

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

Blue Sheet No. 20070554-UTL

1. ACTION REQUESTED/PURPOSE:

Developer Contributed Asset: Approve final acceptance, by Resolution and recording of one (1) Utility Easement, as a donation of two (2) 10" diameter master meter assemblies, one (1) 8" diameter fire line and a gravity main extension to provide potable water service, fire protection and sanitary sewer service to *Majestic Fountains West*, a recently constructed multi-family residential development. This is a Developer Contributed asset project located on the north side of Kelly Road between McGregor Boulevard and San Carlos Boulevard.

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 C100		6. Meeting Date: APR 24 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"/> Ordinance <input type="checkbox"/> Admin. Code <input checked="" type="checkbox"/> Other Approval	9. Request Initiated: Commissioner Department Public Works Division Utilities By: <i>Douglas L. Meurer</i> 4-5-2007 Douglas L. Meurer, P.E., Director

10. Background:

The Board granted permission to construct on 09/27/05, Blue Sheet #20051291.
 The installation has been inspected for conformance to the Lee County Utilities Operations Manual.
 Satisfactory pressure and bacteriological testing has been completed.
 Satisfactory closed circuit television inspection of the gravity collection system has been performed.
 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 31 TOWNSHIP 45S RANGE 24E DISTRICT # 3 COMMISSIONER JUDAH

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: 4/6/07	N/A Date:	N/A Date:	<i>T.O.</i> T. Osterhout Date: 4/5	<i>S. Coovert</i> S. Coovert Date: 4/9/07	<i>RK</i> 4/11/07	<i>ML</i> 4/11/07	<i>PL</i> 4/11/07	<i>J. Lavender</i> Date: 4/6/07	

12. Commission Action:

- Approved
- Deferred
- Denied
- Other

RECEIVED BY COUNTY ADMIN: *RK*
4-10-07
10M

COUNTY ADMIN FORWARDED TO: *PL*
4-11-07
11AM

Rec. by CoAtty
Date: 4/9/07
Time: 10:30AM

Forwarded To: *Admin*
4/11/07 4PM

RESOLUTION NO.

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

WHEREAS, it is the desire of "PULTE HOME CORPORATION" owner of record, to make a contribution to Lee County Utilities of water facilities (two 10" diameter master meter assemblies; one 8" diameter fire line), and sewer facilities (gravity main extension), serving "MAJESTIC FOUNTAINS WEST"; 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 **\$43,078.20** 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 20070554 - UTL

COPY

LETTER OF COMPLETION

DATE: 7/27/2006

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

Gentlemen:

This is to certify that the **water distribution and gravity collection systems** located in
Majestic Fountains West
(Name of Development/Project)

were designed by me and have been constructed in conformance with:

the approved plans and the approved specifications

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

**Bacteriological Test , Pressure Test(s) - Water Main , Low Pressure Test(s) - Gravity Main
and TV Inspection, Mandrill - Gravity Main**

Very truly yours,

Ronald Waldrop / Waldrop Engineering, P.A.
(Owner or Name of Corporation/Firm)

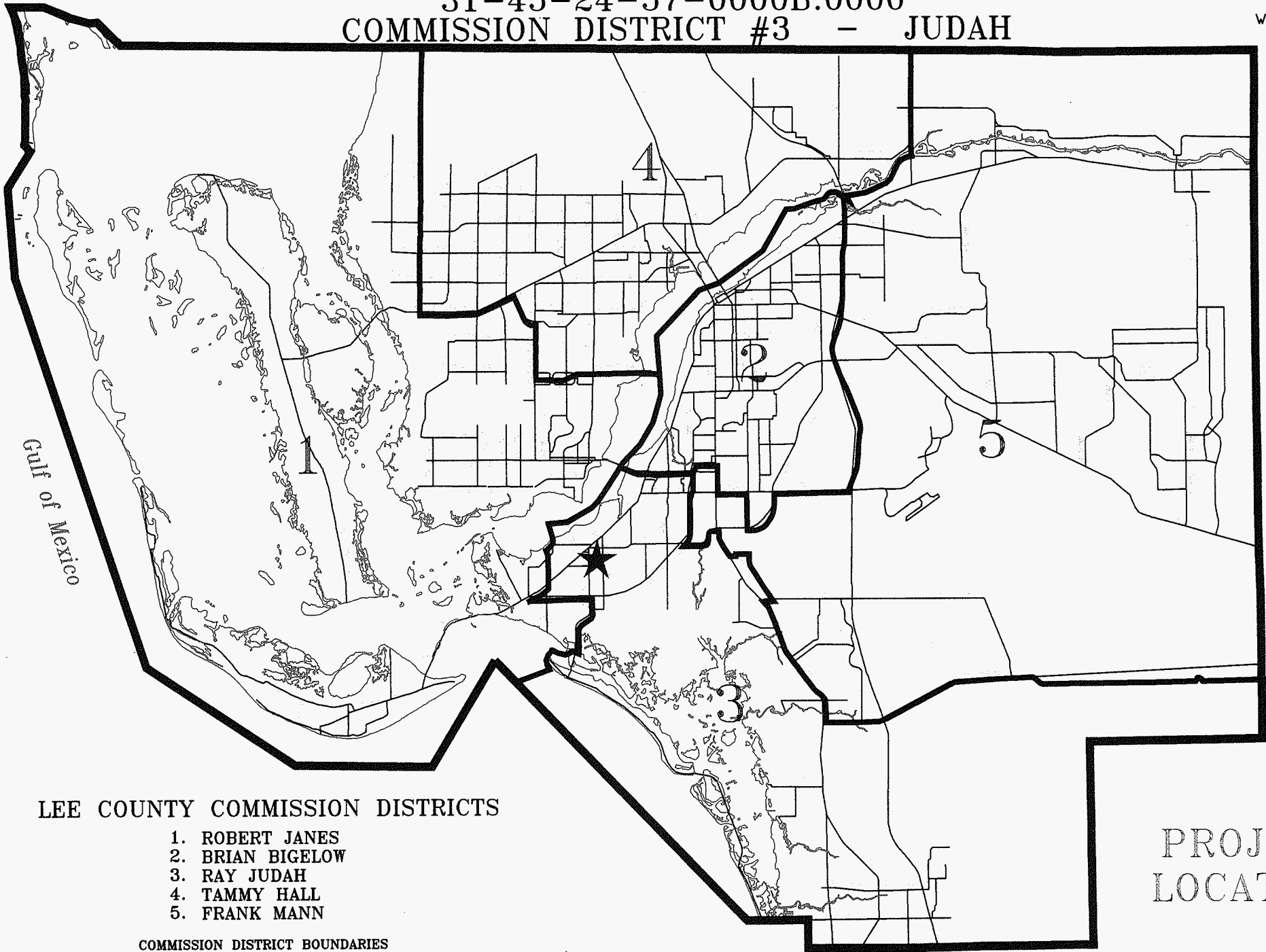
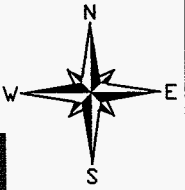
(Signature)



