Lee County Board of County Commissioners Agenda Item Summary

Blue Sheet No. 20061191-UTL

1. Action Requested/Purpose:

Approve final acceptance, by Resolution and recording of one (1) utility easement, as a donation of water and gravity main extensions and eight (8) 4" diameter fire lines to provide potable water service, fire protection and sanitary sewer service to Moody River Estates, Parcels 'A-1' and 'A-5', two phases of a multi-phased residential development. This is a Developer Contributed asset project located on the south side of Hancock Bridge Parkway between Moody Road and Skyline Drive, approximately 1.25 miles west of N. Cleveland Avenue.

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:

Lyphic	ovai.						
4. Departmental Category: 10 C10C				5. Meeting Date: SEP 2 6 2006			
6. Agenda:		7. Requirement/Purpose (specify)			8. Request Initiated:		
X	_ Consent		Statute		Commissioner		
	Administrative		Ordinance		Department	Public Works	
	Appeals		Admin. Code		Division	Utilities	
	_ Public	X	Other	Approval	By Jaghin	Men 9.7.2006	
	Walk-On				Douglas L. Meu	rer P.E., Util Director	

9. Background:

The Board granted permission to construct on 06/14/05, Blue Sheet #20050553.

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

Satisfactory pressure and bacteriological testing of the water system has been completed.

Satisfactory closed circuit television inspection of the gravity collection system has been performed.

Record Drawings have been provided.

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 Contributory Assets has been provided---copy attached.

100% of the connection fees have been paid.

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

SECTION 10 TOWNSHIP 44S RANGE 24E DISTRICT #4 COMMISSIONER HALL

10. Review for Scheduling Purchasing Human County County Manager / Department Other **Budget Services** or Contracts Resources Attorney P.W. Director Director Risk Grants Mgr Analyst N/A N/A T. Osterhout **Commission Action:** RECEIVED BY Approved Deferred Denied Other

COUNTY ADMIN FORWARDED TO:

4.30 Pm



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

	(PLEASE READ INSTRUCTIONS BEFORE	
IIII ■ 1.	Parcel Identification Number (If Parcel ID not available Use black ink. Enter numbers as shown below 0 1 2 3 4 5 6 7 8 9	
	please call County Property Appraiser's Office) → 104424	34 dodd
	Mark (x) all 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): EASEMENT: BS 20061191	COLONIAL HOMES INC
	Last First MI 12601 WESTLINKS DR UNIT 7 FORT MYERS	Corporate Name (if applicable) FL 33913 ()
	Mailing Address City THOM OSTERHOUT AS AGENT: F	State Zip Code Phone No. FOR LEE CO. BD. OF CO. COMMISSIONERS
4.	Grantee (Buyer): THOM OSTERMOOT AS AGENT: First MI	Corporate Name (if applicable)
	P. O. BOX 398 FT. MYERS	FL 33902 (239)4798181
	Mailing Address City Date of Sale/Transfer Sale/Transfer Price	State Zip Code Phone No.
5.	Date of Sale/Transfer Sale/Transfer Price Sale/Transfer Price Sale/Transfer Price (Round to the nearest dollar.)	Property Located In Lee
6.	Type of Document Contract/Agreement Other 7. Are any mortgage	ges on the property? If "Yes", YES / K
	Warranty Deed	
	To the best of your knowledge, were there unusual circumstances or conditions to such as: Forced sale by court order? Foreclosure pending? Distress Sale? Title def Sale of a partial or undivided interest? Related to seller by blood or marriage.	
9.	Was the sale/transfer financed? YES / NO If "Yes", please indicate to	type or types of financing:
	Conventional Seller Provided Contract for Deed	Other
	Property Type: Residential Commercial Industrial Agricultural Miscella Mark (x) all that apply	aneous Government Vacant Acreage Timeshare
	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.) Amount of Documentary Stamp Tax	NO $0 0 0$
13.	If no tax is due in number 12, is deed exempt from Documentary Stamp Tax under s	s. 201.02(6), Florida Statutes?
ı	Under penalties of perjury, I declare that I have read the foregoing return and the than the taxpayer, his/her declaration is based of an information of which he/h	hat the acts stated in it are true. If prepared by someone other
	Signature of Grantor or Grantee or Agent	Date 9/7/06
	WARNING: FAILURE TO FILE THIS RETURN OR ALTERNATIVE FORM APPROVED BY THE DEPART OTHER PENALTY IMPOSED BY THE REVENUE LAW OF FLORIDA.	IMENT OF REVENUE SHALL RESULT IN A PENALTY OF \$25.00 IN ADDITION TO ANY
	To be completed by the Clerk of the Circuit Court's Office	Clerks Date Stamp
	This copy to Property Appraiser	
_ ا		
	D. R. Book and and	·
Pa	ge Number	
Fi	and le Number	
Dat	te Recorded Month Day Year	

