

**LEE COUNTY BOARD OF COUNTY COMMISSIONERS**  
**AGENDA ITEM SUMMARY** **BLUE SHEET NO: 20040227-UTL**

**1. REQUESTED MOTION:**

**ACTION REQUESTED:** Approve final acceptance by Resolution and recording of one (1) Utility Easement, as a donation of water distribution and a gravity collection systems, lift station and force main serving *Corkscrew Palms Commerce Center, Phase 1*. This is a developer contributed asset project located on the south side of Corkscrew Road approximately 3/4 mile east of South Tamiami Trail.

**WHY ACTION IS NECESSARY:**

To provide potable water service, fire protection and sanitary sewer service to this phase of the commercial development.

**WHAT ACTION ACCOMPLISHES:**

Places the water and sewer systems into operation and complies with the Lee County Utilities Operations Manual.

**2. DEPARTMENTAL CATEGORY:** 10 - UTILITIES  
**COMMISSION DISTRICT #:** 5

C10I

**3. MEETING DATE:** 03-16-2004

**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, P.E., Utilities Director
- DATE: 2/26/04

**7. BACKGROUND:** This project is located within the former Gulf Environmental Services' service area, therefore "Permission to Construct" was not granted by the Board and there is no previous blue-sheet number.

The installation has been inspected for compliance to Gulf Environmental Services' standards.

Satisfactory pressure and bacteriological testing of the water system has been completed.

Satisfactory closed circuit television inspection of the gravity collection system has been performed.

Satisfactory lift station startup 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 Contributory Assets has been provided---copy attached.

100% of the connection/capacity fees were paid to Gulf Environmental Service prior to the Lee County acquisition.

Funds for recording fees are available in Account No. OD5360748700.504930.

SECTION 31 TOWNSHIP 46S RANGE 25E DISTRICT #5 COMMISSIONER ALBION

**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: 3-1-04	N/A Date:	N/A Date:	N.O. T. Osterhout Date: 2-26-04	<i>S. J...</i> Date: 3/2/04	<i>P.M.</i> 3/3/04	<i>K.S.</i> 3/3/04	<i>SR</i> 3/2/04	<i>RS</i> 3/3/04	<i>J. Lavender</i> Date: 3-1-04

**10. COMMISSION ACTION:**

- APPROVED
- DENIED
- DEFERRED
- OTHER

Rec. by CoAtty

Date: 3/2/04

Time: 3:00 PM

Forwarded To: Admin 3/2/04

RECEIVED BY COUNTY ADMIN: *PL*

03/02/04

3:55 PM 527

COUNTY ADMIN FORWARDED TO: *PL*

3/3/04

2 PM



**FLORIDA DEPARTMENT OF REVENUE**  
**RETURN FOR TRANSFERS OF INTEREST IN REAL PROPERTY**  
 (PLEASE READ INSTRUCTIONS BEFORE COMPLETING)



FDOR10240300  
 DR-219  
 R. 07/98

Use black ink. Enter numbers as shown below. If typing, enter numbers as shown below.

0 1 2 3 4 5 6 7 8 9      0 1 2 3 4 5 6 7 8 9

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

34462500000110000

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 DONATION BY:**

**CORKSCREW PALMS, LLC**

Last First MI Corporate Name (if applicable)  
**9150 GALLERIA COURT NAPLES FL 34109**  
 Mailing Address City State Zip Code Phone No.

4. Grantee (Buyer):

**RICK DIAZ, P.E., UTIL. DIR. FOR LEE CO. BOARD OF COUNTY COMMISSION**

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

Sale/Transfer Price

Month / Day / Year

\$ (Round to the nearest dollar.)

Property Located In **Lee**

6. Type of Document

Contract/Agreement for Deed  
 Other  
 Warranty Deed  
 Quit Claim Deed

7. Are any mortgages on the property? If "Yes", outstanding mortgage balance:

YES  /  NO

(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 \$ . 00 Cents

12. Amount of Documentary Stamp Tax

\$ . 00

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/her has any knowledge.

Signature of Grantor or Grantee or Agent **X**

Date **2/26/04**

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.

<p>To be completed by the Clerk of the Circuit Court's Office</p> <p><b>This copy to Property Appraiser</b></p> <p>O. R. Book and Page Number and File Number</p> <p>Date Recorded</p> <p>Month Day Year</p>	<p>Clerks Date Stamp</p>
--	--------------------------

**This copy to Property Appraiser**



**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  
 (If Parcel ID not available  
 please call County Property  
 Appraiser's Office) →

0 1 2 3 4 5 6 7 8 9

0123456789

34462500000110000

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 DONATION BY:**

**CORKSCREW PALMS, LLC**

Last First MI  
**9150 GALLERIA COURT**

**NAPLES**

Corporate Name (if applicable)  
**FL 34109**

Mailing Address City State  
**RICK DIAZ, P.E., UTIL. DIR. FOR LEE CO.**

Zip Code Phone No.  
**BOARD OF COUNTY COMMISSION**

4. Grantee (Buyer):

Last First MI  
**P. O. BOX 398**

**FT. MYERS**

Corporate Name (if applicable)  
**FL 33902 (2394798181)**

Mailing Address

City

State

Zip Code

Phone No.

5. Date of Sale/Transfer

Sale/Transfer Price

\$

. 00

Property Located In

46

County Code

Month Day Year (Round to the nearest dollar.)

6. Type of Document

Contract/Agreement for Deed  Other  
 Warranty Deed Quit Claim Deed

7. Are any mortgages on the property? If "Yes",  
 outstanding mortgage balance:

YES NO

(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:  
 Mark (x) all  
 that apply

Residential Commercial Industrial Agricultural Institutional/  
 Miscellaneous Government Vacant Acreage Timeshare

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 \$

Cents

. 00

12. Amount of Documentary Stamp Tax

\$

0.00

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

Date 2/26/04

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
<p><b>This copy to Department of Revenue</b></p> <p>O. R. Book and Page Number and File Number</p> <p>Date Recorded</p> <p>Month Day Year</p>	

**This copy to Department of Revenue**

RESOLUTION NO. \_\_\_\_\_

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

WHEREAS, it is the desire of Corkscrew Palms, LLC, owner of record, to make a contribution to Lee County Utilities of water facilities (water distribution system) and sewer facilities (gravity collection system, lift station and force main) serving "**CORKSCREW PALMS COMMERCE CENTER, PHASE 1**"; 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 **\$133,770.02** 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 Douglas St. Cerny: \_\_\_\_\_ (2)
- Commissioner Ray Judah: \_\_\_\_\_ (3)
- Commissioner Andrew Coy: \_\_\_\_\_ (4)
- Commissioner John Albion: \_\_\_\_\_ (5)

