

Lee County Board Of County Commissioners

Blue Sheet No. 20070414

Agenda Item Summary

1. ACTION REQUESTED/PURPOSE: Accept Quit-Claim Deed transferring ownership of Abrams and Centennial Boulevards from the East County Water Control District to Lee County and accept the Perpetual Right-of-Way Easement over the East County Water Control District's canals that these roadways cross. Also, accept East County Water Control District's fifty percent (50%) share of the construction of these roads in the amount of \$317,275.00.

2. FUNDING SOURCE: Fund – Transportation Capital Improvement; Program – Major Maintenance Program; Project – Road Resurfacing Rebuild

3. WHAT ACTION ACCOMPLISHES: Completes the 2004 Interlocal Agreement with the East County Water Control District that provided for a fifty percent (50%) cost share of the construction of Abrams and Centennial Boulevards and officially completes the acceptance of these roadways for maintenance per Administrative Code 11-7, Road Maintenance Acceptance Policy.

4. MANAGEMENT RECOMMENDATION: Approve.

5. Departmental Category: C9E **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)		9. Request Initiated:	
	<input type="checkbox"/> Statute	<input type="checkbox"/>	Commissioner	
	<input type="checkbox"/> Ordinance	<input type="checkbox"/>	Department	Department of
	<input checked="" type="checkbox"/> Admin. Code	11-7	Division	Transportation
	<input type="checkbox"/> Other	<input type="checkbox"/>	By: Scott Gilbertson Director	

10. Background:

On June 1, 2004, Lee County entered into an Interlocal Agreement with the East County Water Control District in order to cost share the improvements of Abrams and Centennial Boulevards. According to the agreement, the ownership and maintenance of Abrams and Centennial Boulevards was to transfer upon completion of construction. Lee County Road Maintenance Acceptance Policy requires official documentation of ownership to complete the transfer. Additionally, the East County Water Control District would not release its share of the funds until the transfer was officially complete. The deed and easement complete this transfer and allows for the East County Water Control District to release its funds.

Funds are available for recording fees in the following account: 40468330700.506110
Funds will be deposited into the following account string: 40468330700.366900.9195

11. Review for Scheduling:

Department Director	Purchasing or Contracts	Human Resources	Other	County Attorney	Budget Services				County Manager/P.W. Director
					Analyst	Risk	Grants	Mgr.	
3/24/07 <i>[Signature]</i>				3/23/07 <i>[Signature]</i>	3-27-07 <i>[Signature]</i>	3/27/07 <i>[Signature]</i>	3/27/07 <i>[Signature]</i>	3/23/07 <i>[Signature]</i>	

12. Commission Action:

Approved
 Deferred
 Denied
 Other

Rec. by CoAtty
 Date: 3/23/07
 Time: 2:10 pm
 Forwarded To: *[Signature]*
 2:52 pm



East County Water Control District

March 5, 2007

Jed R. Schneck, Esq.,
Asst. County Attorney
Lee County
PO Box 398
Fort Myers, FL 33902-0398

2007 MAR -7 AM 7:53
RECEIVED BY
LEE CO. ATTORNEY

**Re: ECWCD, Transfer of Abrams & Centennial Boulevards to Lee County,
Execution of Conveyance Documents**

Dear Mr. Schneck,

Enclosed are a Quitclaim Deed and Grant of Perpetual Right-of-Way Easement that have been executed by East County Water Control District to transfer ownership of Abrams and Centennial Boulevards to Lee County per a Cooperative Agreement dated May 21, 2002.

Also enclosed is check no. 7424 in the amount of \$317,275 which represents East County Water Control District's fifty percent share of construction for Abrams and Centennial Boulevards.

Please return a copy of the documents to me, once Lee County has approved acceptance of the roads and the documents have been recorded, for my files.

Should you have any questions please contact me.

Sincerely,

East County Water Control District

A handwritten signature in cursive script that reads "Brenda Fallon".

Brenda Fallon
Comptroller

encl

ORIGINALS

This Instrument Prepared by:

Frank S. Palen, Esquire
CALDWELL & PACETTI LLP
P. O. Box 2775
Palm Beach, FL 33480-2775

Return to:

Jed R. Schneck, Esq., Asst. County Attorney
Lee County
Post Office Box 398
Fort Myers, Florida 33902-0398

STRAP Nos.

QUIT-CLAIM DEED

THIS QUIT-CLAIM DEED is made this 12 day of February, 2007, by **EAST COUNTY WATER CONTROL DISTRICT**, an independent special district of the State of Florida, whose mailing address is 601 East County Lane, Lehigh Acres, Florida 33936 (hereafter referred to as "Grantor") to **LEE COUNTY**, a political subdivision of the State of Florida, whose address is P. O. Box 398, Fort Myers, Florida 33902-0398 (hereafter referred to as "Grantee"). (Wherever used herein, the terms "Grantor" and "Grantee" shall include the parties to this instrument and their respective heirs, legal representatives, successors and assigns.)

W I T N E S S E T H:

That the Grantor for and in consideration of the sum of Ten Dollars (\$10.00) and other valuable considerations, the receipt of which is hereby acknowledged, does hereby remise, release and quit-claim unto the Grantee forever, all the right, title, interest, claim and demand which Grantor has in and to the following real property (the "Real Property"), namely:

[See Attached Exhibit "A"]

Provided, however, the Grantor's conveyance of the Real Property shall be subject to the following, namely:

(1) All easements, restrictions and reservations of record without reimposing the same by this reference.

(2) Reservation of an easement for ingress and egress in, over and upon the Real Property by the Grantor or its authorized employees, contractors, suppliers, consultants, licensees and agents for the purpose of maintaining Grantor's drainage and surface water management facilities.

TO HAVE AND TO HOLD the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining and all the estate, right, interest, lien, equity and

claim whatsoever of the Grantor, either in law or equity, to the proper use, benefit and behoof of the Grantee forever.

The Grantor's conveyance of the Real Property is being given without any statutory, express or implied warranties of any nature whatsoever and that the acceptance of the Real Property by the Grantee shall be without recourse as to the Grantor.

IN WITNESS WHEREOF, the Grantor has caused these presents to be executed in its name, and its seal to be hereunto affixed, by its proper officers thereunto duly authorized, the day and year first above written.

Signed, sealed and delivered
in presence of:

EAST COUNTY WATER CONTROL DISTRICT,
an independent special district of the State of Florida

Terry E Noble
Signature
Terry E Noble
Print Name
Paula Hinspeter
Signature
PAULA HINSPETER
Print Name

By: *J. Nathan Stoo*
J. NATHAN STOO Chair
Board of Supervisors

ATTEST:

By: *Desmond Barrett*
DESMOND BARRETT, Secretary
Board of Supervisors

{DISTRICT SEAL}

STATE OF FLORIDA)
)ss:
COUNTY OF LEE)

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared J. Nathan Stout and Desmond Barrett well known to me to be the Chair and Secretary of the Board of Supervisors, respectively, of EAST COUNTY WATER CONTROL DISTRICT, named as Grantor in the foregoing deed, and that they severally acknowledged executing the same in the presence of two subscribing witnesses freely and voluntarily under authority duly vested in them by said District and that the seal affixed thereto is the true seal of said entity.

WITNESS my hand and official seal in the County and State aforesaid, this 12 day of February, 2007.

