

1. ACTION REQUESTED/PURPOSE:

Developer Contributed Asset: Approve final acceptance, by Resolution and recording of two (2) utility easements, as a donation of a water distribution and gravity collection system, to provide potable water service, fire protection, and sanitary sewer service to *Daniels Parkway Business Center*, a recently constructed commercial subdivision. This is a Developer Contributed asset project located along the north side of Daniels Parkway between Pinto Lane and Appaloosa Lane.

2. FUNDING SOURCE:

No funds required.

3. WHAT ACTION ACCOMPLISHES:

Provides adequate utility infrastructure to support development of the subject property and complies with the Lee County Utilities Operations Manual.

4. MANAGEMENT RECOMMENDATION: Approval.

5. Departmental Category: 10 - Utilities C10D		6. Meeting Date: APR 10 2007
7. Agenda: <input checked="" type="checkbox"/> Consent <input type="checkbox"/> Administrative <input type="checkbox"/> Appeals <input type="checkbox"/> Public <input type="checkbox"/> Walk-On	8. Requirement/Purpose: (specify)	
	<input type="checkbox"/> Statute	<input type="checkbox"/>
	<input type="checkbox"/> Ordinance	<input type="checkbox"/>
	<input type="checkbox"/> Admin. Code	<input type="checkbox"/>
	<input checked="" type="checkbox"/> Other	<input checked="" type="checkbox"/> Approval
9. Request Initiated:		
Commissioner		
Department		Public Works
Division		Utilities
By: <i>Douglas L. Meurer</i>		3-26-2007
		Douglas L. Meurer, P.E., Director

10. Background:

The Board granted permission to construct on 05-23-06, Blue Sheet #20060574.
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 pressure testing of the force main has been completed. Satisfactory closed circuit television inspection of the gravity collection system has been performed. Satisfactory lift station start-ups have been performed. (L/S#3311)
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 No. OD5360748700.504930
(Util-Util Eng-Dep Clerk Fees for Recording & Filing)

SECTION 21 TOWNSHIP 45S RANGE 25E DISTRICT # 2 COMMISSIONER BIGELOW

11. Review for Scheduling:

Department Director	Purchasing or Contracts	Human Res.	Other	County Attorney	Budget Services				County Manager/P.W. Director
					Analyst	Risk	Grants	Mgr.	
<i>J. Lavender</i> Date: 3-27-07	N/A Date:	N/A Date:	<i>T.O.</i> T. Osterhout Date: 3/26	<i>S. Covert</i> S. Covert Date: 3/28/07	<i>RK</i> 3/28	<i>MR</i> 3/28/07	<i>M</i> 3/28/07	<i>J. Lavender</i> Date: 3-27-07	

12. Commission Action:

- Approved
- Deferred
- Denied
- Other

RECEIVED BY
COUNTY ADMIN: *MC*
3-28-07
11:10 AM
COUNTY ADMIN
FORWARDED TO:
3/28/07
4:30 PM

Rec. by CoAtty
Date: 3/27/07
Time: 4:15pm
Forwarded To:
Admin.
3/28/07 10am

RESOLUTION NO.

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

WHEREAS, it is the desire of "SALROSE DREAMS II LLP" owner of record, to make a contribution to Lee County Utilities of water facilities (water distribution), and sewer facilities (gravity collection system), serving "DANIELS PARKWAY BUSINESS CENTER"; 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 **\$542,105.00** 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 20070457-UTL

COPY

LETTER OF COMPLETION

DATE: 1/10/2007

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
Daniels Parkway Business Center
(Name of Development/Project)

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

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

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

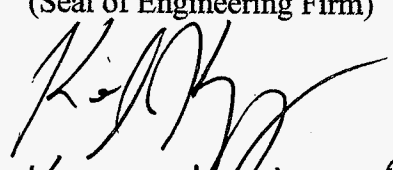
Very truly yours,

Salrose Dreams II LLP
(Owner or Name of Corporation/Firm)

