARY CONSTRUCTION EASEMENT



LINE TABLE		
LINE	BEARING	DISTANCE
L1	S01°00'08\"E	33.34'
L2	S01°00'08\"E	16.64'
L3	N40°00'00\"E	10.23'

LEGEND

O.R. OFFICIAL RECORD BOOK
PG. PAGE
R.O.W. RIGHT OF WAY
F.P.L. FLORIDA POWER AND LIGHT
TEMP. TEMPORARY
CONST. CONSTRUCTION
ESMT EASEMENT

Exhibit "B"

Page 2 of 4

* THIS IS NOT A SURVEY *

T&W

CONSULTING ENGINEERS, INC.

environmental • civil • structural • survey

6581 Banner Drive
 Fort Myers, Florida 33912
 (239) 278-1882 FAX (239) 278-0822
 E-MAIL: tkw@tkwonline.com
 Certification # 734

DRAWN BY: MAT JOB NO.: 03929.01 SHEET 2 OF 2

SKETCH TO ACCOMPANY LEGAL DESCRIPTION

LEE COUNTY UTILITIES
 30 FOOT TEMPORARY CONSTRUCTION EASEMENT
 SECTION 17, TOWNSHIP 45 SOUTH, RANGE 26 EAST,
 LEE COUNTY, FLORIDA

DATE: FEBRUARY 2006

DRAWING: 03929GATEWAYFM

LEGAL DESCRIPTION

LEE COUNTY UTILITIES 30 FOOT TEMPORARY CONSTRUCTION EASEMENT

A PARCEL OF LAND LOCATED IN THE NORTHEAST 1/4 OF SECTION 17, TOWNSHIP 45 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 17; THENCE RUN NORTH 01°00'08" WEST ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 17 FOR A DISTANCE OF 183.92 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED; THENCE CONTINUE NORTH 01°00'08" WEST ALONG SAID LINE FOR A DISTANCE OF 36.62 FEET; THENCE RUN NORTH 54°00'00" EAST FOR A DISTANCE OF 132.60 FEET TO A POINT ON A CIRCULAR CURVE CONCAVE NORTHWEST, WHOSE RADIUS POINT BEARS NORTH 35°59'48" WEST; THENCE RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 4,713.66 FEET, THROUGH A CENTRAL ANGLE OF 09°29'23", SUBTENDED BY A CHORD OF 779.81 FEET AT A BEARING OF NORTH 49°15'19" EAST, FOR AN ARC LENGTH OF 780.70 FEET TO A POINT ON THE WESTERLY LINE OF A 235 FOOT WIDE FLORIDA POWER AND LIGHT COMPANY EASEMENT RECORDED IN OFFICIAL RECORDS BOOK 1606 AT PAGE 1275, AND THE END OF SAID CURVE; THENCE RUN SOUTH 37°57'04" EAST ALONG THE WESTERLY LINE OF SAID FLORIDA POWER AND LIGHT EASEMENT FOR A DISTANCE OF 30.26 FEET TO A POINT ON A CIRCULAR CURVE CONCAVE NORTHWEST, WHOSE RADIUS POINT BEARS NORTH 45°26'30" WEST, A DISTANCE OF 4,743.66 FEET THEREFROM; THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 4,743.66 FEET, THROUGH A CENTRAL ANGLE OF 09°26'30", SUBTENDED BY A CHORD OF 780.81 FEET AT A BEARING OF SOUTH 49°16'45" WEST, FOR AN ARC LENGTH OF 781.70 FEET TO THE END OF SAID CURVE; THENCE RUN SOUTH 54°00'00" WEST FOR A DISTANCE OF 153.60 FEET TO A POINT ON THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 17 AND ALSO BEING THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED; CONTAINING 0.636 ACRE, MORE OR LESS.

NOTES:

- 1.) BEARINGS SHOWN HEREON REFER TO EAST LINE OF THE NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 45 SOUTH, RANGE 26 EAST AS BEING N 01°00'08" W.
- 2.) SUBJECT TO EASEMENTS, RESERVATIONS AND/OR RESTRICTIONS OF RECORD.

DIMENSIONS SHOWN HEREON ARE IN FEET AND DECIMALS THEREOF.

