

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

Blue Sheet No. 20060718-UTL

1. Action Requested/Purpose:

Approve final acceptance, by Resolution and recording of two (2) Utility Easements, as a donation of a water main extension and a gravity collection system serving *Internal Medicine Associates* to provide potable water service, fire protection and sanitary sewer service to this recently constructed medical facility. This is a Developer Contributed asset project located at the southeast corner of Daniels and Metro Parkways.

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 **C10A** **5. Meeting Date:** 6-27-2006

6. Agenda:	7. Requirement/Purpose (specify)	8. Request Initiated:
<input checked="" type="checkbox"/> Consent	<input type="checkbox"/> Statute	Commissioner
<input type="checkbox"/> Administrative	<input type="checkbox"/> Ordinance	Department Public Works
<input type="checkbox"/> Appeals	<input type="checkbox"/> Admin. Code	Division Utilities
<input type="checkbox"/> Public	<input checked="" type="checkbox"/> Other	By: <i>[Signature]</i> 6/8/06
<input type="checkbox"/> Walk-On	<input type="checkbox"/> Approval	S. Ivan Velez, P. E., Acting Director

9. Background:

The Board granted permission to construct on 08/20/05, Blue Sheet #20050958. 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. Funds are available for recording fees in account number OD5360748700.504930.

SECTION 19 TOWNSHIP 45S RANGE 25E 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.	
<i>[Signature]</i> Lavender Date: 6-9-06	N/A	N/A	<i>[Signature]</i> T. Osterhout Date: 6/8	<i>[Signature]</i> S. Covert Date: 6/12/06	<i>[Signature]</i> 6/12/06	<i>[Signature]</i> 6-14-06	<i>[Signature]</i> 6/13/06	<i>[Signature]</i> 6/14/06	<i>[Signature]</i> Lavender Date: 6-9-06

11. Commission Action:

- Approved
- Deferred
- Denied
- Other

RECEIVED BY COUNTY ADMIN: *[Signature]*
6/12/06 1pm
COUNTY ADMIN FORWARDED TO: *[Signature]*
6/15/06 9am

Rec. by CoAtty
Date: 6/12/06
Time: 11:30am
Forwarded To: *[Signature]* 6/12/06

RESOLUTION NO.

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

WHEREAS, it is the desire of "IMA LAND PARTNERS, LLP", owner of record, to make a contribution to Lee County Utilities of water facilities (water main extension), and sewer facilities (gravity collection system), serving "INTERNAL MEDICINE ASSOCIATES"; 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 \$82,239.50 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 20060718-UTL

COPY

LETTER OF COMPLETION

DATE: 3/1/2006

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

Gentlemen:

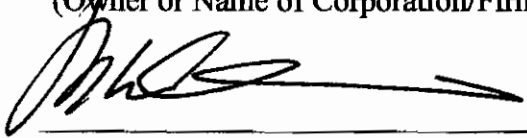
This is to certify that the **fire hydrant(s) , water service(s) and water main extension** located at **Internal Medicine Associates**
(Name of Development/Project)

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 and Pressure Test(s) - Water Main

Very truly yours,

Morris-Depew Associates, Inc.
(Owner or Name of Corporation/Firm)



(Signature)

M. William Morris, Jr., PE, Authorized Agent
(Name and Title)

(Seal of Engineering Firm)



LETTER OF COMPLETION

DATE: 3/30/2006

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

Gentlemen:

This is to certify that the **sewer service(s) and sanitary sewer** located at
Internal Medicine Associates
(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:
**Pressure Test(s) - Force Main , Low Pressure Test(s) - Gravity Main ,
TV Inspection, Mandrill - Gravity Main and Lift Station Start-up**

Very truly yours,

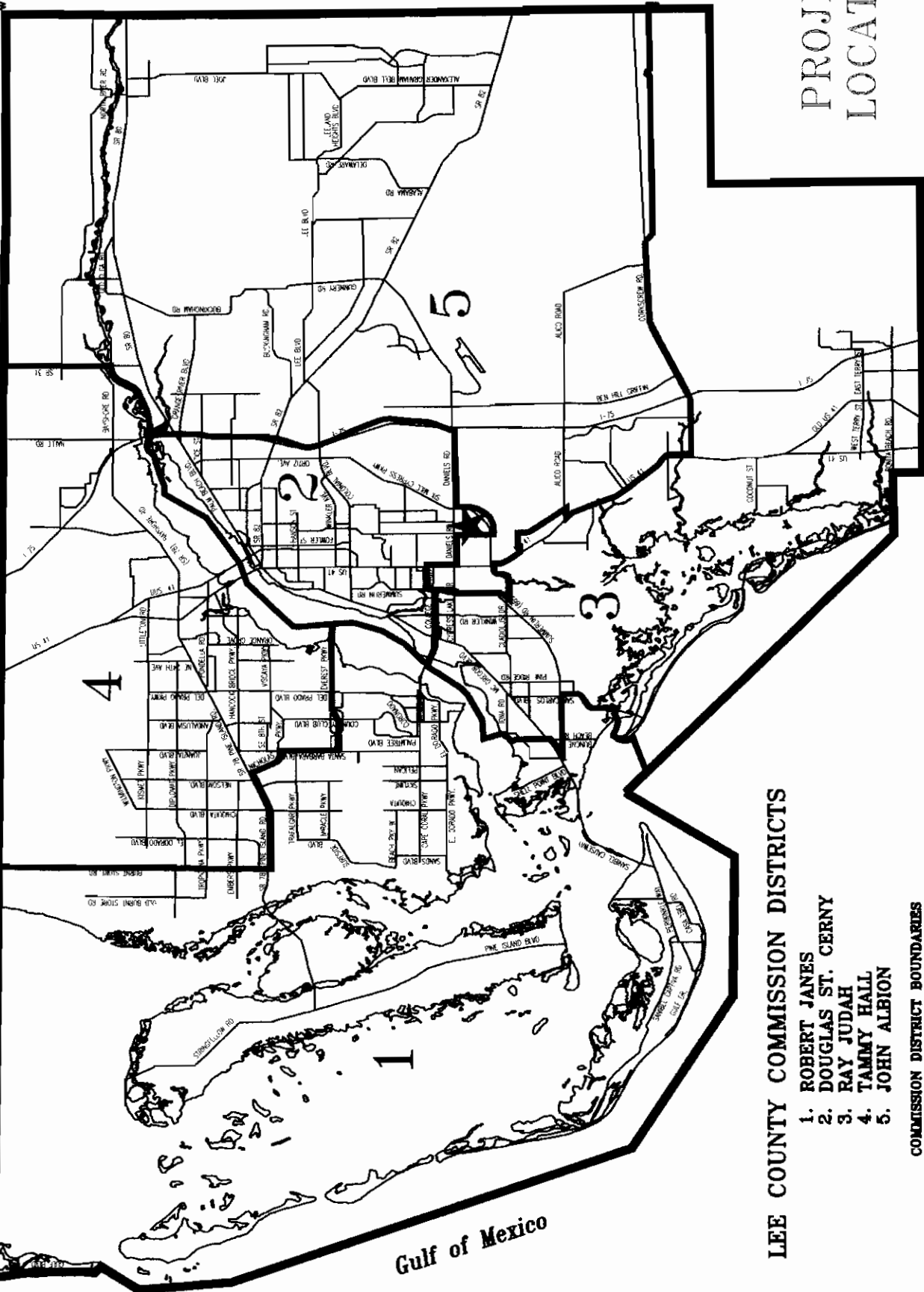
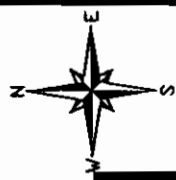
Morris-Depew Associates, Inc.
(Owner or Name of Corporation/Firm)

