SIRE BS I 20071059	No. L	ee Coun	•	•	Commissione ary	ers B	Blue Sheet No.	200	70678-UTL
1. ACTION REQUESTED/PURPOSE: Developer Contributed Asset: Approve final acceptance, by Resolution and recording of one (1) Utility Easement, as a donation of one fire hydrant, one 6'' diameter fire line, one water service and one sewer service serving GLADIOLUS PRESERVE, TRACT "F", to provide potable water service, fire protection and sanitary sewer service to this recently constructed commercial building. This is a Developer Contributed asset project located on the southeast corner of Gladiolus Drive and Preserve 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. Depart	nental Cate	egory:	10 - Utilitie	s ()[Α	6. Mo	eeting Date:	MAY	(2 2 2007
Appe:	nt nistrative als			ite nance in. Code	Approval	Comr Depar Divisi By:	Toyles Life	Pub	olic Works Utilities ., 5-3-2007 ., Director
10. Background: Fire hydrants, fire lines and single services do not require permission to construct by the Board, therefore, no previous Blue Sheet number is provided. 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. Funds are available for recording fees in: Account No. OD5360748700.504930 (Util-Util Eng-Dep Clerk Fees for Recording & Filing) SECTION 33 TOWNSHIP 45S RANGE 24E DISTRICT # 3 COMMISSIONER JUDAH									
11. Review	v for Sched Purchasing	uling: Human		County					County

Director Attorney Contracts Director Analyst Risk Grants N/A N/A S. Coovert T. Osterhout
Date: 5 Date: Bate: 5.4.67 Date: Date: 12. Commission Action: Approved RECEIVED BY COUNTY ADMIN:

Deferred
Denied
Other

S:\ENGR\W P\BLUE SHEETS-ENG (MAIN)\GLADIOLUS PRESERVE, TRACT F - FI, FH, WS, SS - FA - TAK BS 20070678, SIRE 2007-DOC 107 113

RESOLUTION NO.

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

WHEREAS, it is the desire of "Lunar Investments LLC" owner of record, to make a contribution to Lee County Utilities of water facilities (one fire hydrant, one six inch diameter fire line), and sewer facilities (sanitary sewer), serving "GLADIOLUS PRESERVE, TRACT "F"; 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 \$8,500.00 is hereby ACCEPTED and acknowledged as an addition to Lee County Utilities.

THE FOREGOING RESOLUTION was of moved for its adoption. The motion and, upon being	fered by Commissioner n was seconded by Commissioner		who
and, upon being	put to a vote, the vote was a	s 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:	By:		
DEPUTY CLERK	CHAIR		

APPROVED AS TO FORM

OFFICE OF COUNTY ATTORNEY

BS 20070678-UTL



LETTER OF COMPLETION

DATE: <u>4/26/2007</u>

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

Gentlemen:

This is to certify that the fire hydrant(s), fire line up to and including 1st OS + Y valve(s), water service(s) and sewer service(s) located at Gladiolus Preserve, Tract 'F'

(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:

Pressure Test(s) - Water Main and Bacteriological Test

Very truly yours,

Southwest Engineering of Lee County (Owner or Name of Corporation/Firm)