E. J. ... 11-21-05
SIGNATURE DATE SIGNED:

Exhibit "B"

Page 3 of 4

ERIC V. ...
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERTIFICATE NO. 2223
NOT VALID UNLESS THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR ARE APPER.

* THIS IS NOT A SURVEY *



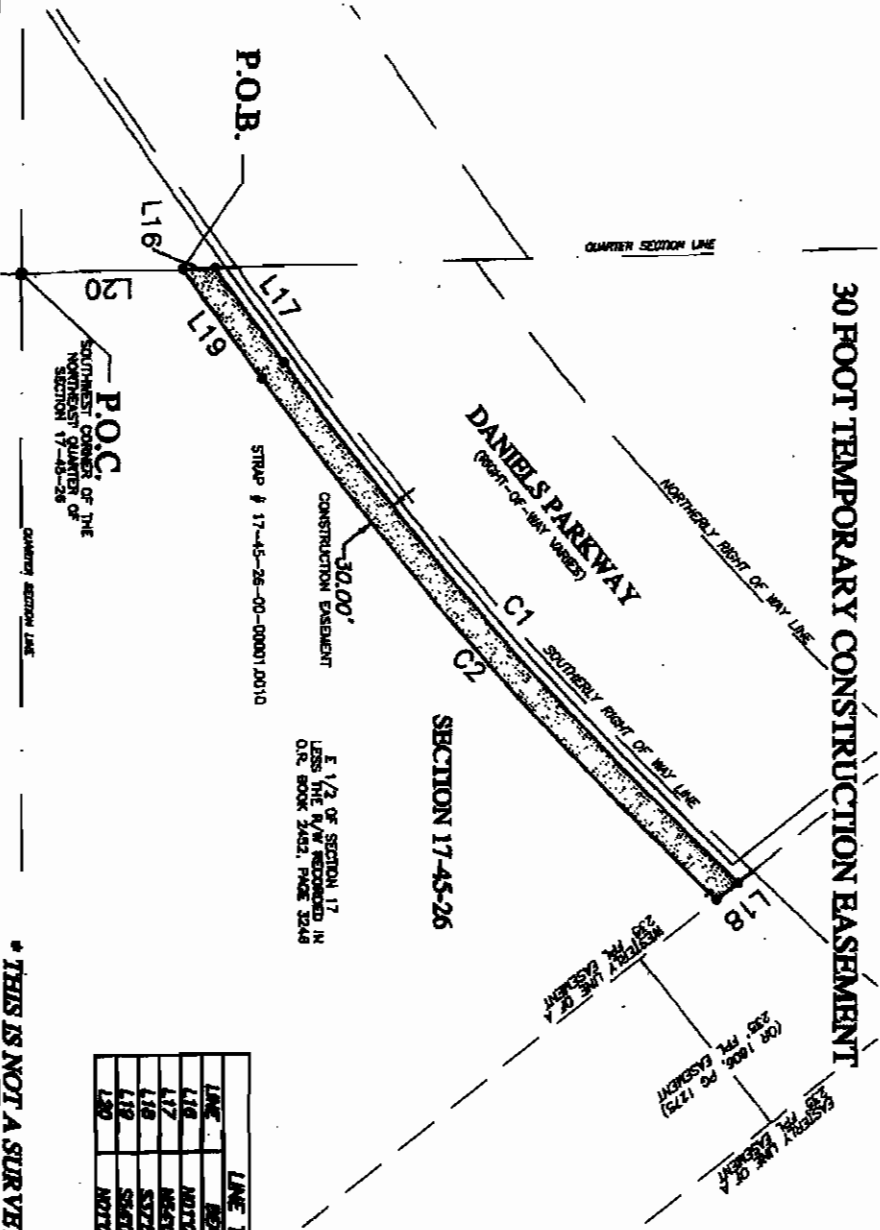
8501 ...
Fort Myers, Florida 33912
(239) 376-1922 FAX (239) 376-0022
E-MAIL: info@tkce.com
Certification # 794

DRAWN BY: J.P.	JOB NO.: 03929.01	SHEET 1 OF 2
LEGAL DESCRIPTION		
LEE COUNTY UTILITIES A 30 FOOT TEMPORARY CONSTRUCTION EASEMENT SECTION 17, TOWNSHIP 45 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA		
DATE: NOVEMBER, 2006 (REVISED)	DRAWING: 03929GATEWAYFM	