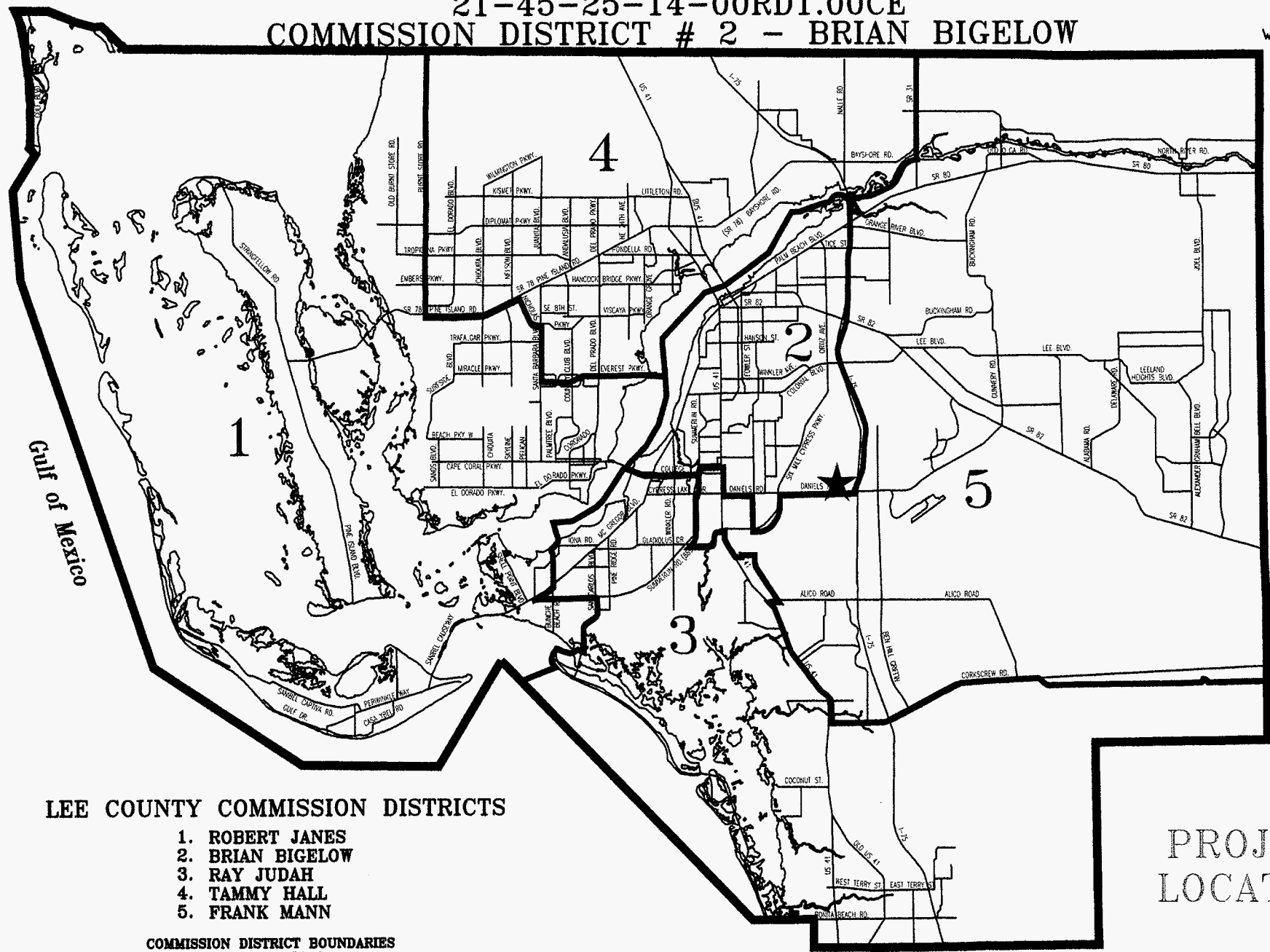
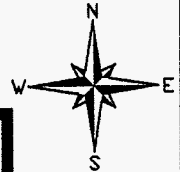

(Signature)

Salvatore Basile/Partner
(Name and Title)

(Seal of Engineering Firm)

 2/13/07
Kevin L. Higginson, P.E.
FL Reg No. 41020
Community Engineering Services, Inc.
8991 Daniels Center Dr, Ste 103
Ft. Myers, FL 33912
EB 0006613

DANIELS PARKWAY BUSINESS CENTER
21-45-25-14-00RD1.00CE
COMMISSION DISTRICT # 2 - BRIAN BIGELOW



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**

WARRANTY

THE UNDERSIGNED parties do hereby warrant and/or guaranty all work executed by the contractor on the water and sewer systems of DANIELS PARKWAY BUSINESS CENTER 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.

CHRISTO, INCORPORATED

(Contractor/Company Name)

ROBERT A. KEILING-PRESIDENT

(Authorized Representative, Title)

BY: *Robert A. Keiling*

(Signature)

STATE OF FL)
) SS:
COUNTY OF LEE)

The foregoing instrument was signed and acknowledged before me this 8 th day of January, 2007 by ROBERT A. KEILING who is personally known to me - _____, and who did not take an oath.

Mark K. Nottingham
Notary Public Signature

MARK K. NOTTINGHAM
Notary Public, State of Florida
My comm. exp. Jan. 6, 2008
Comm. No. DD 261445

MARK K. NOTTINGHAM
Printed Name of Notary Public

(Notary Seal & Commission Number)

WAIVER AND RELEASE OF LIEN
UPON FINAL PAYMENT

COPY

The undersigned lienor, in consideration of the final payment in the amount of Five Hundred Fortytwo thousand One Hundred Five dollars & NO/100(\$ 542,105.00) hereby waivers and releases its lien and right to claim a lien for labor, services, or materials furnished to SALROSE DREAMS II LLP on the job of SALROSE DREAMS II LLP to the following described property:

DANIELS PARKWAY BUSINESS CENTER

(Name of Development/Project)

8850-8890 SALROSE LANE

FORT MYERS, FL 33912

(Location)

Water Distribution System and Sanitary Sewer System and Lift Station

(Facilities Constructed)

21-45-25-14-00RD1.00CE

(Strap # or Section, Township & Range)

Dated on: January 8, 2007

By: 

(Signature of Authorized Representative)

CHRISTO, INCORPORATED

(Name of Firm or Corporation)

By: ROBERT A. KEILING

(Print Name of Authorized Representative)

4461-B HANCOCK BRIDGE PKWY

(Address of Firm or Corporation)

Title: PRESIDENT

N. FORT MYERS, FL 33903-

(City, State & Zip Of Firm Or Corporation)

Phone #: (239)997-2823 Ext.

