

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

Blue Sheet No. 20060690-UTL

**1. Action Requested/Purpose:**

Approve final acceptance, by Resolution and recording of one (1) Utility Easement, as a donation of one (1) 6'' fire line and one (1) 3'' water service serving *Daniels Galleria East, Lot 3* to provide potable water service and fire protection to this recently constructed commercial building. This is a Developer Contributed asset project located on the northeast corner of Daniels Parkway and I-75.

**2. What Action Accomplishes:**

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

**3. Management Recommendation:**

Approval.

**4. Departmental Category: 10**

**C10C**

**5. Meeting Date:**

**06-13-2006**

**6. Agenda:**

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

**7. Requirement/Purpose (specify)**

- Statute
- Ordinance
- Admin. Code
- Other

Approval

**8. Request Initiated:**

Commissioner \_\_\_\_\_  
 Department Public Works  
 Division Utilities  
 By: S. Velez 5/25/06  
 S. Ivan Velez, P. E., Acting Director

**9. Background:**

Fire lines and single water services 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 Marketplace Road right-of-way.  
 Funds are available for recording fees in account number OD5360748700.504930.

SECTION 22 TOWNSHIP 45S RANGE 25 E DISTRICT #2 COMMISSIONER ST CERNY

**10. Review for Scheduling**

Department Director	Purchasing or Contracts	Human Resources	Other	County Attorney	Budget Services				County Manager / P.W. Director
					Analyst	Risk	Grants	Mgr.	
<u>J. Lavender</u> Date: <u>5-26-06</u>	N/A	N/A	<u>P.O.</u> T. Osterhout Date: <u>5/25</u>	<u>S. Covert</u> Date: <u>5/30/06</u>	<u>5-30-06</u>	<u>5/30/06</u>	<u>5/30/06</u>	<u>5/30/06</u>	<u>J. Lavender</u> Date: <u>5-26-06</u>

**11. Commission Action:**

- Approved
- Deferred
- Denied
- Other

RECEIVED BY COUNTY ADMIN: <u>JM</u>
<u>5/30/06 3pm</u>
COUNTY ADMIN FORWARDED TO: <u>PC</u>
<u>6-1-06</u>
<u>11 AM</u>

Rec. by CoAtty
Date: <u>5/30/06</u>
Time: <u>11:25 AM</u>
Forwarded To: <u>125 Admins/30/06</u>

RESOLUTION NO.

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

WHEREAS, it is the desire of " **Renaissance Daniels Assoc. LLC**", owner of record, to make a contribution to Lee County Utilities of water facilities **(one six inch diameter fire line and one three inch diameter water service line)**, serving "**Daniel's Galleria East, Lot 3**"; 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 **\$2,559.80** is hereby ACCEPTED and acknowledged as an addition to Lee County Utilities.

THE FOREGOING RESOLUTION was offered by Commissioner \_\_\_\_\_ who moved for its adoption. The motion was seconded by Commissioner \_\_\_\_\_ and, upon being put to a vote, the vote was as follows:

- Commissioner Bob Janes: \_\_\_\_\_ (1)
- Commissioner Douglas St. 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 COMMISSIONERS  
OF LEE COUNTY, FLORIDA

By: \_\_\_\_\_  
DEPUTY CLERK

By: \_\_\_\_\_  
TAMMARA HALL, CHAIRWOMAN

APPROVED AS TO FORM

\_\_\_\_\_  
OFFICE OF COUNTY ATTORNEY

**BS 20060690-UTL**

**COPY**

LETTER OF COMPLETION

DATE: 5/4/2006

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

Gentlemen:

This is to certify that the **water service(s) fire line up to and including 1st OS + Y valve(s)** located