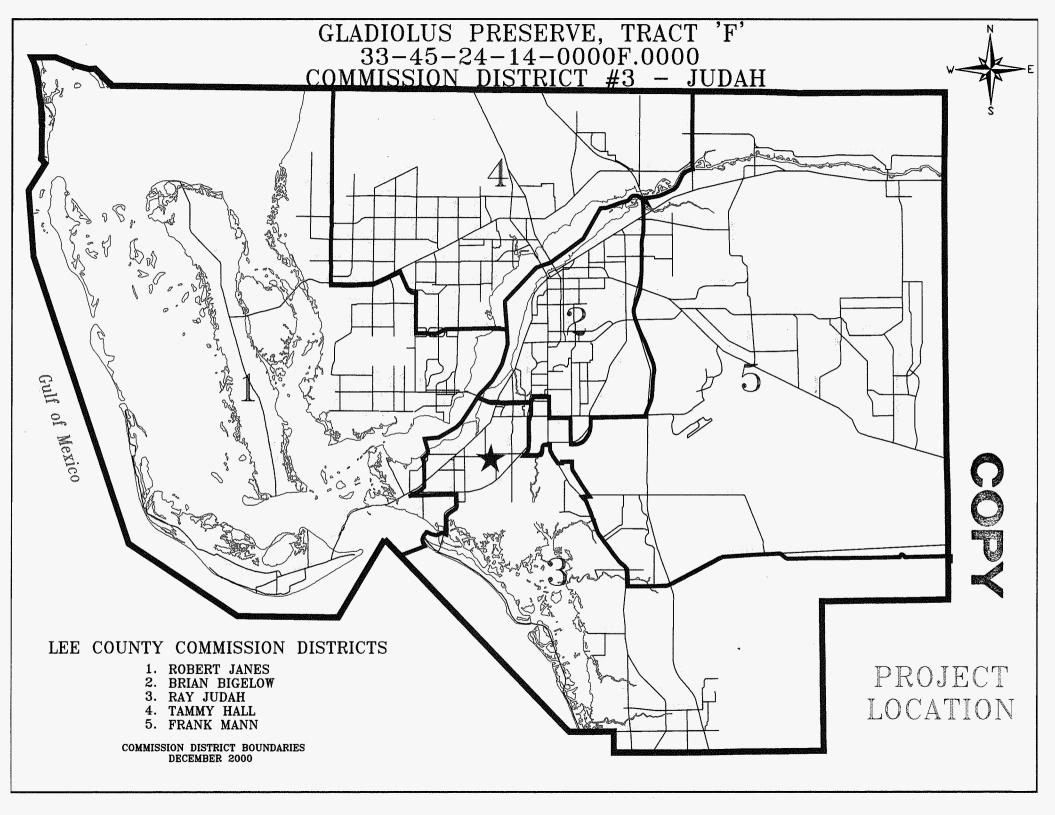
REC'D 2 0 2007

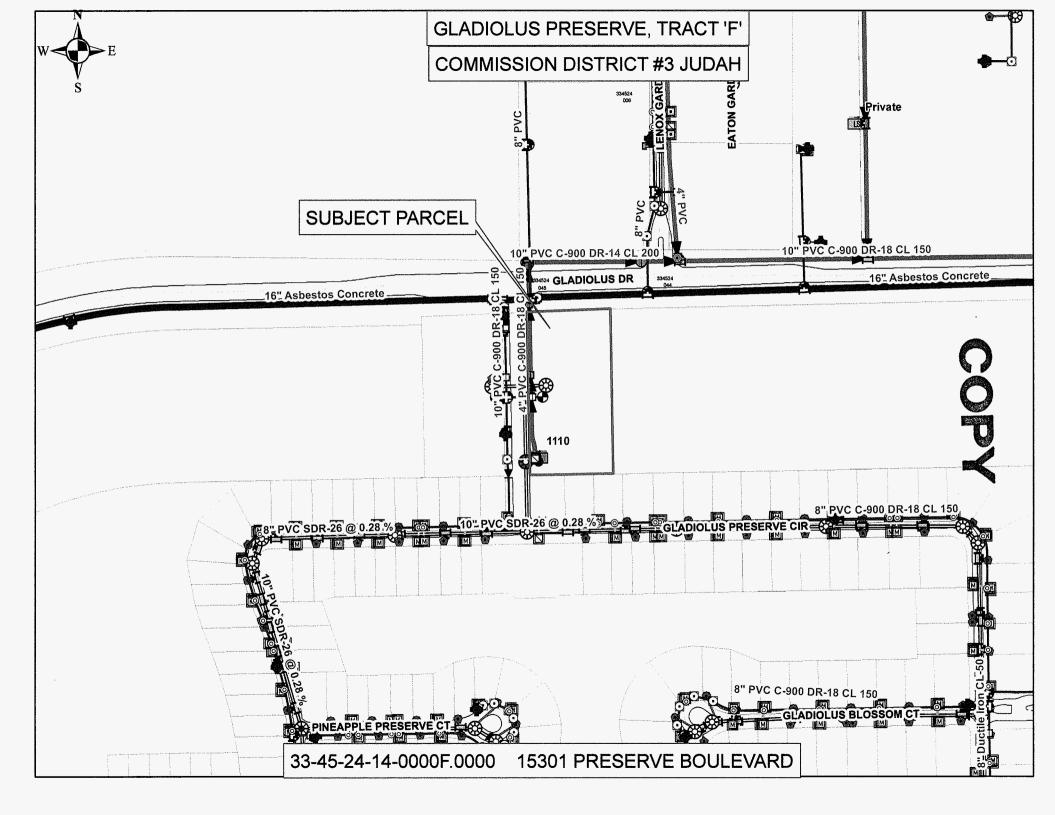
Manuel Harris

Manuel Garcia, Principal

(Name and Title)

(Seal of Engineering Firm)







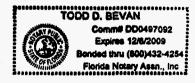
WARRANTY

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

	Florida West Underground, Inc.
	(Name of Owner/Contractor)
	BY: D
	(Signature of Owner/Contractor)
	·
STATE OF)	
) SS: COUNTY OF Lee)	
· ·	
The foregoing instrument was signed and	lacknowledged before me this 271 day of MAR, 2007
by (10 TH D. TILLAN who is personal	ly known to me - , and who did not take an oath.
All long	
Notary Public Signature	
1000 D. BEUN	
Printed Name of Notary Public	
	(Notary Seal & Commission Number)

(Notary Sear & Commission Number



LEE COUNTY
SUCTIONALS (FORMS – Warranty – Revised 04/2003)

5835WH-LCU-Warranty



WAIVER AND RELEASE OF LIEN UPON FINAL PAYMENT



The undersigned lienor, in consideration of the final payment in the amount of

<u>Eight Thousand Five Hundred and No/100 Dollars(\$8,500.00</u>) hereby waivers and releases its lien

and right to claim a lien for labor, services, or materials furnished to <u>Lunar Investments Llc</u> on the job of

<u>Gladiolus Preserve</u> to the following described property:

(Tract 'F')

(Tract 'F')	
Gladiolus Preserve, Tract 'F' (Name of Development/Project)	water distribution and sanitary sewer systems (Facilities Constructed)
15301 Preserve Blvd; Ft Myers, Fl 33908 (Location)	33-45-24-14-0000F.0000 (Strap # or Section, Township & Range)
Dated on: March 5, 2007 By: (Signature of Authorized Representative)	Florida West Underground, Inc (Name of Firm or Corporation)
(Signature of Authorized Representative)	(Name of Firm or Corporation)
By: Timothy D Tillman	10880 Metro Pkwy STE J
(Print Name of Authorized Representative)	(Address of Firm or Corporation)
Title: Secretary Treasurer	Fort Myers, FL 33966-
	(City, State & Zip Of Firm Or Corporation)
Phone #: (239)936-8945 Ext.	Fax#: (239)936-8956
STATE OFFL) SS: COUNTY OF Lee) The foregoing instrument was signed and acknowledged who is personally known to me, and where the state of the stat	before me this May of May 2007 by Timo My Do did not take an oath.
ر ا	M. O Bax
(Notary Pul	blic Signature)

(Printed Name of Notary Public)

TODD D. BEVAN

Comm# DD0497092

Expires 12/6/2009

Bonded thru (800)432-4254

Florida Notary Assn., fine

LEE COUNTY
SOUTHWALST FLORIDA
(Forms – Waiver of Lien – Revised January 2004)

(Notary Seal & Commission Number)





