

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

Blue Sheet No. 20070025-UTL

1. Action Requested/Purpose:

Developer Contributed Asset: Approve final acceptance, by Resolution, and recording of one (1) Utility Easement, as a donation of an 8" diameter master meter serving *Covered Wagon RV Resort* to provide potable water service and fire protection to this existing recreational vehicle park. This is a Developer Contributed asset project located along the west side of US 41 approximately 900' south of Corkscrew Road.

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:

FEB 06 2007

6. Agenda:

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

7. Requirement/Purpose (specify)

- Statute
- Ordinance
- Admin. Code
- Other Approval

8. Request Initiated:

Commissioner _____
 Department Public Works
 Division Utilities
 By: Douglas L. Meurer 1-18-2007
 Douglas L. Meurer, P.E., Director

9. Background:

The Board granted permission to construct on 03-21-06, Blue Sheet #20060252.
 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.
 Sanitary sewer service is provided by private on site wastewater treatment facility.
 Funds are available for recording fees in account number OD5360748700.504930.

SECTION 33 TOWNSHIP 46S RANGE 25 E 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.	
<u>J. Lavender</u> Date: 1-19-07	N/A	N/A	<u>T.O.</u> T. Osterhout Date: 1/18	<u>S. Covert</u> S. Covert Date: 1/22/07	<u>ekw</u> 1-23-07	<u>MR</u> 1-23-07	<u>fy</u> 1/23/07	<u>AS</u> 1/23/07	<u>J. Lavender</u> Date: 1-19-07

11. Commission Action:

- Approved
- Deferred
- Denied
- Other

RECEIVED BY
COUNTY ADMIN:
<u>V</u> 8:00 AM
<u>1/23</u> to <u>EW</u>
COUNTY ADMIN
FORWARDED TO:
<u>V</u> 12:00
<u>1/24</u> to <u>PR</u>

Rec. by CoAtty
Date: <u>1/23/07</u>
Time: <u>3:00pm</u>
Forwarded To:
<u>1/22/07</u>
<u>4:10pm</u>

RESOLUTION NO.

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

WHEREAS, it is the desire of **"Covered Wagon Travel Trailer Park "**, owner of record, to make a contribution to Lee County Utilities of water facilities **(one 8" diameter master meter)**, serving **"COVERED WAGON RV RESORT"**; 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 **\$23,276.11** 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 _____, 2007.

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 20070025-UTL

COPY

LETTER OF COMPLETION

DATE: October 4, 2006

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

Gentlemen:

This is to certify that the connection and water system up to and including the meter assembly located at the Covered Wagon R.V. Park Resort at 21450 S. Tamiami Trail, Estero, FL 33928 (Strap No. 33-46-25-00-00018.0080)

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

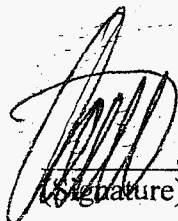
the revised plans attached and the approved specification.

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

Bacteriological test and pressure test of water main.

