

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

Blue Sheet No. 20061380-UTL

**1. Action Requested/Purpose:**

Approve final acceptance, by Resolution and recording of one (1) Utility Easement, as a donation of two (2) 10" diameter master meter assemblies and a force main extension to provide potable water service, fire protection and sanitary sewer service to *Mercedes Plaza*, a recently constructed automobile dealership. This is a Developer Contributed asset project located along the east side of US 41 approximately 1/2 mile south of Six Mile Cypress Parkway.

**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 – Utilities **CIOA** **5. Meeting Date:** NOV 07 2006

<b>6. Agenda:</b>	<b>7. Requirement/Purpose (specify)</b>	<b>8. Request Initiated:</b>
<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Administrative <input type="checkbox"/> Appeals <input type="checkbox"/> Public <input type="checkbox"/> Walk-On	<input type="checkbox"/> Statute <input type="checkbox"/> Ordinance <input type="checkbox"/> Admin. Code <input checked="" type="checkbox"/> Other <span style="margin-left: 20px;"><u>Approval</u></span>	Commissioner _____ Department <u>Public Works</u> Division <u>Utilities</u> By: <u>Douglas L. Meurer</u> 10-18-2006 Douglas L. Meurer, P.E., Director

**9. Background:**

The Board granted permission to construct on 02-21-06, Blue Sheet #20060088.  
 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.  
 100% of the connection fees have been paid.  
 Funds are available for recording fees in account number OD5360748700.504930.  
 SECTION 36 TOWNSHIP 45S RANGE 24E DISTRICT #5 COMMISSIONER ALBION

**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: 10-18-06	N/A	N/A	<u>T. Osterhout</u> Date: 10/18	<u>S. Coovert</u> Date: 10/19/06	<u>ekw</u> 10-19-06	<u>or</u> 10/19/06	<u>Ag</u> 10/19/06	<u>ML</u> 10/20/06	<u>J. Lavender</u> Date: 10-18-06

**11. Commission Action:**

- Approved
- Deferred
- Denied
- Other

REC'D by CO. ATTY  
10/19/06  
2:50 pm  
CO. ATTY FORWARDED TO:  
10/19/06  
2:56 pm

RECEIVED BY COUNTY ADMIN: ML  
10/19/06  
3:16  
COUNTY ADMIN FORWARDED TO: PL  
10/20/06  
3:34 pm

RESOLUTION NO.

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

WHEREAS, it is the desire of "SRE Florida - 1, LLC", owner of record, to make a contribution to Lee County Utilities of water facilities (two 10" diameter master meter assemblies), and sewer facilities (force main extension), serving "MERCEDES PLAZA"; and,

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

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

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

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA, that the above facilities, for a contributed value of **\$21,300.00** 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 20061380-UTL**

**COPY**  
**LETTER OF COMPLETION**

DATE: 9/7/2006

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

Gentlemen:

This is to certify that the **water distribution and sanitary sewer** located at  
**Mercedes Plaza**  
(Name of Development/Project)

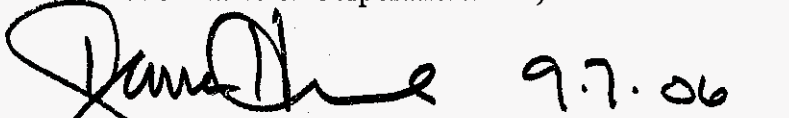
was designed by me and has been constructed in conformance with:  
**the approved plans and the approved specifications**

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

**Pressure Test(s) - Water Main , Bacteriological Test , TV Inspection, Mandrill - Gravity Main  
, Pressure Test(s) - Force Main and Lift Station Start-up**

Very truly yours,

**Johnson Engineering, Inc.**  
(Owner or Name of Corporation/Firm)

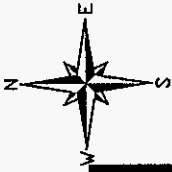


(Signature)

