

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

Blue Sheet No. 20061656-UTL

**1. Action Requested/Purpose:**

Developer Contributed Asset: Approve final acceptance, by Resolution and recording of one Utility Easement, as a donation of one 6" diameter fire line and one fire hydrant, to provide fire protection to *Suncoast Roofers Supply*, a recently constructed commercial building. This is a Developer Contributed asset project located on the south side of Drew Circle approximately 1/4 mile south of Cam Court.

**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 **CIOF** **5. Meeting Date:**        **JAN 10 2007**

<b>6. Agenda:</b>	<b>7. Requirement/Purpose (specify)</b>	<b>8. Request Initiated:</b>		
		<input checked="" type="checkbox"/> Consent	Statute	Commissioner
		<input type="checkbox"/> Administrative	Ordinance	Department <u>Public Works</u>
		<input type="checkbox"/> Appeals	Admin. Code	Division <u>Utilities</u>
		<input type="checkbox"/> Public	<input checked="" type="checkbox"/> Other	Approval
<input type="checkbox"/> Walk-On			By: <i>Douglas L. Meurer</i> 12-22-2006 Douglas L. Meurer, P.E., Director	

**9. Background:**

Fire lines and fire hydrants do not require permission to construct by the Board, therefore, no previous Blue Sheet number is provided.  
 The installation has been inspected for conformance to the Lee County Utilities Operations Manual.  
 Satisfactory pressure and bacteriological testing has been completed.  
 Record drawings have been received.  
 Engineer's Certification of Completion has been provided—copy attached.  
 Project Location Map—copy attached.  
 Warranty has been provided—copy attached.  
 Waiver of Lien has been provided—copy attached.  
 Certification of Contributed Assets has been provided—copy attached.  
 100% of the connection fees have been paid.  
 Potable water and sanitary sewer service is provided by Lee County Utilities via existing infrastructure located within the right-of-way of Drew Circle.  
 Funds are available for recording fees in account number OD5360748700.504930.

SECTION 08 TOWNSHIP 46S RANGE 25E DISTRICT # 5 COMMISSIONER MANN

**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>S. Lavender</i> Date: 12-28-06	N/A	N/A	<i>T.O.</i> T. Osterhout Date: 12/22	<i>S. Covert</i> S. Covert Date: 1/3/07	<i>RKAR</i> EW 1/3/07	<i>MJR</i> 1/3/07	<i>KY</i> 1/3/07	<i>[Signature]</i> 1/3/07	<i>S. Lavender</i> Date: 12-28-06

**11. Commission Action:**

- Approved
- Deferred
- Denied
- Other

REC'D  
by CO. ATTY.  
12/28/06  
2:24pm  
CO. ATTY.  
FORWARDED TO:  
1/3/07  
*[Signature]*

RECEIVED BY  
COUNTY ADMIN:  
1/3  
11AM  
COUNTY ADMIN  
FORWARDED TO:  
1/4/07  
9:40am

RESOLUTION NO.

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

WHEREAS, it is the desire of "Lee Suncoast, LLP", owner of record, to make a contribution to Lee County Utilities of water facilities (a fire line and fire hydrant), serving "SUNCOAST ROOFERS SUPPLY"; 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 \$8,400.00 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 Brian Bigelow: \_\_\_\_\_ (2)
- Commissioner Ray Judah: \_\_\_\_\_ (3)
- Commissioner Tammara Hall: \_\_\_\_\_ (4)
- Commissioner Frank Mann: \_\_\_\_\_ (5)

DULY PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 200...

ATTEST:  
CHARLIE GREEN, CLERK

BOARD OF COUNTY COMMISSIONERS  
OF LEE COUNTY, FLORIDA

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

By: \_\_\_\_\_  
CHAIR

APPROVED AS TO FORM

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

**BS 20061656-UTL**

# COPY

## LETTER OF COMPLETION

DATE: 9/11/2006

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

Gentlemen:

This is to certify that the **water service(s) , fire line up to and including 1st OS + Y valve(s) and fire hydrant(s)** located at  
**Suncoast Roofers Supply**  
(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 and Low Pressure Test(s) - Gravity Main**