Ronald Waldrop
President
(Name and Title)

(Seal of Engineering Firm)

MAJESTIC FOUNTAINS, WEST aka MAJESTIC PALMS, WEST
31-45-24-57-0000B.0000
COMMISSION DISTRICT #3 - JUDAH



COPY

LEE COUNTY COMMISSION DISTRICTS

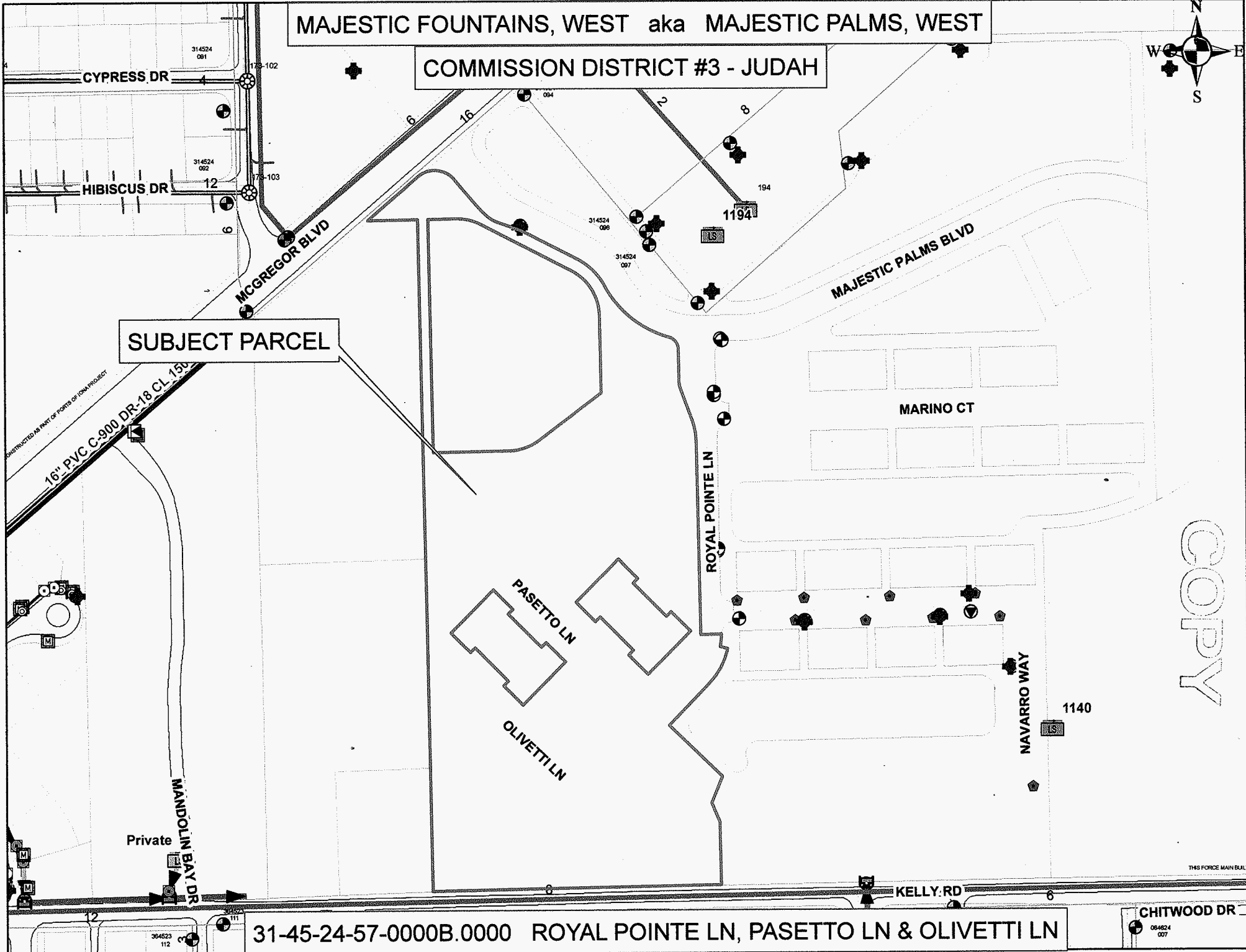
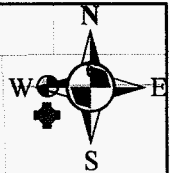
- 1. ROBERT JANES
- 2. BRIAN BIGELOW
- 3. RAY JUDAH
- 4. TAMMY HALL
- 5. FRANK MANN

COMMISSION DISTRICT BOUNDARIES
DECEMBER 2000

PROJECT
LOCATION

MAJESTIC FOUNTAINS, WEST aka MAJESTIC PALMS, WEST

COMMISSION DISTRICT #3 - JUDAH



SUBJECT PARCEL

COPY

31-45-24-57-0000B.0000 ROYAL POINTE LN, PASETTO LN & OLIVETTI LN

CHITWOOD DR
064624
007

304523
112

Private


THIS FORCE MAIN BUIL

WARRANTY

THE UNDERSIGNED parties do hereby warrant and/or guaranty all work executed by the contractor on the water and sewer system of Majestic Fountains West 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.

