

LEE COUNTY BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY

BLUE SHEET NO: 20021006 -UTL

1. REQUESTED MOTION:

ACTION REQUESTED:

Approve final acceptance, by Resolution, and recording of a Utility Easement as a donation for water distribution and gravity collection serving **AVALON BAY, PHASE III**. This is a Developer contributed asset and the project is located on the north side of Gladiolus Drive approximately 800' west of Winkler Road.

WHY ACTION IS NECESSARY:

To provide potable water service, fire protection and sanitary sewer service to Phase III of the recently constructed multi-family residential development.

WHAT ACTION ACCOMPLISHES:

Complies with the Lee County Utilities Operations Manual and places the water system and gravity collection system into operation.

2. DEPARTMENTAL CATEGORY: 10 - UTILITIES
COMMISSION DISTRICT #: 3

C10A

3. MEETING DATE:

09-24-2002

4. AGENDA:

- CONSENT
- ADMINISTRATIVE
- APPEALS
- PUBLIC
- WALK ON
- TIME REQUIRED: _____

5. REQUIREMENT/PURPOSE:

(Specify)

- STATUTE
- ORDINANCE
- ADMIN. CODE
- OTHER Res. Easement

6. REQUESTOR OF INFORMATION:

- A. COMMISSIONER: _____
- B. DEPARTMENT: Lee County - Public Works
- C. DIVISION/SECTION: Utilities Division
- BY: Rick Diaz, Utilities Director
- DATE: 9/5/02

7. BACKGROUND:

The Board granted permission to construct on 01/22/02; Blue Sheet No. 20011405.
The installation has been inspected for conformance to the Lee County Utilities Operations Manual.
Satisfactory pressure and bacteriological testing of the water main has been performed.
Satisfactory closed circuit television inspection of the gravity main has been performed.
Record drawings have been received.
Engineer's Certification of Completion has been received---copy attached.
Project Location Map---copy attached.
The Warranty has been provided---copy attached.
The 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 for Phase III.
Funds are available for recording fees in account # OD5360748700.504930.

SECTION 34 TOWNSHIP 45S RANGE 245 DISTRICT # 3 COMMISSIONER JUDAH

MANAGEMENT RECOMMENDATIONS:

9. RECOMMENDED APPROVAL

(A) DEPARTMENT DIRECTOR	(B) PURCH. OR CONTRACTS	(C) HUMAN RESOURCES	(D) OTHER	(E) COUNTY ATTORNEY	(F) BUDGET SERVICES				(G) COUNTY MANAGER
					OA	OM	Risk	GC	
<i>J. Lavender</i> Date: 9-5-02	N/A Date:	N/A Date:	<i>T.O.</i> T. Osterhout Date: 9-5-02	<i>D.O.</i> D. Owen Date: 9/9/02	<i>OA</i> 9/9/02	<i>OM</i> 9/10/02	<i>Risk</i> 9/11/02	<i>GC</i> 9-9-02	<i>J. Lavender</i> Date: 9-5-02

10. COMMISSION ACTION:

- APPROVED
- DENIED
- DEFERRED
- OTHER

RECEIVED BY
COUNTY ADMIN. *DD*
9-9-02
9:15
COUNTY ADMIN.
FORWARDED TO:
9/11 500

RECVD 9/10/02
by CO. ATTY.
11:15 AM
CO. ATTY. *1/10/02*
FORWARDED TO:
10/2/02

RESOLUTION NO. _____

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

WHEREAS, it is the desire of Avalon Bay Condo Joint Venture, owner of record, to make a contribution to Lee County Utilities of water facilities (water distribution system), and sewer facilities (gravity collection system) serving "AVALON BAY, PHASE III"; 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 \$143,199.63 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 (C): _____ (1)
- Commissioner Douglas St. Cerny: _____ (2)
- Commissioner Ray Judah (V-C): _____ (3)
- Commissioner Andrew Coy: _____ (4)
- Commissioner John Albion: _____ (5)

DULY PASSED AND ADOPTED this _____ day of _____, 2002.

ATTEST:
CHARLIE GREEN, CLERK

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

By: _____
DEPUTY CLERK

By: _____
CHAIRMAN

APPROVED AS TO FORM

OFFICE OF COUNTY ATTORNEY

LETTER OF COMPLETIONDATE: May 13, 2002

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/or sewage collection system(s) located in _____

Avalon Bay (Phase III)

(Name of Development)

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

the approved plans

the revised plans, attached

and:

the approved specifications

the revised specifications, attached

Upon completion of the work, we observed the following successful tests of the facilities: 150 psi water system pressure test and sewage system video (reports and tapes attached)

Very truly yours,

Source, Inc. (E.B. #2627)

(Owner or Name of Corporation)