Very truly yours,

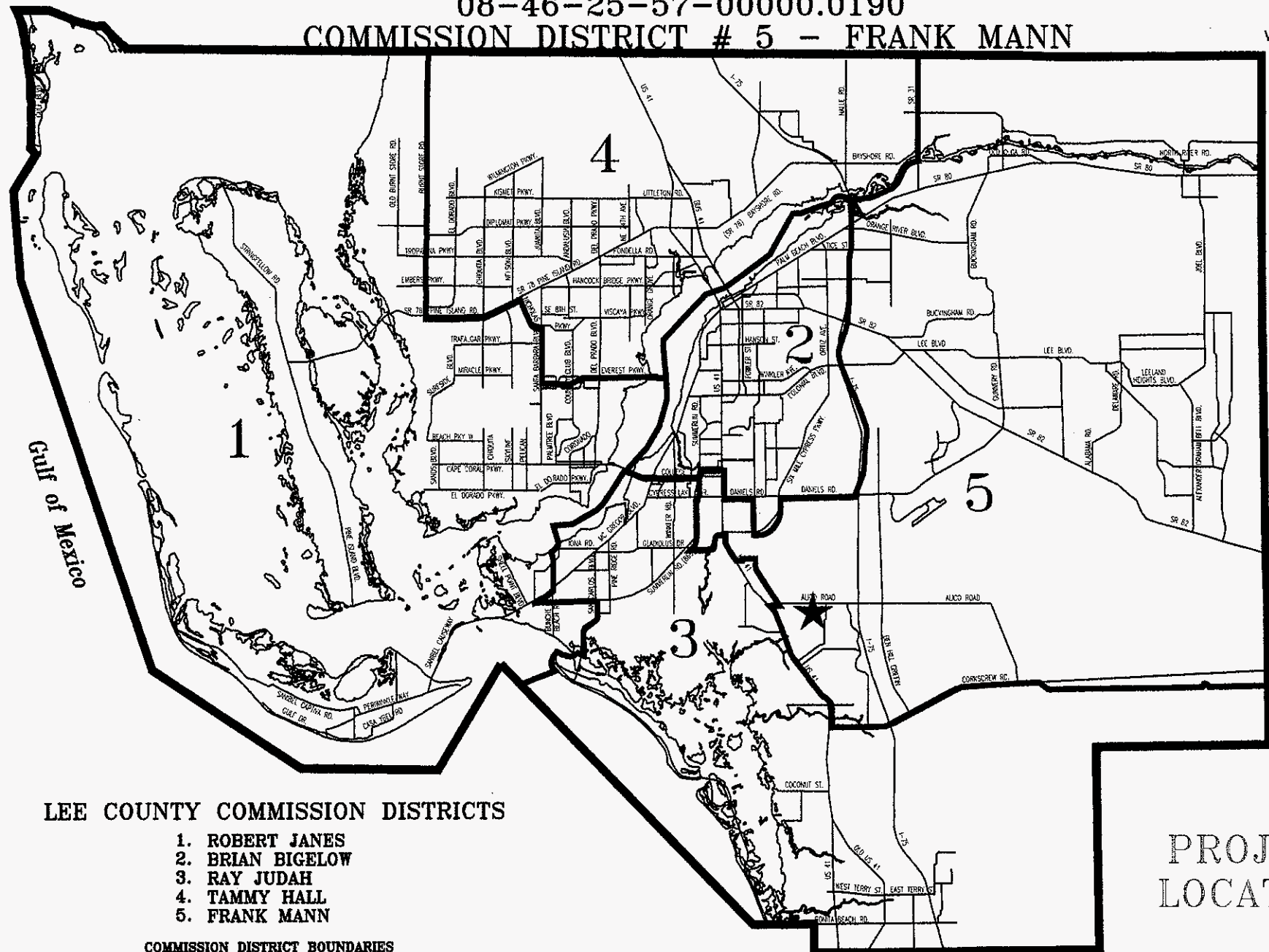
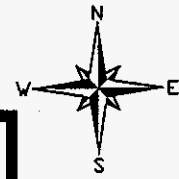
David Douglas Associates, Inc.  
(Owner or Name of Corporation/Firm)