{NOTARY SEAL} **PAULA HINSPETER**
Notary Public, State of FL
My Comm. Expires 12, 2011
Comm. # DD627803

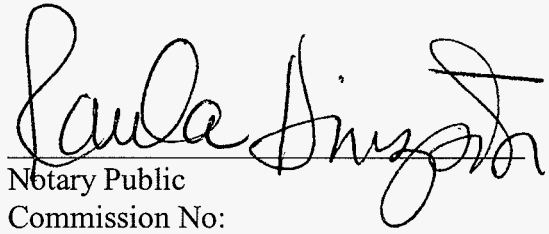

Notary Public
Commission No:
My Commission Expires:

EXHIBIT "A"

**THE REAL PROPERTY
LEGAL DESCRIPTION**

ABRAMS BOULEVARD, commencing at Buckingham Road and extending South to its intersection with Lee Boulevard (SR 82), as originally dedicated by plat to the East County Water Control District and more particularly described as follows:

Abrams Boulevard as shown on the Plat of Units 1 thru 5, Section 19, TWP. 44S, RGE. 26E, as recorded in Plat Book 26, Pages 21 through 26, inclusive, Official Records of Lee County, Florida;

TOGETHER WITH:

Abrams Boulevard as shown on the Plat of Units 1 thru 8, Section 20, TWP. 44S, RGE. 26E, as recorded in Plat Book 26, Pages 27 through 35, inclusive, Official Records of Lee County, Florida;

TOGETHER WITH:

Abrams Boulevard as shown on the Plat of Units 2 thru 5, Section 30, TWP. 44S, RGE. 26E, as recorded in Plat Book 26, Pages 51 through 55, inclusive, Official Records of Lee County, Florida;

TOGETHER WITH:

CENTENNIAL BOULEVARD, commencing at Abrams Boulevard and extending east to its intersection with Immokalee Road (NKA "Gunnery Road"), as originally dedicated by plat to the East County Water Control District and more particularly described as follows:

Centennial Boulevard as shown on the Plat of Units 1 thru 8, Section 20, TWP. 44S, RGE. 26E, as recorded in Plat Book 26, Pages 27 through 35, inclusive, Official Records of Lee County, Florida;

TOGETHER WITH:

Centennial Boulevard as shown on the Plat of Units 1 thru 5, Section 21, TWP. 44S, RGE. 26E, as recorded in Plat Book 26, Pages 36 through 41, inclusive, Official Records of Lee County, Florida;

LESS AND EXCEPT THE FOLLOWING PARCELS OF REAL PROPERTY:

ABRAMS & CANAL 46-19-2 CROSSING

DESCRIPTION:

A PARCEL OF REAL PROPERTY LYING AND BEING IN SECTIONS 19 & 20, TOWNSHIP 44 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SECTION 19, THENCE ALONG THE SOUTH LINE OF SECTION 19, SOUTH 89 DEGREES 21 MINUTES 26 SECONDS WEST FOR A DISTANCE OF 53.01 FEET TO THE INTERSECTION OF THE SOUTH LINE OF CANAL NUMBER 46-20-4 AND THE WEST RIGHT OF WAY LINE OF ABRAMS BOULEVARD, 106' RIGHT OF WAY; THENCE LEAVING SAID SECTION LINE ALONG THE AFORESAID WEST RIGHT OF WAY LINE, NORTH 01 DEGREES 34 MINUTES 08 SECONDS WEST FOR A DISTANCE OF 100.01 FEET TO THE INTERSECTION OF THE NORTH RIGHT OF WAY LINE OF CANAL NUMBER 46-20-4, AND THE WEST RIGHT OF WAY LINE OF ABRAMS BOULEVARD; THENCE ALONG THE NORTH RIGHT OF WAY LINE OF THE AFORESAID CANAL, NORTH 89 DEGREES 21 MINUTES 26 SECONDS EAST FOR A DISTANCE OF 53.01 FEET TO A POINT ON THE WEST LINE OF SECTION 19; THENCE CONTINUING ALONG SAID NORTH RIGHT OF WAY LINE, NORTH 89 DEGREES 14 MINUTES 22 SECONDS EAST FOR A DISTANCE OF 53.01 FEET TO A POINT ON THE INTERSECTION OF THE NORTH RIGHT OF WAY LINE OF CANAL NUMBER 46-20-4, AND THE EAST RIGHT OF WAY LINE OF ABRAMS BOULEVARD; THENCE ALONG THE EAST RIGHT OF WAY LINE OF ABRAMS BOULEVARD, SOUTH 01 DEGREES 34 MINUTES 08 SECONDS EAST FOR A DISTANCE OF 100.01 FEET TO A POINT ON THE INTERSECTION OF THE SOUTH RIGHT OF WAY LINE OF CANAL NUMBER 46-20-4, AND THE EAST RIGHT OF WAY LINE OF ABRAMS BOULEVARD SAID POINT ALSO BEING ON THE SOUTH LINE OF SECTION 20; THENCE ALONG SAID SOUTH CANAL RIGHT OF WAY LINE, SOUTH 89 DEGREES 14 MINUTES 22 SECONDS WEST FOR A DISTANCE OF 53.01 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.24 ACRES MORE OR LESS

TOGETHER WITH:

CENTENNIAL & CANAL 46-20-1 CROSSING

DESCRIPTION:

A PARCEL OF REAL PROPERTY LYING AND BEING IN SECTION 20 TOWNSHIP 44 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE CENTERLINE OF CENTENNIAL BOULEVARD, 80' RIGHT OF WAY, AND THE CENTERLINE OF ANGELO AVENUE, 60' RIGHT OF WAY; THENCE ALONG THE CENTERLINE OF CENTENNIAL BOULEVARD, DUE EAST FOR A DISTANCE OF 160.06 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF CANAL NUMBER 46-20-1; THENCE ALONG SAID WESTERLY RIGHT OF WAY LINE, NORTH 01 DEGREES 34 MINUTES 08 SECONDS WEST FOR A DISTANCE OF 40.02 FEET TO THE INTERSECTION OF THE WESTERLY RIGHT OF WAY LINE OF CANAL NUMBER 46-20-1 AND THE NORTHERLY RIGHT OF WAY LINE OF CENTENNIAL BOULEVARD AND THE POINT OF BEGINNING;

THENCE ALONG THE SAID NORTHERLY RIGHT OF WAY LINE, DUE EAST FOR A DISTANCE OF 80.03 FEET TO THE INTERSECTION OF THE EASTERLY RIGHT OF WAY LINE OF CANAL NUMBER 46-20-1 AND THE NORTHERLY RIGHT OF WAY LINE OF CENTENNIAL BOULEVARD; THENCE ALONG SAID EASTERLY RIGHT OF WAY LINE, SOUTH 01 DEGREES 34 MINUTES 08 SECONDS EAST FOR A DISTANCE OF 80.03 FEET TO THE INTERSECTION OF THE EASTERLY RIGHT OF WAY LINE OF CANAL NUMBER 46-20-1 AND THE SOUTHERLY RIGHT OF WAY LINE OF CENTENNIAL BOULEVARD; THENCE ALONG SAID SOUTHERLY RIGHT OF WAY LINE, DUE WEST FOR A DISTANCE OF 80.03 FEET TO THE INTERSECTION OF THE WESTERLY RIGHT OF WAY LINE OF CANAL NUMBER 46-20-1 AND THE SOUTHERLY RIGHT OF WAY LINE OF CENTENNIAL BOULEVARD; THENCE ALONG SAID WESTERLY RIGHT OF WAY LINE, NORTH 01 DEGREES 34 MINUTES 08 SECONDS WEST FOR A DISTANCE OF 80.03 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.15 ACRES MORE OR LESS

TOGETHER WITH:

CENTENNIAL AND CANAL 46-20-2 CROSSING

DESCRIPTION:

A PARCEL OF REAL PROPERTY LYING AND BEING IN SECTION 20 TOWNSHIP 44 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE CENTERLINE OF CENTENNIAL BOULEVARD, 80' RIGHT OF WAY, AND THE CENTERLINE OF ADELIN AVENUE, 60' RIGHT OF WAY; THENCE ALONG THE CENTERLINE OF CENTENNIAL BOULEVARD, DUE EAST FOR A DISTANCE OF 160.04 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF CANAL NUMBER 46-20-2; THENCE ALONG SAID WESTERLY RIGHT OF WAY LINE, NORTH 01 DEGREES 13 MINUTES 20 SECONDS WEST FOR A DISTANCE OF 40.01 FEET TO THE INTERSECTION OF THE WESTERLY RIGHT OF WAY LINE OF CANAL NUMBER 46-20-2 AND THE NORTHERLY RIGHT OF WAY LINE OF CENTENNIAL BOULEVARD AND THE POINT OF BEGINNING;

THENCE ALONG THE SAID NORTHERLY RIGHT OF WAY LINE, DUE EAST FOR A DISTANCE OF 80.02 FEET TO THE INTERSECTION OF THE EASTERLY RIGHT OF WAY LINE OF CANAL NUMBER 46-20-2 AND THE NORTHERLY RIGHT OF WAY LINE OF CENTENNIAL BOULEVARD; THENCE ALONG SAID EASTERLY RIGHT OF WAY LINE, SOUTH 01 DEGREES 13 MINUTES 20 SECONDS EAST FOR A DISTANCE OF 80.02 FEET TO THE INTERSECTION OF THE EASTERLY RIGHT OF WAY LINE OF CANAL NUMBER 46-20-2 AND THE SOUTHERLY RIGHT OF WAY LINE OF CENTENNIAL BOULEVARD; THENCE ALONG SAID SOUTHERLY RIGHT OF WAY LINE, DUE WEST FOR A DISTANCE OF 80.02 FEET TO THE INTERSECTION OF THE WESTERLY RIGHT OF WAY LINE OF CANAL NUMBER 46-20-2 AND THE SOUTHERLY RIGHT OF WAY LINE OF CENTENNIAL BOULEVARD; THENCE ALONG SAID WESTERLY RIGHT OF WAY LINE, NORTH 01 DEGREES 13 MINUTES 20 SECONDS WEST FOR A DISTANCE OF 80.02 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.15 ACRES MORE OR LESS

TOGETHER WITH:

CENTENNIAL AND CANAL 46-21-2 CROSSING

DESCRIPTION:

A PARCEL OF REAL PROPERTY LYING AND BEING IN SECTION 21 TOWNSHIP 44 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE CENTERLINE OF CENTENNIAL BOULEVARD, 80' RIGHT OF WAY, AND THE CENTERLINE OF CEDARTREE AVENUE, 60' RIGHT OF WAY; THENCE ALONG THE CENTERLINE OF CENTENNIAL BOULEVARD, SOUTH 89 DEGREES 49 MINUTES 00 SECONDS WEST FOR A DISTANCE OF 194.36 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF CANAL NUMBER 46-21-2; THENCE ALONG SAID EASTERLY RIGHT OF WAY LINE, NORTH 34 DEGREES 46 MINUTES 30 SECONDS WEST FOR A DISTANCE OF 48.59 FEET TO THE INTERSECTION OF THE EASTERLY RIGHT OF WAY LINE OF CANAL NUMBER 46-21-2 AND THE NORTHERLY RIGHT OF WAY LINE OF CENTENNIAL BOULEVARD AND THE POINT OF BEGINNING;

THENCE CONTINUING ALONG THE SAID EASTERLY RIGHT OF WAY LINE, SOUTH 34 DEGREES 46 MINUTES 30 SECONDS EAST FOR A DISTANCE OF 97.18 FEET TO THE INTERSECTION OF THE EASTERLY RIGHT OF WAY LINE OF CANAL NUMBER 46-21-2 AND THE SOUTHERLY RIGHT OF WAY LINE OF CENTENNIAL BOULEVARD; THENCE ALONG SAID SOUTHERLY RIGHT OF WAY LINE, SOUTH 89 DEGREES 49 MINUTES 00 SECONDS WEST FOR A DISTANCE OF 97.18 FEET TO THE INTERSECTION OF THE WESTERLY RIGHT OF WAY LINE OF CANAL NUMBER 46-21-2 AND THE SOUTHERLY RIGHT OF WAY LINE OF CENTENNIAL BOULEVARD; THENCE ALONG SAID WESTERLY RIGHT OF WAY LINE, NORTH 34 DEGREES 46 MINUTES 30 SECONDS WEST FOR A DISTANCE OF 97.18 FEET TO THE INTERSECTION OF THE WESTERLY RIGHT OF WAY LINE OF CANAL NUMBER 46-21-2 AND THE NORTHERLY RIGHT OF WAY LINE OF CENTENNIAL BOULEVARD; THENCE ALONG SAID NORTHERLY RIGHT OF WAY LINE, NORTH 89 DEGREES 49 MINUTES 00 SECONDS EAST FOR A DISTANCE OF 97.18 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.18 ACRES MORE OR LESS

This instrument prepared by:
Frank S. Palen, Esquire
CALDWELL & PACETTI LLP
P. O. Box 2775
Palm Beach, FL 33480-2775

Return to:

Lee County
Public Works/County Lands
Post Office Box 398
Fort Myers, Florida 33902-0398

Parcel: _____
Project: Abrams & Centennial Boulevards
STRAP No.:

GRANT OF PERPETUAL RIGHT-OF-WAY EASEMENT

This **INDENTURE**, made and entered into this 12 day of February , 2007, between **EAST COUNTY WATER CONTROL DISTRICT**, an independent special district of the State of Florida, Owner, whose mailing address is 601 East County Lane, Lehigh Acres, Florida 33936 (hereafter "Grantor"), and **LEE COUNTY**, a political subdivision of the State of Florida, whose address is Post Office Box 398, Fort Myers, Florida 33902-0398 (hereafter "Grantee"):

WITNESSETH:

1. For and in consideration of the sum of One Dollar and other good and valuable consideration, receipt of which is hereby acknowledged, Grantor hereby grants and transfers to the Grantee, its successors and assigns, the use of a perpetual, non-exclusive public right-of-way easement situated in Lee County, Florida, and located and described as set forth in **Exhibit "A"**, attached hereto and made a part hereof (the "Easement Area").

2.A Grantee, its successors, appointees and assigns, are granted the right, privilege, and authority to construct, replace, renew, extend and maintain rights-of-way and/or attendant drainage system, together with, but not limited to, swales, culverts, manholes and appurtenances, to be located on, under, across, and through the easement which is located on the Easement Area described in **Exhibit "A"**, with the additional right, privilege and authority to remove, replace, repair and enlarge said system within the easement. Except as may otherwise be provided herein, said grant is a right and is not acceptance by the Grantee to construct and maintain any rights-of-way described in **Exhibit "A"**.

B. This grant of easement shall be subject to the terms of that certain "Cooperative Agreement Between the East County Water Control District and Lee County Regarding Culvert and Roadway Responsibility", dated May 21, 2002, as amended by that certain "Addendum to Cooperative Agreement Between the East County Water Control District and Lee County Regarding

Culvert and Roadway Responsibility”, dated February 22, 2005(collectively, the “Agreement”), pursuant to which Agreement, Grantee shall be responsible for continuing maintenance of any public roadway improvements within the Easement Area described in **Exhibit “A”**, including pavement, sub-grade, base, signage, and shoulders.

3. The right-of-way easement shall not limit the particular type of drainage necessary for said roadway, nor shall it limit the placement of improvements within the easement to a particular type, style, material or design. The Grantor shall not construct any structures within said easement other than the drainage and surface water management facilities of the Grantor, nor shall any foliage be placed in said easement.