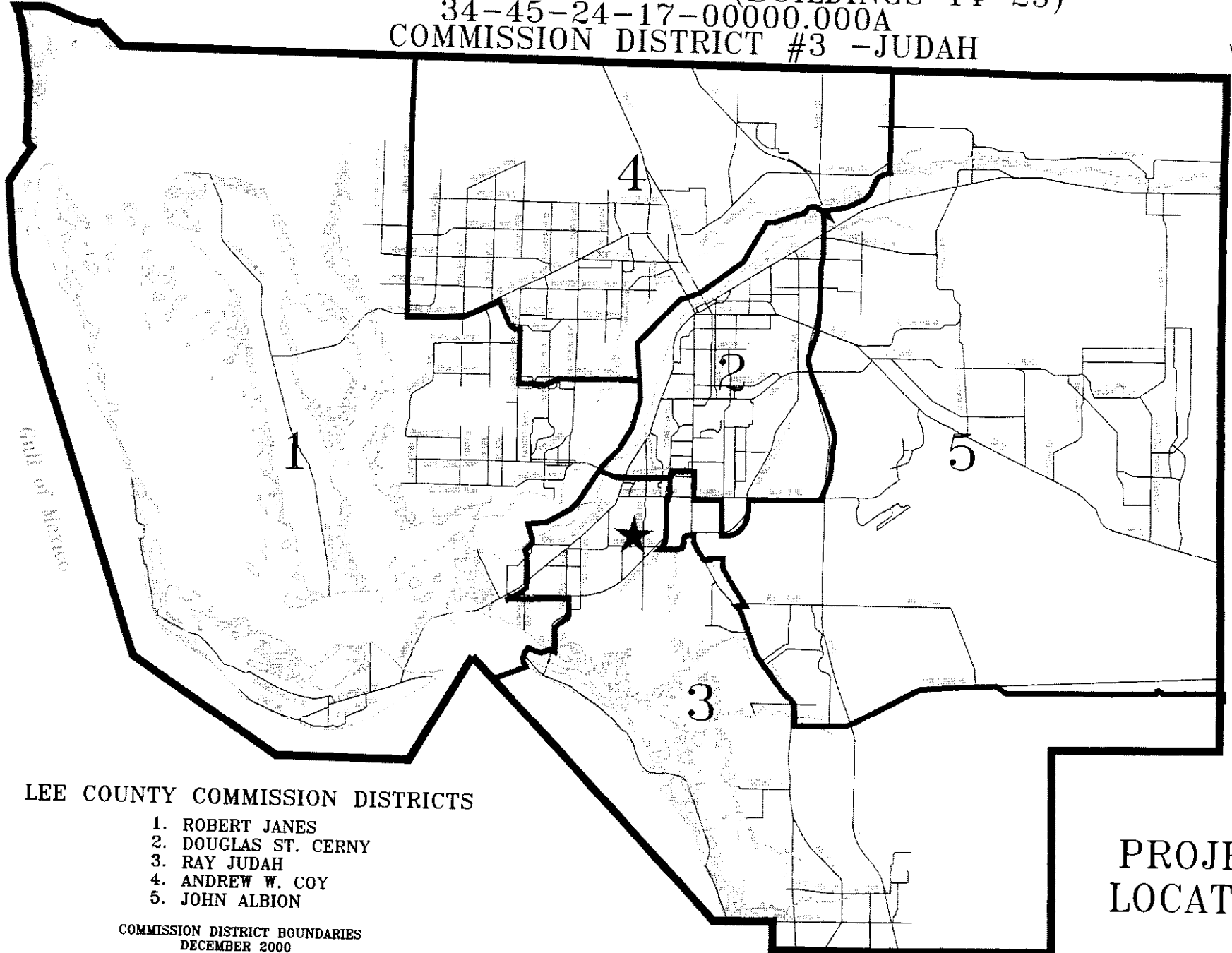
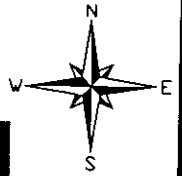
T. J. Pugh 6/3/02
 (Signature) Thomas J. Pugh, P.E.
Florida Reg. No. 48221

Design Engineer/Project Mgr.
 (Title)

SEAL OF ENGINEER ~~THOMAS J. PUGH~~

JUL 15 REC'D

AVALON BAY, PHASE 3A (BUILDINGS 14-25)
34-45-24-17-00000.000A
COMMISSION DISTRICT #3 -JUDAH



LEE COUNTY COMMISSION DISTRICTS

- 1. ROBERT JANES
- 2. DOUGLAS ST. CERNY
- 3. RAY JUDAH
- 4. ANDREW W. COY
- 5. JOHN ALBION

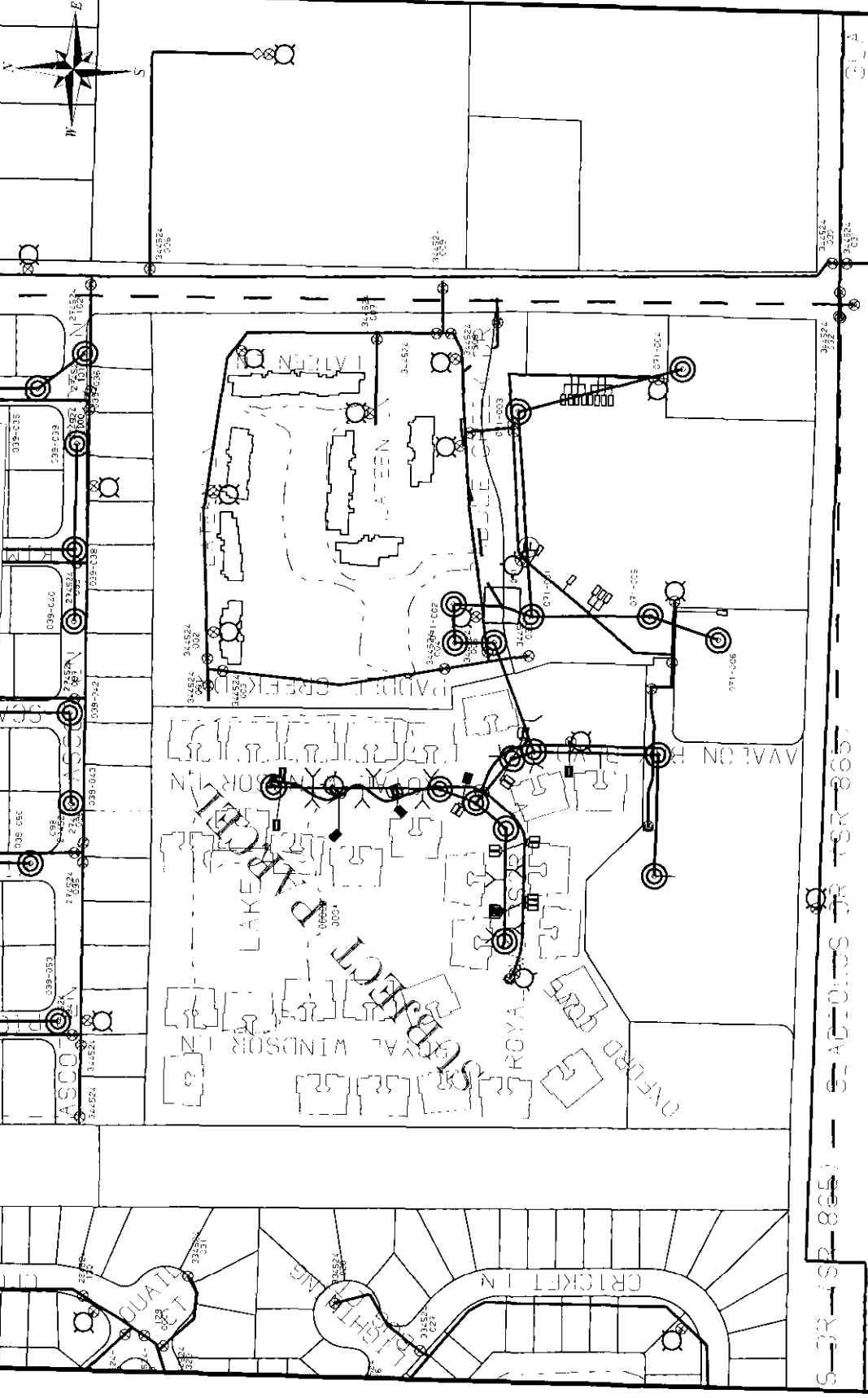
COMMISSION DISTRICT BOUNDARIES
DECEMBER 2000