  
(Signature)

Ehab Gurguis, P.E.  
(Name and Title)

(Seal of Engineering Firm)

**SUNCOAST ROOFERS SUPPLY**  
**08-46-25-57-00000.0190**  
**COMMISSION DISTRICT # 5 - FRANK MANN**



COPY

**LEE COUNTY COMMISSION DISTRICTS**

- 1. ROBERT JANES
- 2. BRIAN BIGELOW
- 3. RAY JUDAH
- 4. TAMMY HALL
- 5. FRANK MANN

COMMISSION DISTRICT BOUNDARIES  
 DECEMBER 2000

PROJECT  
 LOCATION

COPY

WAIVER AND RELEASE OF LIEN  
UPON FINAL PAYMENT

The undersigned lienor, in consideration of the final payment in the amount of Eight Thousand Four Hundred Dollars and zero cents(\$8,400.00 ) hereby waives and releases its lien and right to claim a lien for labor, services, or materials furnished to Lee Suncoast, LLP on the job of Suncoast Roofers Supply to the following described property:

Suncoast Roofers Supply  
(Name of Development/Project)

water distribution system  
(Facilities Constructed)

7899 Drew Circle Ft Myers, FL 33967  
(Location)

08-46-25-57-00000.0190  
(Strap # or Section, Township & Range)

Dated on: August 30, 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 30 th day of August, 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.

[Signature]  
(Notary Public Signature)

(Notary Seal & Commission Number)

Anthony Stefanacci  
(Printed Name of Notary Public)

WARRANTY

THE UNDERSIGNED parties do hereby warrant and/or guaranty all work executed by the contractor on the water system of Suncoast Roofers Supply 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

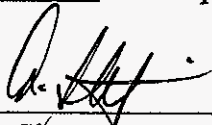
(Authorized Representative, Title)

BY: 

(Signature)


STATE OF FL )  
 ) SS:  
COUNTY OF LEE )

The foregoing instrument was signed and acknowledged before me this 30 th day of August, 20  
06 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 Co., Inc.

(Notary Seal & Commission Number)

# COPY

04-0119 ✓  
JS/105 11.5

## CERTIFICATION OF CONTRIBUTORY ASSETS

PROJECT NAME: Suncoast Roofers Supply

STRAP NUMBER: 08-46-25-57-00000.0190

LOCATION: 7899 Drew Circle Ft Myers, FL 33967

OWNER'S NAME: (as shown on Deed) Lee Suncoast, LLP

OWNER'S ADDRESS: 15500 Roosevelt Blvd. Ste 303

OWNER'S ADDRESS: Clearwater,FL 33760-

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.

ITEM	SIZE	QUANTITY	UNIT	UNIT COST	TOTAL
TAPPING SLEEVE W/VALVE WATER MAIN	12" x 6"	2.0	EA	\$1,300.00	\$2,600.00
FIRE HYDRANT ASSEMBLY WATER MAIN	6"	1.0	EA	\$1,800.00	\$1,800.00
FIRE LINE UP TO AND INCL 1ST OS + Y VALVE	6"	1.0	LS	\$4,000.00	\$4,000.00
<b>TOTAL</b>					<b>\$8,400.00</b>

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

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

CERTIFYING

X

(Signature of Certifying Agent)

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

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) →

0846255700000190

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):

**EASEMENT:**

**BS 20061656**

**LEE SUNCOAST, LLP**

Last First MI Corporate Name (if applicable)

**15500 ROOSEVELT BLVD-#303 CLEARWATER FL 33760**

Mailing Address City State Zip Code Phone No.

4. Grantee (Buyer):

**THOM OSTERHOUT**

**AS AGENT:**

**FOR LEE CO. BD. OF CO. COMMISSIONERS**

Last First MI Corporate Name (if applicable)

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

Mailing Address City State Zip Code Phone No.