Very truly yours,

Q. Grady Minor & Associates, P.A.

 10/6/06

(Signature) PE 41671

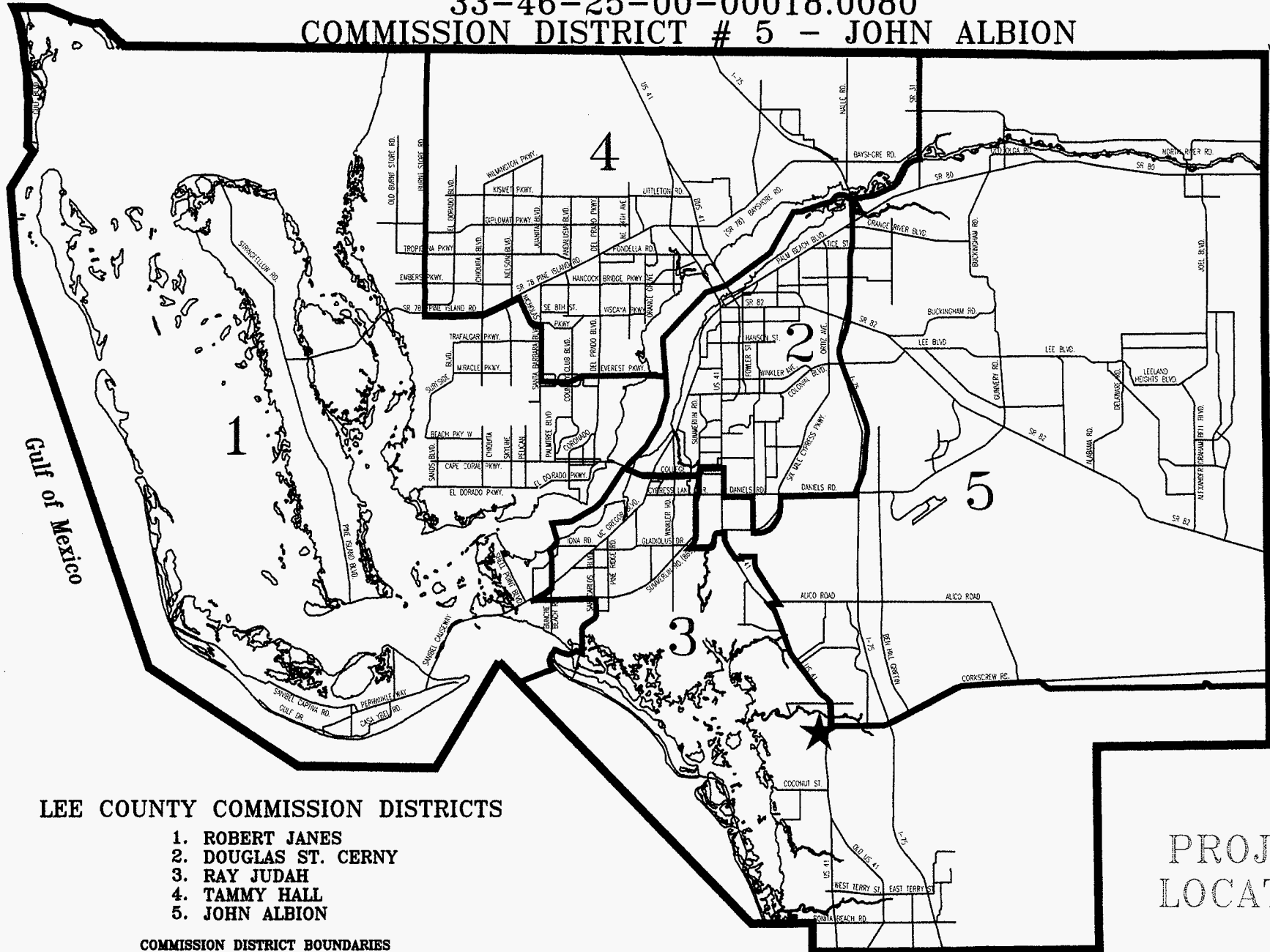
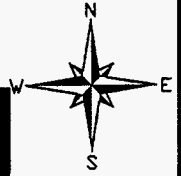
David W. Schmitt, P.E.
Vice President

(Seal of Engineering Firm)

 LEE COUNTY
SOUTHWEST FLORIDA
(Forms - Letter of Completion - Revised 2004)

http://www.lee-county.com/utilities/uploads/Forms/Letter_of_Completion__form.doc

COVERED WAGON R.V. RESORT PARK
33-46-25-00-00018.0080
COMMISSION DISTRICT # 5 - JOHN ALBION



Gulf of Mexico

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

PROJECT
 LOCATION

COPY

WARRANTY

THE UNDERSIGNED parties do hereby warrant and/or guaranty all work executed by the contractor on the water system connection of Covered Wagon RV Park Resort 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.

Archer-Edwards Corporation
(Contractor/Company Name)

George E. Powell, President
(Authorized Representative, Title)

BY: [Signature]
(Signature)

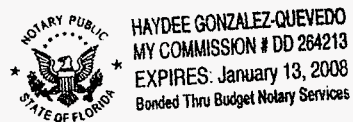
STATE OF FLORIDA)
) SS:
COUNTY OF MIAMI-DADE

The foregoing instrument was signed and acknowledged before me this 26 day of OCTOBER, 2006 by _____ who is personally known to me - _____, and who did not take an oath.