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 num

Parcel Identification Number (If Parcel ID not available please call County Property

0 1 2 3 4 5 6 7 8 9

01234

ibers as shown below.	
456789	

	please call County Property Appraiser's Office) →		10	04424340	00001	0000			
2.	Mark (x) all that apply transaction? EASEMENT:	ם מ	Transaction is or cutout from another parce 0061191	, <u>,</u> ,		GOI O	with buildir of sale/trar		
3.	Grantor (Seller): Last	First	0001131	MI				OMES INC	
	12601 WESTLINKS DR UNIT		FORT MY		FL		te Name (if a 3 9 1 3	applicable)	
4.	Mailing Address THOM OSTERHOU Grantee (Buyer):		City AS AGENT		State LEE	CO. B		Phone No. CO. COMMI	SSIONERS
	P. O. BOX 398	First	FT. MY	MI ERS	FL		e Name (if a	applicable) (239479	8181
5.	Mailing Address Date of Sale/Transfer		City Sale/Transfer P	rice	State	. Zi	ip Code	Phone No.	• • •
	09 26 2006	\$	\$10			0 0	Property Located I		inty Code
	Month Day Year	(Rou	ind to the neares	st dollar.)	_				
6.	Type of Document Contract/Agreement for Deed	t X Other		/ mortgages or			"Yes",	YES	× _{NO}
	Warranty Quit Claim Deed Deed		(Round to the r	nearest dollar.)	\$.00
8.	To the best of your knowledge, were there such as: Forced sale by court order? Foreclo Sale of a partial or undivided interest? Relate	sure pending	? Distress Sale?	Title defects?	sale/tran ' Correct	sfer tive Deed?	Mineral rigi	hts? YES	× NO
9.	Was the sale/transfer financed? YES	× NO	lf "Yes", please i	ndicate type o	r types o	of financing	j:		
	Conventional Seller Provide	ed	Agreement Contract for		0	ther			
				Institutional					
10.	Property Type: Residential Commercial Mark (x) all that apply	Industrial	Agricultural	Miscellaneou	is Go	vernment	Vacant X	Acreage	Timeshare
	T			x	æ				Cents
11.	To the best of your knowledge, was person included in the sale/transfer? If "Yes", please amount attributable to the personal property.	state the	YES e nearest dollar.)	× _{NO}	\$ \$		0 50		. 0 0
12,	Amount of Documentary Stamp Tax				Ψ		0.70	ł	
13.	If no tax is due in number 12, is deed exempt	from Docume	entary Stamp Ta	x under s. 201	.02(6), F	lorida Stat	tutes?	YES	NO
1	Under penalties of perjury, I declare that than the taxpayer, his/her declaration is I	l have read th pased in all in	he foregoing retunformation of wh	urn and hat the	e facts s any kno	tated in it a owledge.	are true. If p	repared by son	neone other
L	Signature of Grantor or Grantee or Agen							Date <u>9/1/</u>	06
-	WARNING: FAILURE TO FILE THIS RETURN OR AL OTHER PENALTY IMPOSED BY THE REVENUE LAI	TERNATIVE FOR V OF FLORIDA.	M APPROVED BY TH	HE DEPARTMENT	OF REVEN	NUE SHALL R	ESULT IN A PE	:NALTY OF \$25.00 II	N ADDITION TO ANY
	To be completed by the Clerk of	the Circuit	Court's Offic	e			Clerl	ks Date Stan	np
	This copy to Departme	nt of Reve	enue						_