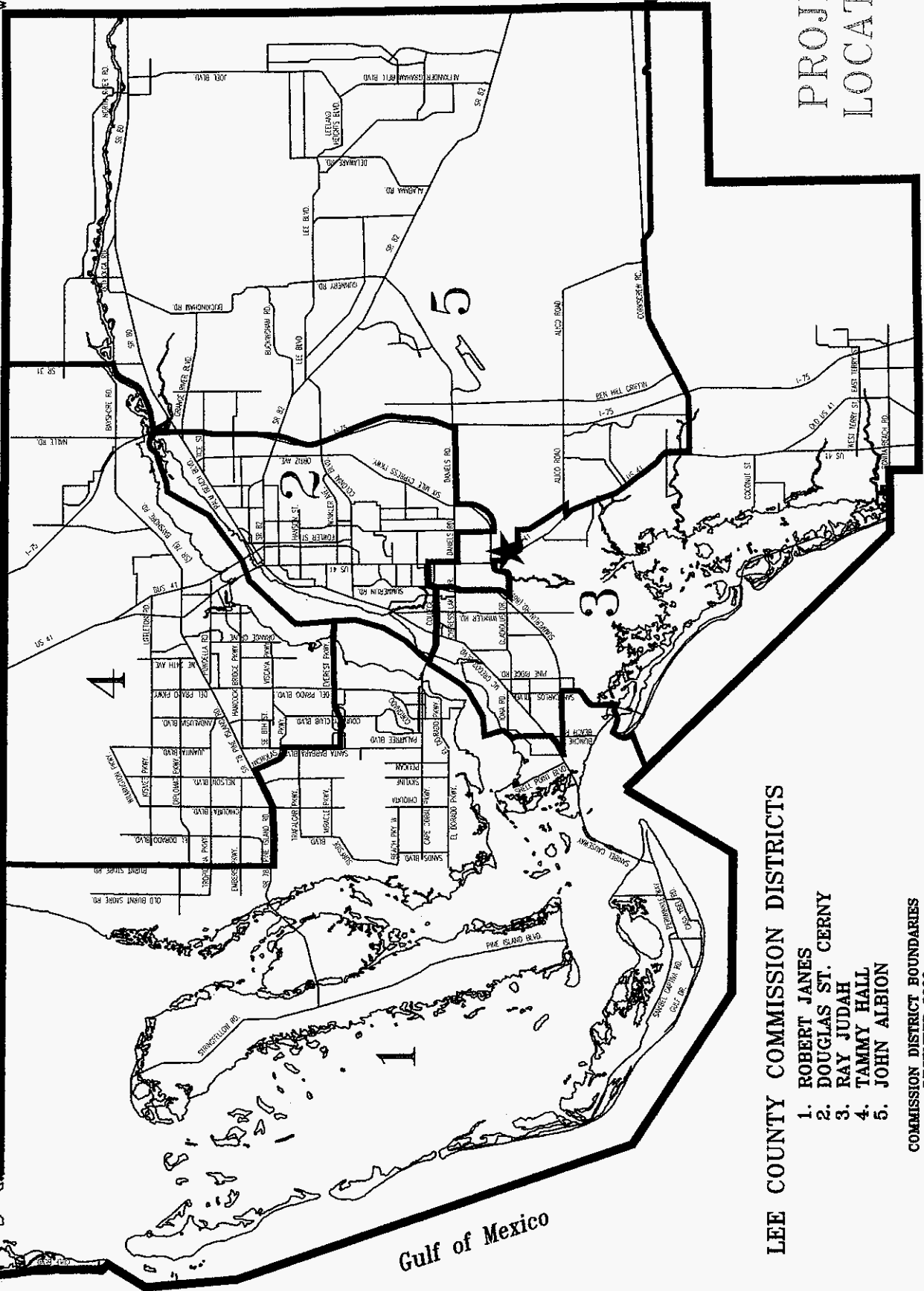
**Dana L. Hume, P.E.**  
(Name and Title)

(Seal of Engineering Firm)

COPY



MECEDES PLAZA  
36-45-24-00-00002.0010, 00005.0010 & 00006.0010  
COMMISSION DISTRICT # 5 - JOHN ALBION



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 Mercedes Plaza 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 )

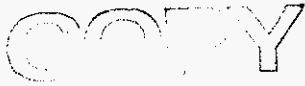
The foregoing instrument was signed and acknowledged before me this 14 th day of August, 2006 by Mark Justice who is personally known to me - \_\_\_\_\_, and who did not take an oath.

  
\_\_\_\_\_  
Notary Public Signature

Anthony Stefanacci  
Printed Name of Notary Public

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

(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 Twenty-one Thousand Three Hundred Dollars and zero cents(\$21,300.00 ) hereby waives and releases its lien and right to claim a lien for labor, services, or materials furnished to SRE Florida, LLC on the job of Mercedes Plaza to the following described property:


Mercedes Plaza  
(Name of Development/Project)

water distribution and sanitary sewer systems  
(Facilities Constructed)

15461 S Tamiami Trail Ft Myers, FL 33912  
(Location)

36-45-24-00-00002.0010 and -00005.0010, -0006.0010  
(Strap # or Section, Township & Range)

Dated on: October 12, 2006

By:   
(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)

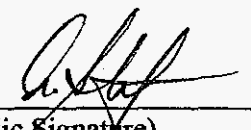
Phone #: (954)344-4330 Ext.

Fax#: (954)344-4220

STATE OF FL )  
 ) SS:  
COUNTY OF LEE )

The foregoing instrument was signed and acknowledged before me this 12 th day of October, 2006 by Mark Justice who is personally known to me - \_\_\_\_\_, 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.

  
(Notary Public Signature)

(Notary Seal & Commission Number)

Anthony Stefanacci  
(Printed Name of Notary Public)

## CERTIFICATION OF CONTRIBUTORY ASSETS

PROJECT NAME: Mercedes Plaza

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STRAP NUMBER: 36-45-24-00-00002.0010 , 36-45-24-00-00005.0010 and 36-45-24-00-00006.0010

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LOCATION: 15461 S Tamiami Trail Ft Myers, FL 33912

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OWNER'S NAME: (as shown on Deed) SRE Florida, LLC

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OWNER'S ADDRESS: 5401 E Independence Blvd.