GEORGE E. POWELL
[Signature]
Notary Public Signature

HAYDEE GONZALEZ-QUEVEDO
Printed Name of Notary Public

(Notary Seal & Commission Number)



WAIVER AND RELEASE OF LIEN COPY UPON FINAL PAYMENT

The undersigned lienor, in consideration of the final payment in the amount of Twenty Three Thousand Two Hundred Seventy Six & 11/100 (\$23,276.11) hereby waives and releases its lien and right to claim a lien for labor, services, or materials furnished to Covered Wagon RV Park Resort on the job of Covered Wagon RV Park Resort, Water Main Connection DLCU to the following described property:

Covered Wagon RV Park Resort, Water Main Connection DLCU
(Name of Development/Project)

water distribution system
(Facilities Constructed)

21450 S. Tamiami Trail, Estero, FL 33928
(Location)

33-46-25-00-00018.0080
(Strap # or Section, Township & Range)

Dated on: 10/6 2006

By: [Signature]
(Signature of Authorized Representative)

ASCHER-EDWARDS CORPORATION
(Name of Firm or Corporation)

By: GEORGE E. POWELL
(Print Name of Authorized Representative)

12217 SO. DIWELLYG.
(Address of Firm or Corporation)

Title: PRESIDENT

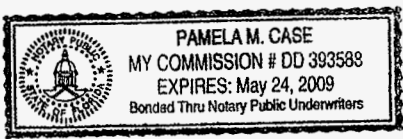
MIAMI, FL
(City, State & Zip Of Firm Or Corporation)

Phone #: 786-418-1609 Ext.

Fax#: 305 278-7772

STATE OF FLORIDA)
) SS:
COUNTY OF LEE)

The foregoing instrument was signed and acknowledged before me this 6th day of OCT, 2006 by GEORGE E. POWELL who has produced the following as identification - personally known, and who did take an oath.



[Signature]
(Notary Public Signature)

PAMELA M. CASE
(Printed Name of Notary Public)

(Notary Seal & Commission Number)

CERTIFICATION OF CONTRIBUTORY ASSETS

PROJECT NAME: Covered Wagon R.V. Park Resort, Water Connection DLCU

STRAP NUMBER: 33-46-25-00-00018.0080

LOCATION: 21450 S. Tamiami Trail, Estero, FL 33928

OWNER'S NAME: (as shown on Deed) Covered Wagon Travel Trailer Park

OWNER'S ADDRESS: 21450 S. Tamiami Trail

OWNER'S ADDRESS: Estero, FL 33928-

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" 8"	1.0	EA	\$7,664.02	\$7,664.02
SINGLE WATER SERVICE/COMPLETE	8"	1.0	LS	\$15,612.09	\$15,612.09
TOTAL					\$23,276.11

(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)

PRESIDENT

(Name & Title of Certifying Agent)

ARENEZ-EDWARDS CORPORATION
(Name of Firm or Corporation)

12217 So. Dixie Hwy, Miami, FL 33156
(Address of Firm or Corporation)

786. 443 - 1609

STATE OF FLORIDA)

) SS:

COUNTY OF LEE)

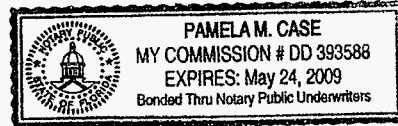
The foregoing instrument was signed and acknowledged before me this 6th day of OCT. 2006 by GEORGE E. POWELL who has produced the following as identification - _____, and who did not take an oath.

Pamela M. Case
personally known

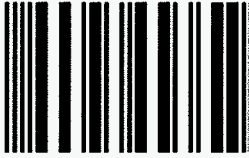
Notary Public Signature

PAMELA M. CASE
Printed Name of Notary Public

DD 393588
Notary Commission Number



(NOTARY SEAL)



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



FDOR10240300
DR-219
R. 07/98

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

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

										3	3	4	6	2	5	0	0	0	0	1	8	0	0	8	0													
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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 20070025 COVERED WAGON TRAVEL TRAILER PARK**

Last Mailing Address: **21450 S. TAMiami TRl** First City: **ESTERO** MI State: **FL** Corporate Name (if applicable): Zip Code: **33928** Phone No.:

4. Grantee (Buyer): **THOM OSTERHOUT AS AGENT: FOR LEE CO. BD. OF CO. COMMISSIONERS**

Last Mailing Address: **P. O. BOX 398** First City: **FT. MYERS** MI State: **FL** Corporate Name (if applicable): **FOR LEE CO. BD. OF CO. COMMISSIONERS** Zip Code: **33902** Phone No.: **(239)4798181**

5. Date of Sale/Transfer: **02 / 06 / 2007** Sale/Transfer Price: **\$ 10,000.00** 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: **\$ 0.00**

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

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

Conventional Seller Provided Agreement or Contract for Deed Other

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

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

12. Amount of Documentary Stamp Tax → \$ _____ Cents: **00**
 \$ _____ Cents: **70**

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

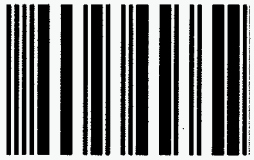
Under penalties of perjury, I declare that I have read the foregoing return and that the facts stated in it are true. If prepared by someone other than the taxpayer, his/her declaration is based on all information of which he/her has any knowledge.