Guymann Construction of Florida Inc
(Name of Owner/Contractor)

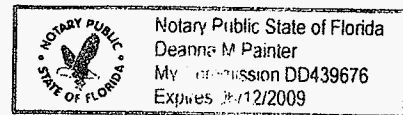
BY: 
(Signature of Owner/Contractor)

STATE OF FL)
) SS:
COUNTY OF LEE)

The foregoing instrument was signed and acknowledged before me this 25 th day of AUG, 2006 by Fred Russell who is personally known to me - _____, and who did not take an oath.


Notary Public Signature

Deanna Painter
Printed Name of Notary Public



(Notary Seal & Commission Number)

COPY

WAIVER AND RELEASE OF LIEN
UPON FINAL PAYMENT

The undersigned lienor, in consideration of the final payment in the amount of forty-three thousand seventy-eight dollars and 20 cents(\$43,078.20) hereby waives and releases its lien and right to claim a lien for labor, services, or materials furnished to Pulte Home Corporation on the job of Majestic Fountains, West to the following described property:

Majestic Fountains, West

(Name of Development/Project)

Royal Pointe Lane, Pasetto Lane & Olivetti Lane

(Location)

Master-Meter Assembly(ies).

Fire Line up to and including 1st OS and Y valve and Gravity Main Extension

(Facilities Constructed)

31-45-24-57-0000B.0000

(Strap # or Section, Township & Range)

Dated on: April 4, 2007

By: [Signature]

(Signature of Authorized Representative)

Guymann Construction of FL, Inc

(Name of Firm or Corporation)

By: Fred Russell

(Print Name of Authorized Representative)

5686 Youngquist Rd.

(Address of Firm or Corporation)

Title: Vice President

Fort Myers, FL 33912-

(City, State & Zip Of Firm Or Corporation)

Phone #: (239)481-6545 Ext.

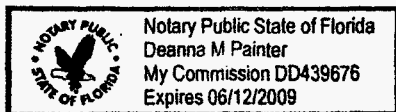
Fax#: (239)481-9255

STATE OF FL)

) SS:

COUNTY OF LEE)

The foregoing instrument was signed and acknowledged before me this 4th day of April, 2007 by Fred Russell who is personally known to me - _____, and who did not take an oath.



(Notary Seal & Commission Number)

Deanna M Painter

(Notary Public Signature)

Deanna Painter

(Printed Name of Notary Public)



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 Bob Russell
(Signature of Certifying Agent)

Bob Russell, Project Manger
(Name & Title of Certifying Agent)

Guymann Construction of Florida, Inc.
(Name of Firm or Corporation)

5686 Youngquist Road
(Address of Firm or Corporation)

Fort Myers, FL 33912 -

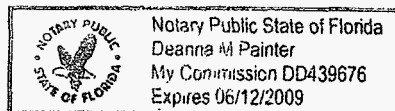
STATE OF FL)
) SS:
COUNTY OF Lee)

The foregoing instrument was signed and acknowledged before me this 16 th day of January, 2007 by Bob Russell who is personally known to me - _____, and who did not take an oath.

Deanna M Painter
Notary Public Signature

Deanna Painter
Printed Name of Notary Public

DD439676
Notary Commission Number



(NOTARY SEAL)



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

Bob Russell

(Signature of Certifying Agent)

Bob Russell, Project Manger

(Name & Title of Certifying Agent)

Guymann Construction of Florida, Inc.

(Name of Firm or Corporation)

5686 Youngquist Road

(Address of Firm or Corporation)

Fort Myers, FL 33912 -

STATE OF FL)

) SS:

COUNTY OF Lee)

The foregoing instrument was signed and acknowledged before me this 16 th day of January, 2007 by Bob Russell who is personally known to me - _____, and who did not take an oath.

Deanna M Painter

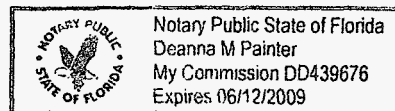
Notary Public Signature

Deanna Painter

Printed Name of Notary Public

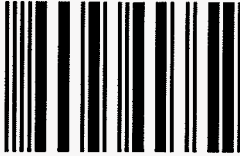
DD439676

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

Enter numbers as shown below.

If typing, enter numbers as shown below.

1. Parcel Identification Number **0 1 2 3 4 5 6 7 8 9 0123456789**
 (If Parcel ID not available please call County Property Appraiser's Office) → **314524570000B0000; C0000**

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 20070554 PULTE HOME CORPORATION**

Last First MI Corporate Name (if applicable)
9148 BONITA BEACH RD-#102 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 (239) 4798181

Mailing Address City State Zip Code Phone No.
 5. Date of Sale/Transfer **04 24 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.) \$ **00**

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

9. Was the sale/transfer financed? YES NO If "Yes", please indicate type or types of financing:
 Conventional Seller Provided Agreement or Contract for Deed Other

10. Property Type: Residential Commercial Industrial Agricultural Institutional/Miscellaneous Government Vacant Acreage Timeshare
 Mark (x) all that apply

11. To the best of your knowledge, was personal property included in the sale/transfer? If "Yes", please state the amount attributable to the personal property. (Round to the nearest dollar.) YES NO \$ **0.70** Cents **00**

12. Amount of Documentary Stamp Tax **0.70**
 13. If no tax is due in number 12, is deed exempt from Documentary Stamp Tax under s. 201.02(6), Florida Statutes? YES NO

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

Signature of Grantor or Grantee or Agent *[Signature]* Date **4/5/07**

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. 20070554-UTL

PROJECT NAME: MAJESTIC FOUNTAINS WEST

EASEMENT NAME: PULTE HOME CORPORATION

TYPING BY: *Sue Gulledge*

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

Strap Number(s):

31-45-24-57-0000B.0000
31-45-24-57-0000C.0000

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 “**PULTE HOME CORPORATION.**” 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 20070554 - 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.