Fax#: (239)997-4672

STATE OF FL)

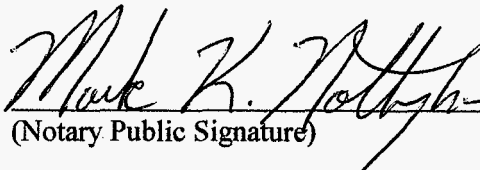
) SS:

COUNTY OF LEE)

The foregoing instrument was signed and acknowledged before me this 8 th day of January, 2007 by ROBERT A. KEILING who is personally known to me - _____, and who did not take an oath.

MARK K. NOTTINGHAM
Notary Public, State of Florida
My comm. exp. Jan. 6, 2008
Comm. No. DD 281445

(Notary Seal & Commission Number)


(Notary Public Signature)

MARK K. NOTTINGHAM

(Printed Name of Notary Public)

CERTIFICATION OF CONTRIBUTORY ASSETS

PROJECT NAME: DANIELS PARKWAY BUSINESS CENTER

STRAP NUMBER: 21-45-25-14-00RD1.00CE

LOCATION: 8850-8890 SALROSE LANE FORT MYERS, FL 33912

OWNER'S NAME: (as shown on Deed) SALROSE DREAMS II LLP

OWNER'S ADDRESS: 6541 BRIARCLIFF ROAD

OWNER'S ADDRESS: FORT MYERS, FL 33912-

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
PVC C-900 DR-14	10"	1,623.0	LF	\$40.00	\$64,920.00
PVC C-900 DR-14	8"	5.0	LF	\$200.00	\$1,000.00
CL-50 DIP	10"	144.0	LF	\$60.00	\$8,640.00
STEEL CASING	20"	30.0	LF	\$340.00	\$10,200.00
FIRE HYDRANT ASSEMBLY	10" x 6"	6.0	EA	\$4,500.00	\$27,000.00
GATE VALVE	10"	4.0	EA	\$1,400.00	\$5,600.00
GATE VALVE	8"	1.0	EA	\$1,800.00	\$1,800.00
TAPPING SLEEVE W/VALVE	10" x 10"	1.0	EA	\$9,500.00	\$9,500.00
BLOW-OFF ASSEMBLY	10" x 2"	1.0	EA	\$1,500.00	\$1,500.00
ASSORTED FITTINGS	10"	1.0	LS	\$12,000.00	\$12,000.00
SINGLE WATER SERVICE/COMPLETE	2"	5.0	EA	\$1,500.00	\$7,500.00
SINGLE WATER SERVICE/COMPLETE	5/8"	1.0	EA	\$2,000.00	\$2,000.00
TOTAL					\$151,660.00

(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 Robert A. Keiling
(Signature of Certifying Agent)

ROBERT A. KEILING- PRESIDENT
(Name & Title of Certifying Agent)

CHRISTO, INCORPORATED
(Name of Firm or Corporation)

4461-B HANCOCK BRIDGE PKWY
(Address of Firm or Corporation)

N. FORT MYERS, FL 33903 -

STATE OF FL)
) SS:
COUNTY OF LEE)

The foregoing instrument was signed and acknowledged before me this 8 th day of January, 2007 by ROBERT A. KEILING who is personally known to me - _____, and who did not take an oath.

Mark K. Nottingham
Notary Public Signature

MARK K. NOTTINGHAM
Printed Name of Notary Public

DD 261445
Notary Commission Number

MARK K. NOTTINGHAM
Notary Public, State of Florida
My comm. exp. Jan. 6, 2008
Comm. No. DD 261445

(NOTARY SEAL)

CERTIFICATION OF CONTRIBUTORY ASSETS

PROJECT NAME: DANIELS PARKWAY BUSINESS CENTER

STRAP NUMBER: 21-45-25-14-00RD1.00CE

LOCATION: 8850-8890 SALROSE LANE FORT MYERS, FL 33912

OWNER'S NAME: (as shown on Deed) SALROSE DREAMS II LLP

OWNER'S ADDRESS: 6541 BRIARCLIFF ROAD

OWNER'S ADDRESS: FORT MYERS, FL 33912-

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.

Table with columns: ITEM, SIZE, QUANTITY, UNIT, UNIT COST, TOTAL. Rows include PVC C-900 DR-14, HDPE SDR-11, STEEL CASING, TAPPING SLEEVE W/VALVE, etc. Total: \$390,445.00

(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 *Robert A. Keiling*
(Signature of Certifying Agent)

ROBERT A. KEILING- PRESIDENT
(Name & Title of Certifying Agent)

CHRISTO, INCORPORATED
(Name of Firm or Corporation)

4461-B HANCOCK BRIDGE PKWY
(Address of Firm or Corporation)

N. FORT MYERS, FL 33903 -

STATE OF FL)
) SS:
COUNTY OF LEE)

The foregoing instrument was signed and acknowledged before me this 8 th day of January, 2007 by ROBERT A. KEILING who is personally known to me - _____, and who did not take an oath.