(Signature)

M. William Morris, Jr., PE, Authorized Agent
(Name and Title)

(Seal of Engineering Firm)

**INTERNAL MEDICINE ASSOCIATES
19-45-25-00-00004.0020
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 ALBION

COMMISSION DISTRICT BOUNDARIES
DECEMBER 2000

Gulf of Mexico

COPY

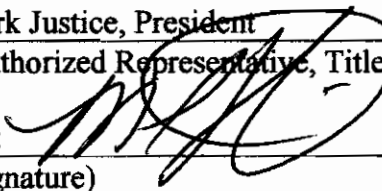
WARRANTY

THE UNDERSIGNED parties do hereby warrant and/or guaranty all work executed by the contractor on the water and sewer system of Internal Medicine Associates MOB 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.

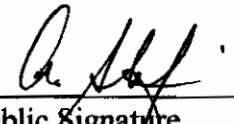
MAJ Contracting, Inc.
(Contractor/Company Name)

Mark Justice, President
(Authorized Representative, Title)

BY: 
(Signature)


STATE OF FL)
) SS:
COUNTY OF LEE)

The foregoing instrument was signed and acknowledged before me this 29 th day of March, 2006 by Mark Justice who is personally known to me - N/A, and who did not take an oath.



Notary Public Signature

Anthony Stefanacci
Printed Name of Notary Public

NOTARY PUBLIC-STATE OF FLORIDA
 **Anthony Stefanacci**
Commission # DD373721
Expires: NOV 21, 2008
Bonded Thru Atlantic Bonding Co., Inc.

(Notary Seal & Commission Number)

COPY

**WAIVER AND RELEASE OF LIEN
UPON FINAL PAYMENT**

The undersigned lienor, in consideration of the final payment in the amount of Eighty-two Thousand Two Hundred Thirty-nine Dollars and fifty cents (\$82,239.50) hereby waives and releases its lien and right to claim a lien for labor, services, or materials furnished to IMA Land Partners, LLP on the job of Internal Medicine Associates MOB to the following described property:

Internal Medicine Associates MOB
(Name of Development/Project)

water distribution and sanitary sewer systems
(Facilities Constructed)

13813 Metro Parkway, Fort Myers, FL 33912
(Location)

19-45-25-00-00004.0040
(Strap # or Section, Township & Range)

Dated on March 29, 2006

By: [Signature]
(Signature of Authorized Representative)

MAJ Contracting, Inc.
(Name of Firm or Corporation)

By: Mark Justice
(Print Name of Authorized Representative)

10920 Wiles Rd.
(Address of Firm or Corporation)

Title: President

Coral Springs, FL 33076-
(City, State & Zip Of Firm Or Corporation)

Phone #: (954)344-4330 Ext.

Fax#: (954)344-4220

STATE OF FL)
) SS:
COUNTY OF LEE)

The foregoing instrument was signed and acknowledged before me this 29th day of March, 2006 by Mark Justice who is personally known to me - NA, and who did not take an oath.

NOTARY PUBLIC-STATE OF FLORIDA
Anthony Stefanacci
Commission # DD373721
Expires: NOV 21, 2008
Bonded Thru Atlantic Bonding Co., Inc.

[Signature]
(Notary Public Signature)

(Notary Seal & Commission Number)

Anthony Stefanacci
(Printed Name of Notary Public)

CERTIFICATION OF CONTRIBUTORY ASSETS

PROJECT NAME: Internal Medicine Associates MOB

STRAP NUMBER: 19-45-25-00-00004.0040

LOCATION: 13813 Metro Parkway, Fort Myers, FL 33912

OWNER'S NAME: (as shown on Deed) IMA Land Partners, LLP

OWNER'S ADDRESS: 2675 Winkler Avenue

OWNER'S ADDRESS: Fort Myers, FL 33901-

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.

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

ITEM	SIZE	QUANTITY	UNIT	UNIT COST	TOTAL
PVC C-900 DR-18 WATER MAIN	10"	283.0	LF	\$17.00	\$4,811.00
CL-50 DIP WATER MAIN	10"	111.0	LF	\$18.50	\$2,053.50
FIRE LINE UP TO AND INCL 1ST OS + Y VALVE WATER MAIN	6"	38.0	LF	\$55.00	\$2,090.00
GATE VALVE WATER MAIN	10"	2.0	EA	\$1,000.00	\$2,000.00
FIRE HYDRANT ASSEMBLY WATER MAIN	6"	2.0	EA	\$2,000.00	\$4,000.00
GATE VALVE WATER MAIN	6"	1.0	EA	\$450.00	\$450.00
TAPPING SLEEVE W/VALVE WATER MAIN	12" x 10"	1.0	EA	\$2,100.00	\$2,100.00
SINGLE WATER SERVICE/COMPLETE WATER MAIN	1"	1.0	EA	\$500.00	\$500.00
ASSORTED FITTINGS WATER MAIN <i>MS Tee</i>	10" x 10"	2.0	EA	\$500.00	\$1,000.00
ASSORTED FITTINGS WATER MAIN <i>MS Tee</i>	10" x 6"	2.0	EA	\$450.00	\$900.00
ASSORTED FITTINGS WATER MAIN <i>MS Reducer</i>	10" x 6"	1.0	EA	\$400.00	\$400.00
SINGLE WATER SERVICE/COMPLETE WATER MAIN	3"	1.0	EA	\$1,600.00	\$1,600.00
<i>w/ Reduced Pressure Backflow - 3" meter</i>					
TOTAL					\$21,904.50

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)

Mark Justice, President

(Name & Title of Certifying Agent)

MAJ Contracting, Inc.

(Name of Firm or Corporation)

10920 Wiles Rd.

(Address of Firm or Corporation)

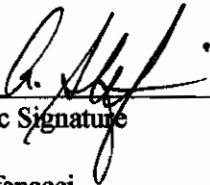
Coral Springs, FL 33076 -

STATE OF FL)

) SS:

COUNTY OF LEE)

The foregoing instrument was signed and acknowledged before me this 29th day of March, 2006 by Mark Justice who is personally known to me - _____, and who did not take an oath.