11.5

CERTIFICATION OF CONTRIBUTORY ASSETS

PROJECT NAME:	Gladiolus Preserve Tract F				
STRAP NUMBER:	33-45-24-14-0000F.0000				
A C C C C C C C C C C C C C C C C C C C					
LOCATION:	15301 Preserve Blvd; Ft Myers, Fl 33908				
OWNER'S NAME: (as show	OWNER'S NAME: (as shown on Deed) Lunar Investments Lic				
OWNER'S ADDRESS:	15110 intracostal Ct				
OWNER'S ADDRESS:	Fort Myers,FL 33908-1826				
OWNER'S TELEPHONE NU	JMBER: (239)432-1500				
	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

DESCRIPTION AND COST OF MATERIAL, LABOR, AND SERVICES Please list each element of the system from the drop-down list provided.

)TEM	SIZE	OUANTIT Y	UNIT	UNIT COST	TOTAL
FIRE LINE UP TO AND INCL 1ST OS + Y VALVE	6"	1.0	BA	\$3,500.00	\$3,500.00
FIRE HYDRANT ASSEMBLY		1.0	EA	\$1,500.00	\$1,500.00
SINGLE WATER SERVICE/COMPLETE	1.5"	1.0	EA	\$1,000.00	\$1,000.00
				·	
		 	 	 	
					<u> </u>
			 	-	
					·
(If more space is required use additional forms					\$6,000.00

(If more space is required, use additional forms(s).

LEE COUNTY

Contractor's Certification of Contributory Assets - Form (June2004)

I:\Work\Billing\FWEST\\$835\Closeour\\$835 LCU-Cont Assets-Water FH.doc





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 JC	
	(Signature of Certifying Agent)	
	Timothy D Tillman, Sec'y Treasurer	
	(Name & Title of Certifying Agent)	
	Florida West Underground, Inc.	
	(Name of Firm or Corporation)	-
	10880 Metro Pkwy Suite J	
	(Address of Firm or Corporation)	-
	Fort Myers, FL 33966 - 1153	
STATE OFFL)		
) SS: COUNTY OF Lee)		
	and the second	
The foregoing instrument was signed and who is personally known	nd acknowledged before me this day of _March, 2007 by to me, and who did not take an oath.	I mothly D.
who is personally known	, and who did not take an outil.	
Mobile		
Notary Public Signature		
	TODD D. BEVAN	
Printed Name of Notary Public	Comm# 000497092 Expires 12/6/2009	
Series Control of the	Bonded thru (800)432-4254 Florida Notary Assn., Inc	
Notary Commission Number	(NOTARY SEAL)	
TADIALY COMMISSION TARRIOG	(HOTHEL DISTE)	

LEE COUNTY
SOUTHWEST FROMING
Contractor's Certification of Contributory Assets – Form (June2004)

I:\Work\Billing\FWEST\5835\Closeout\5835 LCU-Cont Assets-Water FH.doc





CERTIFICATION OF CONTRIBUTORY ASSETS

PROJECT NAME:	Gladiolus Preserve, Tract *F'
STRAP NUMBER:	33-45-24-14-0000F.0000
LOCATION:	15301 Preserve Blvd; Ft Myers, Fl 33908
OWNER'S NAME: (as shown	n on Deed) Lunar Investments Llc
OWNER'S ADDRESS:	15110 Intracostal Ct
OWNER'S ADDRESS:	Fort Myers,FL 33908-1826
OWNER S TELEPHONE N	UMBER: (239)432-1500

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.

ПЕМ	SIZE	QUANTITY	UNIT	UNIT COST	TOTAL
SINGLE SEWER SERVICE W/CLEANOUT	4"	1.0	EA	\$2,500.00	\$2,500.00
SINGLE SEWER SERVICE WICEEANOUT	 	1.0	LA	Ψ2,500.00	φ2,500.00
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mom i i					00 #00 00
<u>TOTAL</u>			<u> </u>		\$2,500.00

(If more space is required, use additional forms(s).