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	

RESOLUTION NO.

RESOLUTION ESTABLISHING UTILITY ACCEPTANCE OF <u>DEVELOPER CONTRIBUTED ASSETS</u> IN LEE COUNTY, FLORIDA

WHEREAS, it is the desire of "Colonial Homes, Inc.", owner of record, to make a contribution to Lee County Utilities of water facilities (potable water, eight four inch diameter fire lines), and sewer facilities (a gravity main extension, sanitary sewer), serving "Moody River Estates, Parcels 'A-1' and 'A-5'"; 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 \$241,541.16 is hereby ACCEPTED and acknowledged as an addition to Lee County Utilities.

THE FOREGOING RESOLUTION was of	ftered by Commissioner	who
THE FOREGOING RESOLUTION was of moved for its adoption. The motic and, upon beir	on was seconded by Commissioner ng put to a vote, the vote was	as follows:
Commissioner Bob Janes:		(1)
Commissioner Douglas St. Co	erny:	(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:	

APPROVED AS TO FORM

OFFICE OF COUNTY ATTORNEY

BS 20061191-UTL



LETTER OF COMPLETION

DATE: <u>2/20/2006</u>

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

Gentlemen:

This is to certify that the water distribution and sanitary sewer systems located in Moody River Estates Parcel A-1 (Name of Development/Project)

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

the approved plans and the approved specifications

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

Bacteriological Test, Pressure Test(s) - Water Main, Low Pressure Test(s) - Gravity Main and TV Inspection, Mandrill - Gravity Main

Very truly yours,

Strickland T. Smith, P.E. of Heidt and Associates, Inc. (Owner or Name of Corporation/Firm)

(Signature)

Vice President
(Name and Title)

(Seal of Engineering Firm)

LETTER OF COMPLETION



DATE: 4/11/2006

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

Gentlemen:

This is to certify that the water distribution and sanitary sewer systems located in Moody River Estates Parcel A-5 (Name of Development/Project)

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

the approved plans and the approved specifications

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

Bacteriological Test, Pressure Test(s) - Water Main, Low Pressure Test(s) - Gravity Main