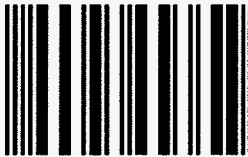
Mark K. Nottingham
Notary Public Signature

MARK K. NOTTINGHAM
Notary Public, State of Florida
My comm. exp. Jan. 6, 2008
Comm. No. DD 261445

MARK K. NOTTINGHAM
Printed Name of Notary Public

DD 261445
Notary Commission Number

(NOTARY SEAL)



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



FDOR10240300
DR-219
R. 07/98

(PLEASE READ INSTRUCTIONS BEFORE COMPLETING)

1. Parcel Identification Number (If Parcel ID not available please call County Property Appraiser's Office) →

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

2145251400RD100CE

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 20070457 SALROSE DREAMS II LLP**

Last Mailing Address: **6541 BRIARCLIFF RD**

First City: **FT MYERS**

MI State: **FL**

Corporate Name (if applicable): **SALROSE DREAMS II LLP**

Zip Code Phone No.: **33912**

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 Phone No.: **33902 (2394798181)**

5. Date of Sale/Transfer: / / \$. Cents

Month Day Year

Sale/Transfer Price (Round to the nearest dollar.)

Property Located In:

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: \$. Cents

YES / NO

(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

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

12. Amount of Documentary Stamp Tax → \$. Cents

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

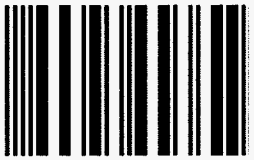
Under penalties of perjury, I declare that I have read the foregoing return and that the facts stated in it are true. If prepared by someone other than the taxpayer, his/her declaration is based on all information of which he/her has any knowledge.

Signature of Grantor or Grantee or Agent: Date: 2/26/07

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: <input type="text" value="0"/> <input type="text" value="0"/> <input type="text" value="0"/> <input type="text" value="0"/> <input type="text" value="0"/> <input type="text" value="0"/> <input type="text" value="0"/> <input type="text" value="0"/> <input type="text" value="0"/> <input type="text" value="0"/> <input type="text" value="0"/> <input type="text" value="0"/></p> <p>Date Recorded: <input type="text" value="0"/> <input type="text" value="0"/> / <input type="text" value="0"/> <input type="text" value="0"/> / <input type="text" value="0"/> <input type="text" value="0"/> <input type="text" value="0"/></p> <p style="margin-left: 20px;">Month Day Year</p>	<div style="border: 1px solid black; height: 50px; width: 100%;"></div>

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 2145251400RD100CE**

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 20070457 SALROSE DREAMS II LLP

3. Grantor (Seller): Last **6541 BRIARCLIFF RD** First **FT MYERS** MI **FL** Corporate Name (if applicable) **33912**

4. Grantee (Buyer): Mailing Address **THOM OSTERHOUT** City **AS AGENT: FOR LEE CO. BD. OF CO. COMMISSIONERS** State **FL** Zip Code **33902** Phone No. **(239) 4798181**

5. Date of Sale/Transfer: Last **2007** First **00** MI **FL** Corporate Name (if applicable) **46** County Code **46**

6. Type of Document: Contract/Agreement for Deed Other 7. Are any mortgages on the property? If "Yes", outstanding mortgage balance: **0.00** (Round to the nearest dollar.)
Warranty Deed Quit Claim Deed (Round to the nearest dollar.) **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 \$ **0.00**

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 C. [Signature]* Date **3/26/07**

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 Gulledge

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

ACCOUNT NO. OD5360748700.504930

THANK YOU.

FOR UTILITIES USE ONLY:

BLUE SHEET NO. 20070457-UTL

**PROJECT NAME: DANIELS PARKWAY BUSINESS
CENTER**

EASEMENT NAME: SALROSE DREAMS II LLP

TYPING BY: *Jeanette Cruz*

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

Strap Number(s):

21-45-25-14-00RD1.00CE

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 "**SALROSE DREAMS II 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 20070457-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.