DULY PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_,

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

COPY

LETTER OF COMPLETION

DATE: 7/28/2003

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 sanitary sewer located in  
Corkscrew Palms, Phase I  
(Name of Development)

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 , TV Inspection, Mandrill - Gravity Main**

Very truly yours,

Samuel W. Marshall, P.E.  
(Owner or Name of Corporation)

(Signature) 7/28/03

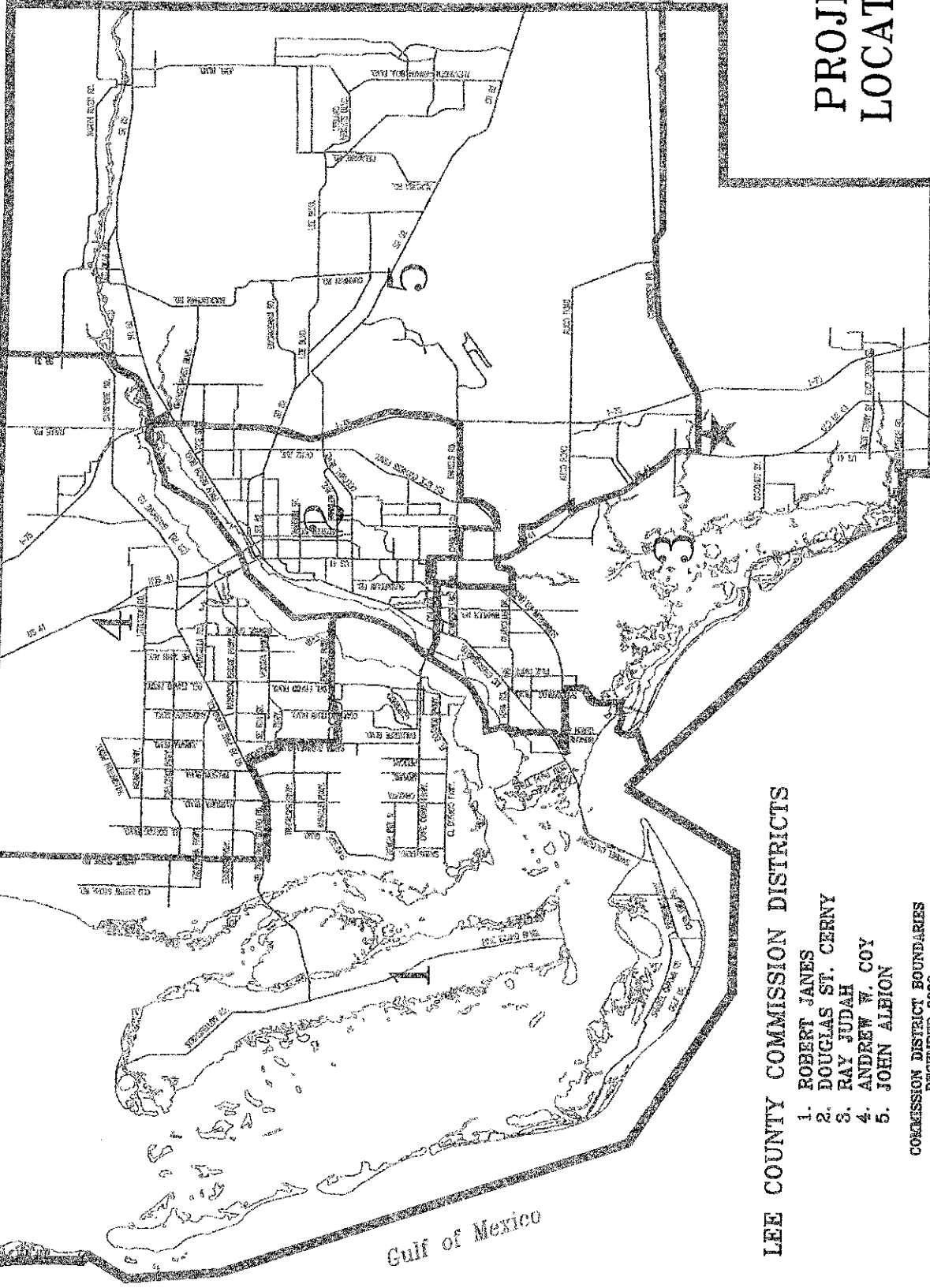
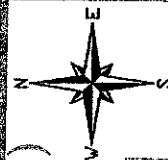
Agent  
(Title)

(Seal of Engineering Firm)



COPY

CORKSCREW PALMS COMMERCE PARK, PH 1 (FORMER GES AREA)  
34-46-25-00-00011.0000 CORKSCREW ROAD  
COMMISSION DISTRICT #3 - JUDAH



LEE COUNTY COMMISSION DISTRICTS

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

COMMISSION DISTRICT BOUNDARIES  
DECEMBER 2000

PROJECT  
LOCATION

COPY

CORKSCREW PALMS COMMERCE PARK - PH 1

COMMISSION DISTRICT #3 - JUDAH

CORKS

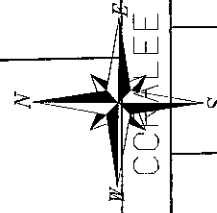
CORKSCREW RD (SR 850)

SUBJECT PARCEL

00011

0000  
CORKSCREW PALMS CIR

CORKSCREW PALMS BLVD



CORALEE AV

CORALEE

FORMER GES SERVICE AREA

CORKSCREW ROAD

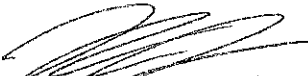
34-46-25-00-00011.0000

WARRANTY

THE UNDERSIGNED parties do hereby warrant and/or guaranty all work executed by the contractor on the water and/or sewer systems of Corkscrew Palms Phase I 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

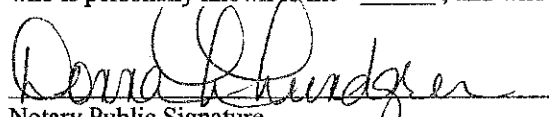
It is furthermore understood that the consideration for the giving of this warranty and/or guaranty is the requirement by the General Conditions and Specifications under which the contract was let that such warranty and/or guaranty would be given.