**Daniels Galleria East - Lot 3 9530 Market Place Road, Fort Myers, Florida 33912**  
(Name of Development/Project)

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

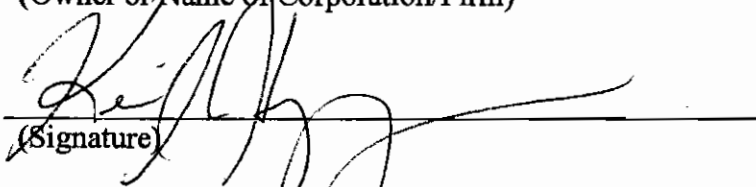
**the approved plans and the approved specifications**

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

**Bacteriological Test Pressure Test(s) - Water Main**

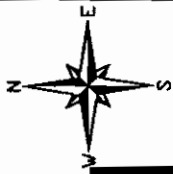
Very truly yours,

Community Engineering Services, Inc.  
(Owner or Name of Corporation/Firm)

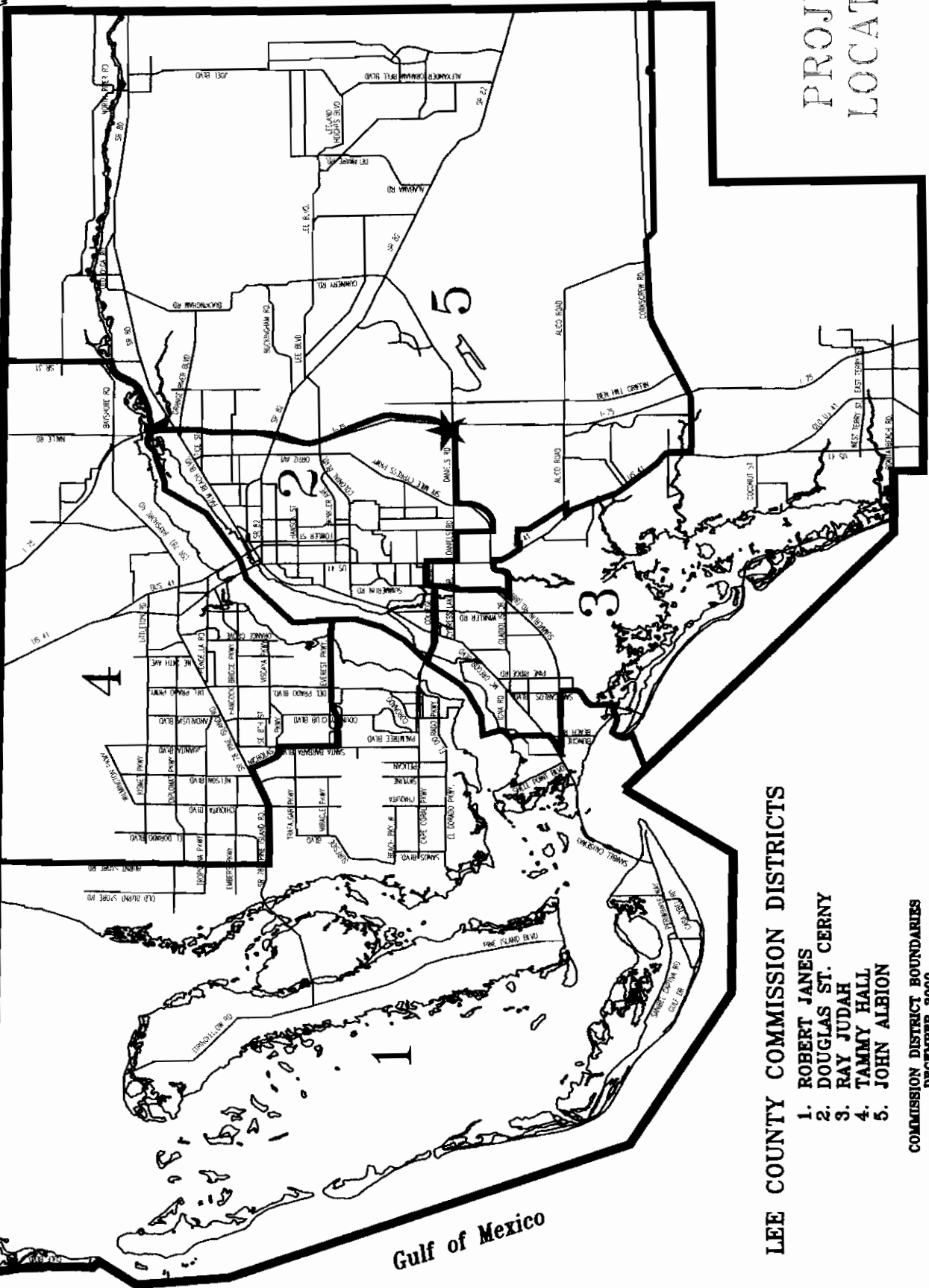
  
(Signature)

Kevin L. Higginson, P.E. - Senior Vice-President  
(Name and Title)

(Seal of Engineering Firm)



DANIELS GALLERIA EAST, LOT 3  
22-45-25-13-00000.0030  
COMMISSION DISTRICT # 2 - DOUGLAS ST. CERNY



PROJECT  
LOCATION

LEE COUNTY COMMISSION DISTRICTS

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

COMMISSION DISTRICT BOUNDARIES  
DECEMBER 2000

Gulf of Mexico

WARRANTY

THE UNDERSIGNED parties do hereby warrant and/or guaranty all work executed by the contractor on the water system of DANIELS GALLERIA EAST LOT 3 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.

HALEAKALA CONSTRUCTION, INC.

(Name of Owner/Contractor)

BY: 

(Signature of Owner/Contractor)

STATE OF FL )  
 ) SS:  
COUNTY OF COLLIER )

The foregoing instrument was signed and acknowledged before me this 4 th day of MAY, 2006 by BRENDA K. MERCHANT who is personally known to me - \_\_\_\_\_, and who did not take an oath.

  