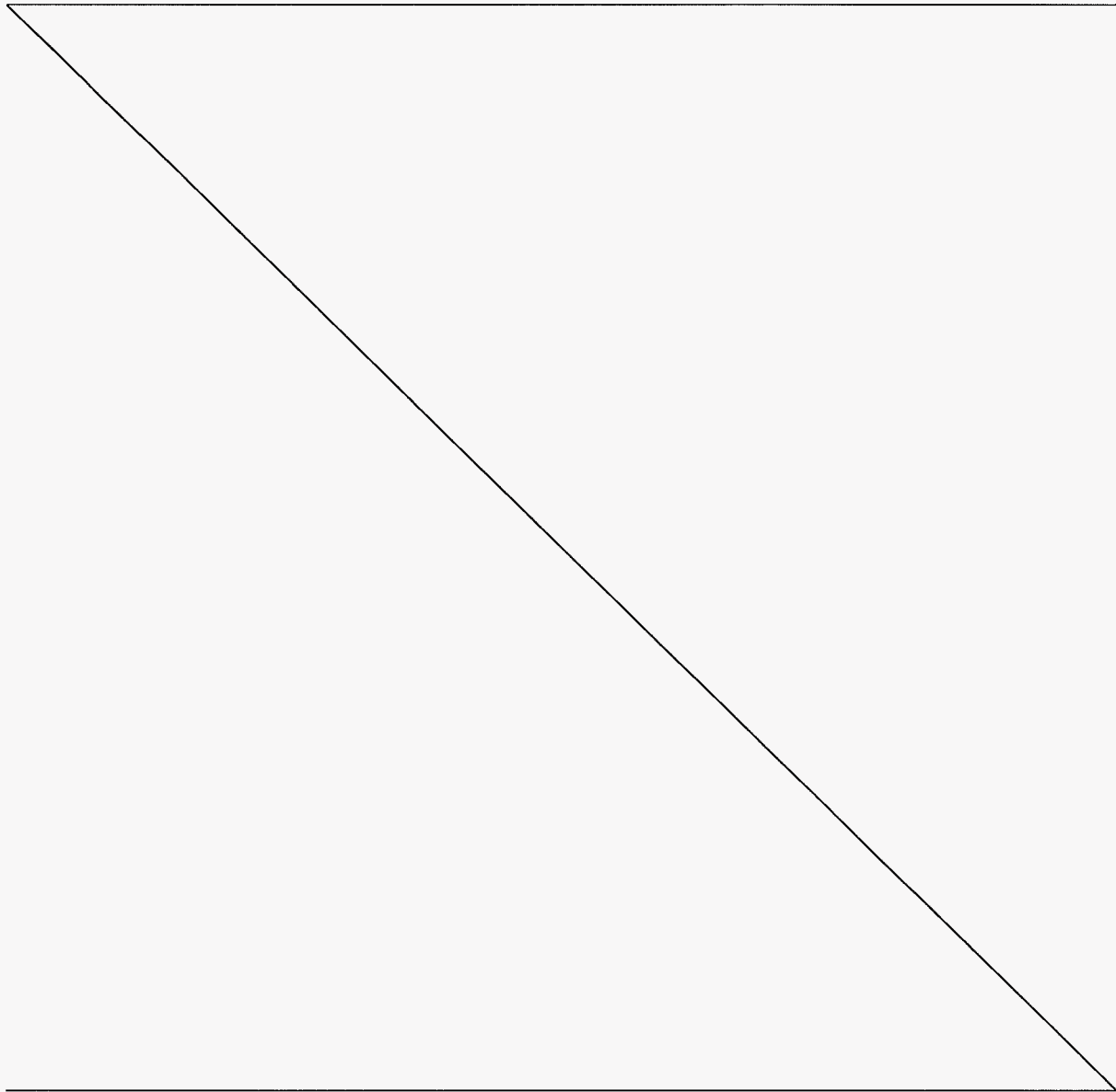
7. GRANTEE will be liable for money damages in tort for any injury to or loss of property, personal injury, or death caused by the negligent or wrongful act(s) or omission(s) of any official or employee of the GRANTEE while acting within the scope of the official's or employee's office or employment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

Sherrye Booker
[1st Witness Signature]

Sherrye Booker
[Type or Print Name]

Kevin L. Higginson
[2nd Witness Signature]

Kevin L. Higginson
[Type or Print Name]

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

SALVATORE Basile
[Type or Print Name]

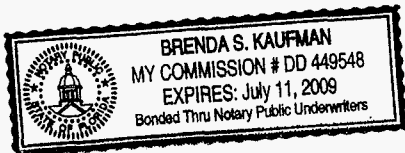
Partner
[Title]

STATE OF FLORIDA

COUNTY OF Lee

The foregoing instrument was signed and acknowledged before me this 16th day of February 2007 by Salvatore Basile who produced the following as identification _____ or is personally know to me, and who did/did not take an oath.

[stamp or seal]



Brenda S. Kaufman
[Signature of Notary]

Brenda S. Kaufman
[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

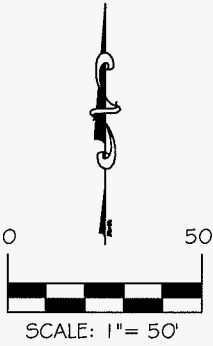
BY: _____
Deputy Clerk

BY: _____
Chair

APPROVED AS TO FORM

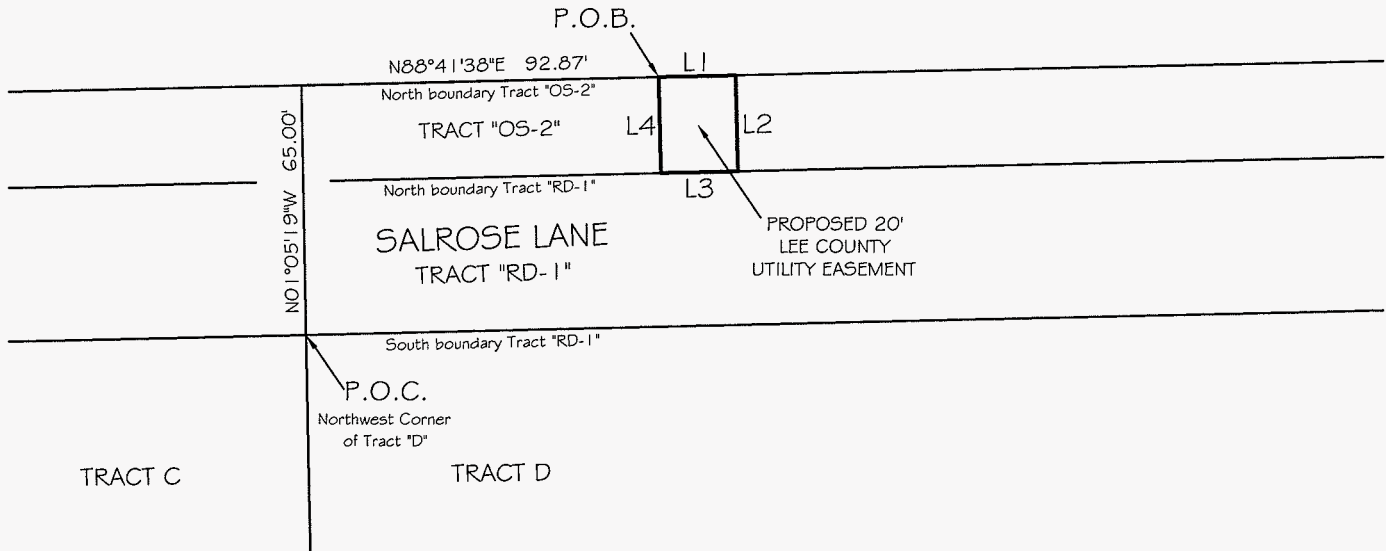
BY: _____
Office of the County Attorney
Scott S. Coover, Esquire