Notary Public Signature

Anthony Stefanacci

Printed Name of Notary Public

DD373721

Notary Commission Number

NOTARY PUBLIC-STATE OF FLORIDA
 **Anthony Stefanacci**
Commission #DD373721
Expires: NOV 21, 2008
Bonded Thru Atlantic Bonding Co., Inc.

(NOTARY SEAL)

CERTIFICATION OF CONTRIBUTORY ASSETS

PROJECT NAME: Internal Medicine Associates MOB

STRAP NUMBER: 19-45-25-00-00004.0040

LOCATION: 13813 Metro Parkway, Fort Myers, FL 33912

OWNER'S NAME: (as shown on Deed) IMA Land Partners, LLP

OWNER'S ADDRESS: 2675 Winkler Avenue

OWNER'S ADDRESS: Fort Myers, FL 33901-

TYPE UTILITY SYSTEM: SANITARY SEWER

(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.

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

ITEM	SIZE	QUANTITY	UNIT	UNIT COST	TOTAL
PVC SDR-26 GRAVITY MAIN	8"	183.0	LF	\$5.00	\$915.00
SINGLE SEWER SERVICE W/CLEANOUT GRAVITY MAIN	6"	1.0	EA	\$150.00	\$150.00
LIFT STATION GRAVITY MAIN	4'	1.0	LS	\$52,000.00	\$52,000.00
MANHOLE GRAVITY MAIN	4'	2.0	EA	\$1,850.00	\$3,700.00
PVC C-900 DR-18 FORCE MAIN	4"	282.0	LF	\$4.50	\$1,269.00
PVC C-900 DR-14 FORCE MAIN	4"	161.0	LF	\$6.00	\$966.00
ASSORTED FITTINGS FORCE MAIN <i>45° mJ Bend</i>	4"	2.0	EA	\$150.00	\$300.00
ASSORTED FITTINGS FORCE MAIN <i>Reducer</i>	8" x 4"	1.0	EA	\$175.00	\$175.00
PVC C-900 DR-14 FORCE MAIN	6"	20.0	LF	\$8.00	\$160.00
PLUG VALVE FORCE MAIN	8"	1.0	EA	\$700.00	\$700.00
TOTAL					\$60,335.00

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]
(Signature of Certifying Agent)

Mark Justice, President
(Name & Title of Certifying Agent)

MAJ Contracting, inc.
(Name of Firm or Corporation)

10920 Wiles Rd.
(Address of Firm or Corporation)

Ft Myers, FL 33076 -

STATE OF FL)
) SS:
COUNTY OF LEE)

The foregoing instrument was signed and acknowledged before me this 29 th day of March, 2006 by Mark Justice who is personally known to me - _____, and who did not take an oath.

[Signature]
Notary Public Signature

Anthony Stefanacci
Printed Name of Notary Public

DD373721
Notary Commission Number

NOTARY PUBLIC-STATE OF FLORIDA
Anthony Stefanacci
Commission # DD373721
Expires: NOV 21, 2008
Bonded Thru Atlantic Bonding Co., Inc.

(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) →

19452500000040040

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 20060718 EASEMENT: IMA LAND PARTNERS, LLP

Last First MI Corporate Name (if applicable)
2675 WINKLER AVE FT MYERS FL 33912

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

6 / 27 / 2006

\$. 00

Property Located In **Lee**

6. Type of Document

Contract/Agreement for Deed
 Other
 Warranty Deed
 Quit Claim Deed

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

YES / NO

(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

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

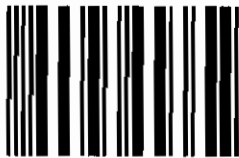
Under penalties of perjury, I declare that I have read the foregoing return and that the facts stated in it are true. If prepared by someone other than the taxpayer, his/her declaration is based on all information of which he/her has any knowledge.

Signature of Grantor or Grantee or Agent *[Signature]* Date **6/8/06**

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
 (PLEASE READ INSTRUCTIONS BEFORE COMPLETING)



FDOR10240300
 DR-219
 R. 07/98

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

19452500000040040

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 20060718

EASEMENT:

IMA LAND PARTNERS, LLP

Last Mailing Address
 2675 WINKLER AVE

First MI City
 FT MYERS

State Zip Code Corporate Name (if applicable)
 FL 33912

4. Grantee (Buyer):

Last Mailing Address
 S. IVAN VELEZ PE

First MI City
 ACTING UTIL DIR

State Zip Code Phone No.
 FOR LEE CO. BD. OF CO. COMMISSIONERS

Last Mailing Address
 P. O. BOX 398

First MI City
 FT. MYERS

State Zip Code Corporate Name (if applicable)
 FL 33902 (2394798181

5. Date of Sale/Transfer

6 27 2006 \$
 Month Day Year (Round to the nearest dollar.)

Sale/Transfer Price

. 00 Property Located In 46 County Code

6. Type of Document

Contract/Agreement for Deed Other
 Warranty Deed
 Quit Claim Deed

7. Are any mortgages on the property? If "Yes",
 outstanding mortgage balance:
 (Round to the nearest dollar.) \$

YES NO
 . 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:
 Mark (x) all that apply

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

[Handwritten Signature]

Date 6/8/06

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 Department of Revenue	
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. 20060718-UTL

PROJECT NAME: INTERNAL MEDICINE ASSOC.

EASEMENT NAME(S):

- 1) SW FL REG MEDICAL CENTER**
- ▶ 2) IMA LAND PARTNERS, LLP**

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

Strap Number(s):
19-45-25-00-00004.0040

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 "IMA LAND PARTNERS, LLP", 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 20060718-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.