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OWNER'S ADDRESS: Charlotte,NC 28212-

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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
TAPPING SLEEVE W/VALVE WATER MAIN	8" x 8"	1.0	EA	\$1,750.00	\$1,750.00
CL-50 DIP WATER MAIN	10"	45.0	LF	\$15.00	\$675.00
ASSORTED FITTINGS WATER MAIN	10"	1.0	LS	\$750.00	\$750.00
SINGLE WATER SERVICE/COMPLETE WATER MAIN	10"	2.0	EA	\$5,000.00	\$10,000.00
CL-50 DIP WATER MAIN	8"	5.0	LF	\$12.00	\$60.00
<b>TOTAL</b>					<b>\$13,235.00</b>

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)

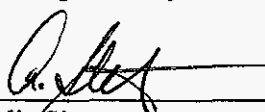
MAJ Contracting, inc.  
(Name of Firm or Corporation)

10920 Wiles Rd.  
(Address of Firm or Corporation)

Ft Myers, FL 33076 -


STATE OF FL )  
                  ) SS:  
COUNTY OF LEE )

The foregoing instrument was signed and acknowledged before me this 12 th day of October, 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: Mercedes Plaza

---

STRAP NUMBER: 36-45-24-00-00002.0010 , 36-45-24-00-00005.0010 and 36-45-24-00-00006.0010

---

LOCATION: 15461 S Tamiami Trail Ft Myers, FL 33912

---

OWNER'S NAME: (as shown on Deed) SRE Florida, LLC

---

OWNER'S ADDRESS: 5401 E Independence Blvd.

---

OWNER'S ADDRESS: Charlotte, NC 28212-

---

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
HDPE SDR-11 CASING	10"	198.0	LF	\$20.00	\$3,960.00
HDPE SDR-11 FORCE MAIN	4"	241.0	LF	\$5.00	\$1,205.00
PLUG VALVE FORCE MAIN	4"	2.0	EA	\$450.00	\$900.00
ASSORTED FITTINGS FORCE MAIN	4"	1.0	LS	\$500.00	\$500.00
TAPPING SLEEVE W/VALVE	4" x 4"	1.0	EA	\$1,500.00	\$1,500.00
<b>TOTAL</b>					<b>\$8,065.00</b>

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)

Ft Myers, FL 33076 -

STATE OF FL )

) SS:

COUNTY OF LEE )

The foregoing instrument was signed and acknowledged before me this 30 th day of August, 2006 by Mark Justice who is personally known to me - \_\_\_\_\_, and who did not take an oath.

*[Handwritten Signature]*

Notary Public Signature

Anthony Stefanacci

Printed Name of Notary Public

DD 373721

Notary Commission Number

NOTARY PUBLIC-STATE OF FLORIDA  
Anthony Stefanacci  
Commission # DD373721  
Expires: NOV 21, 2008  
Issued 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

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**

**36452400000020010;50010;6**

2. Mark (x) all that apply: Multi-parcel transaction? → **EASEMENT: BS 20061380** Transaction is a split or cutout from another parcel? → Property was improved with building(s) at time of sale/transfer? → **SRE FLORIDA-1, LLC**

3. Grantor (Seller):  
 Last First MI Corporate Name (if applicable)  
**5401 E INDEPENDENCE BLVD CHARLOTTE NC 28212**

Mailing Address City State Zip Code Phone No.  
**THOM OSTERHOUT AS AGENT: FOR LEE CO. BD. OF CO. COMMISSIONERS**

4. Grantee (Buyer):  
 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: **11 07 2006** \$ **10** Sale/Transfer Price: **00** 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**

Warranty Deed  Quit Claim Deed  (Round to the nearest dollar.) \$

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  \$ **0.70** Cents **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/she has any knowledge.

Signature of Grantor or Grantee or Agent: *[Signature]* Date: **10/18/06**

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. 20061380-UTL**

**PROJECT NAME: MERCEDES PLAZA**

**EASEMENT NAME: SRE FLORIDA-1, LLC**

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

Strap Number(s):

**36-45-24-00-00002.0010**  
**36-45-24-00-00005.0010**  
**36-45-24-00-00006.0010**

**LCU 500283**

(THIS SPACE RESERVED FOR RECORDING)

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**GRANT OF PERPETUAL PUBLIC UTILITY EASEMENT**

THIS INDENTURE is made and entered into this \_\_\_\_ day of \_\_\_\_\_ 2006, by and between “**SRE FLORIDA – 1, 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 20061380-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.