4. Title to the public roadway improvements constructed hereunder shall remain in the Grantee, Grantee’s successors, appointees and/or assigns.

5. Subject to any 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 covenants that it is lawfully seized and possessed of the described real property in **Exhibit “A”**, has good and lawful right and power to sell and convey it, and that the real property is free and clear of all liens and encumbrances, except as herein stated, and accordingly, Grantor will forever warrant and defend the title and terms to this said easement and the quiet possession thereof against all claims and demands to all other entities.

6. To the extent permitted by law, each party agrees to indemnify and hold the other harmless from any liability arising from the negligence of its respective agents and employees in connection with the performance of this Agreement. For the purpose of liability, both Grantor and Grantee are covered by the provisions of Section 768.28, Florida Statutes, as may be amended, and this Agreement shall not be deemed a waiver of sovereign immunity by either party.

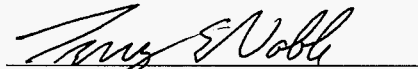
7. Grantee shall have a reasonable right of access across Grantor’s property for the purposes of reaching the described easement in **Exhibit “A”** on either paved or unpaved surfaces. Any damage to Grantor’s property or permitted improvements thereon as the result of such access to the described easement or the construction, maintenance, or repairs located within the above-described easement shall be restored by the Grantee, to the condition in which it existed prior to the damage.

8. **THIS AGREEMENT** shall be binding upon the parties hereto, their successors and assigns.


IN WITNESS WHEREOF, GRANTOR, has caused this document to be signed on the date first above written.

Signed, sealed and delivered
in presence of:

EAST COUNTY WATER CONTROL DISTRICT,
an independent special district of the State of Florida,
GRANTOR




Signature
TERRY E Noble


Print Name


Signature
PAULA HINSPETER

Print Name

By: 

J. Nathan Stout, Chair
Board of Supervisors

ATTEST:
By: 

Desmond Barrett, Secretary
Board of Supervisors

{DISTRICT SEAL}

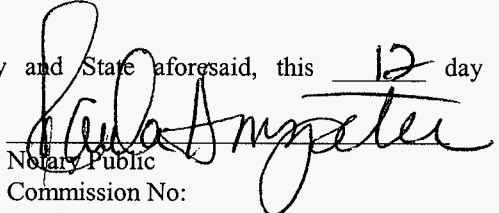
STATE OF FLORIDA)
)ss:
COUNTY OF LEE)

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared J. Nathan Stout and Desmond Barrett known to me to be the Chair and Secretary of the Board of Supervisors, respectively, of EAST COUNTY WATER CONTROL DISTRICT, named as Grantor in the foregoing instrument, and that they severally acknowledged executing the same in the presence of two subscribing witnesses freely and voluntarily under authority duly vested in them by said District and that the seal affixed thereto is the true seal of said entity.

WITNESS my hand and official seal in the County and State aforesaid, this 12 day of February, 2007.

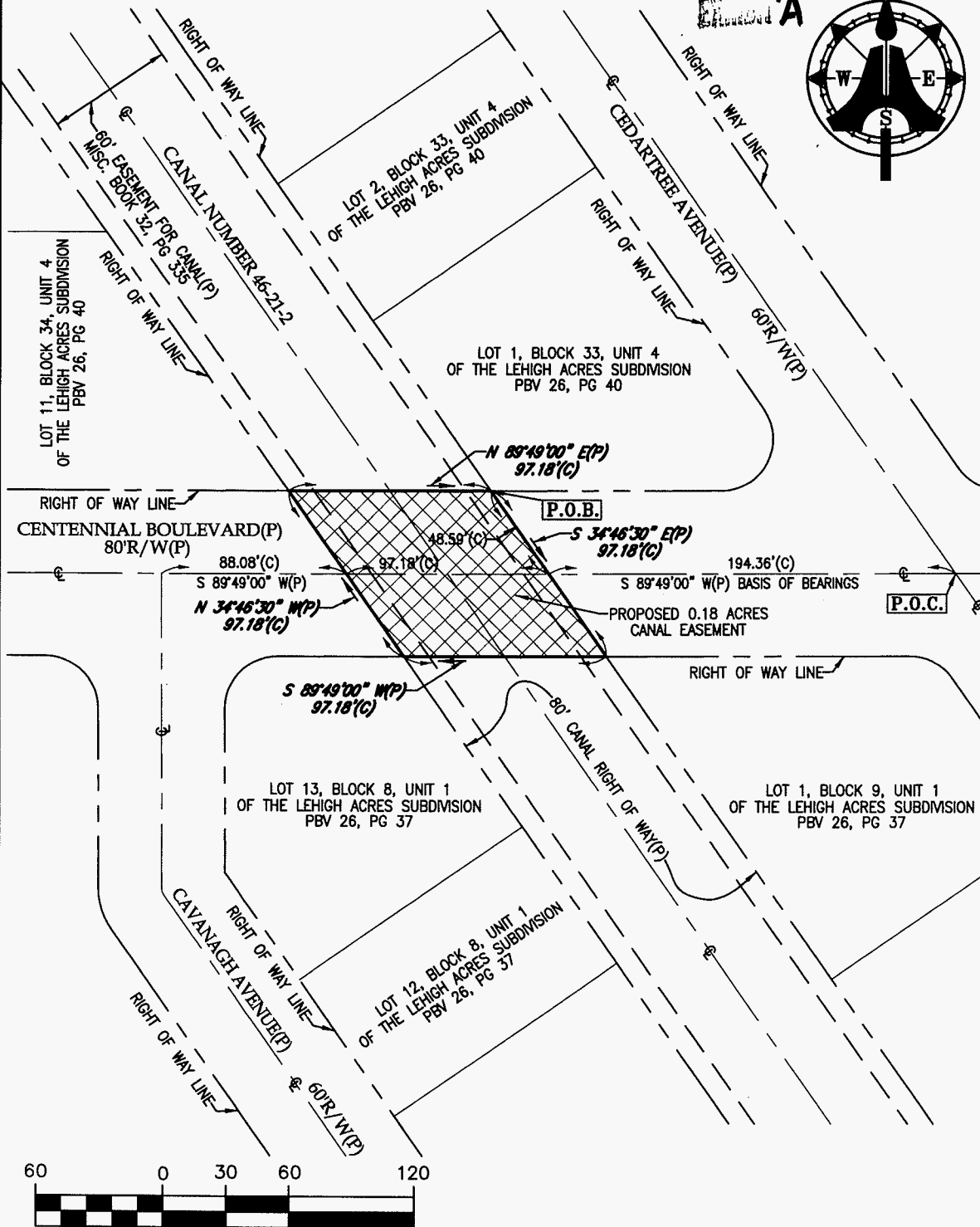
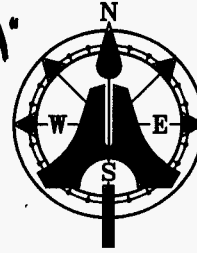
{NOTARY SEAL}

PAULA HINSPETER
Notary Public, State of FL
My Comm. Expires 12, 2011
Comm. # DD627803



Notary Public
Commission No:
My Commission Expires:

**LEGAL AND SKETCH LYING IN
SECTION 21 TOWNSHIP 44 SOUTH, RANGE 26 EAST,
LEE COUNTY, FLORIDA**



LEGEND

- (C) = CALCULATED DATA
- (P) = PLAT DATA
- Ⓞ = CENTERLINE
- MISC. = MISCELLANEOUS
- PBV = PLAT BOOK VOLUME
- PG = PAGE
- P.O.B. = POINT OF BEGINNING
- P.O.C. = POINT OF COMMENCEMENT
- R/W = RIGHT OF WAY

NOTES

- 1) BEARINGS SHOWN HEREON ARE BASED UPON THE SUBDIVISION OF LEHIGH ACRES, A SUBDIVISION RECORDED IN PBV 26, PG 25.
- 2) PROPERTY APPEARS TO LIE IN FLOOD ZONE B, COMMUNITY 125124 PANEL NO. 0375 B (PANEL NOT PRINTED), EFFECTIVE DATE SEPTEMBER 20, 1996

AIM Engineering & Surveying, Inc.