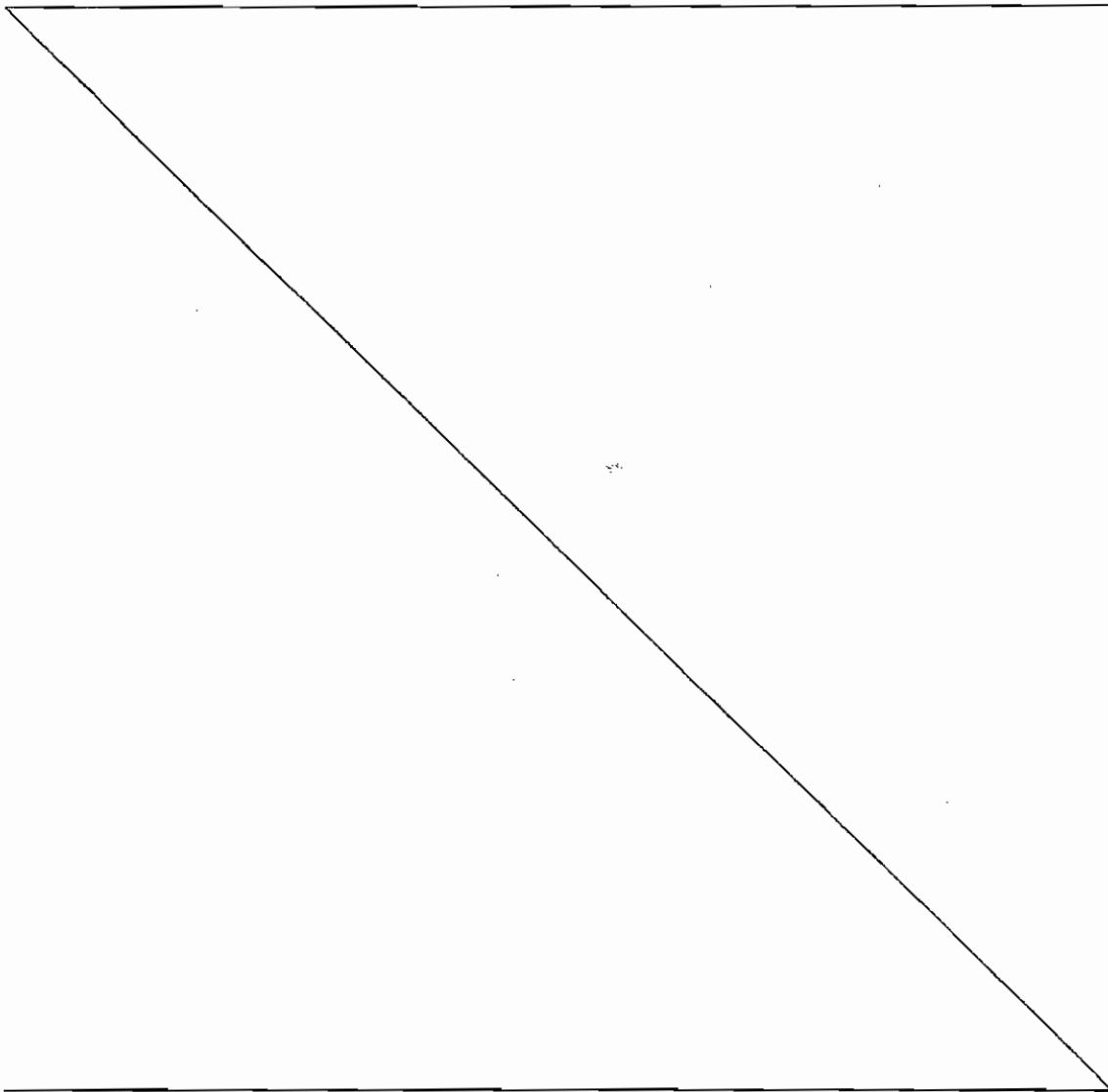
7. GRANTEE will be liable for money damages in tort for any injury to or loss of property, personal injury, or death caused by the negligent or wrongful act(s) or omission(s) of any official or employee of the GRANTEE while acting within the scope of the official's or employee's office or employment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

Pam Anderson

[1st Witness' Signature]

PAM ANDERSON

[Type or Print Name]

Amanda Jackson

[2nd Witness' Signature]

AMANDA JACKSON

[Type or Print Name]

BY:

Stephen Zellner, MD

[Signature Grantor's/Owner's]

Stephen Zellner, MD

[Type or Print Name]

Dr. Stephen Zellner

[Title] MANAGING PARTNER

STATE OF FLORIDA

COUNTY OF LEE

The foregoing instrument was signed and acknowledged before me this 12th day of MAY 2006 by Stephen Zellner who produced the following as identification _____ or is personally know to me, and who did/did not take an oath.

[stamp or seal]

IMA
1400 Colonial Blvd.
Unit 1
Fort Myers, FL 33907

Linda Sorensen

[Signature of Notary]

LINDA SORENSEN

[Typed or Printed Name]



Linda Sorensen
Commission # DD279428
Expires: Jan. 6, 2008
Aaron Notary 1-800-350-5161

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

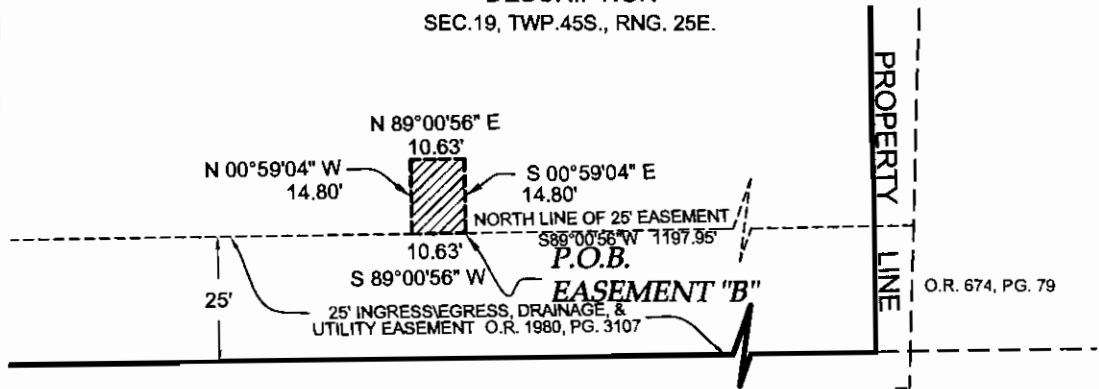
BY: _____
Deputy Clerk

BY: _____
Tammara Hall, Chairwoman

APPROVED AS TO FORM

BY: _____
Office of the County Attorney
Scott S. Coover, Esquire

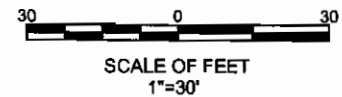
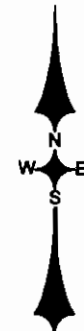
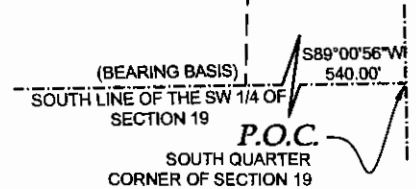
**ATTACHMENT "A"
SKETCH
OF
DESCRIPTION
SEC. 19, TWP. 45S., RNG. 25E.**



**LEGAL DESCRIPTION:
Easement "B"**

A utility easement lying in Section 19, Township 45 South, Range 25 East, Lee County, Florida, being more particularly described as follows:

Commence at the south quarter of Section 19; thence S 89°00'56" W along the south line of the southwest quarter of Section 19, a distance of 540.00 feet, to a point on the west line of parcels described in Official Records Book 1441, Page 645 and Official Records Book 674, Page 79 of the Public Records of Lee County, Florida; thence N 01°22'06" E along said west line, a distance of 685.04 feet to a point on the west line of a parcel of land as described in the Official Records Book 674, Page 79 of the Public Records of Lee County, Florida; thence S 89°00'56" W along the north line and its easterly extension of an existing 25 foot ingress/egress, drainage, and utility easement as described in Official Records Book 1980; Page 3107 of the Public Records of Lee County, Florida a distance of 1197.95 feet to the Point of Beginning; thence S 89°00'56" W along said north line a distance of 10.63 feet, thence N 00°59'04" W a distance of 14.80 feet, thence N 89°00'56" E a distance of 10.63 feet, thence S 00°59'04" W a distance of 14.80 feet to the point of beginning.