PROJECT
LOCATION

COPY

AVALON BAY - PHASE 3A BUILDINGS 14 - 25

COMMISSION DISTRICT #3 - JUDAH



SR-865 - SR-865 - SR-865

34-45-24-17-00000.000A - ROYAL WINDSOR LN & OXFORD COVE CT

Warranty

THE UNDERSIGNED parties do hereby warrant and/or guaranty all work executed by the contractor on the water and/or sewer systems of (Name of Development): _____

AVALON BAY (PHASE III)

(ROYAL WINDSOR LANE & OXFORD COVE COURT)

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.

Gulf Coast Underground, Inc.

BY: [Signature], President

STATE OF FLORIDA)
COUNTY OF LEE)

The forgoing instrument was signed and acknowledged before me this 3rd day of June, 2002 by STEVEN R. GOBLE who is personally known and who (did)(did not) take an oath.

[Signature]
Notary Public Signature

SANDI HUBEART
Printed Name of Notary Public
CC 910398
Notary Commission Number



Sandi Hubeart
MY COMMISSION # CC910398 EXPIRES
February 14, 2004
BONDED THRU TROY FAIN INSURANCE, INC.

(Notary Seal)

COPY

WAIVER OF LIEN

KNOW ALL MEN BY THESE PRESENT, that **Steven R. Goble**, as **President**, of **Gulf Coast Underground, Inc.** for and in consideration of **One Hundred Forty Three Thousand One Hundred Ninety Nine Dollars & 63/100 (\$143199.63)** and other good and valuable considerations, lawful money of the United States of America, to me in hand paid, the receipt whereof is hereby acknowledged, does hereby waive, release, remiss and reliquensh any and all right to claim any lien or liens for work performed or material furnished, or any kind or class of lien whatsoever on the following described property:

THE INSTALLATION OF BOTH THE WATER AND SEWER SYSTEM IN AVALON BAY (PHASE III) IN LEE COUNTY. THE PROJECT'S OWNER IS AVALON BAY JOINT VENTURE AND THE LOCATION IS 8750-12 GLADIOUS DRIVE FT. MYERS, FL 33908

STRAP #34-45-24-17-00000.000A (ROYAL WINDSOR LANE & OXFORD COVE COURT)

Gulf Coast Underground, Inc.
6421-1 Metro Plantation Road
Ft. Myers, FL 33912

NAME & ADDRESS OF FIRM OR CORPORATION

BY: 
AUTHORIZED REPRESENTATIVE

STATE OF FLORIDA)
) ss:
COUNTY OF LEE)

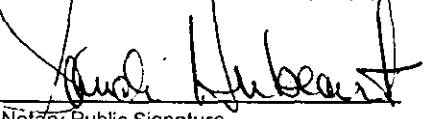
The Forgoing instrument was signed and acknowledged before me this 3rd day of June, 2002 by STEVEN R. GOBLE

(PRINT OR TYPE NAME)

who has produced Personally Known

(Type of Identification and Number)

as indetification, and who (did) (did not) take an oath.


Notary Public Signature

Sandi Hubert
Printed Name of Notary Public

CC910398
Notary Commission Number



Sandi Hubert
MY COMMISSION # CC910398 EXPIRES
February 14, 2004
BONDED THRU TROY FAIN INSURANCE, INC.

(NOTARY SEAL)

CERTIFICATION OF CONTRIBUTORY ASSETS

PROJECT NAME: AVALON BAY (PHASE III)

LOCATION: ROYAL WINDSOR LANE & OXFORD COVE COURT

34-45-24-17-00000,000A
Including STRAP)

NAME AND ADDRESS OF OWNER: AVALON BAY JOINT VENTURE

8750-12 GLADIOLUS DR. FT. MYERS, FL. 33908
(as shown on Deed)

TYPE UTILITY SYSTEM: WATER
(list water, sewer and effluent reuse separately)

DESCRIPTION AND COST OF MATERIAL, LABOR AND SERVICES

Please list each element of the system, e.g. pipe, manholes, lift stations, meters, valves, fittings, ect.