5. Date of Sale/Transfer

Sale/Transfer Price

Month / Day / Year:  /  / **2007**

\$  ,  ,  . **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

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** Cents

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

*Tom Osterhout*

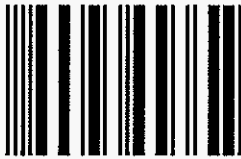
Date

*2/2/06*

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 Property Appraiser</b>	
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

08462557000000190

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):

**EASEMENT:**

**BS 20061656**

**LEE SUNCOAST, LLP**

Last

First

MI

Corporate Name (if applicable)

15500 ROOSEVELT BLVD-#303

CLEARWATER

FL

33760

Mailing Address

City

State

Zip Code

Phone No.

4. Grantee (Buyer):

**THOM OSTERHOUT**

**AS AGENT:**

**FOR LEE CO. BD. OF CO. COMMISSIONERS**

Last

First

MI

Corporate Name (if applicable)

P. O. BOX 398

FT. MYERS

FL

33902

( 2394798181

Mailing Address

City

State

Zip Code

Phone No.

5. Date of Sale/Transfer

2007

\$

\$10

. 00

Property  
 Located In

46

County Code

Month

Day

Year

(Round to the nearest dollar.)

6. Type of Document

Contract/Agreement  
 for Deed

Other

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

YES

NO

Warranty  
 Deed

Quit Claim  
 Deed

(Round to the nearest dollar.) \$

. 00

8. To the best of your knowledge, were there unusual circumstances or conditions to the sale/transfer  
 such as: Forced sale by court order? Foreclosure pending? Distress Sale? Title defects? Corrective Deed? Mineral rights?  
 Sale of a partial or undivided interest? Related to seller by blood or marriage.

YES

NO

9. Was the sale/transfer financed? YES

NO If "Yes", please indicate type or types of financing:

Conventional

Seller Provided

Agreement or  
 Contract for Deed

Other

10. Property Type:

Residential

Commercial

Industrial

Agricultural

Institutional/  
 Miscellaneous

Government

Vacant

Acreage

Timeshare

Mark (x) all  
 that apply

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

YES

NO

\$

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/her has any knowledge.

Signature of Grantor or Grantee or Agent

*Shirley Cott*

Date 12/22/06

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><b>This copy to Department of Revenue</b></p> <p>O. R. Book <input type="text"/><input type="text"/><input type="text"/><input type="text"/><input type="text"/>          and          Page Number <input type="text"/><input type="text"/><input type="text"/><input type="text"/>          and          File Number <input type="text"/><input type="text"/><input type="text"/><input type="text"/><input type="text"/><input type="text"/><input type="text"/><input type="text"/><input type="text"/><input type="text"/><input type="text"/><input type="text"/>          Date Recorded <input type="text"/><input type="text"/> / <input type="text"/><input type="text"/> / <input type="text"/><input type="text"/><input type="text"/>          Month Day Year</p>	<p>Clerks Date Stamp</p>
---	--------------------------

**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. 20061656-UTL**

**PROJECT NAME: SUNCOAST ROOFERS SUPPLY**

**EASEMENT NAME: LEE SUNCOAST, LLP**

**TYPING BY: *Sue Gulledge***

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

Strap Number(s):

**08-46-25-57-00000.0190**

**LCU 500283**

(THIS SPACE RESERVED FOR RECORDING)

---

**GRANT OF PERPETUAL PUBLIC UTILITY EASEMENT**

THIS INDENTURE is made and entered into this \_\_\_\_ day of \_\_\_\_\_ 200\_\_, by and between "LEE SUNCOAST, 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 20061656-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.