Jensen Underground Utilities, Inc.  
(NAME OF OWNER/CONTRACTOR)

BY:   
(SIGNATURE OF OWNER/CONTRACTOR)

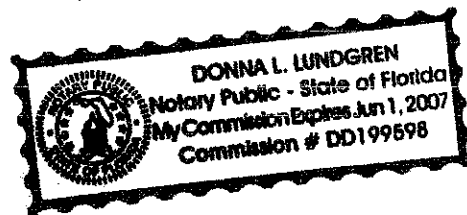
STATE OF FL )  
 ) SS:  
COUNTY OF Collier )

The foregoing instrument was signed and acknowledged before me this 31 st day of JULY, 2003 by Kevin Jensen who is personally known to me - \_\_\_\_\_, and who did not take an oath.

  
Notary Public Signature

Donna Lundgren  
Printed Name of Notary Public

(Notary Seal & Commission Number)







COPY

**CERTIFICATION OF CONTRIBUTORY ASSETS**

PROJECT NAME: Corkscrew Palms Phase I

STRAP NUMBER: 34-46-25-00-00011.0000

LOCATION: 9450 Corkscrew Road

OWNER'S NAME: Corkscrew Palms, LLC

OWNER'S ADDRESS: 9150 Galleria Court, Suite 100

OWNER'S ADDRESS: Naples, FL 34109-

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

**DESCRIPTION AND COST OF MATERIAL, LABOR, AND SERVICES**

<b>ITEM</b>	<b>SIZE</b>	<b>QUANTITY</b>	<b>UNIT</b>	<b>UNIT COST</b>	<b>TOTAL</b>
PVC C-900 DR-14	10"	680	LF	\$13.00	\$8,840.00
PVC C-900 DR-14	6"	38	LF	\$10.00	\$380.00
GATE VALVE	10"	8	EA	\$1,200.00	\$9,600.00
FIRE HYDRANT ASSEMBLY		4	EA	\$2,100.00	\$8,400.00
BLOW-OFF ASSEMBLY		4	EA	\$475.00	\$1,900.00
SINGLE WATER SERVICE/COMPLETE	5/8"	1	EA	\$800.00	\$800.00
SINGLE WATER SERVICE/COMPLETE	1"	3	EA	\$1,000.00	\$3,000.00
SINGLE WATER SERVICE/COMPLETE	1.5"	1	EA	\$1,200.00	\$1,200.00
SINGLE WATER SERVICE/COMPLETE	2"	3	EA	\$750.00	\$2,250.00
TAPPING SLEEVE & VALVE	16"X10"	1	EA	\$6,500.00	\$6,500.00
<b>TOTAL</b>					<b>\$42,870.00</b>

Please list each element of the system, e.g., pipe, manholes, lift stations, meters, valves, fittings, etc. (If more space is required, use additional page(s). Number each page and include the name of the project).



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]  
(Signature of Certifying Agent)

Kevin Jensen, President  
(Name & Title of Certifying Agent)

Jensen Underground Utilities, Inc.  
(Name of Firm or Corporation)

5585 Taylor Road  
(Address of Firm or Corporation)

Naples, FL 34109 -

STATE OF FL )  
                  ) SS:  
COUNTY OF Collier )

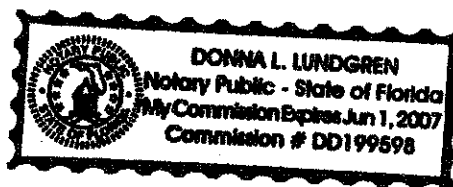
The foregoing instrument was signed and acknowledged before me this 22 nd day of SEPT, 2003 by Kevin Jensen who is personally known to me - \_\_\_\_\_, and who did not take an oath.

[Signature]  
Notary Public Signature

Donna Lundgren  
Printed Name of Notary Public

\_\_\_\_\_  
Notary Commission Number

(NOTARY SEAL)



COPY

11.5

**CERTIFICATION OF CONTRIBUTORY ASSETS**

**PROJECT NAME:** Corkscrew Palms Phase I  
**STRAP NUMBER:** 34-46-25-00-00011.0000  
**LOCATION:** 9450 Corkscrew Road  
**OWNER'S NAME:** Corkscrew Palms, LLC  
**OWNER'S ADDRESS:** 9150 Galleria Court, Suite 100  
**OWNER'S ADDRESS:** Naples, FL 34109-

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

**DESCRIPTION AND COST OF MATERIAL, LABOR, AND SERVICES**

ITEM	SIZE	QUANTITY	UNIT	UNIT COST	TOTAL
LIFT STATION		1	EA	\$54,000.00	\$54,000.00
MANHOLE		7	EA	\$1,842.86	\$12,900.02
PVC SDR-26 GRAVITY MAIN	8"	880	LF	\$18.50	\$16,280.00
PVC C-900 DR-18	4"	515	LF	\$8.00	\$4,120.00
SINGLE SEWER SERVICE W/CLEANOUT	6"	6	EA	\$600.00	\$3,600.00
<b>TOTAL</b>					<b>\$90,900.02</b>

Please list each element of the system, e.g., pipe, manholes, lift stations, meters, valves, fittings, etc. (If more space is required, use additional page(s). Number each page and include the name of the project).



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)

Kevin Jensen, President  
\_\_\_\_\_  
(Name & Title of Certifying Agent)

Jensen Underground Utilities, Inc.  
\_\_\_\_\_  
(Name of Firm or Corporation)

5585 Taylor Road  
\_\_\_\_\_  
(Address of Firm or Corporation)

Naples, FL 34109 -  
\_\_\_\_\_

STATE OF FL )  
                  ) SS:  
COUNTY OF Collier )

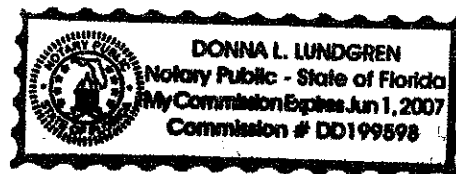
The foregoing instrument was signed and acknowledged before me this 10 th day of SEPT, 2003 by Kevin Jensen who is personally known to me - \_\_\_\_\_, and who did not take an oath.

  
\_\_\_\_\_  
Notary Public Signature

Donna Lundgren  
Printed Name of Notary Public

\_\_\_\_\_  
Notary Commission Number

(NOTARY SEAL)



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

**PERPETUAL PUBLIC UTILITY EASEMENT GRANT**

THIS INDENTURE is made and entered into this \_\_\_ day of \_\_\_\_\_, by and between Corkscrew Palms, L.L.C., 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,



(Forms - Perpetual Public Utility Easement - LCU - County Attorney Approved Form 10/2002  
- Page 1 of 3)

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 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 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. GRANTEE agrees to coordinate each activity within the easement premises in advance with the manager of the U. S. Postal Service, so as not to interfere with Postal Service operations.