4.11.06

and TV Inspection, Mandrill - Gravity Main

Very truly yours,

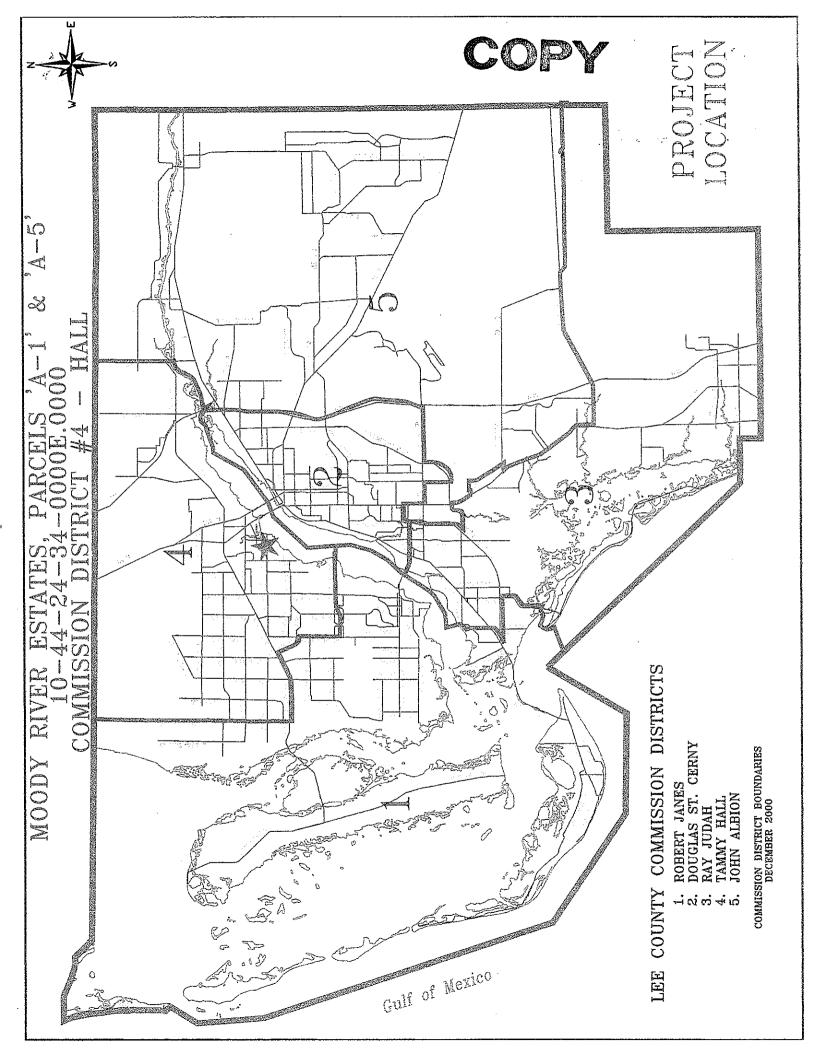
Strickland T. Smith, P.E. of Heidt and Associates, Inc.

(Owner or Name of Corporation/Firm)

(Signature).

Vice President
(Name and Title)

(Seal of Engineering Firm)





WARRANTY

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

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

Haleakala Construction, Inc. (Contractor/Company Name)	
Brenda K. Merchant, Authorized Agent	
(Authorized Representative, Title)	
BY: X	
(Signature)	

STATE OF <u>FL</u>) SS

COUNTY OF Collier)

The foregoing instrument was signed and acknowledged before me this <u>27 th</u> day of <u>October</u>, 20 <u>05</u> by <u>Brenda K. Merchant</u> who is personally known to me - _____, and who did not take an oath.

Notary Public Signature

LINDA MAHON
Printed Name of Notary Public

Linda Mahon
Commission #DD177119
Expires: Feb 21, 2007
Bonded Thru
Atlantic Bonding Co., Inc.

(Notary Seal & Commission Number)



WARRANTY

THE UNDERSIGNED parties do hereby warrant and/or guaranty all work executed by the contractor on the <u>water and sewer systems</u> of <u>Moody River Estates Parcel (A-5)</u> to be free from defects in material and workmanship for a period of one (1) year from the date of acceptance by the Lee County Board of County Commissioners. The undersigned parties further agree that they will, at their own expense, repair and replace all such defective work and all other work damaged by said defective work under this Warranty-Guaranty

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

	Haleakala Construction, Inc.
	(Contractor/Company Name)
	Brenda K. Merchant, Authorized Agent
•	(Authorized Representative, Title)
	BY:
	(Signature)
STATE OF <u>FL</u>)) SS:	•
COUNTY OF Collier)	
	and acknowledged before me this <u>7th</u> day of <u>April</u> , 2006 onally known to me, and who did not take an oath.
Kinda Mahan	Linda Mahon
Notary Public Signature	Commission #DD177119 Expires: Feb 21, 2007
Linda Mahon	Bonded Thru Atlantic Bonding Co., Inc.
Printed Name of Notary Public	out of the state o