0' 100' 200'
SCALE: 1" = 200'

CURVE TABLE					
CURVE	RADIUS	DELTA	LENGTH	CHORD	CHORD BEARING
C1	4713.66'	9°29'23"	780.70'	779.81'	N49°15'19"E
C2	4743.66'	9°26'30"	781.70'	780.81'	S49°16'45"W



E 1/2 OF SECTION 17
LESS THE 1/4" W/ RECORD IN
O.R. BOOK 2652, PAGE 3244

LINE	BEARING	DISTANCE
L16	N17°00'00"W	30.00'
L17	N89°59'59"W	30.00'
L18	S29°15'19"E	780.70'
L19	S49°16'45"W	781.70'
L20	N17°00'00"W	30.00'

P.O.C. POINT OF COMMENCEMENT
P.O.B. POINT OF BEGINNING
O.R. OFFICIAL RECORD BOOK
P.G. PAGE
R.O.W. RIGHT OF WAY
F.P.L. FLORIDA POWER AND LIGHT

CONSULTING ENGINEERS, INC.
Professional - Civil & Structural - Survey
2501 S. BAYVIEW, SUITE 200
FORT MYERS, FLORIDA 33901
(888) 278-1188 FAX (888) 278-0822
www.consultingengineers.com
Certification # 784

DRAWN BY: J.P. JOB NO.: 03929.01 SHEET 2 OF 2
SEARCH TO ACCOMPANY LEGAL DESCRIPTION
THE COUNTY UTILITIES
30 FOOT TEMPORARY CONSTRUCTION EASEMENT
SECTION 17, TOWNSHIP 46 SOUTH RANGE 20 EAST,
LEE COUNTY, FLORIDA
DATE: NOVEMBER 2005 DRAWING: 03929/01/02

* THIS IS NOT A SURVEY *

Exhibit "B"

Page 4 of 4

Diversified Appraisal, Inc.
Real Estate Appraisers and Consultants

Ted A. Dickey, MAI
State-Certified General Appraiser
Certification #0000570

David C. Vaughan, MAI, MBA
State-Certified General Appraiser
Certification #0000569



14 October 2005



Lee County Division of County Lands
P.O. Box 398
Fort Myers, Florida 33902-0398

Attention: Mr. Keith Gomez

RE: Job #090519 - Complete Summary Appraisal Report of 20'
Utility Easement and Additional 30' Temporary
Construction Easement, East Lee County, FL,
STA 21, Project No. 7000

Dear Mr. Gomez:

As requested, a detailed on-site inspection and analysis of the subject property has been made as of 18 October 2005. Within the attached summary appraisal report, please find enclosed a legal description of the subject property.

This is a Summary Appraisal Report which is intended to comply with the reporting requirements set forth under Standards Rule 2-2(b) of the Uniform Standards of Professional Appraisal Practice for a Summary Appraisal Report. As such, it presents only summary discussions of the data, reasoning, and analyses that were used in the appraisal process to develop the appraiser's opinion of value. As a complete appraisal process was performed, no departure from the specific guidelines of the Uniform Standards of Professional Appraisal Practice was invoked. Supporting documentation concerning the data, reasoning, and analyses is retained in the appraiser's file. The depth of discussion contained in this report is specific to the needs of the client and for the intended use stated below. The appraiser is not responsible for unauthorized use of this report.

This appraisal is not based upon a minimum valuation, a specific valuation or the approval of a loan. The appraisal report is intended to comply with the Uniform Standards of Professional Appraisal Practice adopted by the Appraisal Standards Board of the

Appraisal Foundation, as well as the Code of Professional Ethics and the Standards of Professional Appraisal Practice of the Appraisal Institute. I have complied with the Standards of Professional Appraisal Practice, Competency Rule. I certify that I have had no past, present or future contemplated interest in the real estate, and to the best of my knowledge, the facts contained herein are true and correct.

The purpose of the appraisal is to estimate the just compensation due the property owner as a result of a partial acquisition. The just compensation is the combination of any land/improvement taken plus any legal compensable severance damages. Just compensation is best determined by estimating the market value. Market value as set forth in Title 12 of the Code of Federal Regulations 564.2 (f) is:

The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller, each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

- a. Buyer and seller are typically motivated.
- b. Both parties are well informed or well advised, and each acting in what they consider their own best interest.
- c. A reasonable time is allowed for exposure in the open market.
- d. Payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and
- e. The price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.