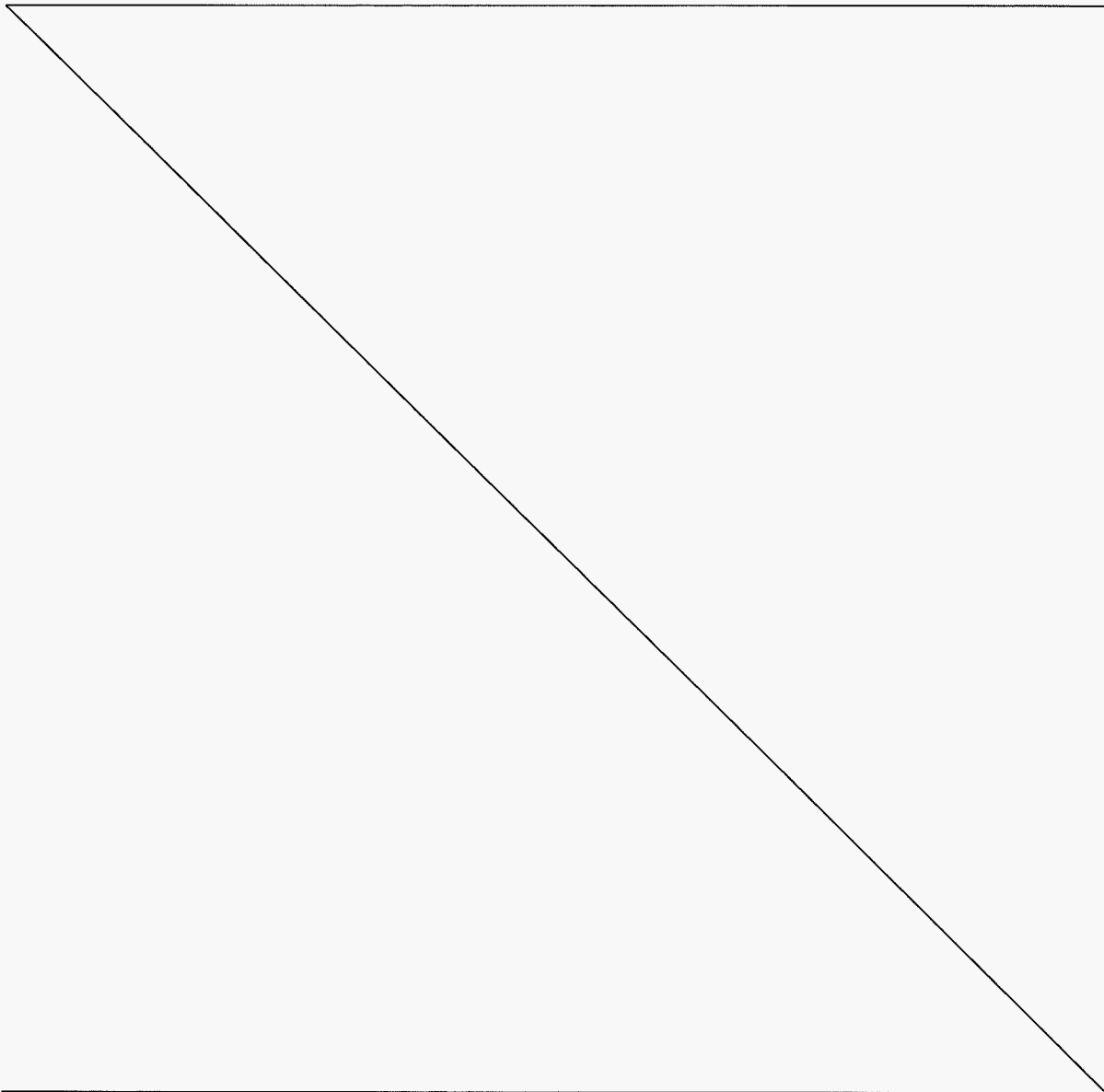
7. GRANTEE will be liable for money damages in tort for any injury to or loss of property, personal injury, or death caused by the negligent or wrongful act(s) or omission(s) of any official or employee of the GRANTEE while acting within the scope of the official's or employee's office or employment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

Sasha Uddin

[1st Witness' Signature]

Sasha Uddin

[Type or Print Name]

Oliver Glass

[2nd Witness' Signature]

Oliver Glass

[Type or Print Name]

BY: Richard McCormick

[Signature Grantor's/Owner's]

Richard McCormick

[Type or Print Name]

Vice President of Land

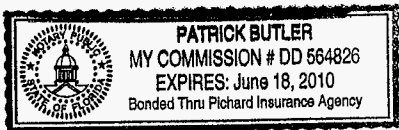
[Title]

STATE OF FLORIDA

COUNTY OF LEE

The foregoing instrument was signed and acknowledged before me this 16th day of AUGUST 2006 by RICHARD MCCORMICK who produced the following as identification _____ or is personally know to me, and who did/did not take an oath.

[stamp or seal]



Patrick Butler

[Signature of Notary]