Notary Public Signature

LINDA MAHON  
Printed Name of Notary Public



(Notary Seal & Commission Number)

WAIVER AND RELEASE OF LIEN  
UPON FINAL PAYMENT



The undersigned lienor, in consideration of the final payment in the amount of TWO THOUSAND FIVE HUNDRED FIFTYNINE DOLLARS AND EIGHTY CENTS (\$2,559.80 ) hereby waives and releases its lien and right to claim a lien for labor, services, or materials furnished to J. MC GARVEY CONSTRUCTION CO., INC on the job of DANIELS GALLERIA EAST LOT 3 to the following described property:

DANIELS GALLERIA EAST LOT 3  
(Name of Development/Project)

fire line up to and including 1st OS and Y valve  
(Facilities Constructed)

9530 MARKETPLACE RD , FORT MYERS, FLORIDA  
(Location)

22-45-25-13-00000.0030  
(Strap # or Section, Township & Range)

Dated on: May 4, 2006

By: [Signature]  
(Signature of Authorized Representative)

HALEAKALA CONSTRUCTION INC.  
(Name of Firm or Corporation)

By: BRENDA K. MERCHANT  
(Print Name of Authorized Representative)

5758 TAYLOR ROAD  
(Address of Firm or Corporation)

Title: AUTHORIZED AGENT

NAPLES, FL 34109-  
(City, State & Zip Of Firm Or Corporation)

Phone #: (239)598-1968 Ext.

Fax#: (239)598-9418

STATE OF FL )  
) SS:  
COUNTY OF COLLIER )

The foregoing instrument was signed and acknowledged before me this 4 th day of May, 2006 by BRENDA K. MERCHANT who is personally known to me - \_\_\_\_\_, and who did not take an oath.