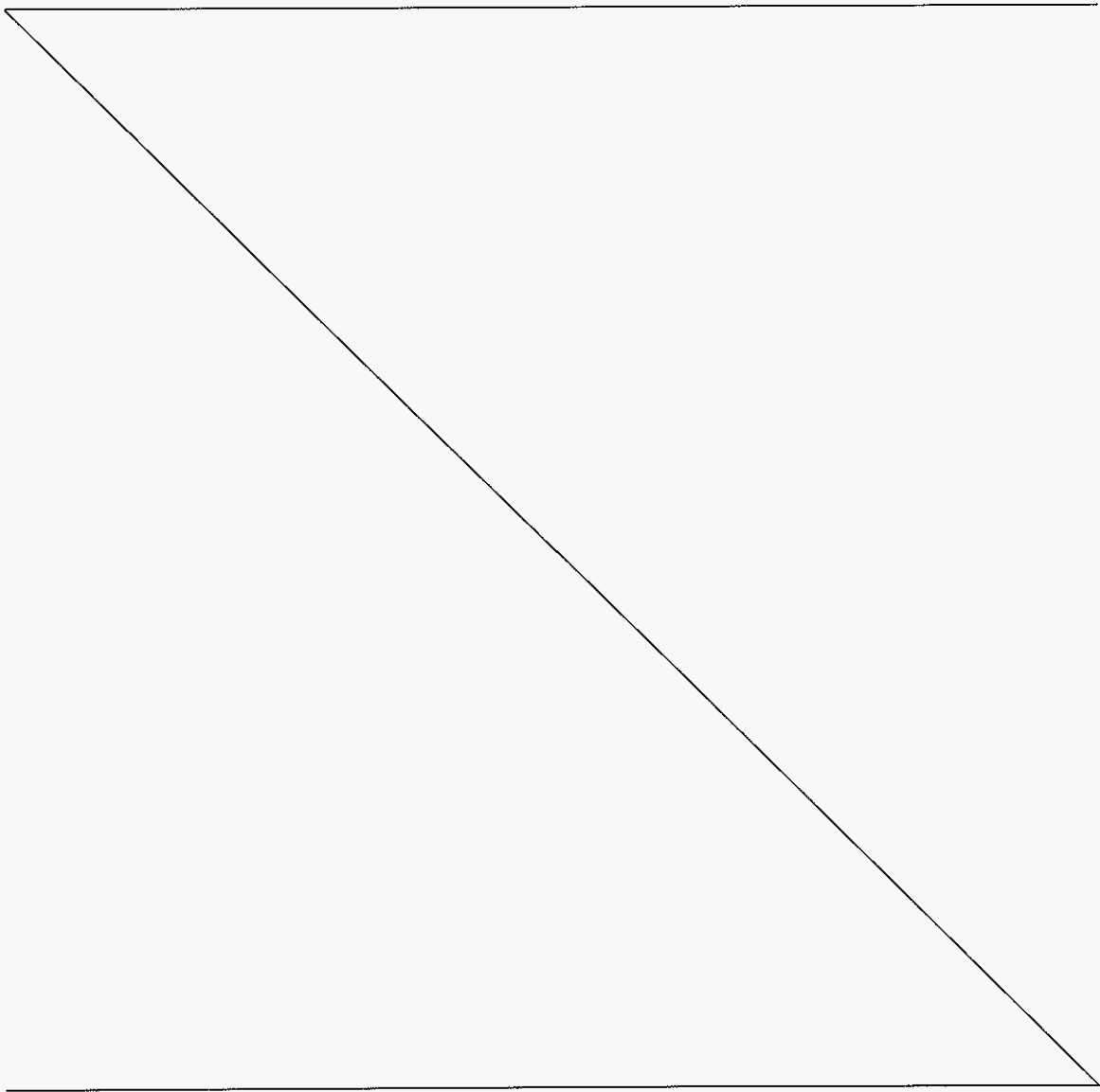
7. GRANTEE will be liable for money damages in tort for any injury to or loss of property, personal injury, or death caused by the negligent or wrongful act(s) or omission(s) of any official or employee of the GRANTEE while acting within the scope of the official's or employee's office or employment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

Macy Bant  
[1<sup>st</sup> Witness' Signature]

STACEY BARNET  
[Type or Print Name]

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

ANITA LEADER  
[Type or Print Name]

BY: David P. Cosper  
[Signature Grantor's/Owner's]

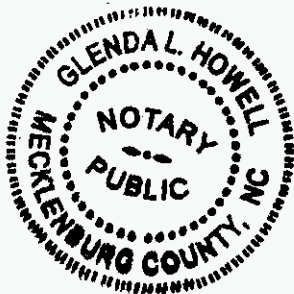
David P. Cosper  
[Type or Print Name]

Vice President  
[Title]

STATE OF ~~FLORIDA~~ NORTH CAROLINA  
COUNTY OF Mecklenburg

The foregoing instrument was signed and acknowledged before me this 22<sup>nd</sup> day of September 2006 by David P. Cosper who produced the following as identification N/A or is personally know to me, and who ~~did~~/did not take an oath.