Patrick Butler

[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

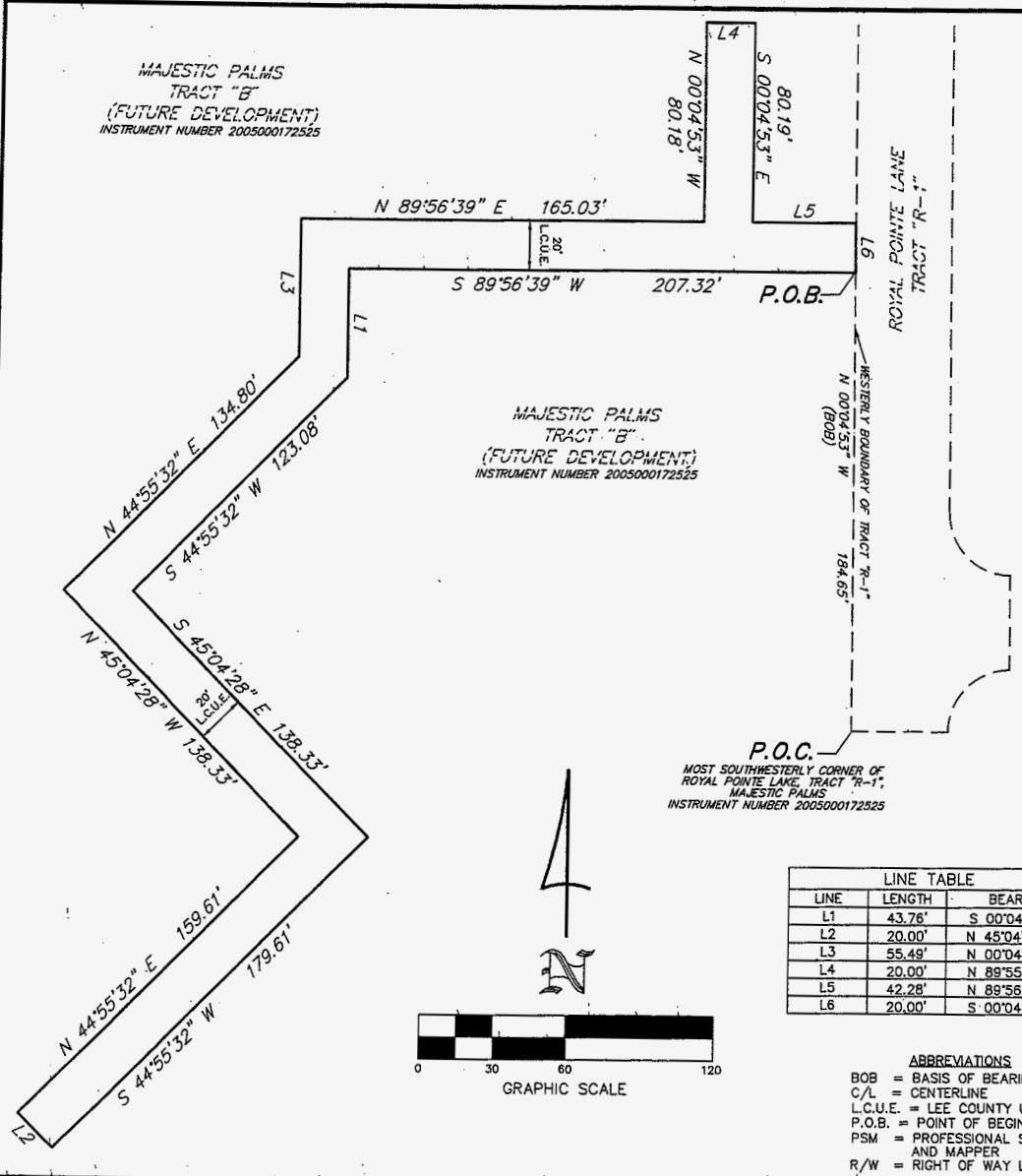
BY: _____
Deputy Clerk

BY: _____
Chair

APPROVED AS TO FORM

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

COPY



LEGAL DESCRIPTION
20' L.C.U.E.

BEING A PORTION OF TRACT B OF MAJESTIC PALMS, AS RECORDED IN INSTRUMENT NUMBER 2005000172525, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE MOST SOUTHWESTERLY CORNER OF ROYAL POINTS LANE, TRACT "R-1", MAJESTIC PALMS, AS RECORDED IN INSTRUMENT NO. 2005000172525, IN THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE NORTH 00°04'53" WEST, A DISTANCE OF 184.65 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED; THENCE SOUTH 89°56'39" WEST, A DISTANCE OF 207.32 FEET; THENCE SOUTH 00°04'10" EAST, A DISTANCE OF 43.76 FEET; THENCE SOUTH 44°55'32" WEST, A DISTANCE OF 123.08 FEET; THENCE SOUTH 45°04'28" EAST, A DISTANCE OF 138.33 FEET; THENCE SOUTH 44°55'32" WEST, A DISTANCE OF 179.61 FEET; THENCE NORTH 45°04'28" WEST, A DISTANCE OF 20.00 FEET; THENCE NORTH 44°55'32" EAST, A DISTANCE OF 159.61 FEET; THENCE NORTH 45°04'28" WEST, A DISTANCE OF 138.33 FEET; THENCE NORTH 44°55'32" EAST, A DISTANCE OF 134.80 FEET; THENCE NORTH 00°04'10" WEST, A DISTANCE OF 55.49 FEET; THENCE NORTH 89°56'39" EAST, A DISTANCE OF 165.03 FEET; THENCE NORTH 00°04'53" WEST, A DISTANCE OF 80.18 FEET; THENCE NORTH 89°55'07" EAST, A DISTANCE OF 20.00 FEET; THENCE SOUTH 00°04'53" EAST, A DISTANCE OF 80.19 FEET; THENCE NORTH 89°56'39" EAST, A DISTANCE OF 42.28 FEET; THENCE SOUTH 00°04'53" EAST, A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 15,682 SQUARE FEET OR 0.360 ACRES, MORE OR LESS.

NOTES:
 SUBJECT TO EASEMENTS, RESERVATIONS AND RESTRICTIONS OF RECORD.
 BEARING ARE BASED ON THE WESTERLY BOUNDARY OF TRACT "R-1", MAJESTIC PALMS, AS SHOWN.

