

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

Blue Sheet No. 20070579-UTL

1. ACTION REQUESTED/PURPOSE:

Developer Contributed Asset: Approve final acceptance, as a donation of a water main extension, and twelve 6" diameter fire lines, to provide potable water service and fire protection to *Magnolia Landing Entry Road*, a phased residential development. This is a Developer contributed asset and the project is located on the west side of U.S. 41 North approximately 1/4 mile south of the Lee/Charlotte county line.

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 **C106** **6. Meeting Date:** MAY 01 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 Public Works
	<input type="checkbox"/> Admin. Code	<input type="checkbox"/>	Division Utilities
	<input checked="" type="checkbox"/> Other	Approval	By: <i>D. Meurer</i> 4.12.2007 Douglas L. Meurer, P.E., Director

10. Background:

The Board granted permission to construct on 06-20-06, Blue Sheet #20060625.
The installation has been inspected for conformance to the Lee County Utilities Operations Manual. Satisfactory pressure and bacteriological testing has been completed. Record drawings have been received. Engineer's Certification of Completion has been provided—copy attached. Project Location Map—copy attached. Warranty has been provided—copy attached. Waiver of Lien has been provided—copy attached. Certification of Contributed Assets has been provided—copy attached. 100% of the connection fees have been paid. Sanitary sewer service will be provided by North Fort Myers Utilities. No funds required.

SECTION 04 TOWNSHIP 43S RANGE 24E DISTRICT # 4 COMMISSIONER HALL

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: 4-16-07	N/A Date:	N/A Date:	<i>P.O.</i> T. Osterhout Date: 4/12	<i>S. Covert</i> Date: 4/14/07	<i>RK</i> 4/17	<i>mk</i> 4/18/07	<i>g</i> 4/17/07	<i>g</i> 4/17/07	<i>J. Lavender</i> Date: 4-16-07

12. Commission Action:

- Approved
- Deferred
- Denied
- Other

Rec. by CoAtty
Date: 4/16/07
Time: 4:00pm
FORWARDED TO:
4/17/07
8:45am

RECEIVED BY: *RK*
COUNTY ADMIN: *RK*
4-17-07
10 AM
COUNTY ADMIN FORWARDED TO: *PP*
4-18-07
11:15 AM

RESOLUTION NO.

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

WHEREAS, it is the desire of "TAYLOR WOODROW COMMUNITIES AT HERONS GLEN, LLC", owner of record, to make a contribution to Lee County Utilities of water facilities (water main extension and twelve six inch diameter fire lines), serving "MAGNOLIA LANDING ENTRY ROAD"; 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 \$309,299.64 is hereby ACCEPTED and acknowledged as an addition to Lee County Utilities.

THE FOREGOING RESOLUTION was offered by Commissioner _____ who moved for its adoption. The motion was seconded by Commissioner _____ and, upon being put to a vote, the vote was as follows:

- Commissioner Bob Janes: _____ (1)
- Commissioner Brian Bigelow: _____ (2)
- Commissioner Ray Judah: _____ (3)
- Commissioner Tammara Hall: _____ (4)
- Commissioner Frank Mann: _____ (5)

DULY PASSED AND ADOPTED this _____ day of _____, 2007.

ATTEST:
CHARLIE GREEN, CLERK

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

By: _____
DEPUTY CLERK

By: _____
CHAIR

APPROVED AS TO FORM

OFFICE OF COUNTY ATTORNEY

BS 20070579 - UTL

COPY

LETTER OF COMPLETION

DATE: January 24, 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 fire line up to and including 1st OS + Y valve(s)**
located in

Magnolia Landing Entry Road DOS2005-00352

(Name of Development/Project)

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

the approved plans and the approved specifications

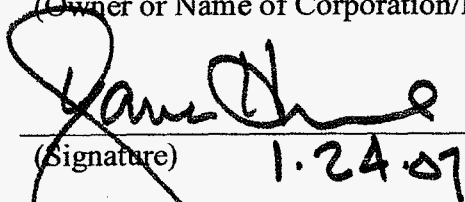
Upon completion of the work, we observed the following successful tests of the facilities:

Bacteriological Test and Pressure Test(s) - Water Main

Very truly yours,

Johnson Engineering, Inc.

(Owner or Name of Corporation/Firm)