(Notary Seal & Commission Number)

[Signature]  
(Notary Public Signature)

LINDA MAHON  
(Printed Name of Notary Public)

**CERTIFICATION OF CONTRIBUTORY ASSETS**

PROJECT NAME: DANIELS GALLERIA EAST, LOT 3

STRAP NUMBER: 22-45-25-13-00000.0030

LOCATION: 9530 MARKETPLACE ROAD

OWNER'S NAME: (as shown on Deed) RENAISSANCE DANIELS ASSOC. LLC

OWNER'S ADDRESS: 27599 RIVERVIEW CENTER BLVD., #105

OWNER'S ADDRESS: BONITA SPRINGS, FL 34134-

TYPE UTILITY SYSTEM: POTABLE WATER

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

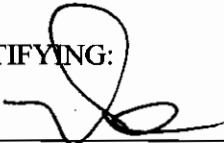
**DESCRIPTION AND COST OF MATERIAL, LABOR, AND SERVICES**

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

<b>ITEM</b>	<b>SIZE</b>	<b>QUANTITY</b>	<b>UNIT</b>	<b>UNIT COST</b>	<b>TOTAL</b>
FIRE LINE UP TO AND INCL 1ST OS + Y VALVE	6"	1.0	LS	\$1,009.80	\$1,009.80
SINGLE WATER SERVICE/COMPLETE	3"	1.0	LS	\$1,550.00	\$1,550.00
<b>TOTAL</b>					<b>\$2,559.80</b>

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

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

CERTIFYING:  
X   
(Signature of Certifying Agent)

BRENDA K. MERCHANT AUTHORIZED AGENT  
(Name & Title of Certifying Agent)

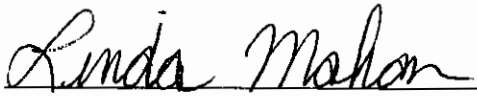
HALEAKALA CONSTRUCTION INC  
(Name of Firm or Corporation)

5758 TAYLOR ROAD  
(Address of Firm or Corporation)

NAPLES, FL 34109 -

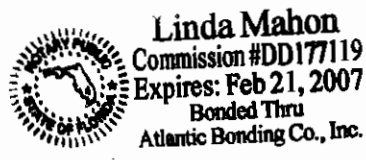
STATE OF FL )  
                  ) SS:  
COUNTY OF COLLIER )

The foregoing instrument was signed and acknowledged before me this 4 th day of May, 2006 by Brenda K. Merchant who is personally known to me - \_\_\_\_\_, and who did not take an oath.

  
Notary Public Signature

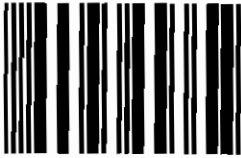
LINDA MAHON  
Printed Name of Notary Public

DD177119  
Notary Commission Number



(NOTARY SEAL)





**FLORIDA DEPARTMENT OF REVENUE**  
**RETURN FOR TRANSFERS OF INTEREST IN REAL PROPERTY**  
 (PLEASE READ INSTRUCTIONS BEFORE COMPLETING)



FDOR10240300  
 DR-219  
 R. 07/98

Use black ink. Enter numbers as shown below. If typing, enter numbers as shown below.

0 1 2 3 4 5 6 7 8 9    0 1 2 3 4 5 6 7 8 9

1. Parcel Identification Number  
 (If Parcel ID not available  
 please call County Property  
 Appraiser's Office) →

2244251300000030

2. Mark (x) all  
 that apply

Multi-parcel  
 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 20060690

EASEMENT:

RENAISSANCE DANIELS ASSOC. LLC

Last

First

MI

Corporate Name (if applicable)

27599 RIVERVIEW CENTER BLVD., # 105 BONITA SPRINGS FL 34134

Mailing Address

City

State

Zip Code

Phone No.

4. Grantee (Buyer):

S. IVAN VELEZ PE ACTING UTIL DIR FOR LEE CO. BD. OF CO. COMMISSIONERS

Last

First

MI

Corporate Name (if applicable)

P. O. BOX 398 FT. MYERS FL 33902 (239) 4798181

Mailing Address

City

State

Zip Code

Phone No.