BY: *John Scott Rhodes* JOHN SCOTT RHODES PSM #5739

SKETCH AND DESCRIPTION

CERTIFIED TO:
PULTE HOMES

10 5739

design:	RWC
drawn:	2006-1222
checked:	JSR
acad #:	2006-1222
view:	PLOT
project#:	2006-1222
sheet #:	1 of 1
file #:	2006-1222

RHODES & RHODES
 LAND SURVEYING, INC.
 LICENSE #LB 6897

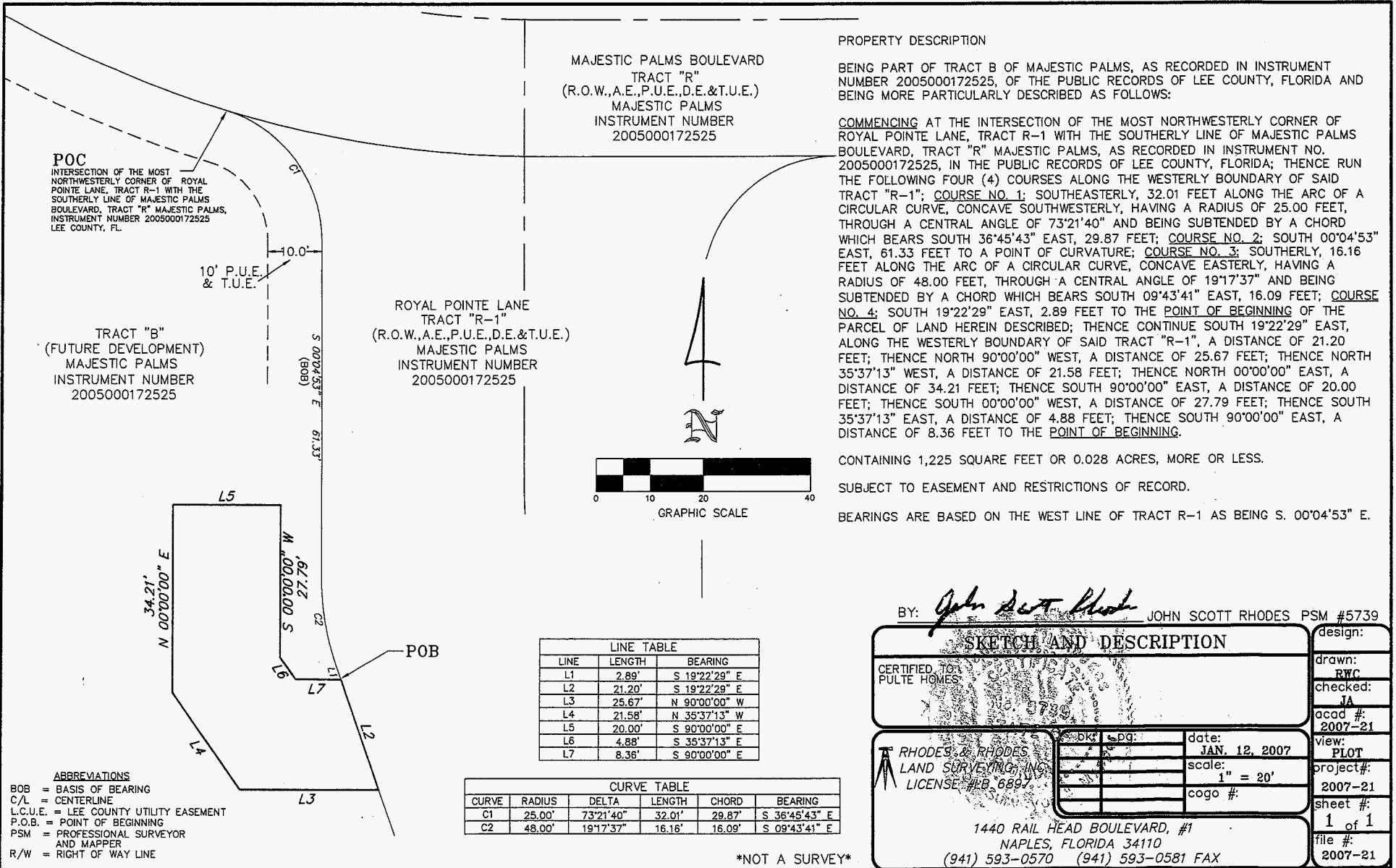
date:
AUGUST 14, 2006

scale:
1" = 60'

cogo #:

1440 RAIL HEAD BOULEVARD, #1
 NAPLES, FLORIDA 34110
 (239) 593-0570 (239) 593-0581 FAX

COPY



MAJESTIC PALMS BOULEVARD
TRACT "R"
(R.O.W., A.E., P.U.E., D.E. & T.U.E.)
MAJESTIC PALMS
INSTRUMENT NUMBER
2005000172525

PROPERTY DESCRIPTION

BEING PART OF TRACT B OF MAJESTIC PALMS, AS RECORDED IN INSTRUMENT NUMBER 2005000172525, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE MOST NORTHWESTERLY CORNER OF ROYAL POINT LANE, TRACT R-1 WITH THE SOUTHERLY LINE OF MAJESTIC PALMS BOULEVARD, TRACT "R" MAJESTIC PALMS, AS RECORDED IN INSTRUMENT NO. 2005000172525, IN THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE RUN THE FOLLOWING FOUR (4) COURSES ALONG THE WESTERLY BOUNDARY OF SAID TRACT "R-1"; **COURSE NO. 1:** SOUTHEASTERLY, 32.01 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 25.00 FEET, THROUGH A CENTRAL ANGLE OF 73°21'40" AND BEING SUBTENDED BY A CHORD WHICH BEARS SOUTH 36°45'43" EAST, 29.87 FEET; **COURSE NO. 2:** SOUTH 00°04'53" EAST, 61.33 FEET TO A POINT OF CURVATURE; **COURSE NO. 3:** SOUTHERLY, 16.16 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE EASTERLY, HAVING A RADIUS OF 48.00 FEET, THROUGH A CENTRAL ANGLE OF 19°17'37" AND BEING SUBTENDED BY A CHORD WHICH BEARS SOUTH 09°43'41" EAST, 16.09 FEET; **COURSE NO. 4:** SOUTH 19°22'29" EAST, 2.89 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED; THENCE CONTINUE SOUTH 19°22'29" EAST, ALONG THE WESTERLY BOUNDARY OF SAID TRACT "R-1", A DISTANCE OF 21.20 FEET; THENCE NORTH 90°00'00" WEST, A DISTANCE OF 25.67 FEET; THENCE NORTH 35°37'13" WEST, A DISTANCE OF 21.58 FEET; THENCE NORTH 00°00'00" EAST, A DISTANCE OF 34.21 FEET; THENCE SOUTH 90°00'00" EAST, A DISTANCE OF 20.00 FEET; THENCE SOUTH 00°00'00" WEST, A DISTANCE OF 27.79 FEET; THENCE SOUTH 35°37'13" EAST, A DISTANCE OF 4.88 FEET; THENCE SOUTH 90°00'00" EAST, A DISTANCE OF 8.36 FEET TO THE POINT OF BEGINNING.