5300 LEE BLVD.
P.O. BOX 1235
LEHIGH ACRES
FLORIDA 33970
(239) 332-4569
FX: (239) 332-8734

THIS IS NOT A SURVEY

SHEET 2 OF 2

PROJECT NUMBER: 04-8731	DESCRIPTION: A PART OF UNIT 1&2, AS SHOWN ON THE SUBDIVISION OF LEHIGH ACRES
DRAWN BY: ARC	CLIENT: EAST COUNTY WATER CONTROL DISTRICT
DATE: 7/15/05	SEC-TWP-RGE 21-44S-26E
FILE: 04-8731.DWG	COUNTY: LEE COUNTY

**LEGAL AND SKETCH LYING IN
SECTIONS 19 & 20, TOWNSHIP 44 SOUTH, RANGE 26 EAST,
LEE COUNTY, FLORIDA**

EXHIBIT "A"

DESCRIPTION:

AN EASEMENT LYING AND BEING IN SECTIONS 19 & 20, TOWNSHIP 44 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SECTION 19, THENCE ALONG THE SOUTH LINE OF SECTION 19, SOUTH 89 DEGREES 21 MINUTES 26 SECONDS WEST FOR A DISTANCE OF 53.01 FEET TO THE INTERSECTION OF THE SOUTH LINE OF CANAL NUMBER 46-20-4 AND THE WEST RIGHT OF WAY LINE OF ABRAMS BOULEVARD, 106' RIGHT OF WAY; THENCE LEAVING SAID SECTION LINE ALONG THE AFORESAID WEST RIGHT OF WAY LINE, NORTH 01 DEGREES 34 MINUTES 08 SECONDS WEST FOR A DISTANCE OF 100.01 FEET TO THE INTERSECTION OF THE NORTH RIGHT OF WAY LINE OF CANAL NUMBER 46-20-4, AND THE WEST RIGHT OF WAY LINE OF ABRAMS BOULEVARD; THENCE ALONG THE NORTH RIGHT OF WAY LINE OF THE AFORESAID CANAL, NORTH 89 DEGREES 21 MINUTES 26 SECONDS EAST FOR A DISTANCE OF 53.01 FEET TO A POINT ON THE WEST LINE OF SECTION 19; THENCE CONTINUING ALONG SAID NORTH RIGHT OF WAY LINE, NORTH 89 DEGREES 14 MINUTES 22 SECONDS EAST FOR A DISTANCE OF 53.01 FEET TO A POINT ON THE INTERSECTION OF THE NORTH RIGHT OF WAY LINE OF CANAL NUMBER 46-20-4, AND THE EAST RIGHT OF WAY LINE OF ABRAMS BOULEVARD; THENCE ALONG THE EAST RIGHT OF WAY LINE OF ABRAMS BOULEVARD, SOUTH 01 DEGREES 34 MINUTES 08 SECONDS EAST FOR A DISTANCE OF 100.01 FEET TO A POINT ON THE INTERSECTION OF THE SOUTH RIGHT OF WAY LINE OF CANAL NUMBER 46-20-4, AND THE EAST RIGHT OF WAY LINE OF ABRAMS BOULEVARD SAID POINT ALSO BEING ON THE SOUTH LINE OF SECTION 20; THENCE ALONG SAID SOUTH CANAL RIGHT OF WAY LINE, SOUTH 89 DEGREES 14 MINUTES 22 SECONDS WEST FOR A DISTANCE OF 53.01 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.24 ACRES MORE OR LESS

PREPARED BY:
AIM ENGINEERING & SURVEYING, INC.

Kent A. Stephenson 7/20/05
KENTH A. STEPHENSON, P.S.M. DATE
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA LICENSE NO. 6521

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

AIM Engineering & Surveying, Inc.



5300 LEE BLVD.
P.O. BOX 1235
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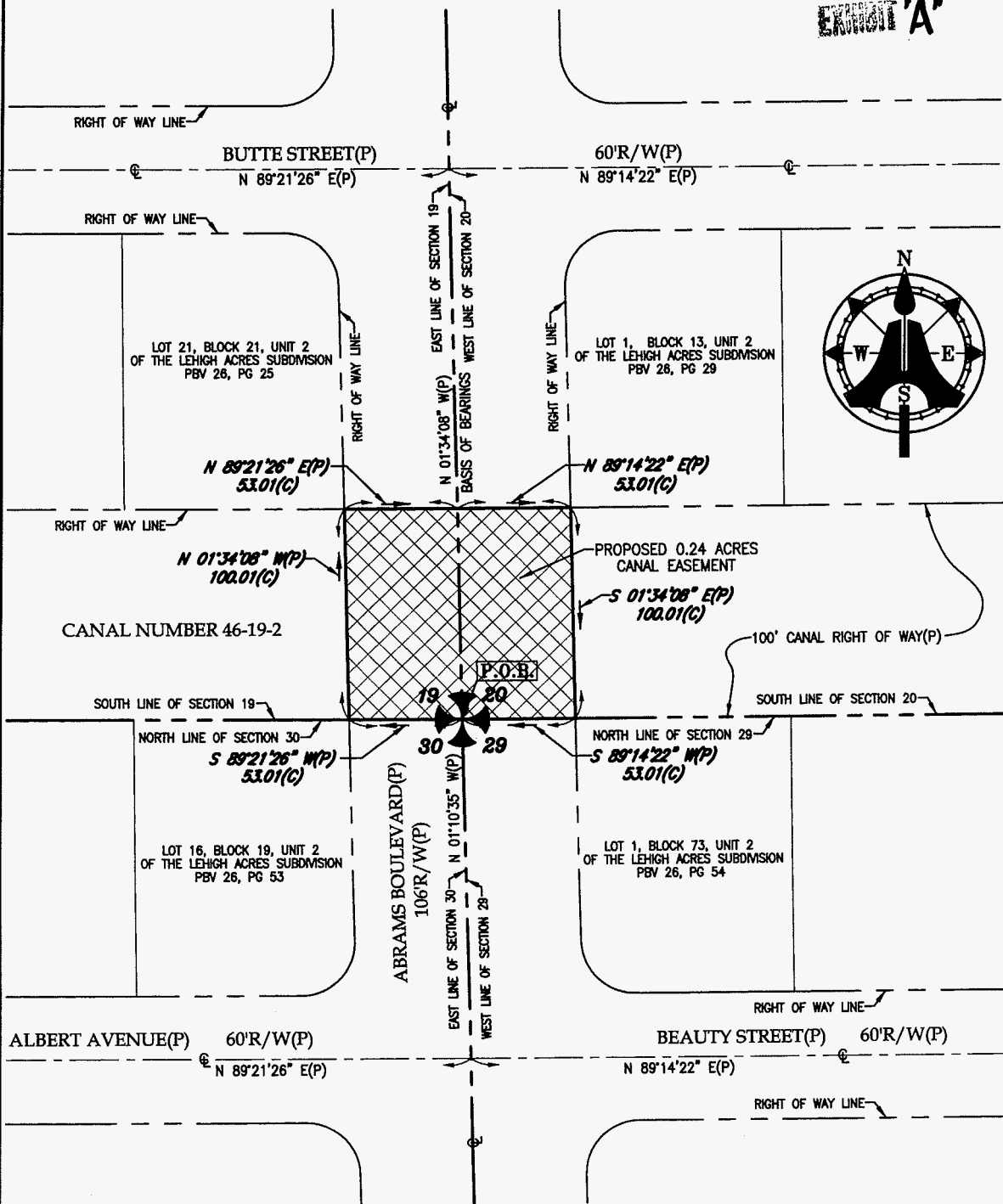
THIS IS NOT A SURVEY