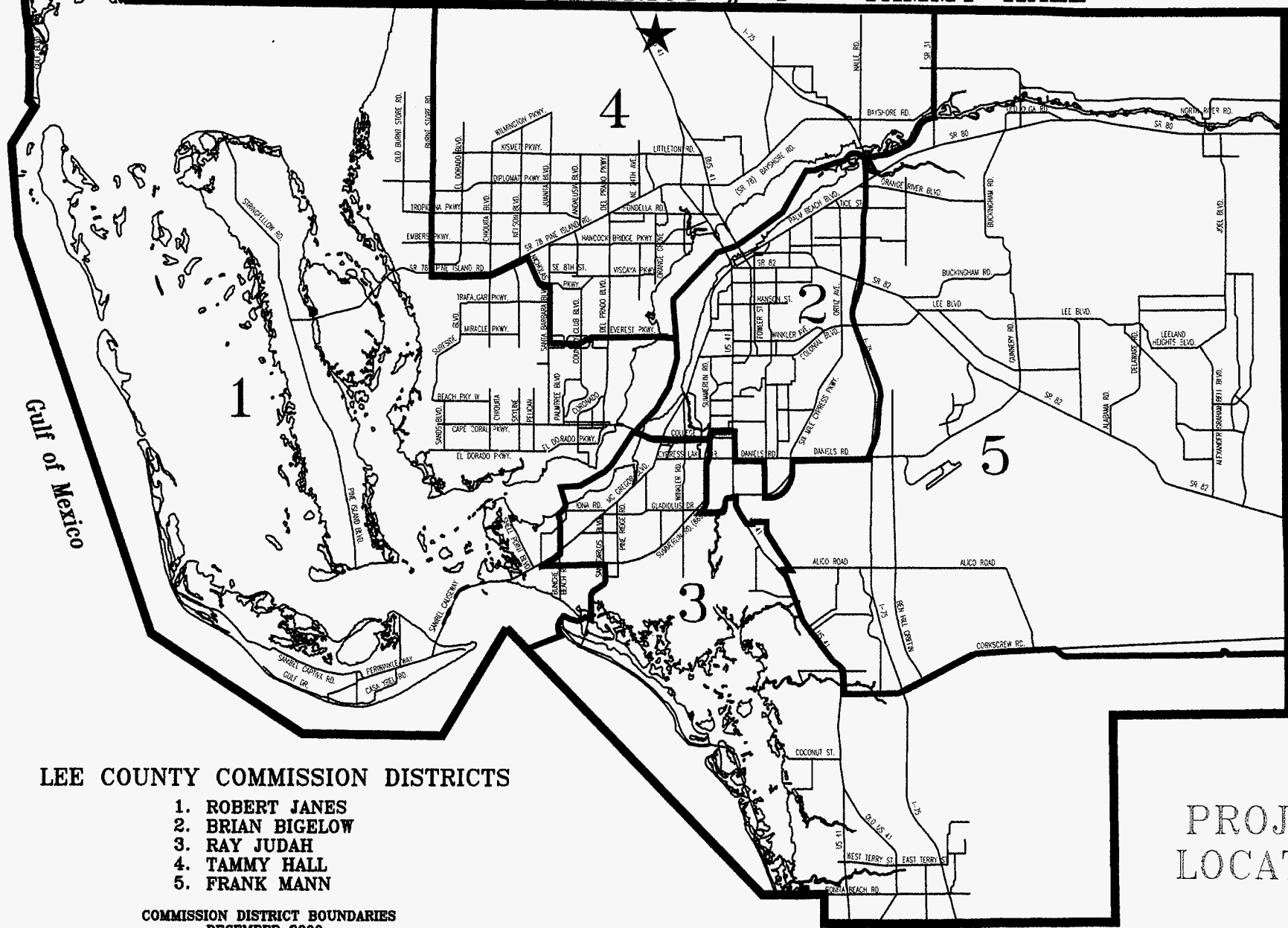
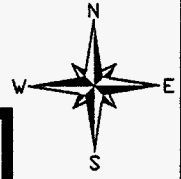
(Signature) 1.24.07

Dana L. Hume, P.E.

(Title)

(Seal of Engineering Firm)

MAGNOLIA LANDING ENTRY ROAD
04-43-24-00-00003.1000 & 04-43-24-00-00003.1020
COMMISSION DISTRICT # 4 - TAMMY HALL



LEE COUNTY COMMISSION DISTRICTS

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

COMMISSION DISTRICT BOUNDARIES
 DECEMBER 2000

PROJECT
 LOCATION

COPY

WARRANTY

THE UNDERSIGNED parties do hereby warrant and/or guaranty all work executed by the contractor on the water system of Magnolia Landing Entry Road 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.

Mitchell & Stark Const. Co., Inc.
(Contractor/Company Name)

Dennis Short, Project Manager
(Authorized Representative Title)

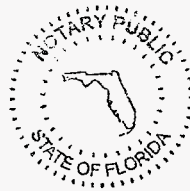
BY: *Dennis Short*
(Signature)

STATE OF FL)
) SS:
COUNTY OF Collier)

The foregoing instrument was signed and acknowledged before me this 10 th day of January, 2007 by Dennis Short who is personally known to me - _____, and who did not take an oath.

Belinda Burgbacher
Notary Public Signature

Printed Name of Notary Public



Belinda Burgbacher
Commission #DD179217
Expires: January 22, 2007
Bonded Thru
Atlantic Bonding Co., Inc.

(Notary Seal & Commission Number)

COPY

11.5

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

CERTIFYING:

X

(Signature of Certifying Agent)

L.D. Neal, Project Manager

(Name & Title of Certifying Agent)

Mitchell & Stark Construction Company, Inc.

(Name of Firm or Corporation)

6100 Shirley Street

(Address of Firm or Corporation)

Naples, FL 34109 -

STATE OF FL)

) SS:

COUNTY OF Collier)

The foregoing instrument was signed and acknowledged before me this 5 th day of April, 2007 by L.D. Neal, Project Manager who is personally known to me - _____, and who did not take an oath.

Notary Public Signature

Belinda Burgbacher
Printed Name of Notary Public

NOTARY PUBLIC - STATE OF FLORIDA

Belinda Burgbacher
Commission # DD620455
Expires: JAN. 22, 2011
BONDED THRU ATLANTIC BONDING CO., INC.

Notary Commission Number

(NOTARY SEAL)