SKETCH AND DESCRIPTION
OF
LEE COUNTY UTILITY EASEMENT
FOR
DANIELS PARKWAY BUSINESS CENTER
AS RECORDED IN INSTRUMENT NUMBER 2006000155366
SECTION 21, TOWNSHIP 45 S., RANGE 25 E.



LINE TABLE

L1	20.00'	N88°41'38"E
L2	25.00'	S01°18'22"E
L3	20.00'	S88°41'38"W
L4	25.00'	N01°18'22"W



DESCRIPTION

A PARCEL OF LAND LYING IN THE SOUTH 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 21, TOWNSHIP 45 SOUTH, RANGE 25 EAST LEE COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF TRACT "D" OF DANIELS PARKWAY BUSINESS CENTER ACCORDING TO THE PLAT THEREOF AS RECORDED IN INSTRUMENT NUMBER 2006000155366 PUBLIC RECORDS LEE COUNTY, FLORIDA; THENCE NORTH 01°05'19" WEST A DISTANCE OF 65.00 FEET TO THE NORTH BOUNDARY OF SAID PLAT; THENCE NORTH 88°41'38" EAST, ALONG SAID NORTH BOUNDARY, A DISTANCE OF 92.87 FEET TO THE NORTHWEST CORNER OF A PROPOSED 20 FOOT LEE COUNTY UTILITY EASEMENT AND THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED; THENCE CONTINUE NORTH 88°41'38" EAST, ALONG SAID NORTH BOUNDARY, A DISTANCE OF 20.00 FEET TO THE NORTHEAST CORNER OF SAID PROPOSED 20 FOOT LEE COUNTY UTILITY EASEMENT; THENCE SOUTH 01°18'22" EAST A DISTANCE OF 25.00 TO THE TO THE SOUTHEAST CORNER OF SAID PROPOSED 20 FOOT LEE COUNTY UTILITY EASEMENT; THENCE SOUTH 88°41'38" WEST, PARALLEL TO THE SAID NORTH BOUNDARY OF SAID PLAT, A DISTANCE OF 20.00 FEET TO THE SOUTHWEST CORNER OF SAID PROPOSED 20 FOOT LEE COUNTY UTILITY EASEMENT; THENCE NORTH 01°18'22" WEST A DISTANCE OF 25.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 500 SQUARE FEET MORE OR LESS.

REVISIONS:

PROJECT NO: 04-180
 SCALE: 1" = 50'
 DRAWN BY: MAT
 CHECKED BY: MAT
 DATE DRAWN: 02/16/07

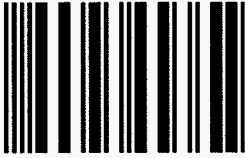


community engineering services, inc.
civil engineering surveying project management

EB-0006613 LB-6572
 8991 Daniels Center Drive, Suite 103
 Fort Myers, Florida 33912
 Telephone (239) 936-9777 Fax (239) 936-0064

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

Mark A. Texter
 MARK A. TEXTER
 FLORIDA REGISTRATION NO. 6392
 DATE SIGNED: 2-16-07



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



FDR10240300
 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
2145250100000030A

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 20070457 KAI ENTERPRISE LLC & SEAHORSE COMM, INC

Last First MI Corporate Name (if applicable)
27020 FLAMINGO DR BONITA SPRINGS FL 34135

Mailing Address City State Zip Code Phone No.
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: \$.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
 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 \$.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 3/26/07

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 <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"/> <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"/> <input type="text"/> 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. 20070457-UTL

**PROJECT NAME: DANIELS PARKWAY BUSINESS
CENTER**

**EASEMENT NAME: KAI ENTERPRISE LLC &
SEAHORSE COMMUNITIES, INC**

TYPING BY: *Jeanette Cruz*

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

Strap Number(s):

21-45-25-01-00000.030A

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 “**KAI ENTERPRISE LLC & SEAHORSE COMMUNITIES, 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 20070457-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.