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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:	
	$\lambda = \lambda = 0$	
	X CC (CC A CC)	
	(Signature of Certifying Agent)	
	Timothy D Tillman Sec'y Treasurer	
•	(Name & Title of Certifying Agent)	
	Florida West Underground, Inc.	
•	(Name of Firm or Corporation)	
	10880 Metro Pkwy Suite J	
	(Address of Firm or Corporation)	
	Fort Myers, FL 33966 - 1153	
	10tt Wyds, 11 33700 - 1133	
STATE OF <u>FL</u>)		
) SS:		
COUNTY OF Lee)		
The foregoing instrument was signed and	acknowledged before me this 27 day of March, 2007 by	The state of
who is personally known to	me, and who did not take an oath.	Tracing 2
	 ^	
1111		
- Jack Both		
Notary Public Signature	DD D. BEVAN	
	Comm# DD0497092	
Printed Name of Notary Public	Expires 12/6/2009	
OF FOR	Bonded thru (800)432-4254 Florida Notary Assn., Inc	
Notary Commission Number	(NOTARY SEAL)	

LEE COUNTY
SOUTHWEST FLORIDA
Contractor's Certification of Contributory Assets – Form (June2004)

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FLORIDA DEPARTMENT OF REVENUE

ÎNET	
TTATAT	

FDOR10240300 DR-219

	(PLEASE READ INSTRUC				R. 07/98
	Use black ink. Enter numbers	as shown below.		numbers as shown below.	
1.	Parcel Identification Number (If Parcel ID not available	6 7 8 9		23456789	
	please call County Property Appraiser's Office) →	334524140	0001000		
2.	Mark (x) all Multi-parcel or cut	action is a split out from		Property was improved with building(s) at time	
		er parcel?	[7.11NJA	of sale/transfer? → ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐	
3.	Grantor (Seller): Last First	MI		orate Name (if applicable)	
		MYERS	FL	33908 ()	
	Mailing Address Creates (Ruyer): THOM OSTERHOUT AS A	City GENT: FOR	State LEE CO.	Zip Code Phone No. BD. OF CO. COMMISSI	ONERS
4.	Grantee (Buyer): Last First	MI		orate Name (if applicable)	
	P. O. BOX 398 FT.		FL	33902 (239,479818	1
5.	Mailing Address Date of Sale/Transfer Sale/Tra	City ansfer Price	State	Zip Code Phone No.	
	Month Day Year (Round to the	s 10	0	Property Located In Lee	
_	Contract/Agreement Other	Are any mortgages o	on the property?	If "Yes",	× NO
6.	Warranty for Deed	outstanding mortgag			
	Deed Quit Claim (Round	to the nearest dollar.) 🎝 📗 📗		00
8.	To the best of your knowledge, were there unusual circumstance such as: Forced sale by court order? Forcelosure pending? Distressale of a partial or undivided interest? Related to seller by blood or	ss Sale? Title defects?		ed? Mineral rights? YES /	X NO
9.	Agr	please indicate type of eement or atract for Deed	or types of finan	cing:	
10.	Property Type: Residential Commercial Industrial Agric Mark (x) all that apply	Institutiona		ent Vacant Acreage Tim	eshare
	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 Amount of Documentary Stamp Tax		\$		0 0 70
13.	If <u>no tax</u> is due in number 12, is deed exempt from Documentary S	tamp Tax under s. 201	1.02(6), Florida	Statutes? YES /	NO
_	Under penalties of perjury, I declare that I have read the foreg	oing return and that the	ne facts stated i	n it are true. If prepared by someone	other
ı	than the taxpayer, his/her declaration is based on all informati Signature of Grantor or Grantee or Agen	on bi which he/her ha	is any knowledg	Date 5/5/07	
1	WARNING: FAILURE TO FILE THIS RETURN OR ALTERNATIVE FORM APPRO	VED BY THE DEPARTMENT	T OF REVENUE SHA	ALL RESULT IN A PENALTY OF \$25.00 IN ADDI	TON TO ANY
<u></u>	OTHER PENALTY IMPOSED BY THE REVENUE LAW OF FLORIDA.	- 055		Ol- J- D / O/	
	To be completed by the Clerk of the Circuit Court	s Office		Clerks Date Stamp	
	This copy to Property Appraiser				
	D. R. Book				
	and				
Pa	age Number				
F	and ile Number				
	te Recorded / / / / / / / / / / / / / / / / / /	J			
"	Month Day Year				