Signature of Grantor or Grantee or Agent: *[Signature]* Date: **1/18/07**

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																										
<p>This copy to Property Appraiser</p> <p>O. R. Book and Page Number and File Number</p> <table border="1"> <tr> <td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td> </tr> </table> <p>Date Recorded</p> <table border="1"> <tr> <td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td> </tr> </table> <p>Month Day Year</p>																											

This copy to Property Appraiser



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



FDOR10240300
DR-219
R. 07/98

Enter numbers as shown below. If typing, enter numbers as shown below.

1. Parcel Identification Number (If Parcel ID not available please call County Property Appraiser's Office) → 0 1 2 3 4 5 6 7 8 9 0123456789
33462500000180080

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? →
EASEMENT: BS 20070025 COVERED WAGON TRAVEL TRAILER PARK

3. Grantor (Seller): Last 21450 S. TAMIAMI TRL First ESTERO MI FL Corporate Name (if applicable) 33928

Mailing Address THOM OSTERHOUT City AS AGENT: State FL Zip Code 33902 Phone No. (239) 4798181

4. Grantee (Buyer): Last P. O. BOX 398 First FT. MYERS MI FL Corporate Name (if applicable) FOR LEE CO. BD. OF CO. COMMISSIONERS

Mailing Address _____ City _____ State _____ Zip Code _____ Phone No. _____

5. Date of Sale/Transfer 02 06 2007 \$ \$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: 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 _____

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

12. Amount of Documentary Stamp Tax _____ \$ 0.70

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

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

Signature of Grantor or Grantee or Agent [Signature] Date 1/19/07

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

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

This copy to Department of Revenue

TO: RECORDERS OFFICE

PLEASE PUT MY NAME ON THE ATTENTION LINE:

Sue Gullette

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

ACCOUNT NO. OD5360748700.504930

THANK YOU.

FOR UTILITIES USE ONLY:

BLUE SHEET NO. 20070025-UTL

PROJECT NAME: COVERED WAGON RV RESORT

**EASEMENT NAME: COVERED WAGON
TRAVELTRAILER PARK**

TYPING BY: *Jeanette Cruz*

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

Strap Number(s):

33-46-25-00-00018.0080

LCU 500283

(THIS SPACE RESERVED FOR RECORDING)

GRANT OF PERPETUAL PUBLIC UTILITY EASEMENT

THIS INDENTURE is made and entered into this _____ day of _____ 2007, by and between "**COVERED WAGON TRAVEL TRAILER PARK**" 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 20070025-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.