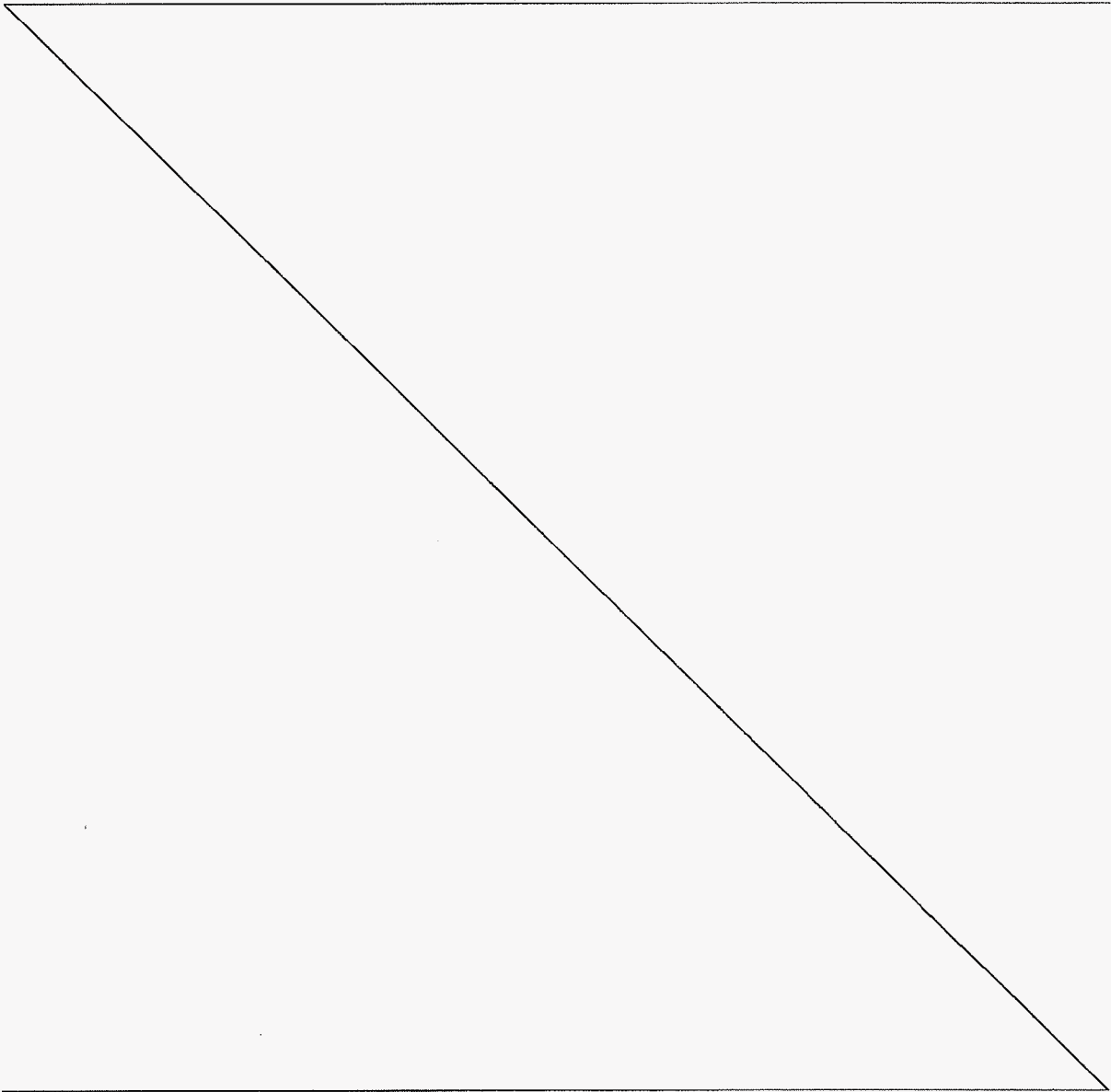
7. GRANTEE will be liable for money damages in tort for any injury to or loss of property, personal injury, or death caused by the negligent or wrongful act(s) or omission(s) of any official or employee of the GRANTEE while acting within the scope of the official's or employee's office or employment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

R. Robinson

[1st Witness' Signature]

Rita C Robinson

[Type or Print Name]

Thomas Kelly

[2nd Witness' Signature]

Thomas Kelly

[Type or Print Name]

BY:

Steve Bacardi

[Signature Grantor's/Owner's]

Steve Bacardi

[Type or Print Name]

Kevin Thomas Man. Member
President Kai ENT LLC

[Title]

Seahorse Comm. INC

STATE OF FLORIDA

COUNTY OF _____

The foregoing instrument was signed, and acknowledged before me this 15th day of February 2007 by Steve Bacardi who produced the following as identification

_____ or is personally know to me.

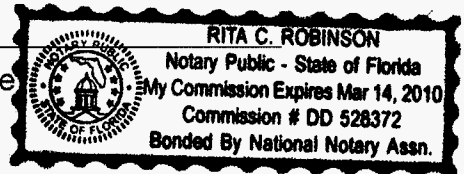
and who did/did not take an oath.