(Notary Seal & Commission Number)

WAIVER AND RELEASE OF LIEN UPON FINAL PAYMENT



The undersigned lienor, in consideration of the	e final payment in the amount of				
One Hundred Eighty-four Thousand Seven Hundred	Fwenty-one Dollars and 52/100(\$184,721.52				
	to claim a lien for labor, services, or materials				
furnished to Colonial Homes, Inc. on the job of Moody					
described property:					
Moody River Estates, Parcel 'A-1'	Water Distribution System and				
(Name of Development/Project)	Gravity Collection System (Facilities Constructed)				
Cibes There I are	•				
Silver Thorn Loop (Location)	10-44-24-34-0000E.0000 (Strap # or Section, Township & Range)				
	(Suap # or Section, Township & Range)				
Dated on: August 10, 2006					
P					
By: (Signature of Authorized Representative)	Haleakala Construction, Inc.				
(organiture or Framorized Representative)	(Name of Firm or Corporation)				
By: Brenda K. Merchant	5758 Taylor Road				
(Print Name of Authorized Representative)	(Address of Firm or Corporation)				
Title: Authorized Agent	Nonlog El 24100				
Tree. Hamorizon Higoria	Naples, FL 34109- (City, State & Zip Of Firm Or Corporation)				
	(sulf, suite to superation)				
Phone #: (239)598-1968 Ext.	Fax#: (239)598-9418				
STATE OF <u>FL</u>)					
) SS:					
COUNTY OF Collier)					
The foregoing instrument was signed and acknowledge	ed before me this 11 th day of August 2006 by				
Brenda K. Merchant who is personally known to me-	·, and who did not take an oath.				
Linda Mahon Commission #DD177119	2 i an 1				
#: Expires: Feb 21, 2007	inda Mahan				
Bonded Thru Atlantic Bonding Co., Inc. (Notary I	Public Signature)				
	. 1				
Linda M. (Notary Seal & Commission Number) (Printed N	<u>ahon</u> Name of Notary Public)				

WAIVER AND RELEASE OF LIEN UPON FINAL PAYMENT



The undersigned lienor, in consideration of the final payment in the amount of Fifty six thousand eight hundred nineteen dollars and 64/100's (\$56,819.64) hereby waivers and releases its lien and right to claim a lien for labor, services, or materials furnished to Colonial Homes, Inc. on the job of Moody River Estates Parcel A-5 to the following described property: Moody River Estates Parcel A _ 5 water distribution and sanitary sewer systems (Name of Development/Project) (Facilities Constructed) Lee Way Court 10-44-24-34-0000E.0000 (Location) (Strap # or Section, Township & Range) Dated on: April 7, 2006 .Haleakala Construction Company (Signature of Authorized Representative) (Name of Firm or Corporation) By: Brenda K. Merchant 5758 Taylor Road (Print Name of Authorized Representative) (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 COUNTY OF COLLIER The foregoing instrument was signed and acknowledged before me this 7 th day of April 2006 by Brenda K. Merchant who is personally known to me - _____, and who did not take an oath. Linda Mahon Bonded Thru Atlantic Bonding Co., Inc. Linda Mahon (Notary Seal & Commission Number) (Printed Name of Notary Public)



CERTIFICATION OF CONTRIBUTORY ASSETS

PROJECT NAME:	Moody River Estates Parce (A-1)
STRAP NUMBER:	10-44-24-34-0000E.0000
LOCATION:	Silver Thorn Loop
OWNER'S NAME: (as shown	on Deed) Colonial Homes, Inc.
OWNER'S ADDRESS:	12631 Westlinks Drive, Unit 7
OWNER'S ADDRESS:	Fort Myers,FL 33913-