SURVEYORS NOTES:

THE DESCRIPTION SHOWN HEREON IS NEW.
NO SEARCH OF THE PUBLIC RECORDS WAS CONDUCTED BY THIS OFFICE FOR THE EXISTENCE OF EASEMENTS, RESERVATIONS, OR RIGHTS-OF-WAY.
ORIENTATION BASED ON THE SOUTH LINE OF SECTION 19 WHICH HAS A BEARING OF S.89°00'56"W.
DESCRIPTIONS WERE PREPARED WITHOUT THE BENEFIT OF A TITLE SEARCH OR ABSTRACT.
UNLESS IT BEARS THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER, AND ALL 3 SHEETS ARE INCLUDED, THIS MAP IS NOT VALID.
THIS IS NOT A SURVEY!

LEGEND

- P.G. = PAGE
- RNG. = RANGE
- SEC. = SECTION
- TWP. = TOWNSHIP
- O.R. = OFFICIAL RECORDS
- P.O.B. = POINT OF BEGINNING
- P.O.C. = POINT OF COMMENCEMENT

THIS IS NOT A SURVEY

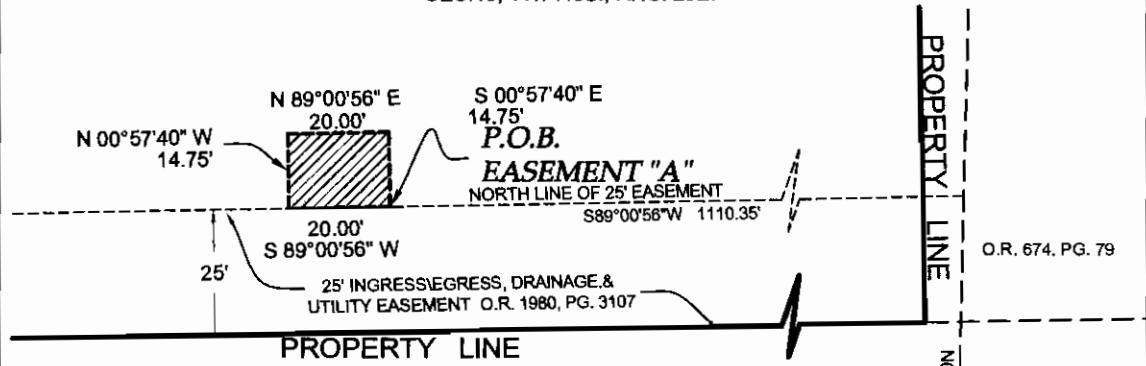


MORRIS - DEPEW ASSOCIATES, INC.
ENGINEERS * PLANNERS * SURVEYORS * MAPPERS
2216 Altamont Avenue * Fort Myers, Florida 33901 * (239) 337-3993 * (FAX) 337-3994

Revision #1 Revised Title 5-1-2006
JOB NO. 03117C

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

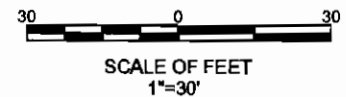
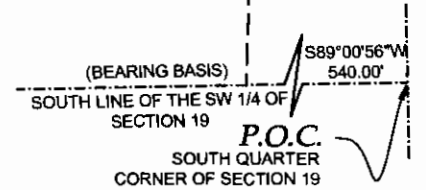
ATTACHMENT "A"
SKETCH
OF
DESCRIPTION
SEC. 19, TWP. 45S., RNG. 25E.



LEGAL DESCRIPTION:
Easement "A"

A utility easement lying in Section 19, Township 45 South, Range 25 East, Lee County, Florida, being more particularly described as follows:

Commence at the south quarter of Section 19; thence S 89°00'56" W along the south line of the southwest quarter of Section 19, a distance of 540.00 feet, to a point on the west line of parcels described in Official Records Book 1441, Page 645 and Official Records Book 674, Page 79 of the Public Records of Lee County, Florida; thence N 01°22'06" E along said west line, a distance of 685.04 feet to a point on the west line of a parcel of land as described in the Official Records Book 674, Page 79 of the Public Records of Lee County, Florida; thence S 89°00'56" W along the north line and its easterly extension of an existing 25 foot ingress/egress, drainage, and utility easement as described in Official Records Book 1980; Page 3107 of the Public Records of Lee County, Florida a distance of 1110.35 feet to the Point of Beginning; thence S 89°00'56" W continuing along said north line a distance of 20.00 feet, thence N 00°57'40" W a distance of 14.75 feet, thence N 89°00'56" E a distance of 20.00 feet, thence S 00°57'40" E a distance of 14.75 feet to the point of beginning.



SURVEYORS NOTES:

THE DESCRIPTION SHOWN HEREON IS NEW.
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LEGEND

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THIS IS NOT A SURVEY



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2216 Allamont Avenue * Fort Myers, Florida 33901 * (239) 337-3993 * (FAX) 337-3994

Revision #1 Revised Title 5-1-2006

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

JOB NO. 03117C

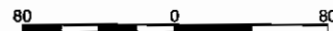
SHEET 2 OF 3

COPY

**ATTACHMENT "A"
SKETCH
OF
DESCRIPTION
SEC.19, TWP.45S., RNG. 25E.**

SOUTH GULF COAST DRIVE

25' INGRESS, EGRESS,
UTILITY, & DRAINAGE EASEMENT
O.R. 1980, PG. 3107



SCALE OF FEET
1"=80'

100' RIGHT OF WAY
METRO PARKWAY

DOCTOR'S WAY

IMA PARCEL

12.5' DRAINAGE EASEMENT

EASEMENT "B" Sheet 3 of 3 **EASEMENT "A"** Sheet 2 of 3

25' INGRESS, EGRESS, DRAINAGE, & UTILITY
UTILITY EASEMENT O.R. 1980, PG. 3107

COPY

PREPARED BY:

MARK A. HATFIELD P.S.M.
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERTIFICATE NO. 4155
DATE SIGNED: 5-1-06

THIS IS NOT A SURVEY



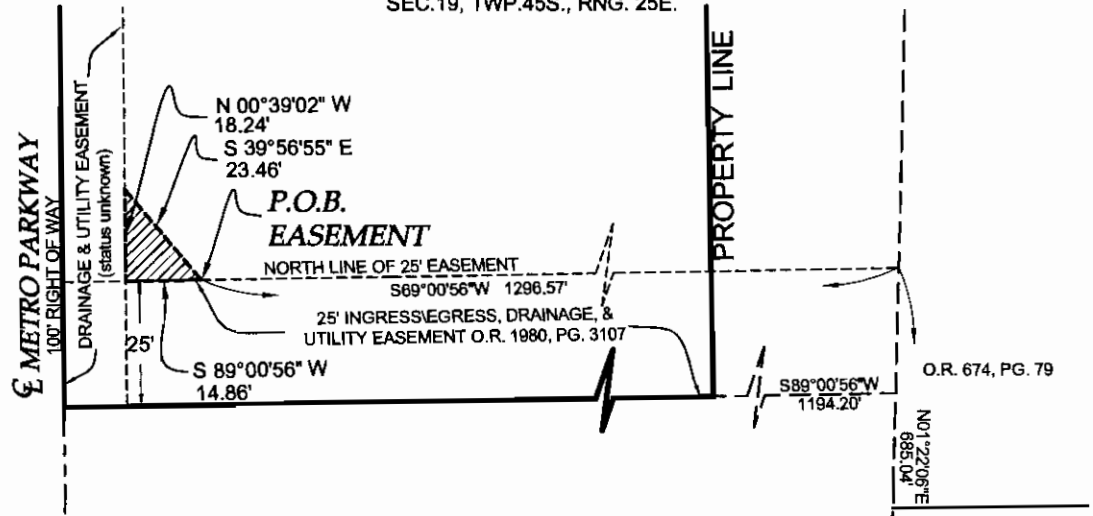
MORRIS - DEPEW ASSOCIATES, INC.
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Revision #1 Revised Title 5-1-2006
JOB NO. 03117C

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

SHEET 1 OF 3

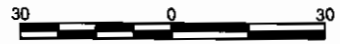
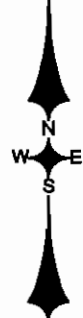
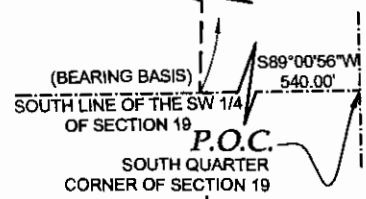
ATTACHMENT "A"
SKETCH
 OF
DESCRIPTION
 SEC. 19, TWP. 45S., RNG. 25E.



LEGAL DESCRIPTION:

A utility easement lying in Section 19, Township 45 South, Range 25 East, Lee County, Florida, being more particularly described as follows:

Commence at the south quarter of Section 19; thence S 89°00'56" W along the south line of the southwest quarter of Section 19, a distance of 540.00 feet, to a point on the west line of parcels described in Official Records Book 1441, Page 645 and Official Records Book 674, Page 79 of the Public Records of Lee County, Florida; thence N 01°22'06" E along said west line, a distance of 685.04 feet to a point on the west line of a parcel of land as described in the Official Records Book 674, Page 79 of the Public Records of Lee County, Florida; thence S 89°00'56" W along the north line and its easterly extension of an existing 25 foot ingress/egress, drainage, and utility easement as described in Official Records Book 1980; Page 3107 of the Public Records of Lee County, Florida a distance of 1296.57 feet to the Point of Beginning; thence S 89°00'56" W along said north line a distance of 14.86 feet to a point on the easterly line of a Drainage and Utility easement (status unknown), thence N 00°39'02" W continuing along said easterly line a distance of 18.24 feet, thence S 39°56'55" E a distance of 23.46 feet to the point of beginning.



SCALE OF FEET
1"=30'

SURVEYORS NOTES:

THE DESCRIPTION SHOWN HEREON IS NEW.
 NO SEARCH OF THE PUBLIC RECORDS WAS CONDUCTED BY THIS OFFICE FOR THE EXISTENCE OF EASEMENTS, RESERVATIONS, OR RIGHTS-OF-WAY.
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LEGEND

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PREPARED BY:

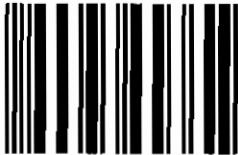
Mark A. Hatfield

MARK A. HATFIELD P.S.M.
 PROFESSIONAL SURVEYOR AND MAPPER
 FLORIDA CERTIFICATE NO. 1155
 DATE SIGNED: 6-7-06

THIS IS NOT A SURVEY



MORRIS - DEPEW ASSOCIATES, INC.
 ENGINEERS * PLANNERS * SURVEYORS * MAPPERS
 2218 Altamont Avenue * Fort Myers, Florida 33901 * (239) 337-3993 * (FAX) 337-3994



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) →

19452500000040020

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 20060718

EASEMENT:

SOUTHWEST FL REGIONAL MED CENTER

S GULF COAST LN

FT MYERS

FL

33912

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

P. O. BOX 398

FT. MYERS

FL

33902

(2394798181

Mailing Address

City

State

Zip Code

Phone No.

5. Date of Sale/Transfer

6 / 27 / 2006

Sale/Transfer Price

\$ 000,000.00

Property Located In

Lee

6. Type of Document

Contract/Agreement for Deed
 Warranty Deed
 Quit Claim Deed

Other

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

YES / NO

(Round to the nearest dollar.) \$ 000,000.00

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:

Mark (x) all that apply

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

\$ 000,000.00

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

Date 6/8/06

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

<p>To be completed by the Clerk of the Circuit Court's Office</p> <p>This copy to Property Appraiser</p> <p>O. R. Book and Page Number and File Number <input type="text"/></p> <p>Date Recorded <input type="text"/></p> <p>Month Day Year</p>	<p>Clerks Date Stamp</p>
--	--------------------------

This copy to Property Appraiser



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



FDOR10240300
 DR-219
 R. 07/98

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

19452500000040020

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 20060718

EASEMENT:

SOUTHWEST FL REGIONAL MED CENTER

Last
 S GULF COAST LN

First MI
 FT MYERS

Corporate Name (if applicable)
 FL 33912

4. Grantee (Buyer):

Mailing Address
 S. IVAN VELEZ PE

City
 ACTING UTIL DIR

State Zip Code Phone No.
 FOR LEE CO. BD. OF CO. COMMISSIONERS

Last
 P. O. BOX 398

First MI
 FT. MYERS

Corporate Name (if applicable)
 FL 33902 (2394798181)

5. Date of Sale/Transfer

6 27 2006 \$
 Month Day Year (Round to the nearest dollar.)