5. Date of Sale/Transfer

Sale/Transfer Price

6 / 13 / 2006 \$ . 00 Property Located In Lee

6. Type of Document

Contract/Agreement  
 for Deed

Other

7. Are any mortgages on the property? If "Yes",  
 outstanding mortgage balance:

YES  /  NO

Warranty  
 Deed

Quit Claim  
 Deed

(Round to the nearest dollar.) \$ . 00

8. To the best of your knowledge, were there unusual circumstances or conditions to the sale/transfer

such as: Forced sale by court order? Foreclosure pending? Distress Sale? Title defects? Corrective Deed? Mineral rights?  
 Sale of a partial or undivided interest? Related to seller by blood or marriage.

YES  /  NO

9. Was the sale/transfer financed? YES  /  NO If "Yes", please indicate type or types of financing:

Conventional

Seller Provided

Agreement or  
 Contract for Deed

Other

10. Property Type:

Residential

Commercial

Industrial

Agricultural

Institutional/  
 Miscellaneous

Government

Vacant

Acreage

Timeshare

Mark (x) all  
 that apply

11. To the best of your knowledge, was personal property  
 included in the sale/transfer? If "Yes", please state the  
 amount attributable to the personal property. (Round to the nearest dollar.)

YES  /  NO

\$ . 00

12. Amount of Documentary Stamp Tax →

\$ . 70

13. If no tax is due in number 12, is deed exempt from Documentary Stamp Tax under s. 201.02(6), Florida Statutes?

YES  /  NO

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

*[Signature]*

Date 5/25/06

WARNING: FAILURE TO FILE THIS RETURN OR ALTERNATIVE FORM APPROVED BY THE DEPARTMENT OF REVENUE SHALL RESULT IN A PENALTY OF \$25.00 IN ADDITION TO ANY 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	
O. R. Book and Page Number and File Number	
Date Recorded	

This copy to Property Appraiser



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



FDOR10240300  
 DR-219  
 R. 07/98

(PLEASE READ INSTRUCTIONS BEFORE COMPLETING)

Enter numbers as shown below.

If typing, enter numbers as shown below.

1. Parcel Identification Number (If Parcel ID not available please call County Property Appraiser's Office) → **0 1 2 3 4 5 6 7 8 9 0123456789 22442513000000030**

2. Mark (x) all that apply: Multi-parcel transaction? → **BS 20060690** Transaction is a split or cutout from another parcel? → **EASEMENT:** Property was improved with building(s) at time of sale/transfer? → **RENAISSANCE DANIELS ASSOC. ILC**

3. Grantor (Seller): Last **27599 RIVERVIEW CENTER BLVD., # 105** First **BONITA SPRINGS** MI **FL** Corporate Name (if applicable) **34134**

Mailing Address **S. IVAN VELEZ PE ACTING UTIL DIR** City **FOR LEE CO.** State **BD. OF CO. COMMISSIONERS** Zip Code **33902** Phone No. **2394798181**

4. Grantee (Buyer): Last **P. O. BOX 398** First **FT. MYERS** MI **FL** Corporate Name (if applicable) **33902 2394798181**

Mailing Address **FT. MYERS** City **FL** State **33902** Zip Code **2394798181** Phone No.

5. Date of Sale/Transfer: **6 13 2006** \$ **. 00** Sale/Transfer Price Property Located In **46** County Code

6. Type of Document: Contract/Agreement for Deed  Other  7. Are any mortgages on the property? If "Yes", outstanding mortgage balance: **. 00**

8. To the best of your knowledge, were there unusual circumstances or conditions to the sale/transfer such as: Forced sale by court order? Foreclosure pending? Distress Sale? Title defects? Corrective Deed? Mineral rights? Sale of a partial or undivided interest? Related to seller by blood or marriage. **YES**  **NO**

9. Was the sale/transfer financed? **YES**  **NO** If "Yes", please indicate type or types of financing:  
 Conventional  Seller Provided  Agreement or Contract for Deed  Other

10. Property Type: Residential  Commercial  Industrial  Agricultural  Institutional/Miscellaneous  Government  Vacant  Acreage  Timeshare