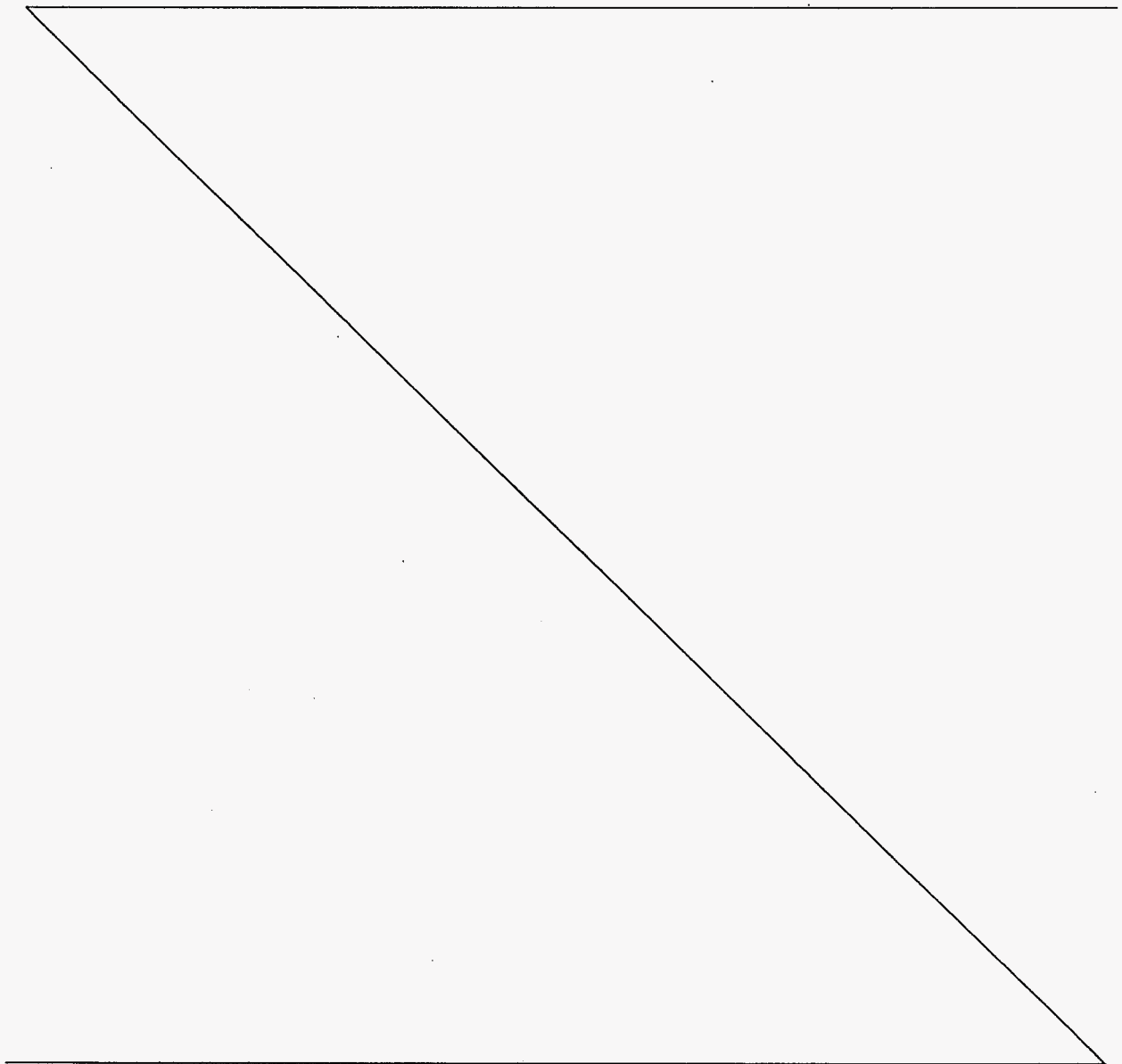
7. GRANTEE will be liable for money damages in tort for any injury to or loss of property, personal injury, or death caused by the negligent or wrongful act(s) or omission(s) of any official or employee of the GRANTEE while acting within the scope of the official's or employee's office or employment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

Mike Gaudin
[1st Witness' Signature]

Mike Fridella
[Type or Print Name]

Tiffany Parks
[2nd Witness' Signature]

TIFFANY PARKS
[Type or Print Name]

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

Trent Goss
[Type or Print Name]

Owner
[Title]

STATE OF FLORIDA

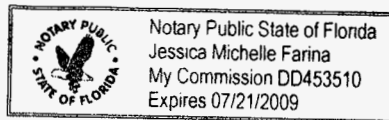
COUNTY OF HILLSBOROUGH

The foregoing instrument was signed and acknowledged before me this 31st day of OCTOBER 2006 by Trent Goss who produced the following as identification _____ or is personally know to me, and who did did not take an oath.

[stamp or seal]

Jessica Michelle Farina
[Signature of Notary]

Jessica Michelle Farina
[Typed or Printed Name]



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. Coover, Esquire

LEGAL DESCRIPTION
A 10 FOOT WIDE UTILITY EASEMENT

A 10 FOOT WIDE STRIP OF LAND LOCATED IN THE NORTHEAST 1/4 OF SECTION 33, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, LYING 5 FEET EACH SIDE OF THE HEREIN DESCRIBED CENTERLINE:

COMMENCE AT THE INTERSECTION OF THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTH 1/2 OF THE NE 1/4 OF SECTION 33, TOWNSHIP 46 SOUTH, RANGE 25 EAST AND THE WESTERLY RIGHT-OF-WAY LINE OF U.S. 41 (TAMIAMI TRAIL) A 200 FOOT WIDE RIGHT-OF-WAY; THENCE RUN S 04°52'48" W, ALONG SAID WESTERLY RIGHT-OF-WAY LINE, FOR A DISTANCE OF 265.59 FEET; THENCE RUN N 85°07'12" W, LEAVING SAID WESTERLY RIGHT-OF-WAY LINE, FOR A DISTANCE OF 5.00 FEET TO THE POINT OF BEGINNING; THENCE RUN S 04°52'48" W, PARALLEL WITH SAID WESTERLY RIGHT-OF-WAY LINE, FOR A DISTANCE OF 30.00 FEET TO THE END OF THE CENTERLINE HEREIN DESCRIBED.