TYPE UTILITY SYSTEM: <u>POTABLE WATER</u>
(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"	1,059.0	LF	\$33.48	TOTAL
CL-50 DIP WATER MAIN	4"	115.0	LF	\$25.92	\$35,455.32
CL-50 DIP WATER MAIN	10"	105.0	LF	\$44.28	\$2,980.80
GATE VALVE	4"	3.0	EA		\$4,649.40
GATE VALVE	10"	5.0	EA	\$810.00	\$2,430.00
FIRE HYDRANT ASSEMBLY	170	4.0	EA	\$1,620.00	\$8,100.00
SINGLE WATER SERVICE/COMPLETE	2"	11.0	EA .	\$3,186.00	\$12,744.00
TAPPING SLEEVE W/VALVE	10" x 10"	1.0	EA	\$324.00	\$3,564.00
FIRE LINE UP TO AND INCL IST OS + Y VALVE	4"	6.0	EA	\$4,104.00	\$4,104.00
		0.0	EA	\$6,588.00	\$39,528.00
		 			
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<u> </u>					
					
TOTAL					
TOTAL					\$113,555.52



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 Merchant, Authorized Agent
	(Name & Title of Certifying Agent)
	Haleakala Construction Company
	(Name of Firm or Corporation)
	5758 Taylor Road
	(Address of Firm or Corporation)
	Naples, FL 34109 -
STATE OFFL)) SS: COUNTY OF COLLIER)	
brenda ivierchant who has produc	cknowledged before me this 14 th day of February, 2006 by ced the following as identification, and who did not take an resonably known to ma
Anda Mahan Notary Public Signature	Linda Mahon Commission #DD177119
LINDA MAHON Printed Name of Notary Public	Bonded Thru Atlantic Bonding Co., Inc.
DD177119	
Notary Commission Number	(NOTARY SEAL)

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

J:\04 ACTIVE PROJECTS\MOODY RIVER ESTATES PARCELL A & G RYAN\CLOSEOUT DOCUMENTS\LCU A-1 WATER CERTIFICATION OF CONTRIBUTORY ASSETS.doc





CERTIFICATION OF CONTRIBUTORY ASSETS

PROJECT NAME:	Moody River Estates Parce (A-5)
STRAP NUMBER:	10-44-24-34-0000E.0000
LOCATION:	Lee Way Court
OWNER'S NAME: (as shows	
OWNER'S ADDRESS:	12631 Westlinks Drive, Unit 7
OWNER'S ADDRESS:	Fort Myers,FL 33913-

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	<u>TOTAL</u>
PVC C-900 DR-18 WATER MAIN	10"	293.0	LF	\$33.48	\$9,809.64
CL-50 DIP WATER MAIN	4"	70.0	LF	\$25.92	\$1,814.40
CL-50 DIP WATER MAIN	10"	70.0	LF	\$44.28	\$3,099.60
GATE VALVE	4"	1.0	EA	\$810.00	\$810.00
FIRE HYDRANT ASSEMBLY		1.0	EA	\$3,186.00	\$3,186.00
SINGLE WATER SERVICE/COMPLETE	2"	4.0	EA	\$324.00	\$1,296.00
FIRE LINE UP TO AND INCL 1ST OS + Y VALVE	4"	2.0	EA	\$6,588.00	\$13,176.00
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		+			
TOTAL					\$33,191.64



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 Company
	(Name of Firm or Corporation)
	5758 Taylor Road
	(Address of Firm or Corporation)
	Naples, FL 34109 -
CTATE OF DI	
STATE OF <u>FL</u>)) SS:	
COUNTY OF COLLIER)	
	acknowledged before me this 7th day of April, 2006 by onally known to me, and who did not take an oath.
Linda Mahan	
Notary Public Signature	Linda Mahon
Linda Mahon	Commission #DD177119
Printed Name of Notary Public	Expires: Feb 21, 2007 Bonded Thru Atlantic Bonding Co., Inc.
DD177119	
Notary Commission Number	(NOTARY SEAL)