CONTAINING 1,225 SQUARE FEET OR 0.028 ACRES, MORE OR LESS.

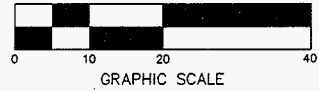
SUBJECT TO EASEMENT AND RESTRICTIONS OF RECORD.

BEARINGS ARE BASED ON THE WEST LINE OF TRACT R-1 AS BEING S. 00°04'53" E.

ROYAL POINT LANE
TRACT "R-1"
(R.O.W., A.E., P.U.E., D.E. & T.U.E.)
MAJESTIC PALMS
INSTRUMENT NUMBER
2005000172525

POC
INTERSECTION OF THE MOST NORTHWESTERLY CORNER OF ROYAL POINT LANE, TRACT R-1 WITH THE SOUTHERLY LINE OF MAJESTIC PALMS BOULEVARD, TRACT "R" MAJESTIC PALMS, INSTRUMENT NUMBER 2005000172525 LEE COUNTY, FL.

TRACT "B"
(FUTURE DEVELOPMENT)
MAJESTIC PALMS
INSTRUMENT NUMBER
2005000172525



LINE TABLE		
LINE	LENGTH	BEARING
L1	2.89'	S 19°22'29" E
L2	21.20'	S 19°22'29" E
L3	25.67'	N 90°00'00" W
L4	21.58'	N 35°37'13" W
L5	20.00'	S 90°00'00" E
L6	4.88'	S 35°37'13" E
L7	8.36'	S 90°00'00" E

CURVE TABLE					
CURVE	RADIUS	DELTA	LENGTH	CHORD	BEARING
C1	25.00'	73°21'40"	32.01'	29.87'	S 36°45'43" E
C2	48.00'	19°17'37"	16.16'	16.09'	S 09°43'41" E

ABBREVIATIONS
BOB = BASIS OF BEARING
C/L = CENTERLINE
L.C.U.E. = LEE COUNTY UTILITY EASEMENT
P.O.B. = POINT OF BEGINNING
PSM = PROFESSIONAL SURVEYOR AND MAPPER
R/W = RIGHT OF WAY LINE

BY: *John Scott Rhodes* JOHN SCOTT RHODES PSM #5739

SKETCH AND DESCRIPTION		design:															
CERTIFIED TO: PULTE HOMES		drawn: RWC															
		checked: JA															
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1440 RAIL HEAD BOULEVARD, #1 NAPLES, FLORIDA 34110 (941) 593-0570 (941) 593-0581 FAX		view: PLOT															
		project #: 2007-21															
		sheet #: 1 of 1															
		file #: 2007-21															

NOT A SURVEY

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LEGAL DESCRIPTION

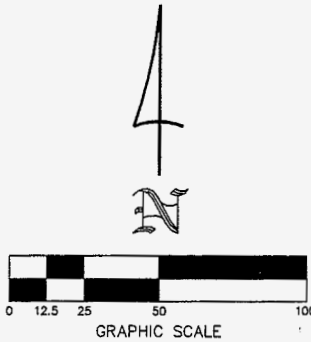
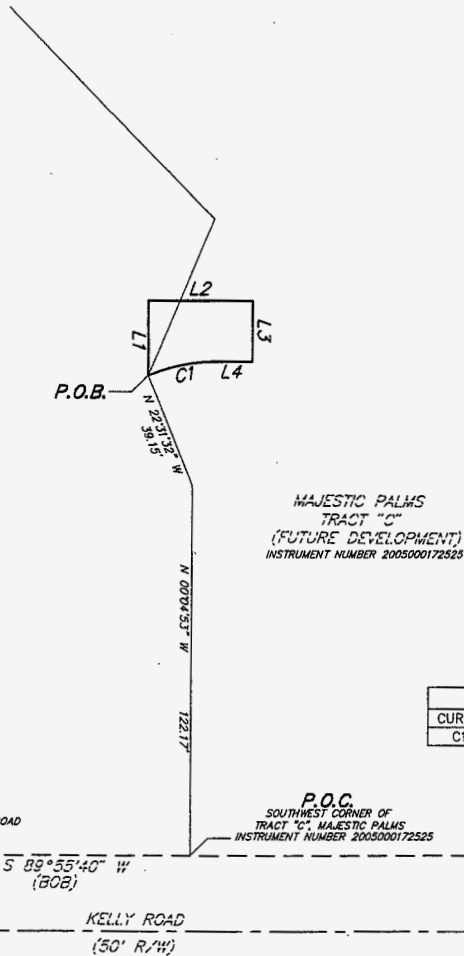
BEING A PORTION OF TRACT B AND TRACT C OF MAJESTIC PALMS, AS RECORDED IN INSTRUMENT NUMBER 2005000172525, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF TRACT C, MAJESTIC PALMS AS RECORDED IN INSTRUMENT NUMBER 2005000172525, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE NORTH 00°04'53" WEST, A DISTANCE OF 122.17 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED; THENCE NORTH 00°04'04" WEST, A DISTANCE OF 24.65 FEET; THENCE NORTH 89°55'56" EAST, A DISTANCE OF 34.93 FEET; THENCE SOUTH 00°04'04" EAST, A DISTANCE OF 20.00 FEET; THENCE SOUTH 89°55'07" WEST, A DISTANCE OF 11.59 FEET TO A POINT OF CURVATURE; THENCE WESTERLY, 23.95 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE SOUTHERLY, HAVING A RADIUS OF 61.00 FEET, THROUGH A CENTRAL ANGLE OF 22°29'48" AND BEING SUBTENDED BY A CHORD WHICH BEARS SOUTH 78°40'13" WEST, 23.80 FEET TO THE POINT OF BEGINNING.