BEARINGS ARE BASED ON THE WESTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY 41 (TAMIAMI TRAIL) AS BEING S 04°52'48" W.

THIS PROPERTY IS SUBJECT TO EASEMENTS, RESERVATIONS AND/OR RESTRICTIONS OF RECORD.

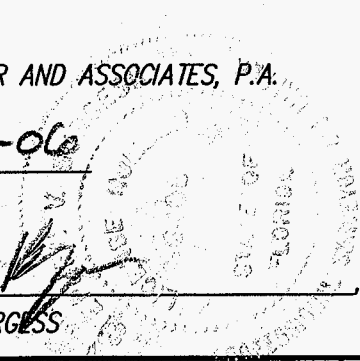
THE SIDE LINES OF THIS EASEMENT ARE TO BE SHORTENED OR LENGTHENED TO MEET THE WESTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY 41 (TAMIAMI TRAIL) SHOWN HEREON.

DIMENSIONS SHOWN HEREON ARE IN FEET AND DECIMALS THEREOF.

Q. GRADY MINOR AND ASSOCIATES, P.A.

SIGNED 7-6-06


 STEPHEN V. BURGESS



P.S.M. #6408
 STATE OF FLORIDA

EXHIBIT 'A'
 STRAP # 33-46-25-00-00018.0000

DRAWN BY: CDB	JOB CODE: CWWTP	SHEET OF 2
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SKETCH TO ACCOMPANY LEGAL DESCRIPTION

COVERED WAGON TRAIL

SECTION 33, TOWNSHIP 46 SOUTH, RANGE 25 EAST
 ESTERO, LEE COUNTY, FLORIDA

DATE: JULY 2006	DRAWING: B-3314
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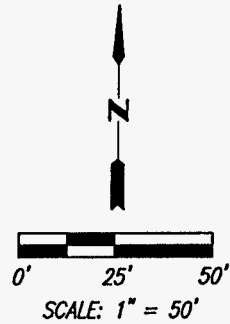


Q. GRADY MINOR AND ASSOCIATES, P.A.
 CIVIL ENGINEERS • LAND SURVEYORS • PLANNERS
 3800 VIA DEL REY
 BONITA SPRINGS, FLORIDA 34134
 PHONE : (239) 947-1144 FAX : (239) 947-0375
 CERTIFICATE OF AUTHORIZATION NUMBER LB 5151

NORTH LINE OF THE S 1/2 OF THE S 1/2
OF THE NE 1/4 OF SECTION 33-46-25

**POINT OF
COMMENCEMENT**

THE INTERSECTION OF THE
NORTH LINE OF THE S 1/2 OF THE S 1/2
OF THE NE 1/4 OF SECTION 33-46-25
AND THE WESTERLY RIGHT-OF-WAY LINE
OF U.S. HIGHWAY 41



COVERED WAGON TRAIL

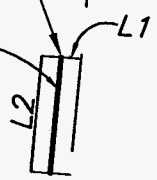
O.R. 2309, PAGES 3695-3696

BEARING BASIS
S 04°52'48" W 265.59'
WESTERLY RIGHT-OF-WAY LINE

U.S. 41 (TAMIAMI TRAIL)
200' RIGHT-OF-WAY

**POINT OF
BEGINNING**

CENTERLINE
OF 10 FOOT WIDE
UTILITY EASEMENT



100.00'

100.00'

LINE TABLE		
LINE	BEARING	LENGTH
L1	N85°07'12"W	5.00
L2	S04°52'48"W	30.00

*** THIS IS NOT A SURVEY ***

EXHIBIT A
STRAP # 33-46-25-00-00018.0080

DRAWN BY: CDB JOB CODE: CWWTP SHEET 2 OF 2

SKETCH TO ACCOMPANY LEGAL DESCRIPTION

COVERED WAGON TRAIL

SECTION 33, TOWNSHIP 46 SOUTH, RANGE 25 EAST
ESTERO, LEE COUNTY, FLORIDA

DATE: JULY 2006 DRAWING: B-3314

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