<u>ITEM</u>	<u>SIZE</u>	<u>QUANTITY</u>	<u>UNIT</u>	<u>COST</u>	<u>TOTAL</u>
HOT TAP	16X10	1	EA	\$5,916.93	5916.93
DR18 WATERLINE	10"	150	LF	\$22.49	\$3,373.50
D.I.P. WATERLINE	10"	145	LF	\$36.22	\$5,251.90
GATE VALVE ASSEMBLY	10"	2	EA	\$1,100.00	\$2,200.00
D.I.P. WATERLINE	8"	120	LF	\$26.60	\$3,192.00
DR18 WATERLINE	8"	613	LF	\$20.90	\$12,811.70
DR18 WATERLINE	4"	405	LF	\$14.78	\$5,985.90
GATE VALVE ASSEMBLY	4"	2	EA	\$500.00	\$1,000.00
WATER SERVICE	1"	48	EA	\$992.75	\$47,652.00
PERM. BLOWOFF ASSEMBLY	2"	3	EA	\$2,978.25	\$8,934.75
GATE VALVE ASSBLY	8"	3	EA	\$992.75	\$2,978.25
FIRE HYDRANT ASSEMBLY	3-WAY	2	EA	\$3,344.00	\$6,688.00
TOTAL AMOUNT:					\$105,984.93

If more space is required, use additional page(s). Number each page and include the name of the project).

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: 

(Name and Title of Certifying Agent)

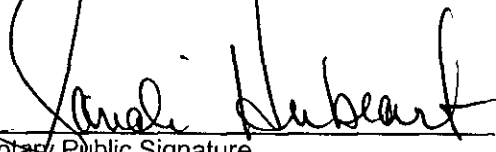
OF: Gulf Coast Underground, Inc.

(Firm or Corporation)

Address: 6421-1 Metro Plantation Road
Fort Myers, FL 33912

STATE OF FLORIDA)
COUNTY OF LEE)

The foregoing instrument was signed and acknowledged before me this 17th day of April 2002, by STEVEN R. GOBLE who is personally know and who (did) (did not) take an oath.


Notary Public Signature

Sandi Hubeart
Printed Name of Notary Public

CC910398
Notary Commission Number



Sandi Hubeart
MY COMMISSION # CC910398 EXPIRES
February 14, 2004
BONDED THRU TROY FAJN INSURANCE, INC.

(Notary Seal)

CERTIFICATION OF CONTRIBUTORY ASSETS

PROJECT NAME: AVALON BAY (PHASE III)

LOCATION: ROYAL WINDSOR LANE & OXFORD COVE COURT

34-45-24-17-00000.000A
Including STRAP)

NAME AND ADDRESS OF OWNER: AVALON BAY JOINT VENTURE

8750-12 GLADIOLUS DR. FT. MYERS, FL. 33908
(as shown on Deed)

TYPE UTILITY SYSTEM: SEWER
(list water, sewer and effluent reuse separately)

DESCRIPTION AND COST OF MATERIAL, LABOR AND SERVICES

Please list each element of the system, e.g. pipe, manholes, lift stations, meters, valves, fittings, ect.

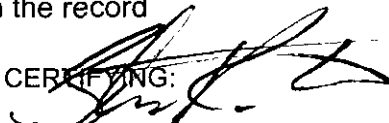
<u>ITEM</u>	<u>SIZE</u>	<u>QUANTITY</u>	<u>UNIT</u>	<u>COST</u>	<u>TOTAL</u>
SEWER MAIN	8"	609.5	LF	\$25.31	\$15,426.45
SANITARY MANHOLE	4' DIA	5	EA	\$3,605.25	\$18,026.25
SEWER SERVICES	6"	12	EA	\$313.50	\$3,762.00
TOTAL AMOUNT:					\$37,214.70

(If more space is required, use additional page(s). Number each page and include the name of the project).

07/01/1996

JUL 15 REC'D

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.

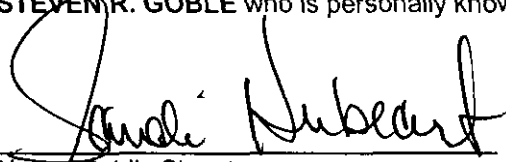
CERTIFYING: 

(Name and Title of Certifying Agent
OF: Gulf Coast Underground, Inc.
(Firm or Corporation)

Address: 6421-1 Metro Plantation Road
Fort Myers, FL 33912

STATE OF FLORIDA)
COUNTY OF LEE)

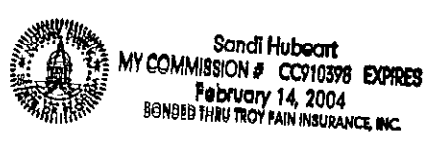
The foregoing instrument was signed and acknowledged before me this 17th day of April 2002, by STEVEN R. GOBLE who is personally know and who (did) (did not) take an oath.



Notary Public Signature

Sandi Hubeart
Printed Name of Notary Public

CC910398
Notary Commission Number



(Notary Seal)

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

PERPETUAL PUBLIC UTILITY EASEMENT GRANT

THIS INDENTURE is made and entered into this ____ day of _____, 2002, by and between Avalon Bay, Owner, hereinafter referred to as GRANTOR(S), and LEE COUNTY, 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.

3. The public utility easement shall 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 shall 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 shall 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 of any and all liens and encumbrances, except as herein stated, and accordingly, GRANTOR(S) will forever defend the 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, shall indemnify and hold the GRANTEE harmless 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 location 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 or amended from time to time.

8. GRANTEE shall 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 roads. The easement is strictly for utility purposes.