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 2 3 4 5 6 7 8 9 0123456789

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

334524140000F0000

2.	Mark (x) all that apply		parcel action? —	•	_		or co	utou ther	tion is a it from parcel?	split →				,	Property with build of sale/tr	ding(:	s) at tin er?	ne →		
3.	Grantor (Seller)					-	0070	578							INVES				<u> </u>	
	15110	Last INTRA	ACOAST	'AL CT	FI	rst	FOR	RT	MYE	RS RS		FL	Corp		e Name (8 9 0 8	ıт арұ ′	piicabie \	;)		
4.	Grantee (Buyer	THO :	ling Addre	ss 'ERHOU			AS		City ENT:		R	State LEE	CO.	ві	Code	CC		IMMC	SSIC	NERS
	P.	C. I	BOX 3	98	FI	rst	FΊ		MYER	MI RS		FL	Corp		Name (3902	it api			8181	• .
5.	Date of Sale/Tr		ling Addre	ss			Sale/		City Isfer Pric	:e	**********	State)	Zip	Code	Pł	none No	o.		i
	5	22	2 2	007	\$				\$10				0	0	Propert Located		46	Cou	inty Cod	de
	Month	Day		Year		(Ro	und to	the i	nearest o	dollar.)		-			Localet	J 111				
6.	Type of Docum	ent	Contract for Deed	/Agreement	×	Othe	r :		-	nortgages ng mortga		•		? If "	Yes",		Y	ES		× NC
	Warranty Deed		Quit Clai Deed	m			(Rou	nd to	o the nea	arest dolla	ar.)	\$								0 0
8.	To the best of such as: Forced Sale of a partial	d sale by	court orde	er? Foreclos	sure p	endin	g? Distr	ress	Sale? T	itle defec				eed?	Mineral r	rights	^{5?} Y	ES		× NO
9.	Was the sale/tra	ansfer fin	anced? Y	ES	×	NO	If "Yes	", pl	ease ind	licate type	e or	types o	of fina	ncing	:					
	Conventio	nal	Se	eller Provide	d		•	-	ment or act for D	eed		0	ther							
10.	Property Type: Mark (x) all that apply	Resid	ential C	Commercial	Ind	ustrial	Agr	riculf		Institution Miscellane		s Go	vernr	nent	Vacar X	nt	Acre	age	Times	hare
										~		.								Cents
	To the best of included in the amount attribut	sale/trans table to th	sfer? If "Ye ne persona	s", please s al property. (tate t	he		ES est d	dollar.)	× NC)	\$ \$			0.7	70			•	0 0
12.	Amount of Docu	umentary	Stamp Ta	х ———						· · · · · · · · · · · · · · · · · · ·	-	•			. ,	Ů				
13.	than the ta Signature WARNING: FA	nalties of paxpayer, had of Granto Allure TO	perjury, I d nis/her dec or or Grant FILE THIS RI	eclare that claration is been or Agent	l have	e read on all	the fore informa	egoi	ng return n o whic	and that he/her i	the	facts s any kn	stated owled	in it a	ire true. I	_ Da	pared b	13	07	
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	•	This co	py to D	epartme	nt o	f Rev	enue													
P	O. R. Book and age Number and File Number ate Recorded	Month]		Year		Translation of the state of the												

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. 200700678-UTL

PROJECT NAME:

GLADIOLUS PRESERVE, TRACT

4F7

EASEMENT NAME: LUNAR INVESTMENTS LLC

TYPING BY: Jeanette Cruz

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

Strap Number(s):

33-45-24-14-0000F.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 "LUNAR INVESTMENTS LLC," Owner(s), 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.