CONTAINING 734 SQUARE FEET OR 0.017 ACRES, MORE OR LESS.

SUBJECT TO EASEMENTS, RESERVATIONS AND RESTRICTIONS OF RECORD.

BEARING ARE BASED ON THE NORTH RIGHT-OF-WAY OF KELLY ROAD AS BEING SOUTH 89°55'40" WEST.



LINE TABLE		
LINE	LENGTH	BEARING
L1	24.65'	N 00°04'04" W
L2	34.93'	N 89°55'56" E
L3	20.00'	S 00°04'04" E
L4	11.59'	S 89°55'07" W

CURVE TABLE					
CURVE	RADIUS	DELTA	LENGTH	CHORD	BEARING
C1	61.00'	22°29'48"	23.95'	23.80'	S 78°40'13" W

MAJESTIC PALMS
TRACT "B"
(FUTURE DEVELOPMENT)
INSTRUMENT NUMBER 2005000172525

MAJESTIC PALMS
TRACT "C"
(FUTURE DEVELOPMENT)
INSTRUMENT NUMBER 2005000172525

P.O.C.
SOUTHWEST CORNER OF
TRACT "C", MAJESTIC PALMS
INSTRUMENT NUMBER 2005000172525

S 89°55'40" W
(302)

KELLY ROAD
(50' R/W)

SECTION 31-45-24
SECTION 6-45-26

ABBREVIATIONS
 BOB = BASIS OF BEARING
 C/L = CENTERLINE
 FPL = FLORIDA POWER AND LIGHT
 LCUE = LEE COUNTY UTILITY EASEMENT
 P = PLAT
 P.O.C. = POINT OF COMMENCEMENT
 P.O.B. = POINT OF BEGINNING
 PSM = PROFESSIONAL SURVEYOR
 AND MAPPER
 R/W = RIGHT OF WAY LINE

BY: *John Scott Rhodes* JOHN SCOTT RHODES PSM #5739

SKETCH AND DESCRIPTION
 CERTIFIED TO:
 PULTE HOMES

RHODES & RHODES
 LAND SURVEYING, INC.
 LICENSE #LB 8897

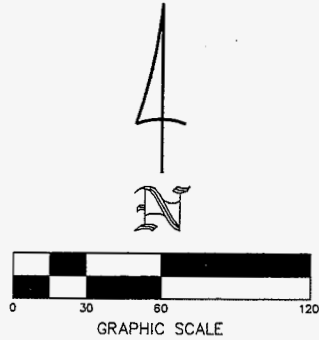
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1440 RAIL HEAD BOULEVARD, #1
 NAPLES, FLORIDA 34110
 (239) 593-0570 (239) 593-0581 FAX

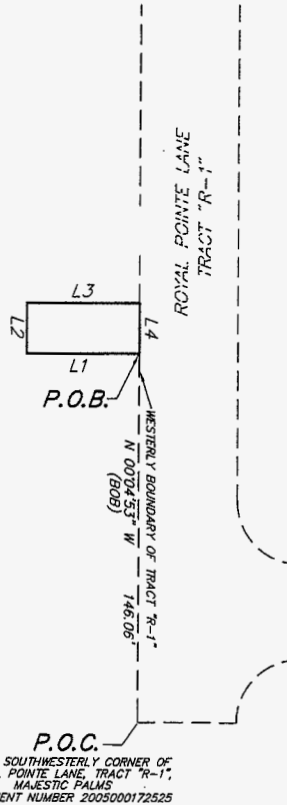
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 1 of 1
 file #:
 2007-22

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COPY



MAJESTIC PALMS
TRACT "B"
(FUTURE DEVELOPMENT)
INSTRUMENT NUMBER 2005000172525



PROPERTY DESCRIPTION

BEING A PORTION OF TRACT B OF MAJESTIC PALMS, AS RECORDED IN INSTRUMENT NUMBER 2005000172525, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE MOST SOUTHWESTERLY CORNER OF ROYAL POINTE LANE, TRACT "R-1", MAJESTIC PALMS, AS RECORDED IN INSTRUMENT NO. 2005000172525, IN THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE NORTH 00°04'53" WEST, A DISTANCE OF 146.06 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED; THENCE NORTH 90°00'00" WEST, A DISTANCE OF 45.00 FEET; THENCE NORTH 00°04'53" WEST, A DISTANCE OF 20.00 FEET; THENCE SOUTH 90°00'00" EAST, A DISTANCE OF 45.00 FEET; THENCE SOUTH 00°04'53" EAST, A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 900 SQUARE FEET OR 0.021 ACRES, MORE OR LESS.

NOTES:

SUBJECT TO EASEMENTS, RESERVATIONS AND RESTRICTIONS OF RECORD.

BEARING ARE BASED ON THE WESTERLY BOUNDARY OF TRACT "R-1", MAJESTIC PALMS, AS SHOWN.

LINE TABLE		
LINE	LENGTH	BEARING
L1	45.00'	N 90°00'00" W
L2	20.00'	N 00°04'53" W
L3	45.00'	S 90°00'00" E
L4	20.00'	S 00°04'53" E

- ABBREVIATIONS**
- BOB = BASIS OF BEARING
 - C/L = CENTERLINE
 - L.C.U.E. = LEE COUNTY UTILITY EASEMENT
 - P.O.B. = POINT OF BEGINNING
 - PSM = PROFESSIONAL SURVEYOR AND MAPPER
 - R/W = RIGHT OF WAY LINE

BY: *John Scott Rhodes* JOHN SCOTT RHODES PSM #5739

SKETCH AND DESCRIPTION		design:
CERTIFIED TO: PULTE HOMES		drawn: RWC
		checked: JA
		acad #: 2007-23
RHODES & RHODES LAND SURVEYING, INC. LICENSE # LB 6897		view: PLOT
		project #: 2007-23
1440 RAIL HEAD BOULEVARD, #1 NAPLES, FLORIDA 34110 (239) 593-0570 (239) 593-0581 FAX		sheet #: 1 of 1
		file #: 2007-23

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