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. If GRANTEE fails to utilize the granted easement (Exhibit "A", hereto) for the purposes as set out herein and for the time as set out in Section 255.22, Florida Statutes, then this easement shall be extinguished pursuant to law,

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



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

X G. Russell Weyer  
(Signature of 1<sup>st</sup> Witness)

G. Russell Weyer  
(Name of 1<sup>st</sup> Witness)

X Joseph E. D'Jamoos  
(Grantor's/Owner's Signature)

JOSEPH E. D'JAMOOS  
(Grantor's/Owner's Name)

X Scott D. Klein  
(Signature of 2<sup>nd</sup> Witness)

Authorized Representative  
Title

Scott Klein  
(Name of 2<sup>nd</sup> Witness)

STATE OF FLORIDA )  
) SS:  
COUNTY OF LEE )

The foregoing instrument was signed and acknowledged before me this 10<sup>th</sup> day of Nov 2003 by \_\_\_\_\_ who has produced the following as identification - \_\_\_\_\_, and who did take an oath. Joseph D'Jamoos personally known

Lori L. Dolan  
Notary Public Signature

Lori L. Dolan  
Printed Name of Notary Public



(Notary Seal & Commission Number)





### SKETCH & DESCRIPTION (NOT A LAND SURVEY)

SITE DESCRIPTION: D.R. 312, PAGE 806, LEE COUNTY, FLORIDA  
 ALL OF THE EAST THREE-QUARTERS (E. 3/4) OF THE NORTH HALF (N. 1/2) OF THE  
 SIXTEENTH RANGE (S.E. 1/4) OF THE NORTHEAST QUARTER (Q1, 1/4) OF SECTION 34,  
 TOWNSHIP 46 SOUTH RANGE 25 EAST, LEE COUNTY, FLORIDA, LONG SOUTH OF THE  
 COUNTY ROAD KNOWN AS THE ESTERO-IMMOKALEE GRADE.

#### DESCRIPTION, LEFT STATION, EASEMENT

AN EASEMENT TO USE COUNTY UTILITIES FOR  
 INSTALLATION AND MAINTENANCE OF LEFT STATION FACILITIES IN  
 THE NORTHEASTERN PORTION OF CORKSCREW PALMS COMMERCE CENTER  
 DESCRIBED ABOVE, SAID EASEMENT DESCRIBED AS FOLLOWS:  
 COMMENCE AT THE NORTHEAST CORNER OF SAID CORKSCREW  
 PALMS COMMERCE CENTER, THE 458.27 FEET, ON THE  
 CENTERLINE OF THE 100.00 FEET WIDE, ON THE  
 DISTANCE OF 1285 FEET THENCE S89°37'04" W. A DISTANCE OF  
 263.4 FEET THENCE N07°52'44" W. IN SAID BEARING OF WAY A  
 DISTANCE OF 1765 FEET THENCE S37°22'24" W. A DISTANCE OF  
 427 FEET THENCE S07°10'58" E. A DISTANCE OF 566.60 FEET  
 THENCE S01°10'58" E. A DISTANCE OF 566.60 FEET THENCE  
 N07°52'44" W. A DISTANCE OF 418 FEET THENCE  
 N09°40'27" E. A DISTANCE OF 183.99 FEET TO THE POINT OF  
 BEGINNING OF THIS EASEMENT, THENCE N07°52'44" W. A DISTANCE  
 OF 3262 FEET THENCE N09°40'27" E. A DISTANCE OF 440  
 FEET THENCE S07°10'58" E. A DISTANCE OF 5513 FEET THENCE  
 N07°52'44" W. A DISTANCE OF 440 FEET THENCE  
 S07°10'58" E. A DISTANCE OF 238 FEET TO THE POINT OF  
 BEGINNING.

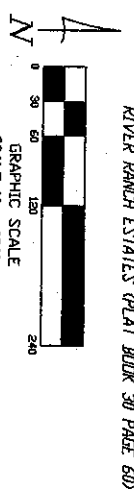
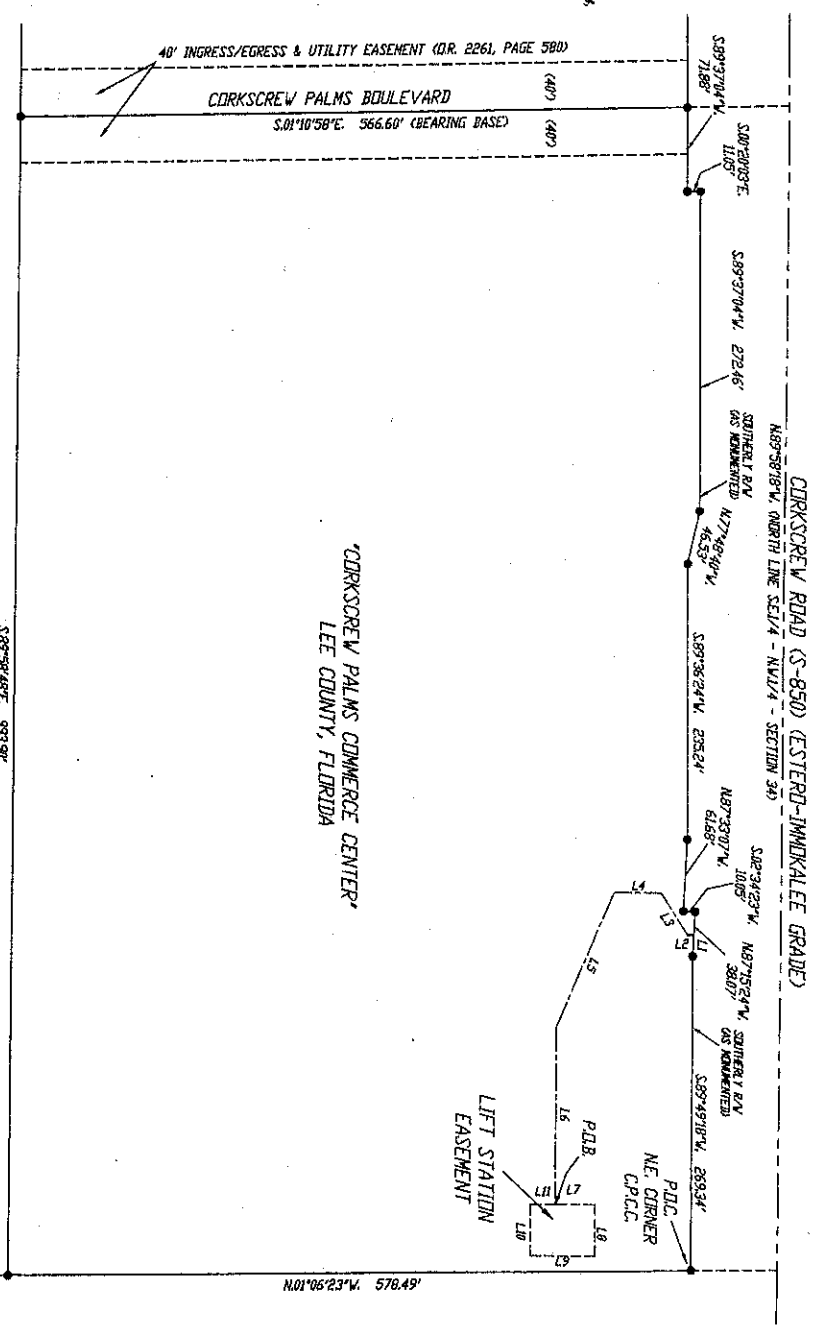
PARCEL CONTAINS 1800 SQUARE FEET OR 0.41 ACRES, MORE OR LESS