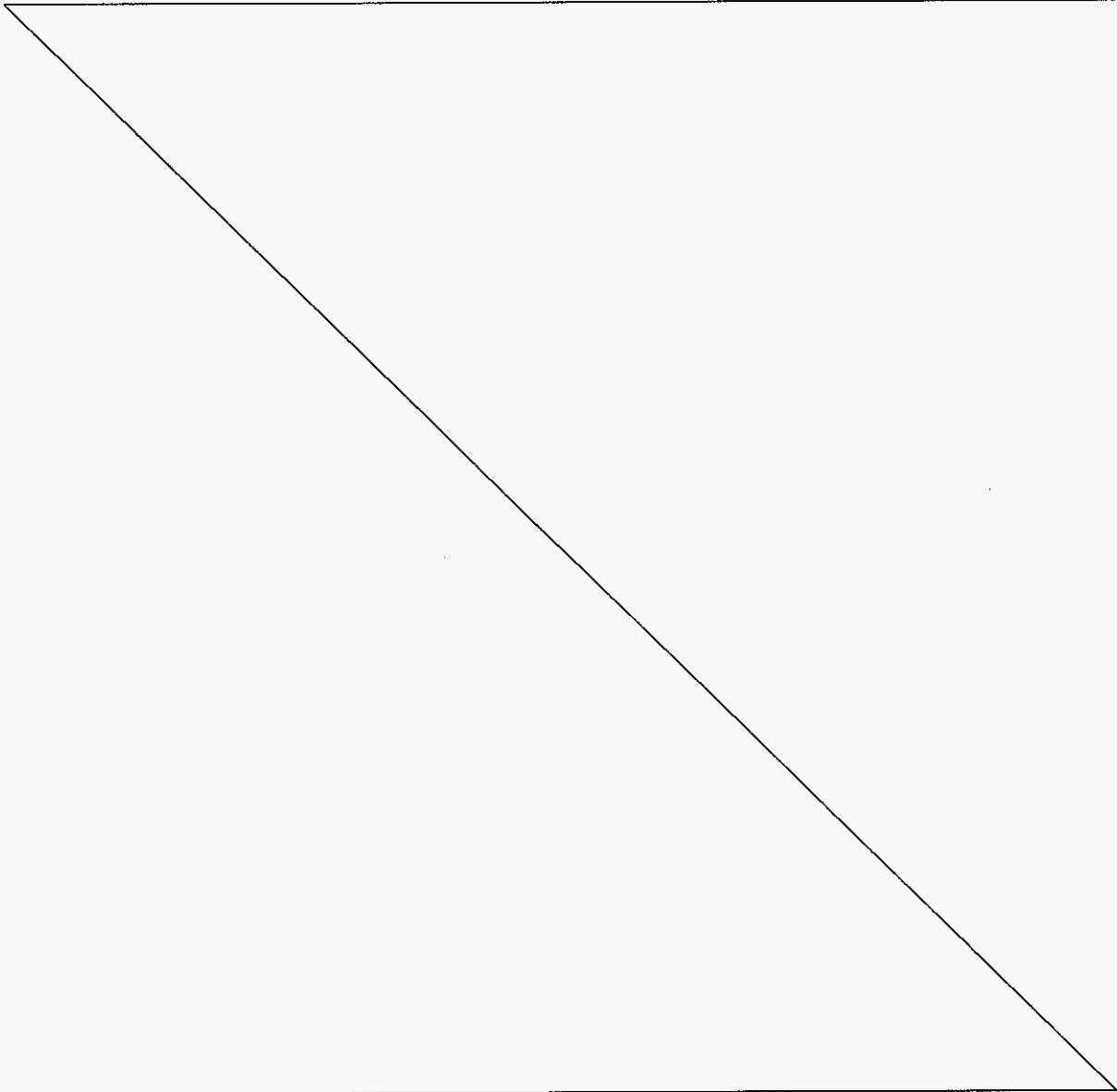
7. GRANTEE will be liable for money damages in tort for any injury to or loss of property, personal injury, or death caused by the negligent or wrongful act(s) or omission(s) of any official or employee of the GRANTEE while acting within the scope of the official's or employee's office or employment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

Debbie Eakin  
[1<sup>st</sup> Witness' Signature]

DEBBIE EAKIN  
[Type or Print Name]

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

Brenda Dunman  
[Type or Print Name]

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

ROGERS K. HAYDON, JR.  
[Type or Print Name]

Rogers K. Haydon, Jr.  
[Title] MANAGING PARTNER

STATE OF FLORIDA


COUNTY OF PINELLAS

The foregoing instrument was signed and acknowledged before me this 22<sup>ND</sup> day of AUGUST 2006, by ROGERS K. HAYDON, JR who produced the following as identification \_\_\_\_\_ or is personally know to me, and who ~~is~~/did not take an oath.