[stamp or seal]



Glenda L. Howell  
[Signature of Notary]

Glenda L. Howell  
[Typed or Printed Name]

*My commission expires 05/17/2010*

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

**DESCRIPTION**

**LEE COUNTY UTILITY EASEMENT  
LYING IN SECTION 36, TOWNSHIP 45 SOUTH, RANGE 24 EAST,  
LEE COUNTY, FLORIDA**

A TRACT OR PARCEL OF LAND LYING IN SECTION 36, TOWNSHIP 45 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA,  
DESCRIBED AS FOLLOWS:

COMMENCING AT AN INTERSECTION OF THE NORTH LINE OF THE SOUTH HALF (S-1/2) OF THE NORTHWEST  
QUARTER (NW-1/4) OF SAID SECTION 36 WITH THE EASTERLY RIGHT-OF-WAY LINE OF TAMiami TRAIL (US 41) (SR  
45) (200.00 FEET WIDE); THENCE RUN S31°36'06"E ALONG SAID EASTERLY RIGHT-OF-WAY LINE FOR 69.96 FEET TO  
THE POINT OF BEGINNING.

FROM SAID POINT OF BEGINNING RUN N58°23'54"E FOR 10.00 FEET; THENCE RUN S31°36'06"E FOR 20.00 FEET;  
THENCE RUN S58°23'54"W FOR 10.00 FEET TO AN INTERSECTION WITH SAID EASTERLY RIGHT-OF-WAY LINE;  
THENCE RUN N31°36'06"W ALONG SAID EASTERLY RIGHT-OF-WAY LINE FOR 20.00 FEET TO THE POINT OF  
BEGINNING.

CONTAINING 200 SQUARE FEET, MORE OR LESS.

BEARINGS HEREIN ABOVE MENTIONED ARE BASED ON THE EASTERLY RIGHT-OF-WAY LINE OF TAMiami TRAIL TO  
BEAR S 31° 36' 06" E.

COPY

**NOTES:**

1. THIS SKETCH DOES NOT MAKE ANY REPRESENTATION AS TO ZONING OR DEVELOPMENT RESTRICTIONS ON THE SUBJECT PARCEL.
2. POC = POINT OF COMMENCEMENT.
3. POB = POINT OF BEGINNING.
4. DESC = DESCRIPTION
5. L.C.U.E. = LEE COUNTY UTILITY EASEMENT
6. OR = OFFICIAL RECORDS BOOK
7. PG = PAGE
8. PARCEL SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.
9. SKETCH ATTACHED.

**THIS IS NOT A SURVEY**

*Michael W. Norman*  
 MICHAEL W. NORMAN (FOR THE FIRM LB-642)  
 PROFESSIONAL SURVEYOR AND MAPPER  
 FLORIDA CERTIFICATE NO. 4500

OCT 10 2006

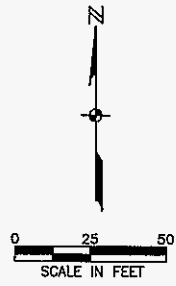
DATE SIGNED: \_\_\_\_\_  
 NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER AND NOT VALID WITHOUT SHEET 2.

S:\044718-SEE-034115\cuc-sk-desc-100906.dwg (LEGAL) MI Oct 10, 2006 - 9:18am



2158 JOHNSON STREET  
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 FAX (239) 334-3661  
 E.B. #642 & L.B. #642

LEGAL DESCRIPTION				
LEE COUNTY UTILITY EASEMENT				
DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
10/09/06	20044718	36-45-24	1" = 50'	1 OF 2

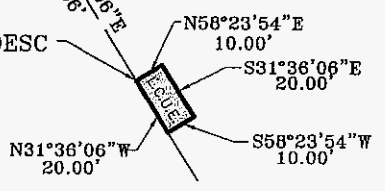


POC DESC

NORTH LINE OF THE SOUTH HALF (S 1/2) OF THE  
NORTHWEST QUARTER (NW 1/4) OF SECTION 36

PERPETUAL EASEMENT  
(OR 2749/PG 0352 & OR 2921/P 85)  
(30' WIDE)

POB DESC



TAMIAMI TRAIL ( US 41 ) ( SR 45 )

EASTERLY R/W LINE OF TAMIAMI TRAIL  
(BASIS OF BEARING)

CENTERLINE

100.00'

COPY

S:\044718--SEE-034115\blue-sk-desc-100906.dwg (SKETCH) xl Oct 10, 2006 - 9:16am

**JOHNSON**  
ENGINEERING

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SKETCH TO ACCOMPANY DESCRIPTION  
LEE COUNTY UTILITY EASEMENT

DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
10/09/06	20044718	36-45-24	1" = 50'	2 OF 2

**DESCRIPTION**

**LEE COUNTY UTILITY EASEMENT  
LYING IN SECTION 36, TOWNSHIP 45 SOUTH, RANGE 24 EAST,  
LEE COUNTY, FLORIDA**

A TRACT OR PARCEL OF LAND LYING IN SECTION 36, TOWNSHIP 45 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA,  
DESCRIBED AS FOLLOWS:

COMMENCING AT AN INTERSECTION OF THE NORTH LINE OF THE SOUTH HALF (S-1/2) OF THE NORTHWEST  
QUARTER (NW-1/4) OF SAID SECTION 36 WITH THE EASTERLY RIGHT-OF-WAY LINE OF TAMiami TRAIL (US 41) (SR  
45) (200.00 FEET WIDE); THENCE RUN S31°36'06"E ALONG SAID EASTERLY RIGHT-OF-WAY LINE FOR 654.60 FEET TO  
THE POINT OF BEGINNING.  
FROM SAID POINT OF BEGINNING RUN N58°23'54"E FOR 13.57 FEET; THENCE RUN S73°05'10"E FOR 31.87 FEET; THENCE  
RUN S16°54'50"W FOR 20.00 FEET; THENCE RUN N73°05'10"W FOR 23.84 FEET; THENCE RUN S58°23'54"W FOR 3.91 FEET  
TO AN INTERSECTION WITH SAID EASTERLY RIGHT-OF-WAY LINE; THENCE RUN N31°36'06"W ALONG SAID  
EASTERLY RIGHT-OF-WAY LINE FOR 19.27 FEET TO THE POINT OF BEGINNING.  
CONTAINING 726 SQUARE FEET, MORE OR LESS.

BEARINGS HEREIN ABOVE MENTIONED ARE BASED ON THE EASTERLY RIGHT-OF-WAY LINE OF TAMiami TRAIL TO  
BEAR S 31° 36' 06" E.

COPY

**NOTES:**

1. BEARINGS SHOWN HEREON ARE BASED ON THE EASTERLY RIGHT-OF-WAY LINE OF TAMiami TRAIL TO BEAR S 31° 36' 06" E.
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8. PG = PAGE
9. PARCEL CONTAINS 726 SQUARE FEET MORE OR LESS.
10. PARCEL SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.
11. SKETCH ATTACHED.

**THIS IS NOT A SURVEY**

*Frances L. Summerall*  
FRANCES L. SUMMERALL (FOR THE FIRM LB-642)  
PROFESSIONAL SURVEYOR AND MAPPER  
FLORIDA CERTIFICATE NO. 5652

DATE SIGNED: 9-25-06  
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER AND NOT VALID WITHOUT SHEET 2.

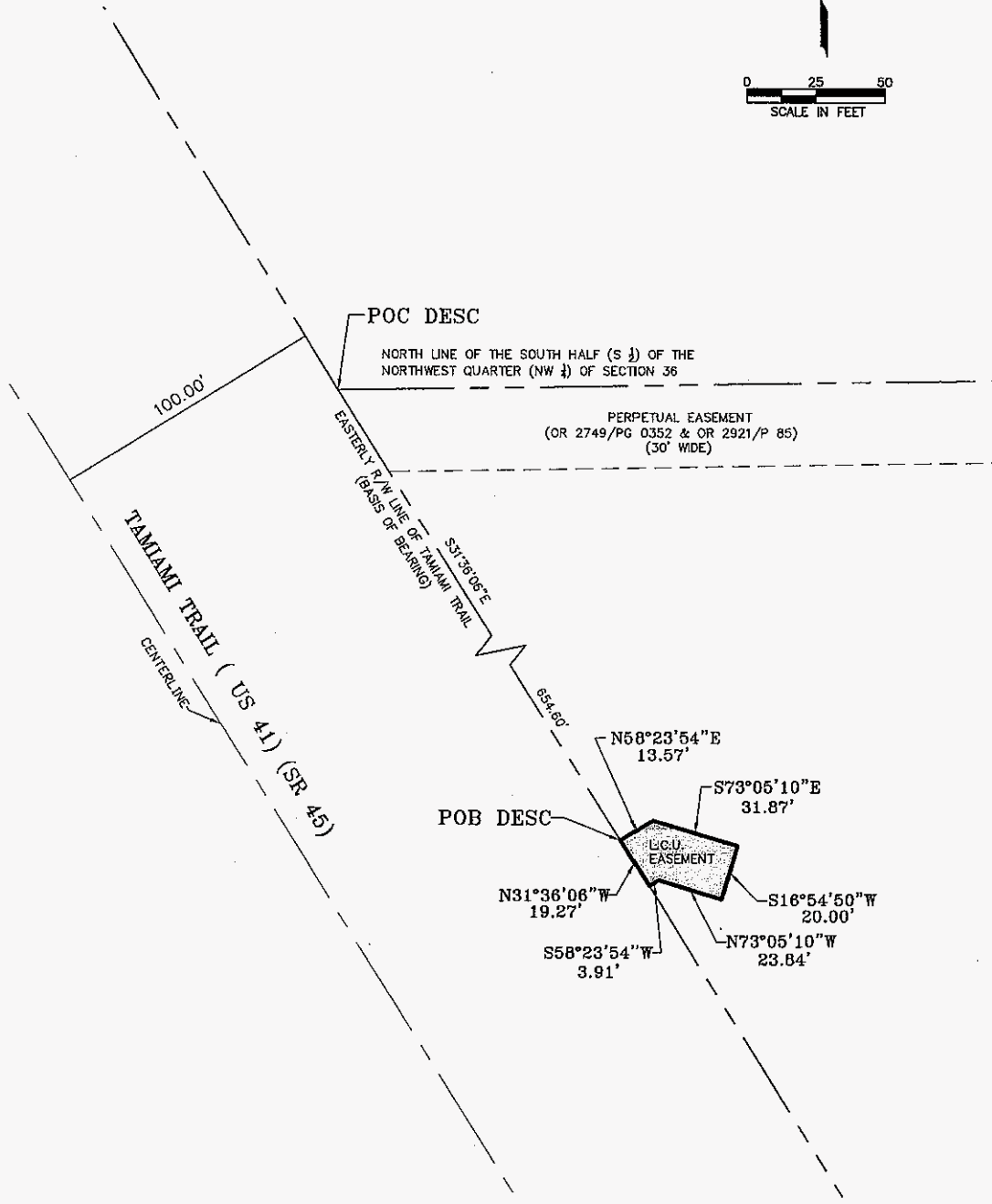
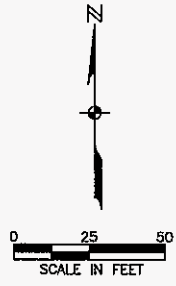
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**LEGAL DESCRIPTION  
LEE COUNTY UTILITY EASEMENT**

DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
09-20-06	2D044718	36-45-24	1" = 50'	1 OF 2



COPY

S:\044718-SEC-034115\cue-sk-desc-092006.dwg (SKETCH NW) srt Sep 25, 2006 - 4:06pm

**JOHNSON**  
ENGINEERING

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FAX (239) 334-3661  
E.B. #842 & L.B. #642

SKETCH TO ACCOMPANY DESCRIPTION  
LEE COUNTY UTILITY EASEMENT

DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
09-20-06	20044718	36-45-24	1" = 50'	2 OF 2

**DESCRIPTION**

**LEE COUNTY UTILITY EASEMENT  
LYING IN SECTION 36, TOWNSHIP 45 SOUTH, RANGE 24 EAST,  
LEE COUNTY, FLORIDA**

A TRACT OR PARCEL OF LAND LYING IN SECTION 36, TOWNSHIP 45 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA,  
DESCRIBED AS FOLLOWS:

COMMENCING AT AN INTERSECTION OF THE NORTH LINE OF THE SOUTH HALF (S-1/2) OF THE NORTHWEST  
QUARTER (NW-1/4) OF SAID SECTION 36 WITH THE EASTERLY RIGHT-OF-WAY LINE OF TAMiami TRAIL (US 41) (SR  
45) (200.00 FEET WIDE); THENCE RUN S31°36'06"E ALONG SAID EASTERLY RIGHT-OF-WAY LINE FOR 1459.24 FEET TO  
AN INTERSECTION WITH THE CENTERLINE OF A 50.00 FOOT WIDE INGRESS/EGRESS EASEMENT AS RECORDED IN  
OFFICIAL RECORDS BOOK 1816, PAGE 459 PUBLIC RECORDS, LEE COUNTY, FLORIDA; THENCE RUN ALONG SAID  
CENTERLINE THE FOLLOWING COURSES: N58°23'54"E FOR 48.00 FEET TO A POINT OF CURVATURE; NORTHEASTERLY  
ALONG THE ARC OF SAID CURVE TO THE LEFT OF RADIUS 100.00 FEET (DELTA 30°00'00") (CHORD BEARING  
N43°23'54"E) (CHORD 51.76 FEET) FOR 52.36 FEET TO A POINT OF TANGENCY; N28°23'54"E FOR 186.41 FEET TO A POINT  
OF CURVATURE; NORTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT OF RADIUS 100.00 FEET (DELTA  
30°00'00") (CHORD BEARING N43°23'54"E) (CHORD 51.76 FEET) FOR 52.36 FEET TO A POINT OF TANGENCY; N58°23'54"E  
FOR 71.44 FEET; THENCE DEPARTING SAID CENTERLINE RUN N31°36'06"W FOR 25.00 FEET TO AN INTERSECTION  
WITH THE NORTHERLY LINE OF SAID EASEMENT AND THE POINT OF BEGINNING.  
FROM SAID POINT OF BEGINNING RUN N66°09'54"W FOR 21.25 FEET; THENCE RUN N23°50'06"E FOR 20.00 FEET;  
THENCE RUN S66°09'54"E FOR 19.28 FEET; THENCE RUN N60°20'25"E FOR 31.44 FEET; THENCE RUN S32°53'26"E FOR  
11.91 FEET TO AN INTERSECTION WITH SAID NORTHERLY LINE; THENCE RUN S58°23'54"W ALONG SAID LINE FOR  
47.04 FEET TO THE POINT OF BEGINNING.  
CONTAINING 897 SQUARE FEET, MORE OR LESS.