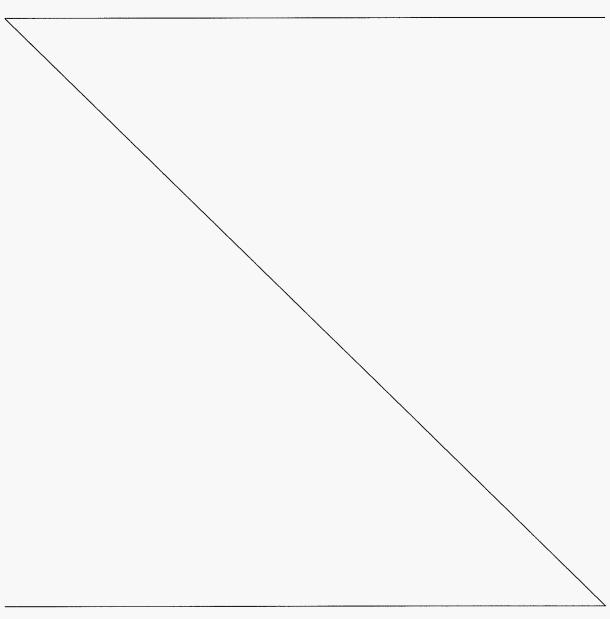
BS 20070678-UTL

- 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.

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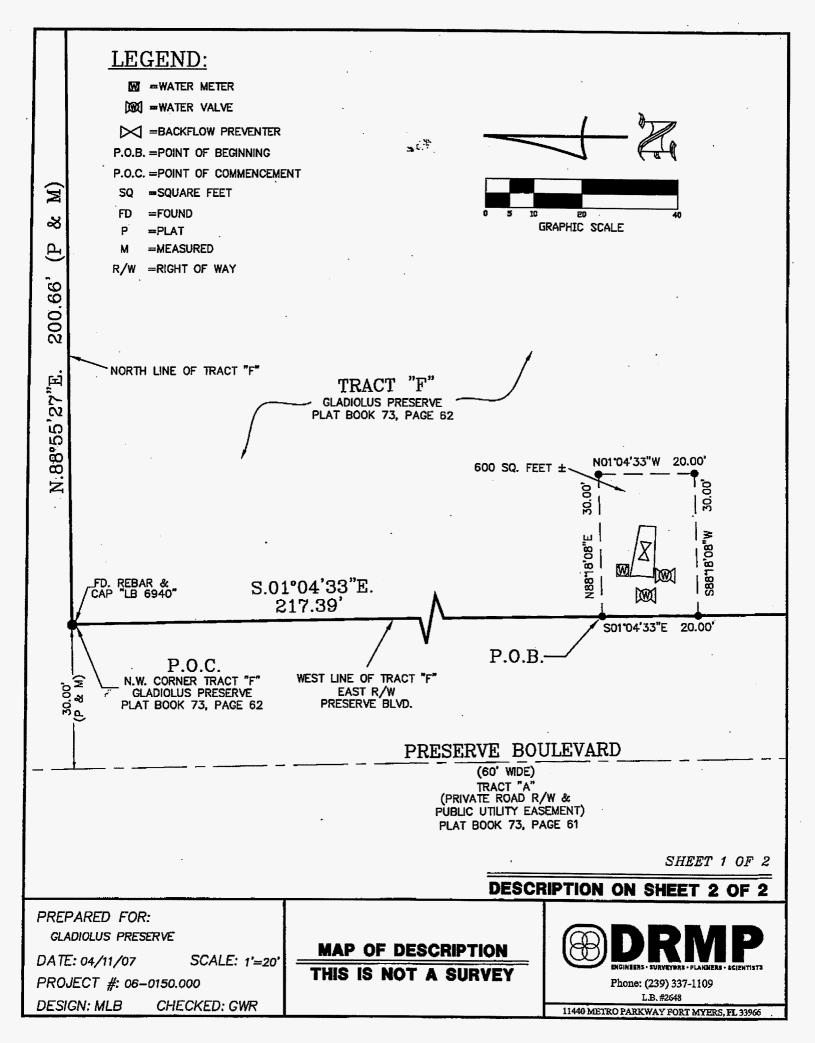