Sale/Transfer Price

. 00 Property Located In 46 County Code

6. Type of Document

Contract/Agreement for Deed Other
 Warranty Deed
 Quit Claim Deed

7. Are any mortgages on the property? If "Yes",
 outstanding mortgage balance:
 (Round to the nearest dollar.) \$

YES NO
 . 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:
 Mark (x) all that apply

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

Date 6/8/06

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 Department of Revenue	
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 Gullette

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

ACCOUNT NO. OD5360748700.504930

THANK YOU.

FOR UTILITIES USE ONLY:

BLUE SHEET NO. 20060718-UTL

PROJECT NAME: INTERNAL MEDICINE ASSOC.

EASEMENT NAME(S):

- ▶ 1) SW FL REG MEDICAL CENTER**
- 2) IMA LAND PARTNERS, LLP**

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

Strap Number(s):
19-45-25-00-00004.0020

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 "SOUTHWEST FLORIDA REGIONAL MEDICAL CENTER, INC.", 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 20060718-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.

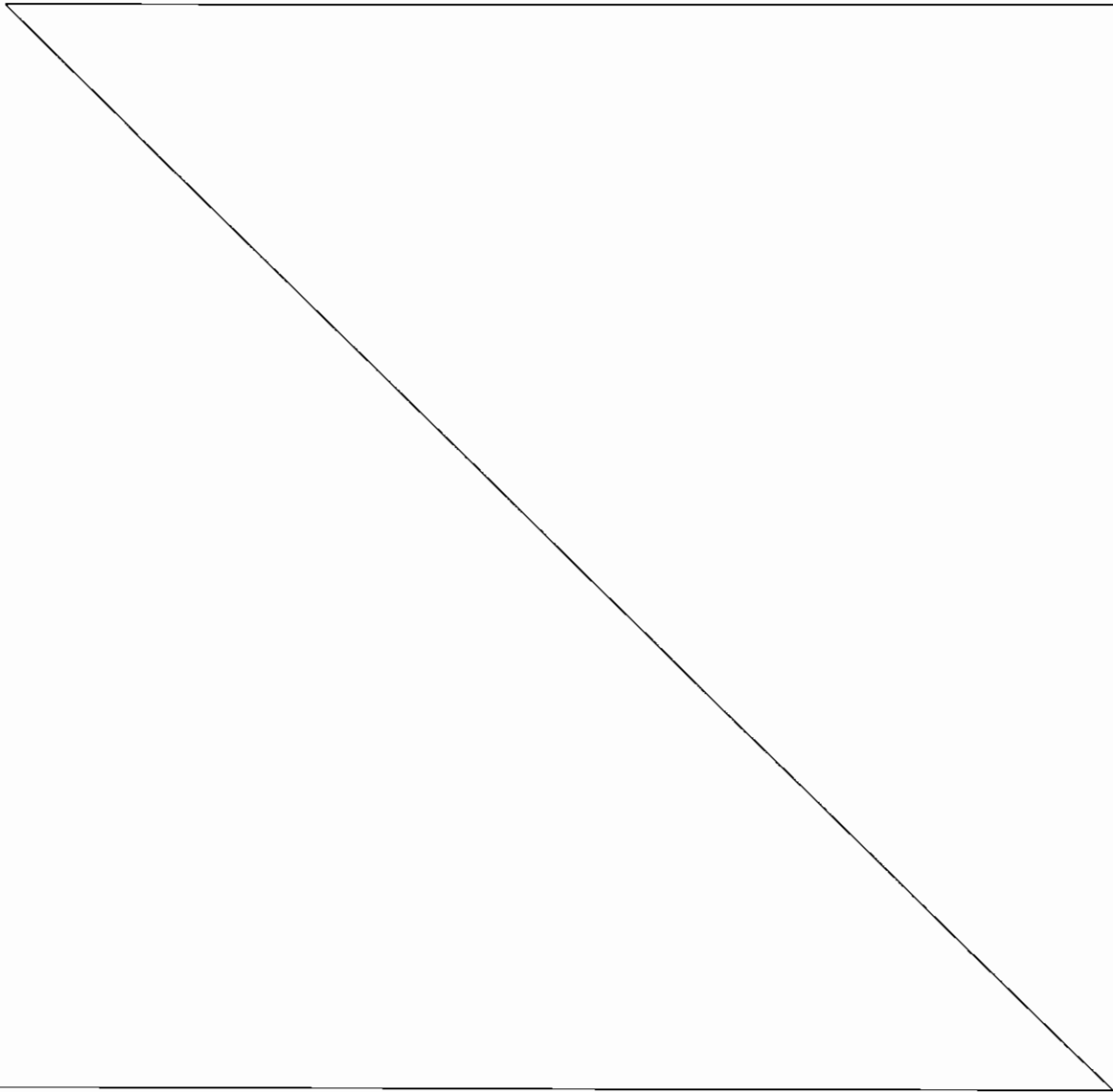
7. GRANTEE will be liable for money damages in tort for any injury to or loss of property, personal injury, or death caused by the negligent or wrongful act(s) or omission(s) of any official or employee of the GRANTEE while acting within the scope of the official's or employee's office or employment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

Jared Webb
[1st Witness' Signature]

Jared Webb
[Type or Print Name]

Howard K. Patterson
[2nd Witness' Signature]

Howard K. Patterson
[Type or Print Name]

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

A. Bruce MOORE, JR
[Type or Print Name]

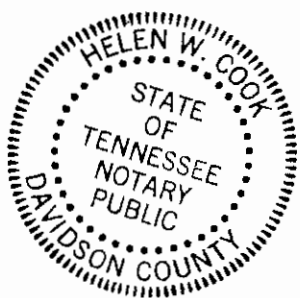
Vice President
[Title]

STATE OF ~~FLORIDA~~ Tennessee

COUNTY OF Davidson

The foregoing instrument was signed and acknowledged before me this 24th day of May 2006 by A. Bruce MOORE, JR. who produced the following as identification _____ or is personally know to me, and who did/did not take an oath.