BEARINGS HEREINAbove MENTIONED ARE BASED ON THE EASTERLY RIGHT-OF-WAY LINE OF TAMiami TRAIL TO  
BEAR S 31° 36' 06" E.

COPY

**NOTES:**

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11. SKETCH ATTACHED.

**THIS IS NOT A SURVEY**

*Frances L. Summerall*  
FRANCES L. SUMMERALL (FOR THE FIRM LB-642)  
PROFESSIONAL SURVEYOR AND MAPPER  
FLORIDA CERTIFICATE NO. 3652

DATE SIGNED: *9-25-06*  
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER AND NOT VALID WITHOUT SHEET 2.

S:\044718-SEE-034115\c:\e-sk-desc-092006.dwg (LEGAL SE) srf Sep 25, 2006 - 12:56pm



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**LEGAL DESCRIPTION  
LEE COUNTY UTILITY EASEMENT**

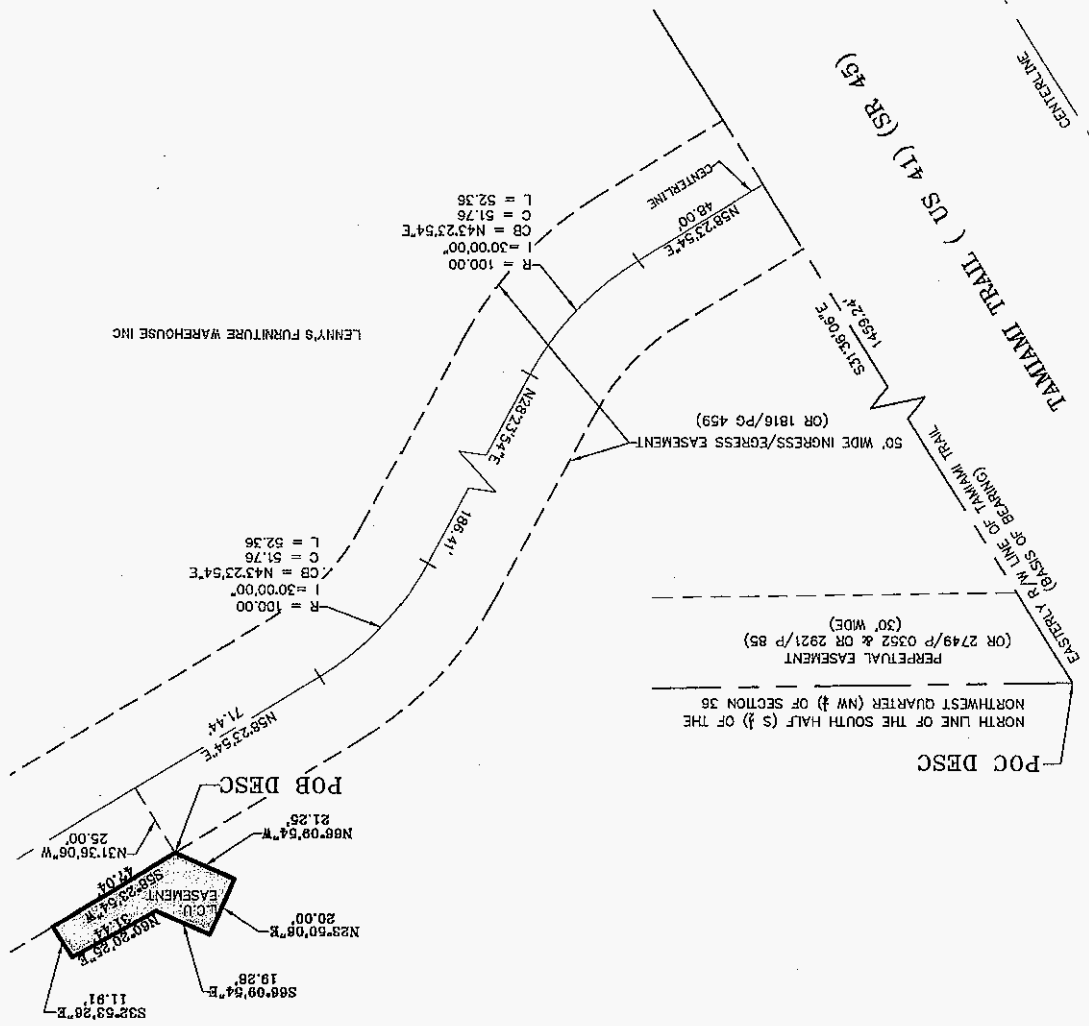
DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
09-20-06	20044718	36-45-24	1" = 50'	1 OF 2

SKETCH TO ACCOMPANY DESCRIPTION  
LEB COUNTY UTILITY EASEMENT

S:\044718-SEC-034115\cave-sk-dasc-092006.dwg (SKETCH SE) prt Sep 25, 2006 4:08pm

**LEGEND**

R = RADIUS  
I = CHORD BEARING  
CB = CHORD DISTANCE  
C = CHORD DISTANCE  
L = LENGTH



COPY