IN WITNESS WHEREOF, the GRANTOR has caused this document to be signed on the date and year first above written.

Colicud Non	BY:	1. New lus
[1 st Witness' Signature]		[Signature Grantor's/Owner's]
Edward Hall		R. Reed Wilson
[Type or Print Name]		[Type or Print Name]
Ilm Cont		Partner
[2 nd Witness' Signature]		[Title]
Ken Compton		
[Type or Print Name]		
STATE OF FLORIDA COUNTY OF <u>Lee</u>		
The foregoing instrument was day of APRIL 2007 by R. Reed Wilson		l acknowledged before me this 12 ced the following as identification or is personally know to me,
and who did/did not take an oath.		
[stamp or seal] WENDY L. HALL Notary Public - State of Florida	Derd	L. Lall
My Commission Expires Feb 15, 2011 Commission # DD 640954	Signature ∲ ለ⊭ል≀∩ህ /	f Notary]

[Typed or Printed Name]

Approve	ed and accepted for a	nd on behal	f of Lee County, Florida, this				
day of		2007.					
ATTEST: CHARLIE GRE	EN CLERK		RD OF COUNTY COMMISSIONERS EE COUNTY, FLORIDA				
OFFICE OFFI	LLI4, OLLINI	0, 22	LE OCCITIT, I LOTTEDA				
BY:		BY:					
Deputy (Clerk		Chair				
			APPROVED AS TO FORM				
		BY:					
			Office of the County Attorney Scott S. Coovert, Esquire				



LEGAL DESCRIPTION PROPOSED 20' X 30' EASEMENT PART OF SECTION 33, TOWNSHIP 45 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA

All that parcel of land located in Section 33, Township 45 South, Range 24 East, Lee County, Florida being further described as follows:

COMMENCE at the Northwest corner of Tract "F" as described in the Plat of "Gladiolus Preserve" Plat Book 73, Pages 58 through 68, Public Records of Lee County, Florida. Thence S 01°04'33" E along the West line of said Tract "F" also being East right-of-way line of Preserve Boulevard (60' Wide) as described in the Plat of "Gladiolus Preserve" Plat Book 73, Page 61, Public Records of Lee County, Florida for 217.39 feet to a point intersecting said West line of Tract "F" said point being the Point of Beginning. Departing said West line of Tract "F" run N 88°18'08" E a distance of 30.00 feet; Thence N 01°04'33" W a distance of 20.00 feet; Thence S 88°18'08" W a distance of 30.00 feet to a point intersecting the said West line of Tract "F"; Thence run along said West line of Tract "F" S 01°04'33" E a distance of 20.00 feet to the Point of Beginning.

Said parcel containing 600 square feet, more or less.

Subject to easements, reservations and restrictions of record thereof.

Bearings shown hereon are based on the centerline of Preserve Boulevard as shown on Plat entitled "Gladiolus Preserve" as recorded in Plat Book 73, Page 62, Public Records of Lee County, Florida, to bear N 01°04'33" W.

See attached sketch.

Prepared by: DRMP, Inc.

Gary W. Rashford Professional Surveyor & Mapper

Date

4-12-07

Florida Registration No. PSM 6305

Not valid without the signature and original raised seal of a Florida licensed

Surveyor and Mapper.

Dwg. No.: 06-0150.000.dwg