SHEET 1 OF 2

PROJECT NUMBER: 04-8731	DESCRIPTION: A PART OF UNIT 2, AS SHOWN ON THE SUBDIVISION OF LEHIGH ACRES
DRAWN BY: ARC	CLIENT: EAST COUNTY WATER CONTROL DISTRICT
DATE: 7/15/05	SEC-TWP-RGE 19 & 20-44S-26E
FILE: 04-8731.DWG	COUNTY: LEE COUNTY

**LEGAL AND SKETCH LYING IN
SECTIONS 19 & 20, TOWNSHIP 44 SOUTH, RANGE 26 EAST,
LEE COUNTY, FLORIDA**

EXHIBIT 'A'



LEGEND

- (C) = CALCULATED DATA
- (P) = PLAT DATA
- ⊙ = CENTERLINE
- PBV = PLAT BOOK VOLUME
- PG = PAGE
- P.O.B. = POINT OF BEGINNING
- R/W = RIGHT OF WAY
- ⊗ = SECTION CORNER

NOTES

- 1) BEARINGS SHOWN HEREON ARE BASED UPON THE SUBDIVISION OF LEHIGH ACRES, A SUBDIVISION RECORDED IN PBV 26, PG 25.
- 2) PROPERTY APPEARS TO LIE IN FLOOD ZONE B, COMMUNITY 125124 PANEL NO. 0375 B (PANEL NOT PRINTED), EFFECTIVE DATE SEPTEMBER 20, 1996

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SHEET 2 OF 2

PROJECT NUMBER: 04-8731	DESCRIPTION: A PART OF UNIT 2, AS SHOWN ON THE SUBDIVISION OF LEHIGH ACRES
DRAWN BY: ARC	CLIENT: EAST COUNTY WATER CONTROL DISTRICT
DATE: 7/15/05	SEC-TWP-RGE 19 & 20-44S-26E
FILE: 04-8731.DWG	COUNTY: LEE COUNTY

**LEGAL AND SKETCH LYING IN
SECTION 20 TOWNSHIP 44 SOUTH, RANGE 26 EAST,
LEE COUNTY, FLORIDA**

EXHIBIT A

DESCRIPTION:

AN EASEMENT LYING AND BEING IN SECTION 20 TOWNSHIP 44 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE CENTERLINE OF CENTENNIAL BOULEVARD, 80' RIGHT OF WAY, AND THE CENTERLINE OF ANGELO AVENUE, 60' RIGHT OF WAY; THENCE ALONG THE CENTERLINE OF CENTENNIAL BOULEVARD, DUE EAST FOR A DISTANCE OF 160.06 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF CANAL NUMBER 46-20-1; THENCE ALONG SAID WESTERLY RIGHT OF WAY LINE, NORTH 01 DEGREES 34 MINUTES 08 SECONDS WEST FOR A DISTANCE OF 40.02 FEET TO THE INTERSECTION OF THE WESTERLY RIGHT OF WAY LINE OF CANAL NUMBER 46-20-1 AND THE NORTHERLY RIGHT OF WAY LINE OF CENTENNIAL BOULEVARD AND THE POINT OF BEGINNING;

THENCE ALONG THE SAID NORTHERLY RIGHT OF WAY LINE, DUE EAST FOR A DISTANCE OF 80.03 FEET TO THE INTERSECTION OF THE EASTERLY RIGHT OF WAY LINE OF CANAL NUMBER 46-20-1 AND THE NORTHERLY RIGHT OF WAY LINE OF CENTENNIAL BOULEVARD; THENCE ALONG SAID EASTERLY RIGHT OF WAY LINE, SOUTH 01 DEGREES 34 MINUTES 08 SECONDS EAST FOR A DISTANCE OF 80.03 FEET TO THE INTERSECTION OF THE EASTERLY RIGHT OF WAY LINE OF CANAL NUMBER 46-20-1 AND THE SOUTHERLY RIGHT OF WAY LINE OF CENTENNIAL BOULEVARD; THENCE ALONG SAID SOUTHERLY RIGHT OF WAY LINE, DUE WEST FOR A DISTANCE OF 80.03 FEET TO THE INTERSECTION OF THE WESTERLY RIGHT OF WAY LINE OF CANAL NUMBER 46-20-1 AND THE SOUTHERLY RIGHT OF WAY LINE OF CENTENNIAL BOULEVARD; THENCE ALONG SAID WESTERLY RIGHT OF WAY LINE, NORTH 01 DEGREES 34 MINUTES 08 SECONDS WEST FOR A DISTANCE OF 80.03 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.15 ACRES MORE OR LESS

PREPARED BY:
AIM ENGINEERING & SURVEYING, INC.

Keith A. Stephenson 7/20/05
KEITH A. STEPHENSON, P.S.M. DATE
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA LICENSE NO. 6521

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

AIM Engineering & Surveying, Inc.



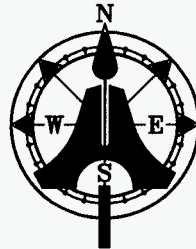
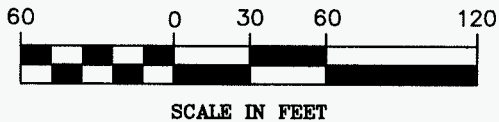
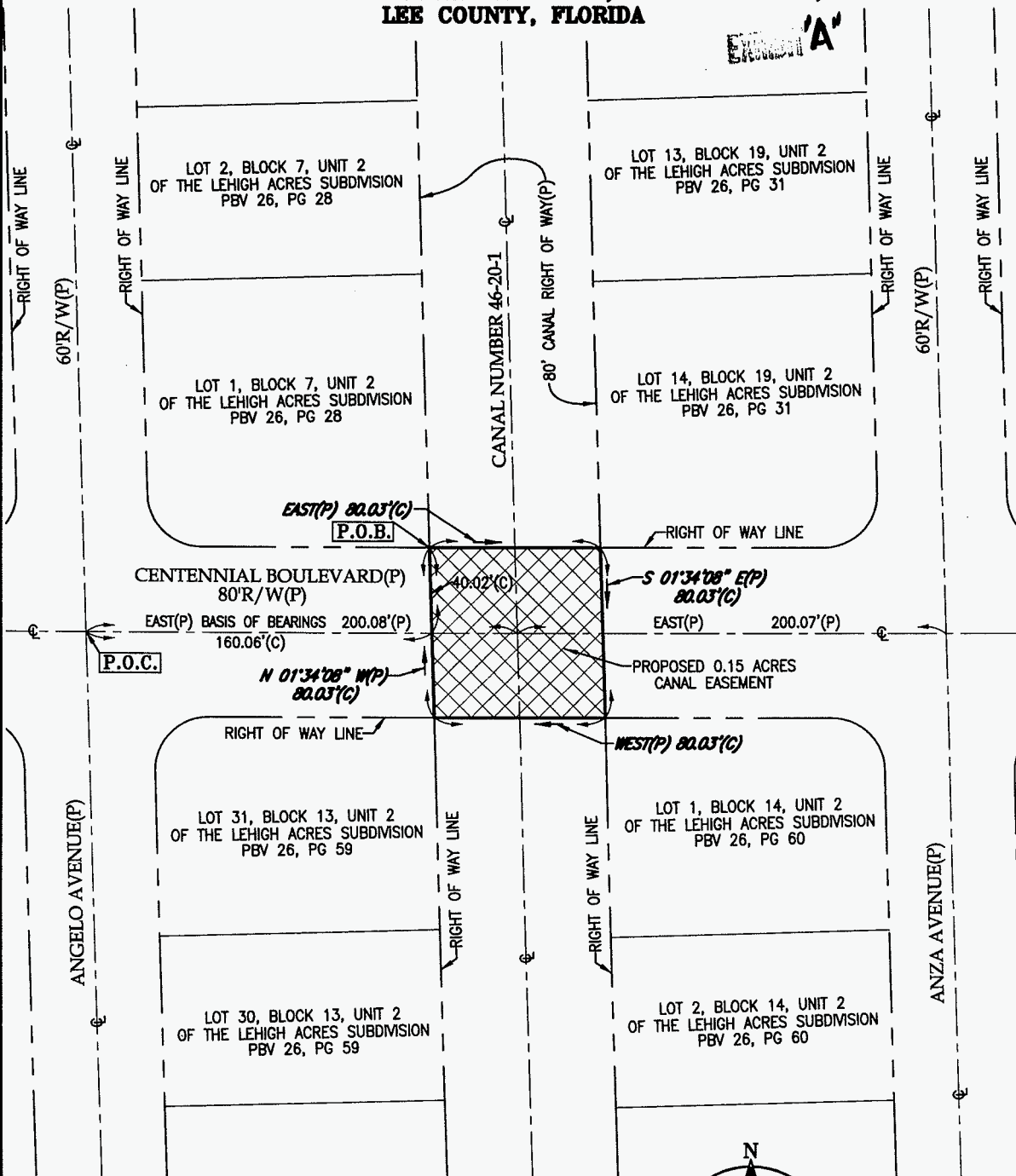
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SHEET 1 OF 2