11. To the best of your knowledge, was personal property included in the sale/transfer? If "Yes", please state the amount attributable to the personal property. (Round to the nearest dollar.) **YES**  **NO** \$ **. 00**

12. Amount of Documentary Stamp Tax **0.70**

13. If no tax is due in number 12, is deed exempt from Documentary Stamp Tax under s. 201.02(6), Florida Statutes? **YES**  **NO**

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 *[Signature]* Date **5/25/06**

WARNING: FAILURE TO FILE THIS RETURN OR ALTERNATIVE FORM APPROVED BY THE DEPARTMENT OF REVENUE SHALL RESULT IN A PENALTY OF \$25.00 IN ADDITION TO ANY OTHER PENALTY IMPOSED BY THE REVENUE LAW OF FLORIDA

To be completed by the Clerk of the Circuit Court's Office	Clerks Date Stamp
<b>This copy to Department of Revenue</b>	
O. R. Book and Page Number and File Number	
Date Recorded	
Month Day Year	

**This copy to Department of Revenue**

**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. 20060690-UTL**

**PROJECT NAME: DANIELS GALLERIA EAST,  
LOT 3**

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

Strap Number(s):  
**22-44-25-13-00000.0030**

**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 "RENAISSANCE DANIELS ASSOCIATES, LLC", Owner, 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 20060690-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.

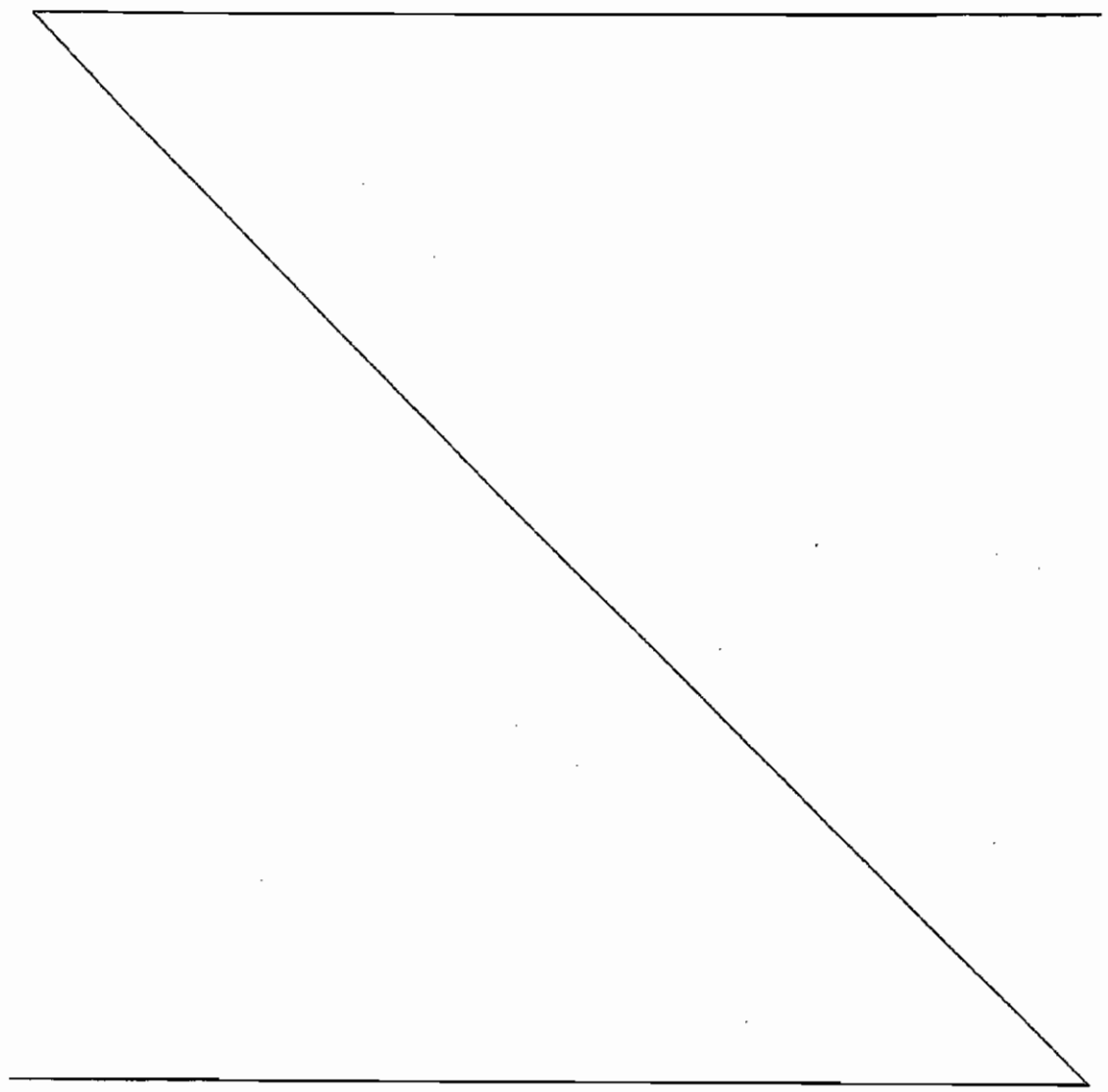
7. GRANTEE will be liable for money damages in tort for any injury to or loss of property, personal injury, or death caused by the negligent or wrongful act(s) or omission(s) of any official or employee of the GRANTEE while acting within the scope of the official's or employee's office or employment 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.