**LINE TABLE**

Line	Bearing	Distance	Line	Bearing	Distance
L1	N07°52'44" W.	1765	L7	N07°52'44" W.	3262
L2	S07°10'58" E.	427	L8	N09°40'27" E.	440
L3	S07°10'58" E.	566.60	L9	S07°10'58" E.	5513
L4	S07°10'58" E.	40.36	L10	S09°40'27" E.	440
L5	S07°49'45" E.	183.99	L11	N07°52'44" W.	238
L6	N09°40'27" E.	551.3			

FOR JAMES-ARLIE CONSTRUCTION CO., LLC  
 BY: *[Signature]* DATE: 2-8-2004

TELAND F. DYSGARD  
 PROFESSIONAL LAND SURVEYOR  
 FLORIDA REGISTRATION NO. 9859



C1 = CENTERLINE  
 DR = OFFICIAL RECORDS BOOK  
 P12 = POINT OF BEGINNING  
 P13 = POINT OF COMMENCEMENT

FLA. SURVEYS CORP.  
 PROFESSIONAL SURVEYORS & MAPPERS - LB 6569  
 6561 TAYLOR ROAD, SUITE 1  
 NAPLES, FLORIDA 34109  
 (239) 598-5936 FAX 598-5939

PROJECT NO: 04-10237  
 REVISION: 2-23-04  
 LEGAL DESCRIPTION: CENTER SECTION 34-45-25

# COPY

# SKETCH & DESCRIPTION (NOT A LAND SURVEY)

SITE DESCRIPTION (D.R. 302, PAGE 806, LEE COUNTY, FLORIDA)  
 ALL OF THE EAST THREE-QUARTERS (E. 3/4) OF THE NORTH HALF (N. 1/2) OF THE  
 SOUTHWEST QUARTER (SW. 1/4) OF THE NORTHWEST QUARTER (NW. 1/4) OF SECTION 34,  
 TOWNSHIP 46 SOUTH, RANGE 23 EAST, LEE COUNTY, FLORIDA, LYING SOUTH OF THE  
 COUNTY ROAD 3000 AS THE ESTD-THROKALLEE GRADE.

DESCRIPTION FORCE MAIN EASEMENT  
 A 12" FIBER VINE EASEMENT INDICATED TO LEE COUNTY UTILITIES  
 FOR INSTALLATION AND MAINTENANCE OF FORCE MAIN FACILITIES IN  
 THE NORTHEASTLY PORTION OF SAID EASEMENT PALMS COMMERCE CENTER  
 RESTRICTED AREA, THE CENTERLINE OF SAID EASEMENT RESPECTED AS  
 PALMS COMMERCE CENTER TRUNK (60" DIA) OF SAID CORROSEY  
 (SOUTHERN) RIGHT OF WAY (CORROSEY ROAD) A DISTANCE OF  
 283.34 FEET THENCE N67°52'41"W, OR SAID RIGHT OF WAY A  
 DISTANCE OF 160 FEET TO THE POINT OF BEGINNING OF SAID  
 EASEMENT CENTERLINE THENCE S02°32'47"E, A DISTANCE OF  
 127.23 FEET TO A POINT ON THE WEST LINE OF A  
 LEFT STATION EASEMENT, AND THE END POINT OF SAID CENTERLINE  
 PARCEL CONTAINS 4322 SQUARE FEET OR 0.10 ACRES, MORE OR LESS.

LINE TABLE

Line	Bearing	Distance
L1	N87°52'41"W	18.20'
L2	S02°32'47"E	52.41'
L3	S37°56'43"W	42.77'
L4	S02°32'47"E	40.36'
L5	S67°52'22"E	127.23'
L6	N89°56'17"E	14.35'

- FOR:
- DYNAMICS-JERULLE CONSTRUCTION CO., LLC
  - BANKS ENGINEERING, INC.
  - LEE COUNTY UTILITIES

BY *Jeffrey H. Hill* DATE 8/24/03  
 JEFFREY H. HILL/ROSS  
 PROFESSIONAL SURVEYOR & MAPPER  
 FLORIDA REGISTRATION NO. 4488