[stamp or seal]

Annette Jacoby  
[Signature of Notary]

ANNETTE JACOBY  
[Typed or Printed Name]

 Annette Jacoby  
My Commission DD255727  
Expires October 24, 2007

Approved and accepted for and on behalf of Lee County, Florida, this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

ATTEST:  
CHARLIE GREEN, CLERK

BOARD OF COUNTY COMMISSIONERS  
OF LEE COUNTY, FLORIDA

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

BY: \_\_\_\_\_  
Chair

APPROVED AS TO FORM

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





# GULF SHORE SURVEYING, INC.

TIM J. PUFAHL, P.L.S.  
30930 OIL WELL RD., PUNTA GORDA, FL. 33955  
(941) 639-7800 • FAX: (941) 639-7800

NICK POULOS, P.L.S.  
2112 SE. 11<sup>TH</sup> ST., CAPE CORAL, FL. 33990  
(239) 458-2388 • FAX: (239) 574-3719

SEPTEMBER 07, 2006  
JOB NUMBER: 0502  
FILE: 0502L02.LGL

## DESCRIPTION

A TRACT OR PARCEL OF LAND BEING PART OF LOTS 19 AND 20, ALICO COMMERCIAL PARK AS RECORDED IN PLAT BOOK 75, PAGES 11 THROUGH 13 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA WHICH IS DESCRIBED AS FOLLOWS:

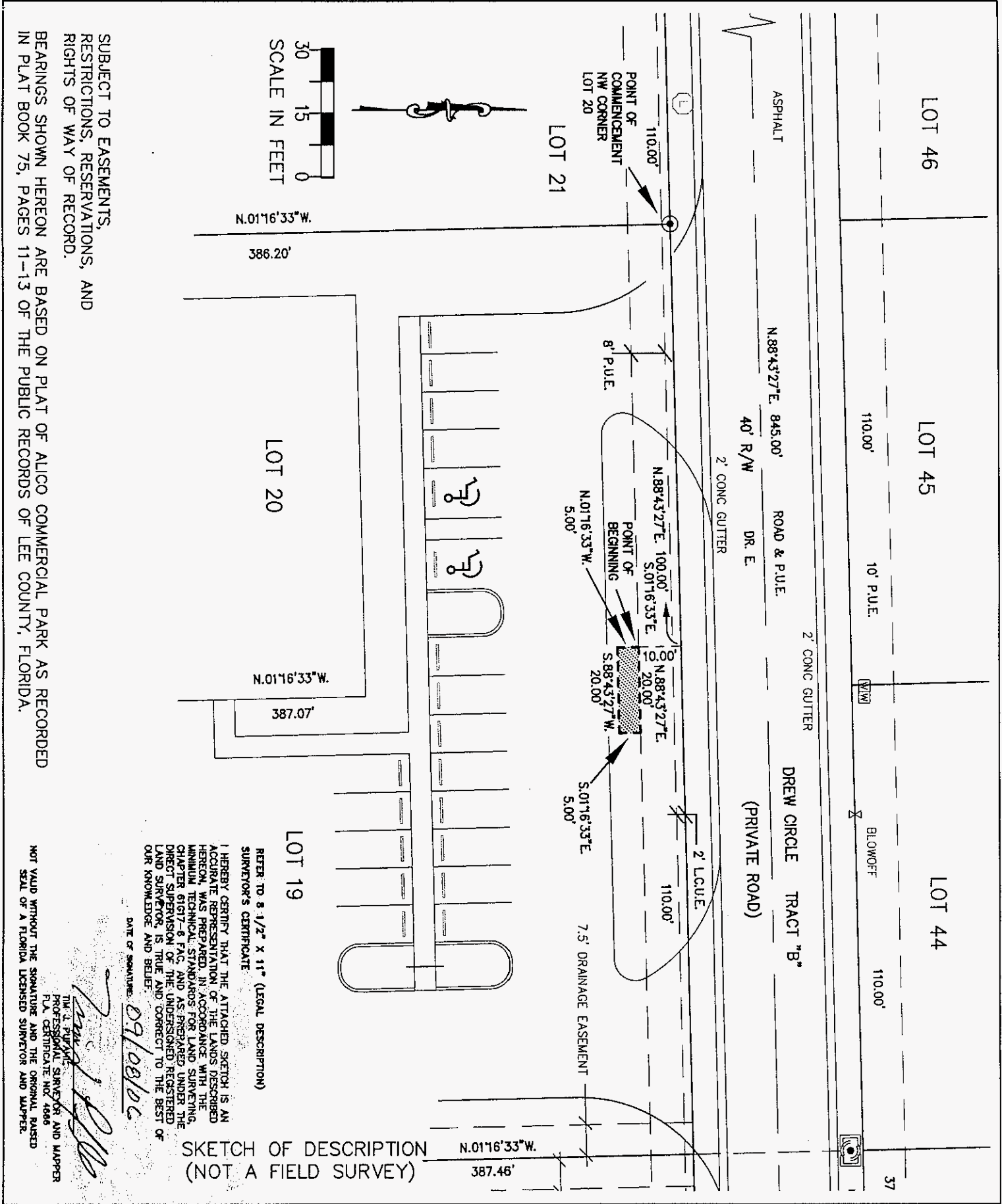
FROM THE POINT OF COMMENCEMENT BEING THE NORTHWEST CORNER OF LOT 20 THENCE N.88°43'27"E. FOR 100.00 FEET ALONG THE SOUTH RIGHT OF WAY OF DREW CIRCLE (40' RIGHT OF WAY); THENCE S.01°16'33"E. FOR 10.00 FEET TO THE POINT OF BEGINNING; THENCE N.88°43'27"E. FOR 20.00 FEET; THENCE S.01°16'33"E. FOR 5.00 FEET; THENCE S.88°43'27"W. FOR 20.00 FEET; THENCE N.01°16'33"W. FOR 5.00 FEET TO THE POINT OF BEGINNING.