CERTIFICATION OF CONTRIBUTORY ASSETS

PROJECT NAME:	Moody River Estates Parcel (A-1)
STRAP NUMBER:	10-44-24-34-0000E.0000
LOCATION:	Silver Thorn Loop
OWNER'S NAME: (as show	n on Deed) Colonial Homes, Inc.
OWNER'S ADDRESS:	12631 Westlinks Drive, Unit 7
OWNER'S ADDRESS:	Fort Myers,FL 33913-

TYPE UTILITY SYSTEM: <u>SANITARY SEWER</u>
(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"	1,053.0	LF	\$22.00	\$23,166.0
SINGLE SEWER SERVICE W/CLEANOUT	6"	11.0	EA	\$3,750.00	\$41,250.0
MANHOLE	4'	9.0	EA	\$750.00	\$6,750.0
					
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		_			-
					
					
TOTAL					
TOTAL					\$71,166.00

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 of Certifying Agent)
	Brenda Merchant, Authorized Agent
	(Name & Title of Certifying Agent)
	Haleakala Construction Company
	(Name of Firm or Corporation)
	_5758 Taylor Road
	(Address of Firm or Corporation)
	Naples, FL 34109 -
STATE OF <u>FL</u>)) SS: COUNTY OF <u>Collier</u>)	
Diction in production with the production	cknowledged before me this 14 th day of February, 2006 by ced the following as identification, and who did not take an concily known to me
Rinda Mahan Notary Public Signature	Linda Mahon
LINDA MAHON Printed Name of Notary Public	Commission #DD177119 Expires: Feb 21, 2007 Bonded Thru Atlantic Bonding Co., Inc.
_00177/19	
Notary Commission Number	(NOTARY SEAL)

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





CERTIFICATION OF CONTRIBUTORY ASSETS

PROJECT NAME:	Moody River Estates Parce (A-5)
STRAP NUMBER:	10-44-24-34-0000E.0000
LOCATION:	Lee Way Court
OWNER'S NAME: (as shown	on Deed) Colonial Homes, Inc.
OWNER'S ADDRESS:	12631 Westlinks Drive, Unit 7
OWNER'S ADDRESS:	Fort Myers,FL 33913-

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).

<u>ITEM</u>	SIZE	QUANTITY	UNIT	UNIT COST	TOTAL
PVC SDR-26 GRAVITY MAIN	8"	324.0	LF	\$22.00	\$7,128.00
SINGLE SEWER SERVICE W/CLEANOUT	6"	4.0	EA	\$3,750.00	\$15,000.00
MANHOLE	4'	2.0	EA	\$750.00	\$1,500.00
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	'				
TOTAL		<u> </u>			\$23,628.00



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.

	CERUIT I INO:
•	X
	(Signature of Certifying Agent)
	Brenda K. Merchant, Authorized Agent
	(Name & Title of Certifying Agent)
	Haleakala Construction Company
	(Name of Firm or Corporation)
	5758 Taylor Road
	(Address of Firm or Corporation)
	Naples, FL 34109 -
STATE OFFL)	
) SS:	
COUNTY OF Collier)	
	acknowledged before me this 7th day of April 2006 by conally known to me, and who did not take an oath.
Brenda K. Merchant who is perso	many known to life, and who did not take an oath.
Linda Mahan	** • • • • •
Notary Public Signature	Linda Mahon Commission #DD177119
L i nda Mahon	Commission #DD177119 Expires: Feb 21, 2007 Bonded Thru
Printed Name of Notary Public	Atlantic Bonding Co., Inc.
DD177119	
Notary Commission Number	(NOTARY SEAL)
riori y Commission riumoci	(NOTAKI BEAL)

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. 20061191-UTL

PROJECT NAME: MOODY RIVER ESTATES,

PARCELS "A-1" AND "A-5"

EASEMENT NAME: COLONIAL HOMES, INC

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

Strap Number(s):