The intended use of the appraisal is understood to be for use as a basis for negotiating the acquisition of the property. The intended user of this appraisal is Lee County Division of County Lands who is the client. The subject property is vacant land.

The appraiser did not detect and has no knowledge of the existence of any hazardous materials or substances on the site. This appraisal assumes that no such materials exist to the extent that they would have an effect on the value. If any hazardous materials or substances are found on the site, then this appraisal is subject to reanalysis. The appraiser is not an expert in this field.

The subject property is appraised as of 18 October 2005. A detailed on-site inspection and analysis was made on that date by David C. Vaughan, MAI.

Based on my inspection, analysis, data research, and information contained in the appraiser's work file, it is my opinion that the market value of the undivided fee simple interest of the subject property, "as is" and as of 18 October 2005, is:

"TEMPORARY CONSTRUCTION EASEMENT"
THREE HUNDRED SEVENTY SEVEN DOLLARS. (\$377.00) ✓

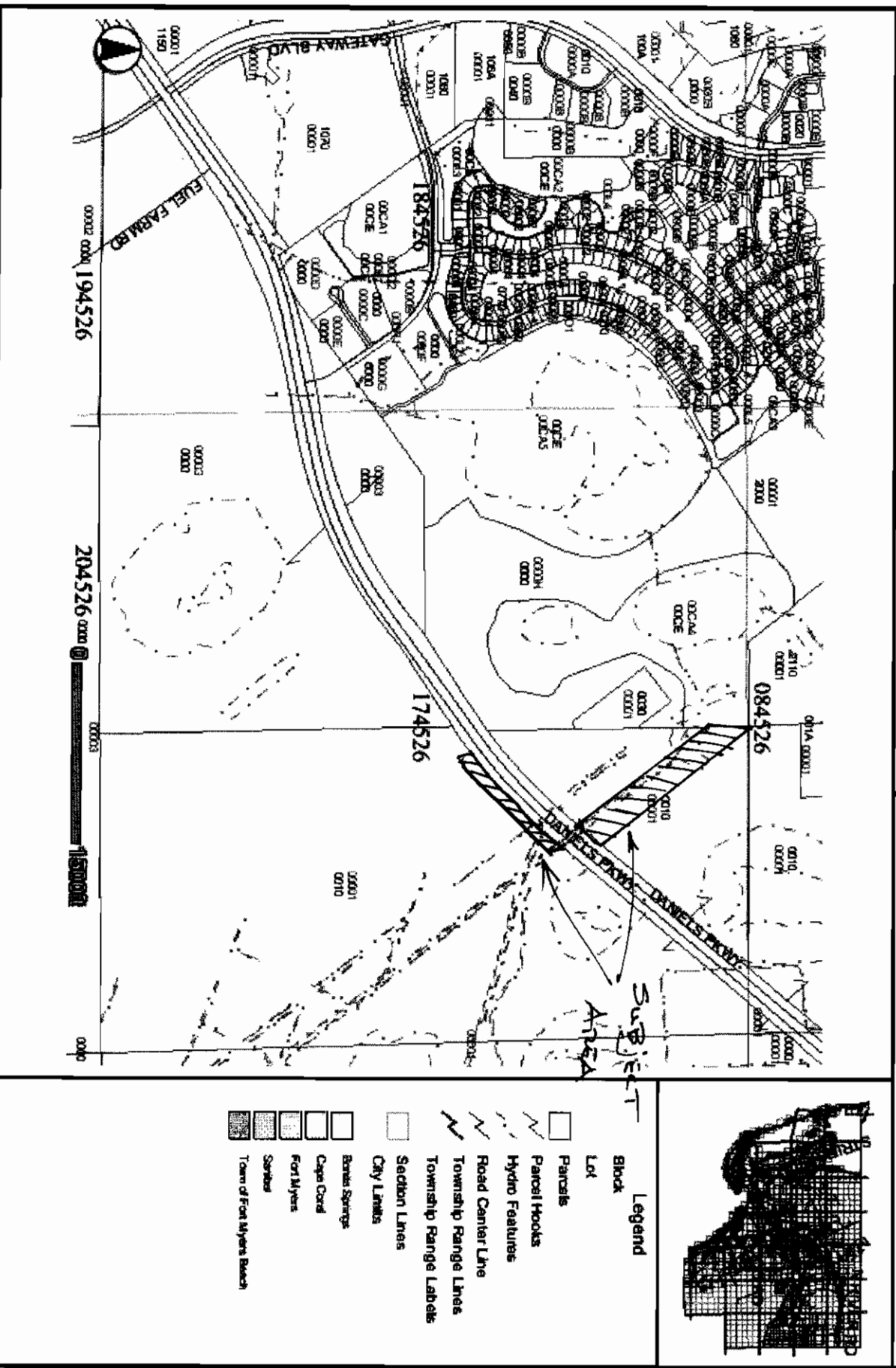
"20 FOOT UTILITY EASEMENT"
SIX THOUSAND TWO HUNDRED FORTY DOLLARS. (\$6,240.00) ✓