[stamp or seal]

R. Robinson

[Signature of Notary]

[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

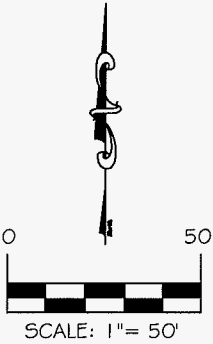
BY: _____
Deputy Clerk

BY: _____
Chair

APPROVED AS TO FORM

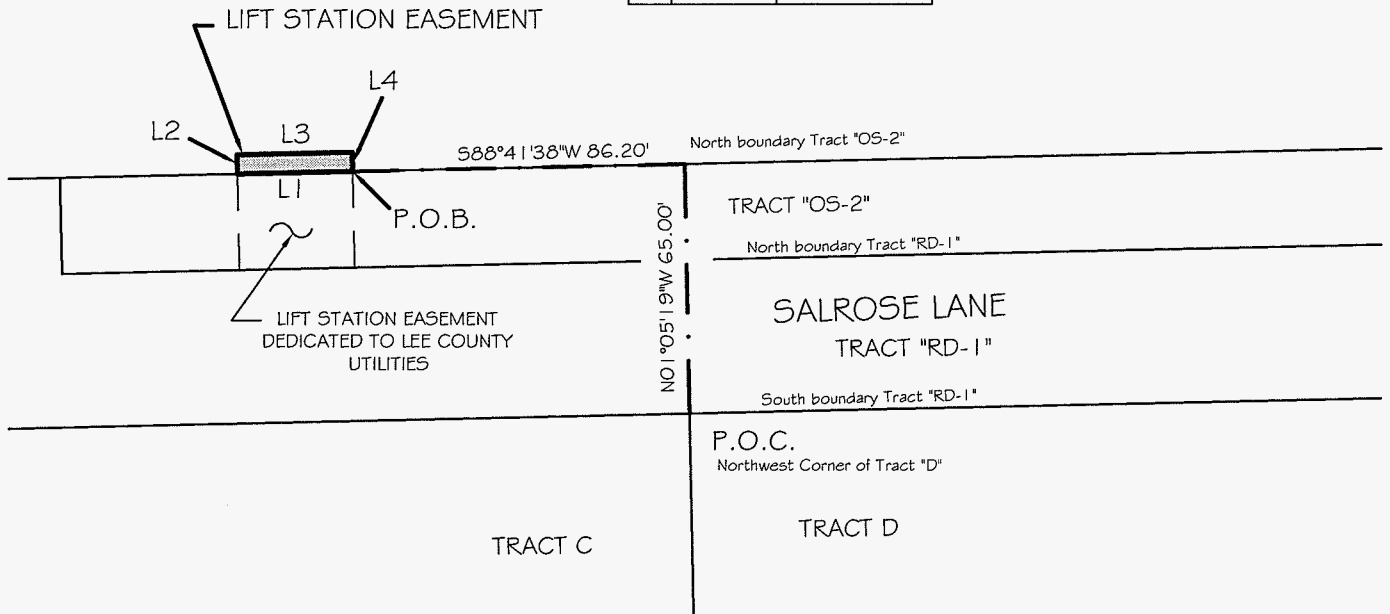
BY: _____
Office of the County Attorney
Scott S. Coover, Esquire

SKETCH AND DESCRIPTION
OF
LIFT STATION EASEMENT
FOR
DANIELS PARKWAY BUSINESS CENTER
AS RECORDED IN INSTRUMENT NUMBER 2006000155366
SECTION 21, TOWNSHIP 45 S., RANGE 25 E.



LINE TABLE

L1	30.00'	S88°41'38"W
L2	5.00'	N01°17'56"W
L3	30.00'	N88°41'38"E
L4	5.00'	S01°17'56"E



DESCRIPTION

PARCEL OF LAND LYING IN THE SOUTH 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 21 TOWNSHIP 45 SOUTH, RANGE 25 EAST LEE COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF TRACT "D" OF DANIELS PARKWAY BUSINESS CENTER ACCORDING TO THE PLAT THEREOF AS RECORDED IN INSTRUMENT NUMBER 2006000155366 PUBLIC RECORDS LEE COUNTY, FLORIDA; THENCE NORTH 01°05'19" WEST 65.00 FEET TO A POINT ON THE NORTH BOUNDARY OF SAID PLAT; THENCE SOUTH 88°41'38" WEST, ALONG SAID NORTH BOUNDARY A DISTANCE OF 86.20 FEET TO THE NORTHEAST CORNER OF A LIFT STATION EASEMENT AS SHOWN ON SAID PLAT AND THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED; THENCE CONTINUE SOUTH 88°41'38" WEST, ALONG SAID NORTH BOUNDARY A DISTANCE OF 30.00 FEET TO THE NORTHWEST CORNER OF SAID LIFT STATION EASEMENT; THENCE NORTH 01°17'56" WEST A DISTANCE OF 5.00 FEET; THENCE NORTH 88°41'38" EAST, PARALLEL TO THE SAID NORTH BOUNDARY, A DISTANCE OF 30.00 FEET; THENCE SOUTH 01°17'56" EAST A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 150 SQUARE FEET MORE OR LESS.

REVISIONS:

PROJECT NO: 04-180
 SCALE: 1" = 50'
 DRAWN BY: RH
 CHECKED BY: -
 DATE DRAWN: 02/15/07



community engineering services, inc.
civil engineering surveying project management

EB-0006613 LB-6572
 8991 Daniels Center Drive, Suite 103
 Fort Myers, Florida 33912
 Telephone (239) 936-9777 Fax (239) 936-0064

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

Mark A. Texter
 MARK A. TEXTER
 FLORIDA REGISTRATION NO. 6392
 DATE SIGNED: 2-16-07