PROJECT NUMBER: 04-8731	DESCRIPTION: A PART OF UNIT 2, AS SHOWN ON THE SUBDIVISION OF LEHIGH ACRES		
DRAWN BY: ARC	CLIENT: EAST COUNTY WATER CONTROL DISTRICT		
DATE: 7/15/05	SEC-TWP-RGE 20-44S-26E	FILE: 04-8731.DWG	COUNTY: LEE COUNTY

**LEGAL AND SKETCH LYING IN
SECTION 20 TOWNSHIP 44 SOUTH, RANGE 26 EAST,
LEE COUNTY, FLORIDA**



LEGEND

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NOTES

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SHEET 2 OF 2

PROJECT NUMBER: 04-8731	DESCRIPTION: A PART OF UNIT 2, AS SHOWN ON THE SUBDIVISION OF LEHIGH ACRES
DRAWN BY: ARC	CLIENT: EAST COUNTY WATER CONTROL DISTRICT
DATE: 7/15/05	SEC-TWP-RGE 20-44S-26E
FILE: 04-8731.DWG	COUNTY: LEE COUNTY

**LEGAL AND SKETCH LYING IN
SECTION 20 TOWNSHIP 44 SOUTH, RANGE 26 EAST,
LEE COUNTY, FLORIDA**

EASEMENT "A"

DESCRIPTION:

AN EASEMENT LYING AND BEING IN SECTION 20 TOWNSHIP 44 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE CENTERLINE OF CENTENNIAL BOULEVARD, 80' RIGHT OF WAY, AND THE CENTERLINE OF ADELINE AVENUE, 60' RIGHT OF WAY; THENCE ALONG THE CENTERLINE OF CENTENNIAL BOULEVARD, DUE EAST FOR A DISTANCE OF 160.04 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF CANAL NUMBER 46-20-2; THENCE ALONG SAID WESTERLY RIGHT OF WAY LINE, NORTH 01 DEGREES 13 MINUTES 20 SECONDS WEST FOR A DISTANCE OF 40.01 FEET TO THE INTERSECTION OF THE WESTERLY RIGHT OF WAY LINE OF CANAL NUMBER 46-20-2 AND THE NORTHERLY RIGHT OF WAY LINE OF CENTENNIAL BOULEVARD AND THE POINT OF BEGINNING;

THENCE ALONG THE SAID NORTHERLY RIGHT OF WAY LINE, DUE EAST FOR A DISTANCE OF 80.02 FEET TO THE INTERSECTION OF THE EASTERLY RIGHT OF WAY LINE OF CANAL NUMBER 46-20-2 AND THE NORTHERLY RIGHT OF WAY LINE OF CENTENNIAL BOULEVARD; THENCE ALONG SAID EASTERLY RIGHT OF WAY LINE, SOUTH 01 DEGREES 13 MINUTES 20 SECONDS EAST FOR A DISTANCE OF 80.02 FEET TO THE INTERSECTION OF THE EASTERLY RIGHT OF WAY LINE OF CANAL NUMBER 46-20-2 AND THE SOUTHERLY RIGHT OF WAY LINE OF CENTENNIAL BOULEVARD; THENCE ALONG SAID SOUTHERLY RIGHT OF WAY LINE, DUE WEST FOR A DISTANCE OF 80.02 FEET TO THE INTERSECTION OF THE WESTERLY RIGHT OF WAY LINE OF CANAL NUMBER 46-20-2 AND THE SOUTHERLY RIGHT OF WAY LINE OF CENTENNIAL BOULEVARD; THENCE ALONG SAID WESTERLY RIGHT OF WAY LINE, NORTH 01 DEGREES 13 MINUTES 20 SECONDS WEST FOR A DISTANCE OF 80.02 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.15 ACRES MORE OR LESS

PREPARED BY:
AIM ENGINEERING & SURVEYING, INC.

Keith A. Stephenson 7/20/05
 KEITH A. STEPHENSON, P.S.M. DATE
 PROFESSIONAL SURVEYOR AND MAPPER
 FLORIDA LICENSE NO. 6521