10. This easement shall be binding upon the parties hereto, their successors and assigns.

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

Cynthia Wolfarth
1st Witness

[Signature]
GRANTOR Ron Zuckerman

[Signature]
2nd Witness

Title: President of Avalon Communities, Inc.

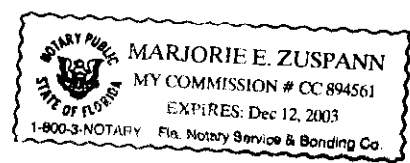
STATE OF Florida)
) SS:
COUNTY OF Lee)

The foregoing instrument was signed and acknowledged before me this 30 day
of July, 2002, by Ron Zuckerman
(Print or Type Name)

who ~~has produced~~ is personally known _____
(Type of Identification and Number)
as identification, and who ~~(did)~~ (did not) take an oath.

[Signature]
Notary Public Signature

Marjorie E Zuspahn!
Printed Name of Notary Public



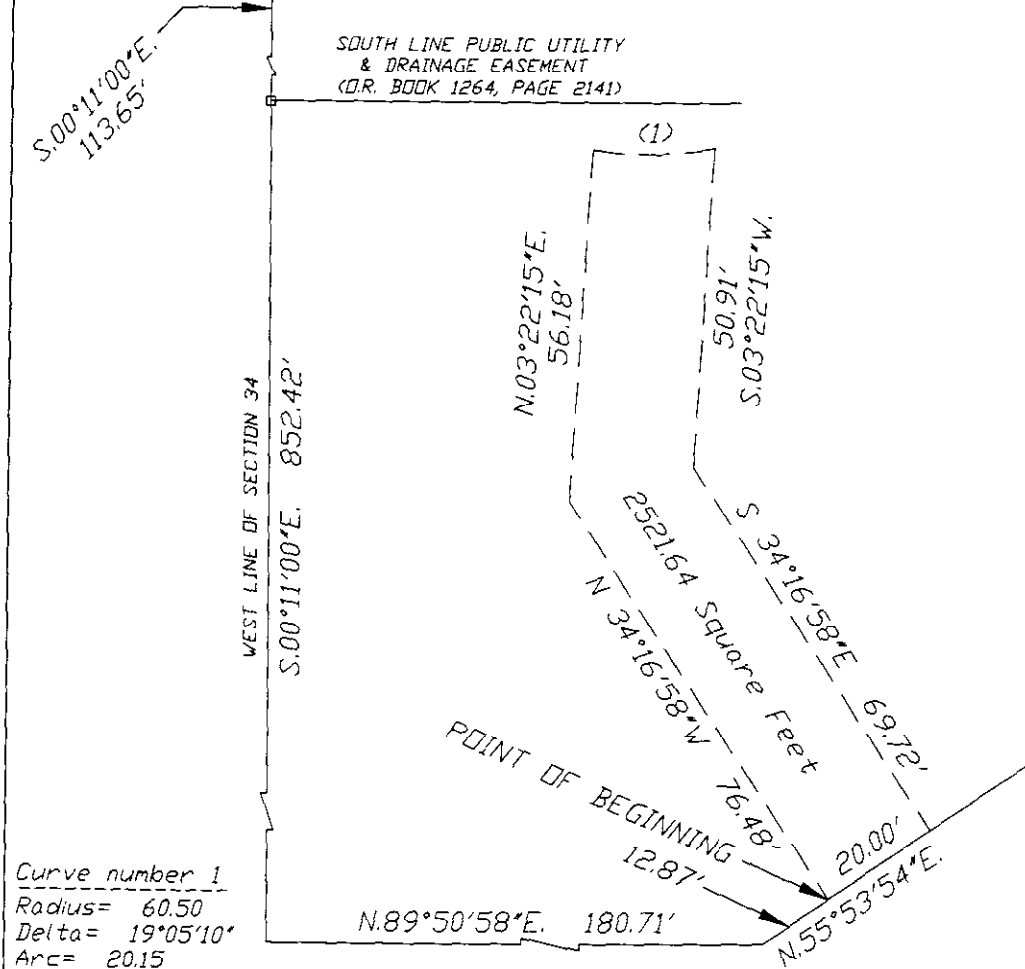
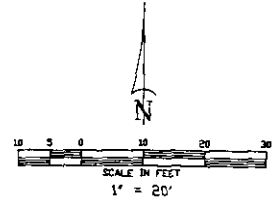
(Notary Seal)

Notary Commission Number

Exhibit 'A' (1)

FOUND 5/8" I.R.
CAP LS #3432
N.W. CORNER OF
SECTION 34-45-24

SKETCH OF PARCEL #34
**WATER LINE EASEMENT
AT AVALON BAY
A CONDOMINIUM**
SECTION 34, TOWNSHIP 45 SOUTH, RANGE 24 EAST
LEE COUNTY, FLORIDA



Curve number 1
Radius= 60.50
Delta= 19°05'10\"
Arc= 20.15
Tangent= 10.17
Chord= 20.06
Chord Brg. N.88°55'20\"E.

DESCRIPTION: (PARCEL # 34, Water Line Easement)

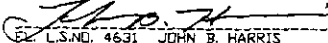
A tract or parcel of land lying in the Northwest Quarter (N.W.1/4 of Section 34, Township 45 South, Range 24 East, Lee County, Florida, described as follows:

Commencing at the Northwest corner of the aforesaid Section 34; thence run S.00°11'00\"E. along the West line of said Section 34 for 113.65 feet to the South line of a public utility and drainage easement as recorded in O.R. Book 1264, Page 2141, Public Records of Lee County, Florida; thence continue S.00°11'00\"E along the West line of the aforesaid Section 34 for 852.42 feet; thence run N.89°50'58\"E. for 180.71 feet; thence run N.55°53'54\"E. for 12.87 feet to the point of beginning; thence run N.34°16'58\"W. for 76.48 feet; thence run N.03°22'15\"E. for 56.18 feet to a point on a circular curve; thence run Northeastly for 20.15 feet along the arc of a curve (not radial to the previously described line) concave Northwestly, with a radius of 60.50 feet, and a delta of 19°05'10\"; thence run S.03°22'15\"W. (not radial to the previously described line) for 50.91 feet; thence run S.34°16'58\"E. for 69.72 feet; thence run S.55°53'54\"W. for 20.00 feet to the point of beginning.