10-44-24-34-000E.0000

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 "COLONIAL HOMES, 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:

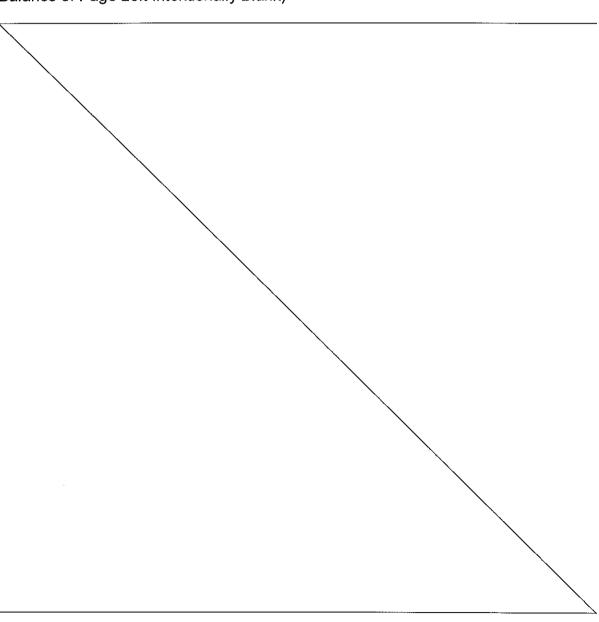
- 1. For and in consideration of the sum of TEN DOLLARS (\$10.00) and other good and valuable consideration, the receipt of which is hereby acknowledged and accepted, GRANTOR hereby grants, bargains, sells and transfers to the GRANTEE, its successors and assigns, a perpetual public utility easement situated 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 20061191-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.
- 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 signed on the date and year first about	e GRANTOR has caused this document to be ove written.
My Rono	BY: MA
[1st Witness' Signature]	[Signature Grantor's/Owner's]
Type or Print Name]	[Type or Print Name]
[2 nd Witness' Signature] [Type or Print Name]	[Title]
STATE OF FLORIDA AJABAMA	
COUNTY OF Montgomery The foregoing instrument wa	as signed and acknowledged before me this
day of <u>Receniber</u> 2005 by farrior	who produced the following as identification or s personally know to me,
and who did/did not take an oath.	
[stamp or seal]	Saxtalas
	[Signature of Notary] Tracy Harlaw
	[Typed or Printed Name]

Approved and accepted for and o	n behal	f of Lee County, Florida, this
day of, 2006	•	
ATTEST: CHARLIE GREEN, CLERK		D OF COUNTY COMMISSIONERS E COUNTY, FLORIDA
BY: Deputy Clerk	BY:	Tammara Hall, Chairwoman
•	BY:	APPROVED AS TO FORM
		Office of the County Attorney Scott S. Coovert, Esquire



LEE COUNTY UTILITY EASEMEN

SURVEY

(66' HIGHT-OF-WAY) 2.0036'02'E, 2493.08' BASIS OF BEARINGS 150.00' 2.0036'02'E DAOR YOOOR HANCOCK BRIDGE PARKWAY (-100' RIGHT-OF-WAY) TRACT "E" MOODY RIVER ESTATES (PLAT BOOK 78, PAGE 60) TABLE DESCRIPTION SKETCH VICINITY MAP DATA (Not a Boundary Survey) CURVE RANGE 24 EAST HTUOS 44 91HSNWOT

PREPARED BY HEIDT & ASSOCIATES, Inc. CAMES N. WILKISON PSM # 154876 FLOREDA PROFESSIONAL SURVEYOR AND MAPPER

DATE: 17

LEE COUNTY UTILITY EASEMENT AT MOODY RIVER ESTATES Prepared For: COLONIAL HOMES, INC.

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P:\Moody Ranch\Parcel A\Legal\LCUE_PAR_Adwg, 12/2/2005 11:33:59 AM, Scottb, 1:200

Containing 1,551 acres,