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS OF WAY OF RECORD.

BEARINGS MENTIONED HEREIN ARE BASED ON THE PLAT OF ALICO COMMERCIAL PARK WITH DREW CIRCLE BEING N.88°43'27"E.

REFER TO 8 1/2" X 11" SKETCH.  
GULF SHORE SURVEYING, INC.

*Tim J. Pufahl* 09/08/06  
TIM J. PUFAHL  
PROFESSIONAL SURVEYOR & MAPPER  
FLORIDA CERTIFICATE NUMBER 4666



SKETCH OF DESCRIPTION  
(NOT A FIELD SURVEY)

REFER TO 8 1/2" X 11" (LEGAL DESCRIPTION)  
SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE ATTACHED SKETCH IS AN ACCURATE REPRESENTATION OF THE LANDS DESCRIBED HEREON, WAS PREPARED IN ACCORDANCE WITH THE MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYING, CHAPTER 61G17-6 FAC. AND AS PREPARED UNDER THE DIRECT SUPERVISION OF THE UNDERSIGNED REGISTERED LAND SURVEYOR, IS TRUE AND CORRECT TO THE BEST OF OUR KNOWLEDGE AND BELIEF.

DATE OF SIGNATURE: 09/08/06

SUBJECT TO EASEMENTS,  
RESTRICTIONS, RESERVATIONS, AND  
RIGHTS OF WAY OF RECORD.  
BEARINGS SHOWN HEREON ARE BASED ON PLAT OF ALICO COMMERCIAL PARK AS RECORDED  
IN PLAT BOOK 75, PAGES 11-13 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

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

THE I. F. PARK  
PROFESSIONAL SURVEYOR AND MAPPER  
FLA. CERTIFICATE NO. 4666

*[Signature]*

JOB  
0502  
L02

LOTS 19 & 20  
ALICO COMMERCIAL PARK  
PLAT BOOK 75, PAGES 11-13  
LEE COUNTY, FLORIDA

DATE : 09/07/06  
SCALE : 1" = 30'  
CADD : T.P.  
CHECK : T.P.  
FILE : 0502L02.DWG

GULF SHORE SURVEYING, INC.

LICENSED BUSINESS NO. 6729

LEE COUNTY: 2112 S.E. 11TH STREET CAPE CORAL, FL 33990 (941) 458-2388

CHARLOTTE COUNTY: 30830 OIL WELL ROAD PUNTA GORDA, FL 33955 (941) 639-7800