Sincerely,



David C. Vaughan, MAI
State-Certified General Appraiser
Certification #0000569

Gateway WWTP Forcemain Project No. 7000



Division of County Lands

Ownership and Easement Search

Search No. 17-45-26-00-00001.0010

Date: August 26, 2005

Parcel: 100

Project: Regional Airport Sewer System, Project 7000

To: J. Keith Gomez
Property Acquisition Agent

From: Shelia A. Bedwell, CLS 
Property Acquisition Assistant

STRAP: 17-45-26-00-00001.0010

Effective Date: July 23, 2005, at 5:00 p.m.

Subject Property: See attached legal description.

Title to the subject property is vested in the following:

Richard K. Bennett, as Successor Trustee of that certain Land Trust Number 5018, dated the 1st day of August, 1981, and known as Trust Number 5018.

By that certain instrument dated July 5, 1994, recorded July 12, 1994, in Official Record Book 2518, Page 2367, Public Records of Lee County, Florida.

Easements:

None in subject area.

NOTE(1): Easements to Florida Power & Light Company, recorded in Official Record Book 258, Page 378; Official Record Book 728, Page 118; Official Record Book 743, Page 681; Official Record Book 1524, Page 134; and Official Record Book 1606, Page 1275, Public Records of Lee County, Florida, which lie adjacent to subject parcel.

Tax Status: 2004 taxes have been paid in full.

(The end user of this report is responsible for verifying tax and/or assessment information.)

The Division of County Lands has made a diligent search of the Public Record. However, this report contains no guarantees nor warranty as to its accuracy.

Search Results

Searched for the name '**BENNETT RICHARD K**' in all type documents from '**7/22/2005**' to '**5/10/2006**'

Create Export File Ap

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Row	*	Consideration	Party Type	Name	First Crossparty Name	Record Date	Type	Book Type	Book	Page	Comments	Instr
1		\$0.00	From	BENNETT RICHARD K		12/1/2005	Affidavit	O			ETC VARIOUS LEGALS SEC 34 TWN 43S RNG 24E	20050
2		\$0.00	From	BENNETT RICHARD K TRUSTEE		12/1/2005	Affidavit	O			ETC VARIOUS LEGALS SEC 34 TWN 43S RNG 24E	20050
3		\$0.00	From	BENNETT RICHARD K	ATHYRIO DEVELOPMENT ASSOCIATES LLC	12/1/2005	Deed	O			ETC VARIOUS LEGALS SEC 34 TWN 43S RNG 24E	20050
4		\$0.00	From	BENNETT RICHARD K	ATHYRIO DEVELOPMENT ASSOCIATES LLC	12/1/2005	Deed	O			ETC VARIOUS LEGALS SEC 34 TWN 43S RNG 24E	20050
5		\$0.00	From	BENNETT RICHARD K TRUSTEE	ATHYRIO DEVELOPMENT ASSOCIATES LLC	12/1/2005	Deed	O			ETC VARIOUS LEGALS SEC 34 TWN 43S RNG 24E	20050
6		\$0.00	From	BENNETT RICHARD K TRUSTEE	ATHYRIO DEVELOPMENT ASSOCIATES LLC	12/1/2005	Deed	O			ETC VARIOUS LEGALS SEC 34 TWN 43S RNG 24E	20050

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5-Year Sales History

Parcel No. 100UE, 100TCE

Gateway Waste Water Treatment Plant Forcemain
Project No. 7000

NO SALES in PAST 5 YEARS