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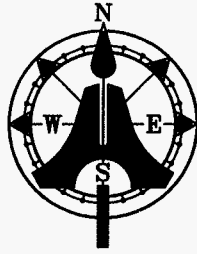
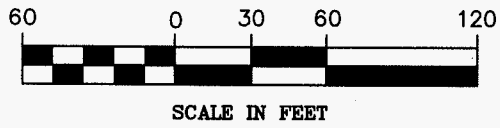
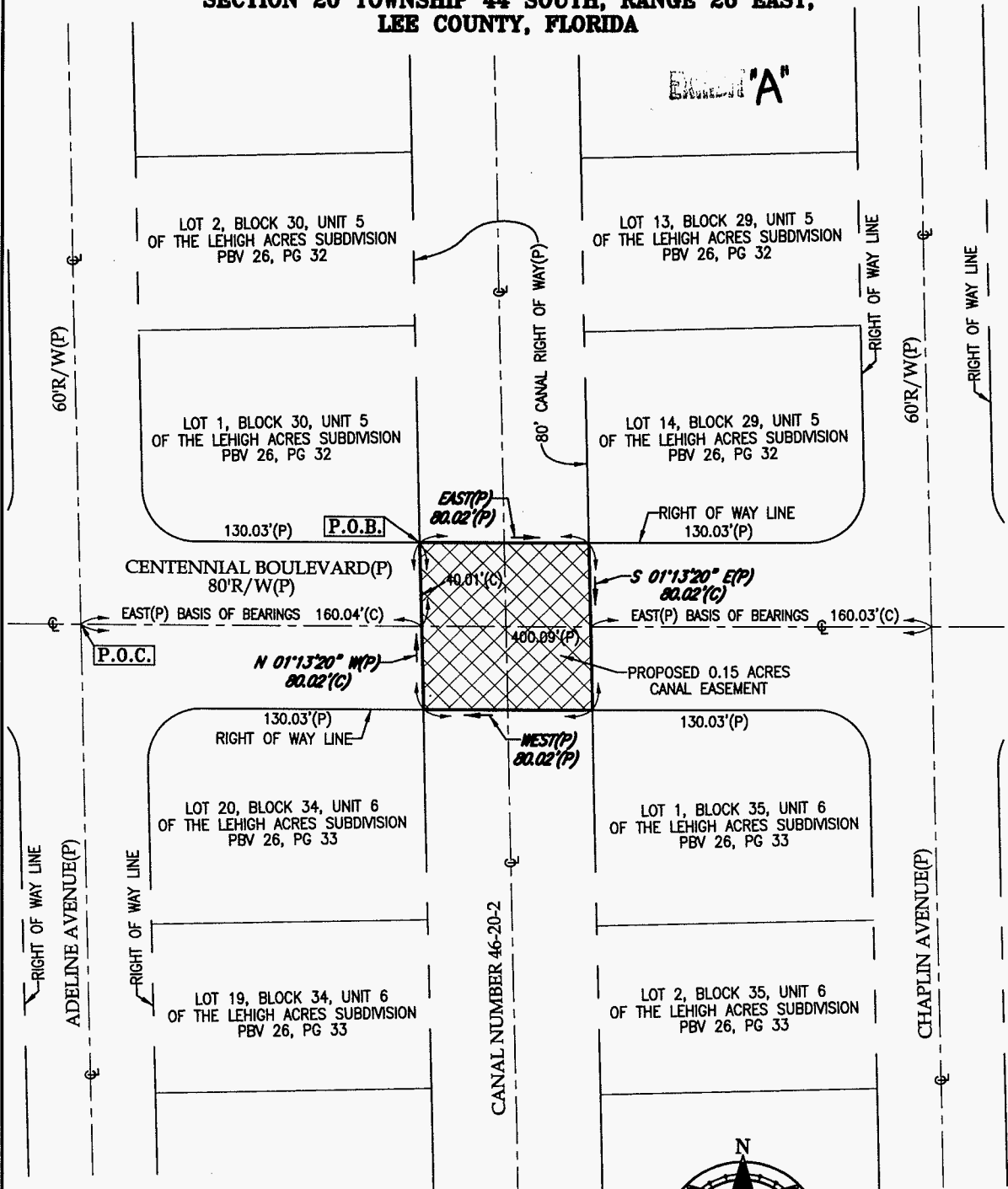


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THIS IS NOT A SURVEY SHEET 1 OF 2

PROJECT NUMBER: 04-8731	DESCRIPTION: A PART OF UNIT 5&6, AS SHOWN ON THE SUBDIVISION OF LEHIGH ACRES	CLIENT: EAST COUNTY WATER CONTROL DISTRICT	FILE: 04-8731.DWG	COUNTY: LEE COUNTY
DRAWN BY: ARC	DATE: 7/15/05	SEC-TWP-RGE 20-44S-26E		

**LEGAL AND SKETCH LYING IN
SECTION 20 TOWNSHIP 44 SOUTH, RANGE 26 EAST,
LEE COUNTY, FLORIDA**



LEGEND

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NOTES

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- 2) PROPERTY APPEARS TO LIE IN FLOOD ZONE B, COMMUNITY 125124 PANEL NO. 0375 B (PANEL NOT PRINTED), EFFECTIVE DATE SEPTEMBER 20, 1996

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PROJECT NUMBER: 04-8731	DESCRIPTION: A PART OF UNIT 5&6, AS SHOWN ON THE SUBDIVISION OF LEHIGH ACRES
DRAWN BY: ARC	CLIENT: EAST COUNTY WATER CONTROL DISTRICT
DATE: 7/15/05	SEC-TWP-RGE 20-44S-26E
FILE: 04-8731.DWG	COUNTY: LEE COUNTY

**LEGAL AND SKETCH LYING IN
SECTION 21 TOWNSHIP 44 SOUTH, RANGE 26 EAST,
LEE COUNTY, FLORIDA**

EXHIBIT 'A'

DESCRIPTION:

AN EASEMENT LYING AND BEING IN SECTION 21 TOWNSHIP 44 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE CENTERLINE OF CENTENNIAL BOULEVARD, 80' RIGHT OF WAY, AND THE CENTERLINE OF CEDARTREE AVENUE, 60' RIGHT OF WAY; THENCE ALONG THE CENTERLINE OF CENTENNIAL BOULEVARD, SOUTH 89 DEGREES 49 MINUTES 00 SECONDS WEST FOR A DISTANCE OF 194.36 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF CANAL NUMBER 46-21-2; THENCE ALONG SAID EASTERLY RIGHT OF WAY LINE, NORTH 34 DEGREES 46 MINUTES 30 SECONDS WEST FOR A DISTANCE OF 48.59 FEET TO THE INTERSECTION OF THE EASTERLY RIGHT OF WAY LINE OF CANAL NUMBER 46-21-2 AND THE NORTHERLY RIGHT OF WAY LINE OF CENTENNIAL BOULEVARD AND THE POINT OF BEGINNING;

THENCE CONTINUING ALONG THE SAID EASTERLY RIGHT OF WAY LINE, SOUTH 34 DEGREES 46 MINUTES 30 SECONDS EAST FOR A DISTANCE OF 97.18 FEET TO THE INTERSECTION OF THE EASTERLY RIGHT OF WAY LINE OF CANAL NUMBER 46-21-2 AND THE SOUTHERLY RIGHT OF WAY LINE OF CENTENNIAL BOULEVARD; THENCE ALONG SAID SOUTHERLY RIGHT OF WAY LINE, SOUTH 89 DEGREES 49 MINUTES 00 SECONDS WEST FOR A DISTANCE OF 97.18 FEET TO THE INTERSECTION OF THE WESTERLY RIGHT OF WAY LINE OF CANAL NUMBER 46-21-2 AND THE SOUTHERLY RIGHT OF WAY LINE OF CENTENNIAL BOULEVARD; THENCE ALONG SAID WESTERLY RIGHT OF WAY LINE, NORTH 34 DEGREES 46 MINUTES 30 SECONDS WEST FOR A DISTANCE OF 97.18 FEET TO THE INTERSECTION OF THE WESTERLY RIGHT OF WAY LINE OF CANAL NUMBER 46-21-2 AND THE NORTHERLY RIGHT OF WAY LINE OF CENTENNIAL BOULEVARD; THENCE ALONG SAID NORTHERLY RIGHT OF WAY LINE, NORTH 89 DEGREES 49 MINUTES 00 SECONDS EAST FOR A DISTANCE OF 97.18 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.18 ACRES MORE OR LESS

PREPARED BY:
AIM ENGINEERING & SURVEYING, INC.

Keith A. Stephenson 7/20/05
 KEITH A. STEPHENSON, P.S.M. DATE
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SHEET 1 OF 2

PROJECT NUMBER: 04-8731	DESCRIPTION: A PART OF UNIT 1&2, AS SHOWN ON THE SUBDIVISION OF LEHIGH ACRES		
DRAWN BY: ARC	CLIENT: EAST COUNTY WATER CONTROL DISTRICT		
DATE: 7/15/05	SEC-TWP-RGE 21-44S-26E	FILE: 04-8731.DWG	COUNTY: LEE COUNTY