Said tract contains 2,521.64 square feet, more or less.

Bearings are based on the West line of Section 34, Township 45 South, Range 24 East, Lee County, Florida as being S.00°11'00\"E.

CERTIFICATE
I HEREBY CERTIFY THAT THIS EASEMENT SKETCH WAS PREPARED UNDER MY DIRECT SUPERVISION AND IS CORRECT AND ACCURATE TO THE BEST OF MY PROFESSIONAL KNOWLEDGE AND BELIEF. THIS PLAT WAS PREPARED TO ILLUSTRATE THE LEGAL DESCRIPTION SHOWN HEREON AND NO MONUMENTS WERE SET AT CORNERS.

 E.L.S. NO. 4631 JOHN B. HARRIS		PROJECT # 97-051
DATE: JULY 29, 2002		JOB # PAD-WLE
SKETCH DATE: 11/8/99		HARRIS-JORGENSEN INC. 2706 S.E. SANTA BARBARA PLACE CAPE CORAL, FLORIDA PHONE: (941) 772-9939

45 24 34

COPY

HARRIS - JORGENSEN, INC.
 2706 S.E. SANTA BARBARA PLACE
 CAPE CORAL, FLORIDA
 PHONE: (941) 772-9939
 FAX: (941) 772-1315

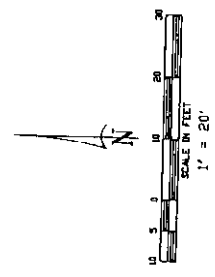
POINT OF COMMENCEMENT
 FOUND 5/8" IR CAP LS #3432
 N.W. CORNER OF SECTION 34-45-24

**WATER LINE EASEMENT
 AT AVALON BAY
 A CONDOMINIUM**

SECTION 34, TOWNSHIP 45 SOUTH, RANGE 24 EAST
 LEE COUNTY, FLORIDA

Exhibit A' (2)

SKETCH OF



DESCRIPTION: (Water line easement)

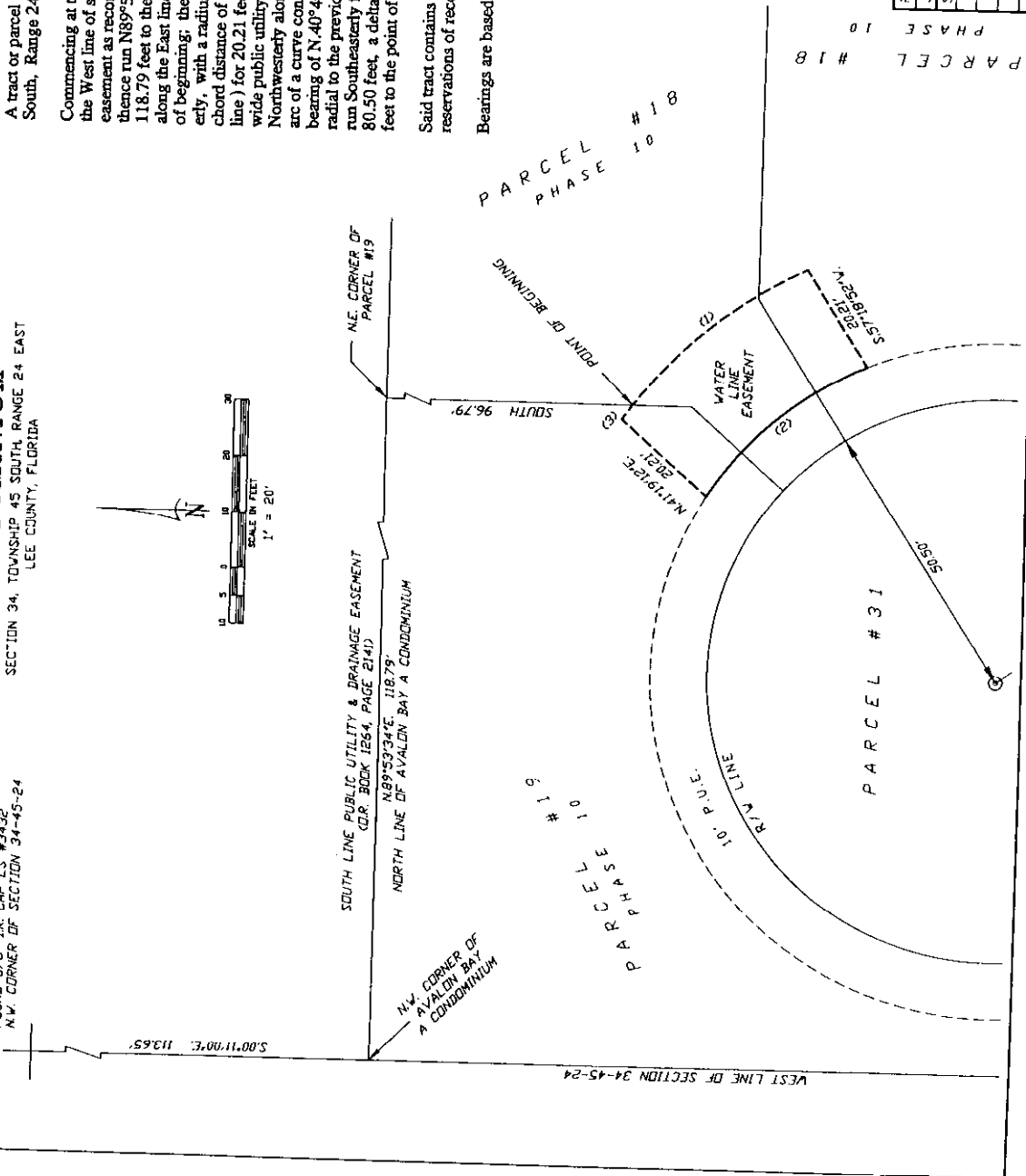
A tract or parcel of land lying in the Northwest Quarter (N.W. 1/4) of Section 34, Township 45 South, Range 24 East, Lee County, Florida, described as follows:

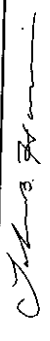
Commencing at the Northwest corner of the aforesaid Section 34; thence run S.00°11'00"E. along the West line of said Section 34 for 113.65 feet to the South line of a public utility and drainage easement as recorded in O.R. Book 1264, Page 2141, Public Records of Lee County, Florida; thence run N89°53'34"E. along the South line of said public utility and drainage easement for 118.79 feet to the Northeast corner of Parcel 19, Avalon Bay, a Condominium; thence run South along the East line of said Parcel 19 for 96.79 feet to a point on a non-tangent curve and the point of beginning; thence run Southeast for 39.39 feet along the arc of a curve concave Southwest-ly, with a radius of 80.50 feet, a delta of 28°02'20", a chord bearing of S.39°34'09"E. and a chord distance of 39.00 feet; thence run S.57°18'52"W. (not radial to the previously described line) for 20.21 feet to a point on a non-tangent curve on the Northeastly edge of a 10.00 foot wide public utility easement as shown on the Plat of Avalon Bay, a Condominium; thence run Northwesterly along the Northeastly line of said public utility easement for 36.98 feet along the arc of a curve concave Southwesterly, with a radius of 60.50 feet, a delta of 35°01'21", a chord bearing of N.40°40'58"W. and a chord distance of 36.41 feet; thence run N.41°19'12"E. (not radial to the previously described line) for 20.21 feet to a point on a non-tangent curve; thence run Southeast for 3.13 feet along the arc of a curve concave Southwesterly, with a radius of 80.50 feet, a delta of 02°13'39", a chord bearing of S.54°42'08"E. and a chord distance of 3.13 feet to the point of beginning.

Said tract contains 795.0 square feet, more or less and is subject to easements, restrictions and reservations of record.

Bearings are based on the West line of the aforesaid Section 34 as being S.00°11'00"E.

Curve number 1	Curve number 2	Curve number 3
Radius= 80.50	Radius= 60.50	Radius= 80.50
Delta= 28°02'20"	Delta= 35°01'21"	Delta= 02°13'39"
Arc= 39.39	Arc= 36.98	Arc= 3.13
Tangent= 20.10	Tangent= 19.09	Tangent= 1.56
Chord= 39.00	Chord= 36.41	Chord= 3.13
Chord Brg. S.39°34'09"E.	Chord Brg. N.40°40'58"W.	Chord Brg. S.54°42'08"E.



PROJECT #	JOHN B. HARRIS, PSM
JOB # AB-VLE-A	FLORIDA LAND SURVEYOR #4631
SKETCH 7/29/02	FLORIDA CERTIFICATE OF AUTHORIZATION LB #6921
 JULY 29, 2002	

COPEL

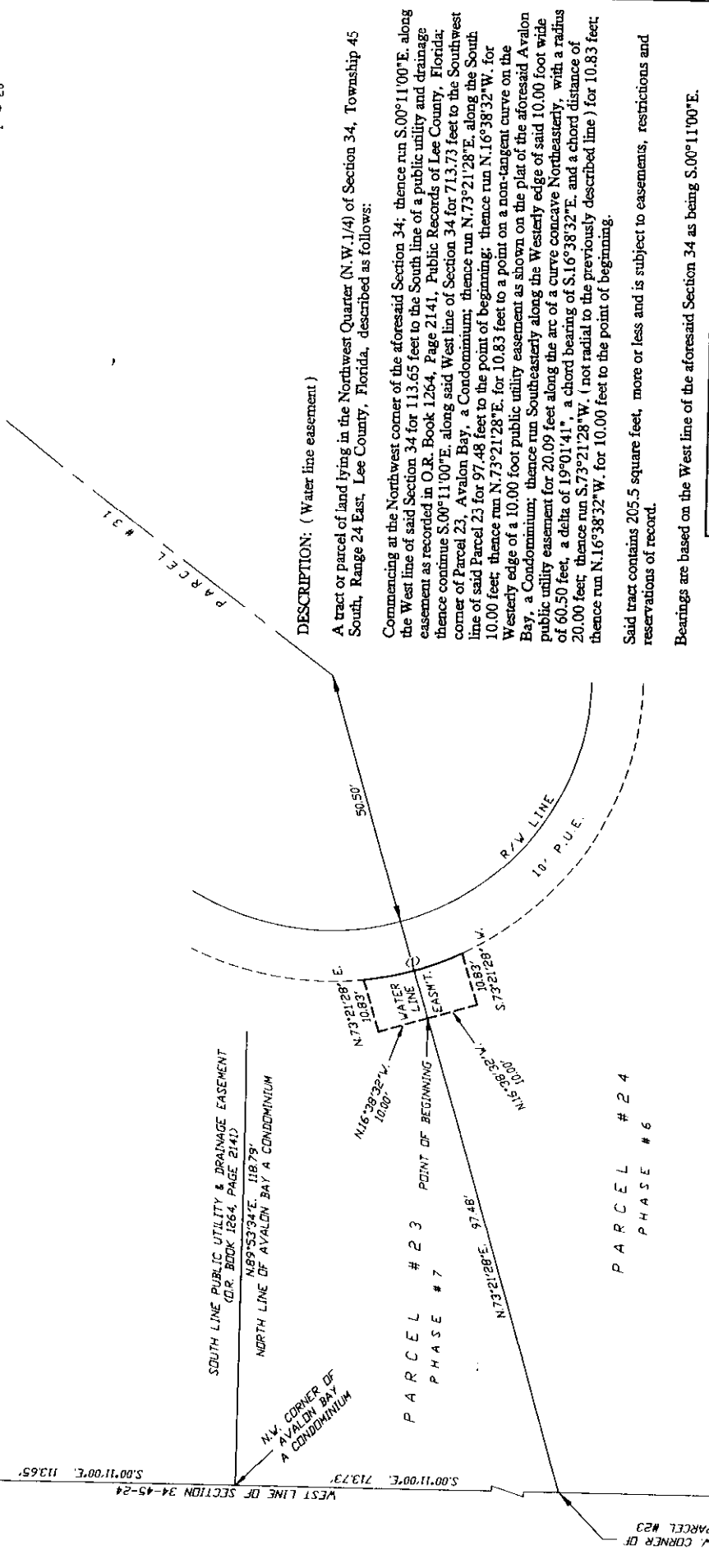
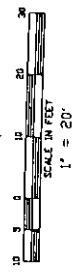
Sketch of 'A' (3)