[stamp or seal]



[Signature]
[Signature of Notary]

Helen W. COOK
[Typed or Printed Name]

My Commission Expires
March 20, 2010

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

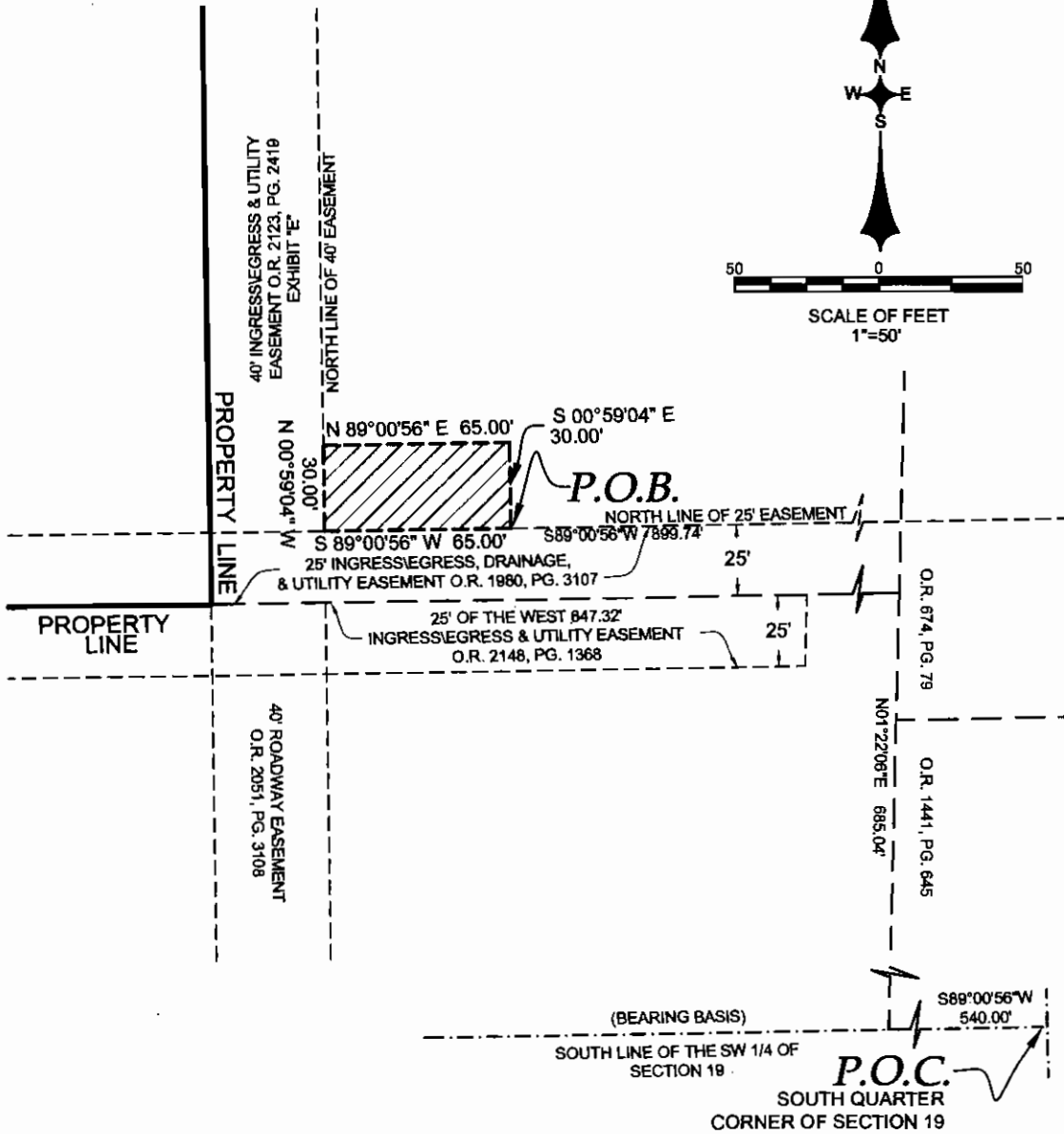
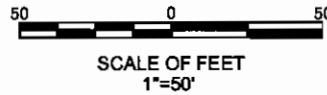
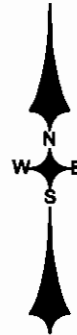
BY: _____
Deputy Clerk

BY: _____
Tammara Hall, Chairwoman

APPROVED AS TO FORM

BY: _____
Office of the County Attorney
Scott S. Coover, Esquire

ATTACHMENT "A"
SKETCH
 OF
DESCRIPTION
 SEC.19, TWP.45S., RNG.45E.



COPY

LEGEND

- P.G. = PAGE
- RNG. = RANGE
- SEC. = SECTION
- TWP. = TOWNSHIP
- O.R. = OFFICIAL RECORDS
- P.O.B. = POINT OF BEGINNING
- P.O.C. = POINT OF COMMENCEMENT

THIS IS NOT A SURVEY!



MORRIS - DEPEW ASSOCIATES, INC.
 ENGINEERS * PLANNERS * SURVEYORS * MAPPERS
 2216 Altamont Avenue * Fort Myers, Florida 33901 * (239) 337-3993 * (FAX) 337-3994

Revision #1 Revised Title 5-1-2006
 JOB NO. 03117C

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

SHEET 2 OF 2

ATTACHMENT "A"
SKETCH
OF
DESCRIPTION
SEC.19, TWP.45S., RNG. 25E.

LEGAL DECRPTION:

A utility easement lying in Section 19, Township 45 South, Range 25 East, Lee County, Florida, being more particularly described as follows:

Commence at the south quarter of Section 19; thence S 89°00'56" W along the south line of the southwest quarter of Section 19, a distance of 540.00 feet, to a point on the west line of parcels described in Official Records Book 1441, Page 645 and Official Records Book 674, Page 79 of the Public Records of Lee County, Florida; thence N 01°22'06" E along said west line, a distance of 685.04 feet; thence S 89°00'56" W along the north line and its easterly extension of an existing 25 foot ingress/egress, drainage, and utility easement as described in Official Records Book 1980; Page 3107 of the Public Records of Lee County, Florida a distance of 899.74 feet to the Point of Beginning; thence S 89°00'56" W along said north line a distance of 65.00 feet to a point lying on the east line of an existing 40' ingress/egress and utility easement as described in Official Records Book 2123, Page 2412 of the Public Records of Lee County, Florida, thence N 00°59'04" W along said east line a distance of 30.00 feet; thence N 89°00'56" E a distance of 65.00 feet, thence S 00°59'04" E a distance of 30.00 feet to the Point of Beginning.

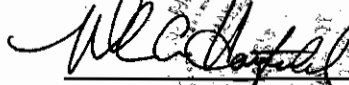
SURVEYORS NOTES:

THE DESCRIPTION SHOWN HEREON IS NEW.
NO SEARCH OF THE PUBLIC RECORDS WAS CONDUCTED BY THIS OFFICE FOR THE EXISTENCE OF EASEMENTS, RESERVATIONS, OR RIGHTS-OF-WAY.
ORIENTATION BASED ON THE SOUTH LINE OF SECTION 19 WHICH HAS A BEARING OF S.89°00'56"W.
DESCRIPTIONS WERE PREPARED WITHOUT THE BENEFIT OF A TITLE SEARCH OR ABSTRACT.
UNLESS IT BEARS THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER, AND BOTH SHEETS ARE INCLUDED, THIS MAP IS NOT VALID.
THIS IS NOT A SURVEY!

LEGEND

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PREPARED BY:



MARK A. HATFIELD P.S.M.
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERTIFICATE NO. 1158
DATE SIGNED: 5/7/06

THIS IS NOT A SURVEY!



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