John Berry  
[1<sup>st</sup> Witness' Signature]

JOHN BERRY  
[Type or Print Name]

[Signature]  
[2<sup>nd</sup> Witness' Signature]

Richard S. Losce  
[Type or Print Name]

BY: [Signature]  
[Signature Grantor's/Owner's]

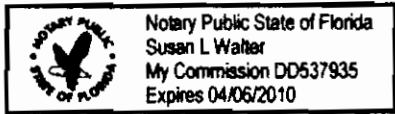
William G. Price, Jr  
[Type or Print Name]

MANAGER  
[Title]

STATE OF FLORIDA  
COUNTY OF Lee

The foregoing instrument was signed and acknowledged before me this 24 day of April 2006, by William G Price, Jr who produced the following as identification \_\_\_\_\_ or (is personally know to me) and who did/did not take an oath.

[stamp or seal]



Susan L. Walter  
[Signature of Notary]

SUSAN L. WALTER  
[Typed or Printed Name]

Approved and accepted for and on behalf of Lee County, Florida, this \_\_\_\_\_ day of \_\_\_\_\_, 2006.

ATTEST:  
CHARLIE GREEN, CLERK

BOARD OF COUNTY COMMISSIONERS  
OF LEE COUNTY, FLORIDA

BY: \_\_\_\_\_  
Deputy Clerk

BY: \_\_\_\_\_  
Tammara Hall, Chairwoman

APPROVED AS TO FORM

BY: \_\_\_\_\_  
Office of the County Attorney  
Scott S. Covert, Esquire



DESCRIPTION

A STRIP OF LAND FOR A 20 FOOT WIDE UTILITY EASEMENT LOCATED IN LOT 3, DANIELS GALLERIA EAST, RECORDED IN PLAT BOOK 73, PAGE 9 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, IN SECTION 22, TOWNSHIP 45 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, BEING DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SAID LOT 3, SAID POINT BEING ON A CURVE; THENCE NORTHERLY ALONG SAID CURVE TO THE LEFT AND THE WESTERLY LINE OF SAID LOT 3, HAVING A RADIUS OF 60.00 FEET, A DELTA OF  $31^{\circ}31'30''$ , A CHORD BEARING OF NORTH  $14^{\circ}27'26''$  EAST, A CHORD LENGTH OF 32.60 FEET, AN ARC DISTANCE OF 33.01 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTHERLY ALONG SAID CURVE TO THE LEFT AND SAID WESTERLY LINE OF LOT 3, HAVING A RADIUS OF 60.00 FEET, A DELTA OF  $31^{\circ}21'39''$ , A CHORD BEARING OF NORTH  $16^{\circ}59'58''$  WEST, A CHORD LENGTH OF 32.43 FEET, AN ARC DISTANCE OF 32.84 FEET; THENCE NORTH  $21^{\circ}04'25''$  EAST, A DISTANCE OF 26.65 FEET; THENCE SOUTH  $68^{\circ}55'35''$  EAST, A DISTANCE OF 20.00 FEET; THENCE SOUTH  $21^{\circ}04'25''$  WEST, A DISTANCE OF 52.18 FEET TO THE POINT OF BEGINNING. CONTAINING 740 SQUARE FEET.