**WATER LINE EASEMENT
AT AVALON BAY
A CONDOMINIUM**

SECTION 34, TOWNSHIP 45 SOUTH, RANGE 24 EAST
LEE COUNTY, FLORIDA

HARRIS - JORGENSEN, INC.
2705 S.E. SANTA BARBARA PLACE
CAPE CORAL, FLORIDA
PHONE: (941) 772-9939
FAX: (941) 772-1315

POINT OF COMMENCEMENT
FOUND 52.8' I.R. CAP L.S. #3432
N.W. CORNER OF SECTION 34-45-24



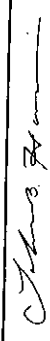
DESCRIPTION: (Water line easement)

A tract or parcel of land lying in the Northwest Quarter (N.W.1/4) of Section 34, Township 45 South, Range 24 East, Lee County, Florida, described as follows:

Commencing at the Northwest corner of the aforesaid Section 34; thence run S.00°11'00"E. along the West line of said Section 34 for 113.65 feet to the South line of a public utility and drainage easement as recorded in O.R. Book 1264, Page 2141, Public Records of Lee County, Florida; thence continue S.00°11'00"E. along said West line of Section 34 for 713.73 feet to the Southwest corner of Parcel 23, Avalon Bay, a Condominium; thence run N.73°21'28"E. along the South line of said Parcel 23 for 97.48 feet to the point of beginning; thence run N.16°38'32"W. for 10.00 feet; thence run N.73°21'28"E. for 10.83 feet to a point on a non-tangent curve on the Westerly edge of a 10.00 foot public utility easement as shown on the plat of the aforesaid Avalon Bay, a Condominium; thence run Southeasterly along the Westerly edge of said 10.00 foot wide public utility easement for 20.09 feet along the arc of a curve concave Northeasterly, with a radius of 60.50 feet, a delta of 19°01'41", a chord bearing of S.16°38'32"E. and a chord distance of 20.00 feet; thence run S.73°21'28"W. (not radial to the previously described line) for 10.83 feet; thence run N.16°38'32"W. for 10.00 feet to the point of beginning.

Said tract contains 205.5 square feet, more or less and is subject to easements, restrictions and reservations of record.

Bearings are based on the West line of the aforesaid Section 34 as being S.00°11'00"E.

PROJECT #	
JOB # AB-VLE	
SKETCH: 7/29/02	
 JULY 29, 2002 JOHN B. HARRIS, PSM FLORIDA LAND SURVEYOR #4631	
FLORIDA CERTIFICATE OF AUTHORIZATION LB #5921	

PARCEL # 2 4
PHASE # 6

Curve number 1
Radius= 60.50
Delta= 19°01'41"
Arc= 20.09
Chord= 20.00
Chord Brg. S.16°38'32"E.

COPEY

TO: LEE COUNTY FINANCE DEPARTMENT

FROM: UTILITIES ENGINEERING
(Department)

SUE GULLEDGE

A. AUTHORIZATION:

This transmittal authorizes the UTIL. ENGINEERING office to incur expenses for filing/records against:

Purchase Order # N/A for AVALON BAY, PHASE III (EASEMENT) BS 20021006-UTL project.

ACCOUNT NO. OD5360748700.504930

ORIGINAL EASEMENT TO MINUTES AFTER RECORDING, WITH COPY TO SUE GULLEDGE, UTILITIES

Sue Gullidge
SUE GULLEDGE Signature Authorization

B. SERVICE RECEIVED:

RECORDING _____

O. R. COPIES _____

PLAT COPIES _____

CASE #/INDEX FEE _____

DESCRIPTION OF SERVICE _____

AMOUNT OF FEE INCURRED \$ _____

(date)

(DEPUTY CLERK)

(CUSTOMER) (DEPT.)
THIS FORM GOES TO CASHIER WITH REGULAR RECEIPT ATTACHED

C. INVOICE INFORMATION: (FOR CLERK'S DEPARTMENT ONLY)

REC'D _____

ENTERED _____

CUST. # _____

INV. # _____

PLEASE REMIT TO: Clerk's Accounting
P.O. BOX 2396
FORT MYERS, FLORIDA 33902-2396
White - FINANCE Yellow - DEPT FISCAL OFFICER Pink - CLERK'S OFFICE