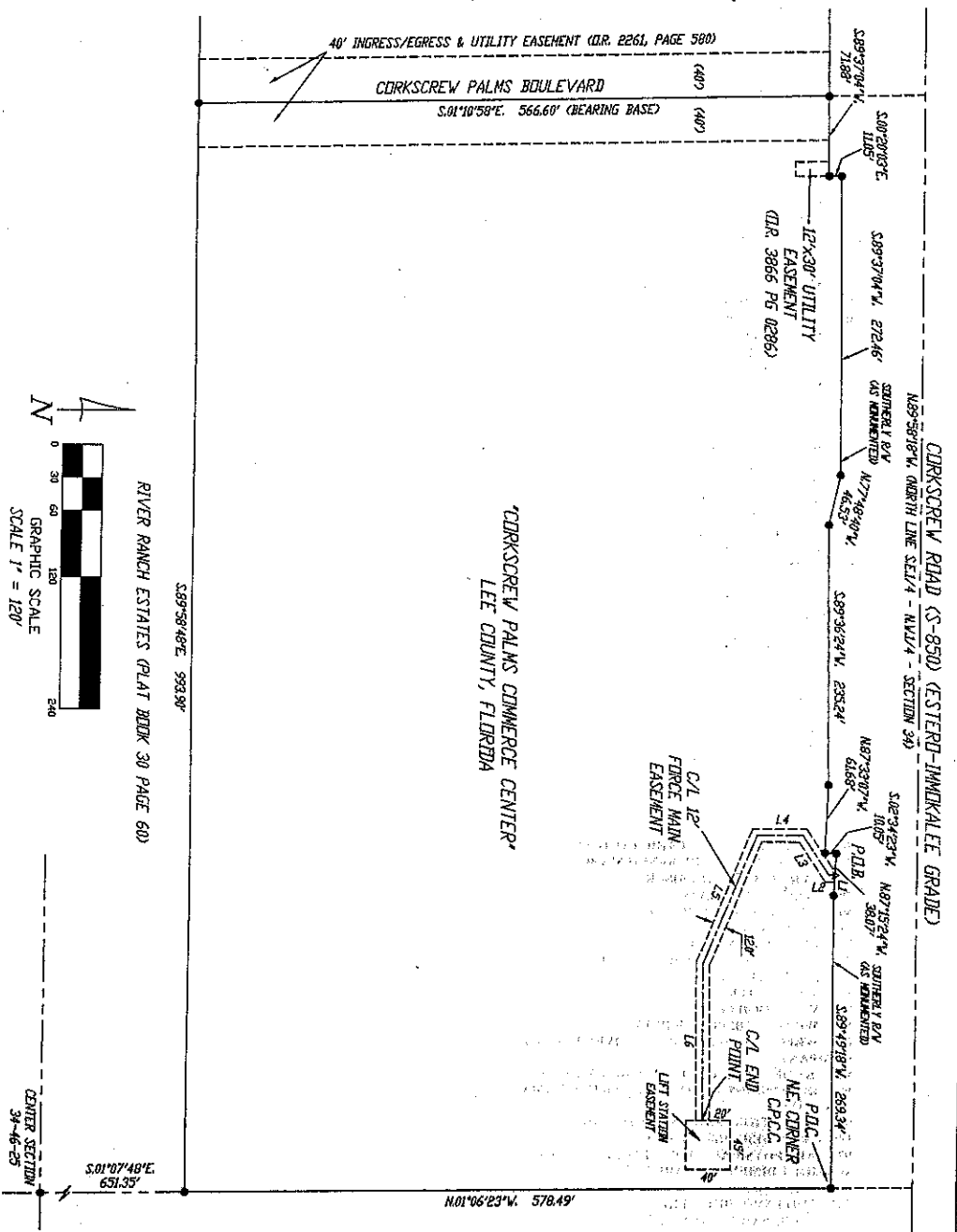
C/L = CENTERLINE  
 DR = OFFICIAL RECORDS BOOK  
 P.O.B. = POINT OF BEGINNING  
 P.O.C. = POINT OF COMMENCEMENT

F.L.A. SURVEYS CORP.  
 PROFESSIONAL SURVEYORS & MAPPERS - LB 6569

6561 TAYLOR ROAD, SUITE 1  
 NAPLES, FLORIDA 34109  
 (239) 598-5936 FAX 598-5939

PROJECT NO.  
 2P-101-FW-EASE  
 CENTER SECTION  
 34-46-25

# COPY



# SKETCH & DESCRIPTION (NOT A LAND SURVEY)

SITE DESCRIPTION QTR. 312, PAGE 806, LEE COUNTY, FLORIDA  
 ALL OF THE EAST THREE-QUARTERS (3/4) OF THE NORTH HALF (1/2) OF THE  
 SECTION 34 OF THE RIVER RANCH ESTATES PLAT BOOK 30 PAGE 600  
 TOWNSHIP 46 SOUTH RANGE 26 EAST LEE COUNTY, FLORIDA, LING SOUTH OF THE  
 COUNTY ROAD ROWN AS THE EXTEND-IMMEDIATE GRADE.

DESCRIPTION SANITARY SEWER EASEMENT  
 A 20' FOOT WIDE EASEMENT HERETOFORE TO LEE COUNTY UTILITIES  
 FOR INSTALLATION AND MAINTENANCE OF SANITARY SEWER FACILITIES  
 OVER & ACROSS A PORTION OF CORKSREW PALMS COMMERCE CENTER  
 PALMS COMMERCE CENTER AT THE NORTHEAST CORNER OF THE CORKSREW  
 PALMS COMMERCE CENTER, THERE 589'49'8" W. ON THE  
 SOUTHERLY RIGHT OF WAY OF CORKSREW ROAD A DISTANCE OF  
 69'34' FEET THENCE N67°52'4" W. ON SAID RIGHT OF WAY A  
 DISTANCE OF 1820 FEET TO THE CENTERLINE OF A 12' WIDE  
 524 FEET THENCE S78°45'4" W. A DISTANCE OF 4277 FEET  
 THENCE S0°23'43"E. A DISTANCE OF 4036 FEET THENCE  
 S67°32'22"E. A DISTANCE OF 1274 FEET THENCE N89°38'17"E.  
 A DISTANCE OF 144.56 FEET TO A POINT ON THE WEST LINE OF A  
 LEFT STATION EASEMENT THENCE S0°23'43"E. IN SAID EASEMENT  
 THE CENTERLINE OF SAID LINE TO THE POINT OF BEGINNING OF  
 THE EASEMENT IS 7620 FEET THENCE S0°23'43"E. A DISTANCE OF  
 N67°32'22"E. A DISTANCE OF 1820 FEET THENCE  
 S67°32'22"E. A DISTANCE OF 1820 FEET THENCE  
 S67°32'22"E. A DISTANCE OF 7702 FEET THENCE  
 N67°32'22"E. A DISTANCE OF 5702 FEET THENCE  
 N67°32'22"E. A DISTANCE OF 5702 FEET THENCE  
 N67°32'22"E. A DISTANCE OF 6644 FEET THENCE  
 S89°38'17"W. A DISTANCE OF 36.60 FEET THENCE  
 S0°23'43"E. A DISTANCE OF 4460 FEET TO THE  
 END POINT OF SAID CENTERLINE.  
 PARCEL CONTAINS 1609 SQUARE FEET OR 0.37 ACRES, MORE OR LESS