BEARING BASIS IS ALONG THE NORTH LINE OF SAID LOT 3, BEING NORTH  $53^{\circ}11'00''$  EAST PER THE PLAT.

SEE SHEET 2 FOR THE SKETCH OF THIS DESCRIPTION AND SIGNATURE AND SEAL OF THE SURVEYOR AND MAPPER.

**EXHIBIT "A"  
(NOT A SURVEY)  
SKETCH  
OF  
DESCRIPTION  
SEC. 22, TWP. 45 S., RNG. 25 E.**

TRACT Q2  
OF  
RENAISSANCE  
P.B. 72, PG 1B

TRACT Q2  
OF  
RENAISSANCE  
P.B. 72, PG 1B

N68°58'07"E 322.37'

N53°11'00"E 238.31'  
(BEARING BASIS)

S07°47'14"W 182.09'

57'0" D.E.

30'0" D.E.

51'3"29'3"E 301.73'

EXISTING 3  
STORY  
BUILDING

LOT 3  
DANIELS GALLERIA EAST  
P.B. 73, PG. 9

LOT 2

57'0" D.E.

51'6"50"0"W 338.90'

INTERSTATE 75

20' UTILITY EASEMENT  
740 SQ. FT.

P.O.B.

P.O.C.  
SOUTHWEST  
CORNER OF  
LOT 3

LOT 4

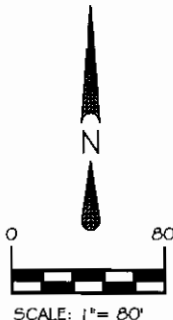
30' D.E.

N68°56'08"W 229.21'

15.0'

S21°03'52"W 115.44'

TRACT "A"  
ROAD RIGHT-OF-WAY P.U.E.  
MARKET PLACE ROAD



LINE TABLE

LINE NO.	LENGTH	BEARING
L1	26.65'	N21°04'25"E
L2	20.00'	S68°55'35"E
L3	52.18'	S21°04'25"W

CURVE TABLE

CURVE NO.	RADIUS	DELTA	LENGTH	BEARING	CH. LENGTH
C1	60.00'	31°31'30"	33.01'	N14°27'26"E	32.60'
C2	60.00'	31°21'39"	32.84'	N16°59'58"W	32.43'
C3	60.00'	133°40'55"	139.99'	N36°38'46"W	110.33'

**LEGEND**

- P.O.C. = POINT OF COMMENCEMENT
- P.O.B. = POINT OF BEGINNING
- P.B. = PLAT BOOK
- P.G. = PAGE
- FP&L = FLORIDA POWER AND LIGHT
- D.E. = DRAINAGE EASEMENT
- SEC. = SECTION
- TWP. = TOWNSHIP
- RNG. = RANGE
- R.O.W. = RIGHT OF WAY
- P.U.E. = PUBLIC UTILITY EASEMENT

SHEET 2 OF 2



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THIS MAP IS NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND RAISED SEAL OF THE FLORIDA LICENSED SURVEYOR AND MAPPER.

*Donald D. Smith*

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FLORIDA REGISTRATION NO. 4078

DATE SIGNED: 4.24.06