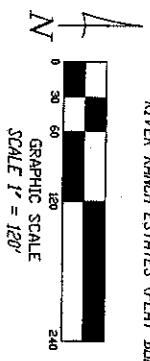
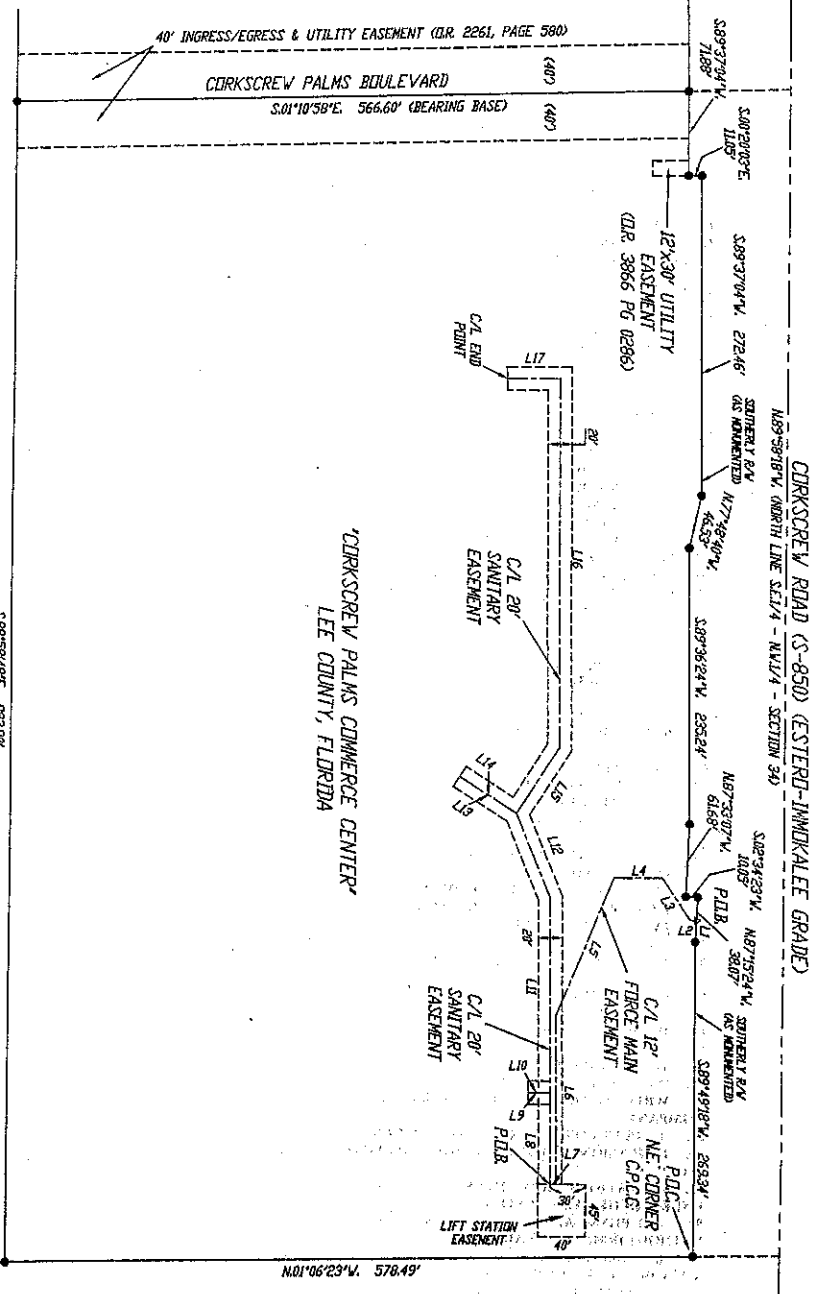
LINE TABLE

Line	Bearing	Distance	Bearing	Distance
L1	N87°52'4"	1820'	N67°32'43"	1820'
L2	S0°23'43"E	524'	S67°32'22"	1820'
L3	S57°32'22"E	4277'	S67°32'22"	1820'
L4	S0°23'43"E	4036'	S67°32'22"	1820'
L5	S67°32'22"E	1274'	S67°32'22"	1820'
L6	S89°38'17"W	144.56'	S67°32'22"	1820'
L7	S0°23'43"E	1820'	S67°32'22"	1820'
L8	S67°32'22"E	7702'	S67°32'22"	1820'
L9	S0°23'43"E	5702'	S67°32'22"	1820'
			S67°32'22"	5702'
			S67°32'22"	5702'
			S67°32'22"	6644'
			S89°38'17"W	36.60'
			S0°23'43"E	4460'

PREPARED BY  
 DR. JAMES - BRILLIE CONSTRUCTION CO., LLC  
 - BANKS ENGINEERING, INC.  
 - LEE COUNTY UTILITIES

DATE: 8/24/03  
 BY: *[Signature]*

LETTER: H. HILLIARDS  
 PROFESSIONAL SURVEYOR & MAPPER  
 FLORIDA REGISTRATION NO. 4468



CA = CENTERLINE  
 DR = OFFICIAL RECORD BOOK  
 P.D.B. = POINT OF BEGINNING  
 P.D.C. = POINT OF COMMENCEMENT

# COPY

RIVER RANCH ESTATES PLAT BOOK 30 PAGE 600  
 F.L.A. SURVEYS CORP.  
 PROFESSIONAL SURVEYORS & MAPPERS - LB 6569  
 6561 TAYLOR ROAD, SUITE 1  
 NAPLES, FLORIDA 34109  
 (239) 598-5936 FAX 598-5939  
 PROJECT NO. 2P-101-SAN-EASE  
 CENTER SECTION 34-6-23



COPY

- 1. A = ARC DISTANCE
- 2. AE = ACCESS EASEMENT
- 3. BE = BUFFER EASEMENT
- 4. BM = BENCHMARK
- 5. BOB = BASIS OF BEARING
- 6. BRG = BEARING
- 7. CB = CURVE NUMBER
- 8. C = CALCULATED
- 9. CB = CATCH BASIN
- 10. CHB = CHORD BEARING
- 11. CHD = CHORD
- 12. CLF = CHAINLINK FENCE
- 13. CM = CONCRETE MONUMENT
- 14. CO = CLEAN OUT
- 15. CONC = CONCRETE
- 16. CSW = CONCRETE SIDEWALK
- 17. CTV = CAME RISER
- 18. CU = COLLIER COUNTY UTILITY EASEMENT
- 19. D = DEED
- 20. DE = DRAINAGE EASEMENT
- 21. DH = DRILL HOLE
- 22. DI = DROP INLET
- 23. ELEC = ELECTRIC
- 24. EOP = EDGE OF PAVEMENT
- 25. EOR = EDGE OF ROAD
- 26. EOW = EDGE OF WATER
- 27. F = AS LABELED OR FOUND IN THE FIELD
- 28. FCC = FOUND CROSS CUT
- 29. FCM = FOUND CONCRETE MONUMENT
- 30. FCH = FOUND DRILL HOLE
- 31. FFE = FINISH FLOOR ELEVATION
- 32. FHE = FIRE HYDRANT
- 33. FIR = FOUND IRON PIPE
- 34. FIR = FOUND IRON ROD
- 35. FN = FOUND NAIL
- 36. FND = FOUND
- 37. FPK = FOUND PK NAIL
- 38. FRK&D = FOUND PK NAIL AND DISC
- 39. GTE = TELEPHONE RISER
- 40. LBE = LANDSCAPE BUFFER EASEMENT
- 41. LME = LAKE MAINTENANCE EASEMENT
- 42. LP = LIGHT POLE
- 43. M = MEASUREMENT
- 44. ME = MAINTENANCE EASEMENT
- 45. MH = MANHOLE
- 46. NTS = NOT TO SCALE
- 47. OHP = OVERHEAD POWER
- 48. OHU = OVERHEAD UTILITY LINE
- 49. P = PLAT
- 50. PAS.CO.ENG.DEPT. = PASCO COUNTY ENGINEERING DEPARTMENT
- 51. PC = POINT OF CURVATURE
- 52. PCP = PERMANENT CONTROL POINT
- 53. PI = POINT OF INTERSECTION
- 54. PK = PARKER KALON NAIL
- 55. PLS = PROFESSIONAL LAND SURVEYOR
- 56. POB = POINT OF BEGINNING
- 57. POC = POINT OF COMMENCEMENT
- 58. PP = POWER POLE
- 59. PRC = POINT OF REVERSE CURVE
- 60. PRM = PERMANENT REFERENCE MONUMENT
- 61. PSM = PROFESSIONAL SURVEYOR AND MAPPER
- 62. PU & DE = PUBLIC UTILITY & DRAINAGE EASEMENT
- 63. PUE = PUBLIC UTILITY EASEMENT
- 64. (R) = RADIAL
- 65. R = RADIIUS
- 66. RNG = RANGE
- 67. ROW = RIGHT-OF-WAY
- 68. RR SPK = RAILROAD SPIKE
- 69. SAT = SATELLITE DISH
- 70. SCC = SET CROSS CUT
- 71. SDE = STREET DRAINAGE EASEMENT
- 72. SDH = SET DRILL HOLE
- 73. SEC = SECTION
- 74. SIR = SET 5/8" IRON ROD WITH CAP #LB 6669
- 75. SN = SET NAIL
- 76. TECO = TAMPA ELECTRIC COMPANY
- 77. TRM = TEMPORARY BENCH MARK
- 78. TVR = TELEVISION RISER
- 79. TOB = TOP OF BANK
- 80. TP = TRANSMITTER PAD
- 81. TWP = TOWNSHIP
- 82. UE = UTILITY EASEMENT
- 83. UTR = UNTERED TELEPHONE RISER
- 84. W = WATER SERVICE
- 85. WB = WATER BOX
- 86. WF = WOOD FENCE
- 87. WPP = WOOD POWER POLE
- 88. WREC = WITHACOCOCHEE RIVER ELECTRIC COMPANY
- 89. Δ = DELTA OR CENTRAL ANGLE OF CURVE
- 90. DIMENSIONS ARE IN FEET AND IN DECIMALS THEREOF
- 91. ELEVATIONS SHOWN HEREON ARE N.G.A.D. UNLESS OTHERWISE STATED
- 92. ALL PHYSICAL IMPROVEMENTS SHOWN WITHOUT DIMENSIONS ARE FOR INFORMATIONAL PURPOSES ONLY. THAT THEY DO EXIST, BUT WERE NOT NECESSARILY MEASURED IN THE FIELD. LOT LINES SHOWN AS BOB SHALL BE DEEMED BASIS OF BEARING

GENERAL NOTES  
ABSTRACT NOT REVIEWED

AND ASSUMED TO BE THE SAME AS PLAT OR LEGAL DESCRIPTION  
94. NOTE: LEGAL DESCRIPTION PROVIDED BY CLIENT UNLESS OTHERWISE NOTED.  
95. EASEMENTS AND RIGHT OF WAYS SHOWN ARE PER RECORDED PLAT OR AS FURNISHED BY THE CLIENT.  
96. FOUNDATION LINE BELOW THE SURFACE OF THE GROUND IS NOT REFLECTED  
97. THIS SURVEY IS NOT TO BE USED FOR CONSTRUCTION PURPOSES  
UNDER ANY CONDITION UNLESS OTHERWISE STATED  
98. NO UNDERGROUND INSTALLATIONS OR IMPROVEMENTS HAVE BEEN LOCATED EXCEPT AS NOTED  
99. NO INSTRUMENTS OF RECORD REFLECTING EASEMENTS, RIGHT OF WAYS, AND/OR OWNERSHIP WERE FURNISHED THIS SURVEYOR EXCEPT AS SHOWN  
100. THERE ARE NO VISIBLE ENCROACHMENTS EXCEPT THOSE AS DELINEATED ON THIS PLAT OF SURVEY  
101. THIS ARE TO PLAT BOUNDARIES UNLESS OTHERWISE NOTED  
102. THERE MAY BE ADDITIONAL RESTRICTIONS AND/OR EASEMENTS THAT ARE NOT RECORDED ON SAID PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY  
103. BOB IS BASED ON ROW OF SUBJECT PROPERTY PER PLAT OR AS SHOWN  
104. FENCES MEASURED ON AND OFF LINE, APPROXIMATE LOCATION ONLY UNLESS STATED OTHERWISE.

COPY

TO: LEE COUNTY FINANCE DEPARTMENT

FROM: UTILITIES ENGINEERING  
(Department)  
SUE GULLEDGE

BS 20040227-UTL

A. AUTHORIZATION:

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

Purchase Order # N/A for CORKSCREW PALMS COMMERCE CENTER, PHASE I project. (CORKSCREW PALMS, LLC).  
ACCOUNT NO. OD53607487.504930

ORIGINAL EASEMENT TO MINUTES AFTER RECORDING.  
SEND COPY TO SUE GULLEDGE, UTILITIES.

*Sue Gullledge*  
SUE GULLEDGE Signature Authorization

B. SERVICE RECEIVED: RECORDING EASEMENT

O. R. COPIES

PLAT COPIES

CASE #/INDEX FEE

DESCRIPTION OF SERVICE RECORDING

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. # 500283

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