#### Lee County Board of County Commissioners **Agenda Item Summary**

Blue Sheet No. 20061775-UTL

**COMMISSIONER JUDAH** 

1. Action Requested/Purpose:

Developer Contributed Asset: Approve final acceptance, by Resolution and recording of one Utility Easement, as a donation of a 10" diameter master meter and a force main connection, to provide potable water service, fire protection and sewer service to *Gulf Reflections*, a recently constructed multi-family residential development. This is a Developer Contributed asset project located on the west side of Pine Ridge Road approximately 1/2 of a mile south of Kelly Road.

2. What Action Accomplishes:

Provides adequate utility infrastructure to support development of the subject property and complies with the Lee County Utilities Operations Manual.

3. Management Recommendation:

Approvai.		
4. Departmental Category:	10 - Utilities CIOB	5. Meeting Date: JAN 2 3 2007
6. Agenda:	7. Requirement/Purpose (specify)	8. Request Initiated:
X Consent	Statute	Commissioner
Administrative	Ordinance	Department Public Works
Appeals	Admin. Code	Divi <del>sio</del> n Utilities
Public	X Other Approval	By: 10/ 00/ 1-4-2007
Walk-On		Douglas L. Meurer, P.E., Director
9. Background:		

The Board granted permission to construct on 04-19-05, Blue Sheet #20050192.

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.

SECTION 32

D ---- C -- C -- J -- L --

Warranty has been provided—copy attached.

Waiver of Lien has been provided—copy attached.

Certification of Contributed Assets has been provided—copy attached.

TOWNSHIP 45S

100% of the connection fees have been paid.

Lee County Utilities requested the developer to construct a privately owned and maintained on-site gravity collection system due to the fact that no regional benefit will be provided by LCU owning and maintaining another lift station in this vicinity. Due to this request, LCU preferred the on-site water system remain under private ownership as well, and this was achieved by constructing the master meter and connecting to existing infrastructure located within the right-of-way of Pine Ridge Road; and, sanitary sewer service was achieved by the off-site force main connection to existing infrastructure located within the right-of-way of Pine Ridge Road.

DISTRICT #3

RANGE 25E

Funds are available for recording fees in account number OD5360748700.504930.

10. Keviev	v for Schedu	nng							
Department Director	Purchasing or Contracts	Human Resources	Other	County Attorney		Budget	Services		County Manager / P.W. Director
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11. Co	mmission A	ction:						The state of the s	
	Approved			RECEIVED	BY		Re	c. by CoAti	cy
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#### RESOLUTION NO.

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

WHEREAS, it is the desire of "Pine Ridge Real Estate Enterprises, LLC" (Gulf Reflections), owner of record, to make a contribution to Lee County Utilities of water facilities (10" diameter master meter), and sewer facilities (force main connection), serving "GULF REFLECTIONS"; 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 \$39,139.00 is hereby ACCEPTED and acknowledged as an addition to Lee County Utilities.

THE FOREGOING RESOLUTION was offered by Commissioner	who
THE FOREGOING RESOLUTION was offered by Commissioner moved for its adoption. The motion was seconded by Commissioner and, upon being put to a vote, the vote was a	as follows:
Commissioner Bob Janes:	(1)
Commissioner Brian Bigelow:	(2)
Commissioner Ray Judah:	(3)
Commissioner Tammara Hall:	(4)
Commissioner Frank Mann:	(5)
DULY PASSED AND ADOPTED this day of	, 2007.
ATTEST: BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA	
By:By:By:CHAIR	

APPROVED AS TO FORM

OFFICE OF COUNTY ATTORNEY

**BS 20061775-UTL** 



DATE: 11/27/2006

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

Gentlemen:

This is to certify that the water service(s) and force main extension/connection located at Gulf Reflections

(Name of Development/Project)

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

the approved plans and the approved specifications

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

Bacteriological Test, Pressure Test(s) - Water Main, Pressure Test(s) - Force Main, Lift Station Start-up and Low Pressure Test(s) - Gravity Main

Very truly yours,

Quattrone & Associates, Inc.

(Owner or Name of Corporation/Firm)

(Xignature)

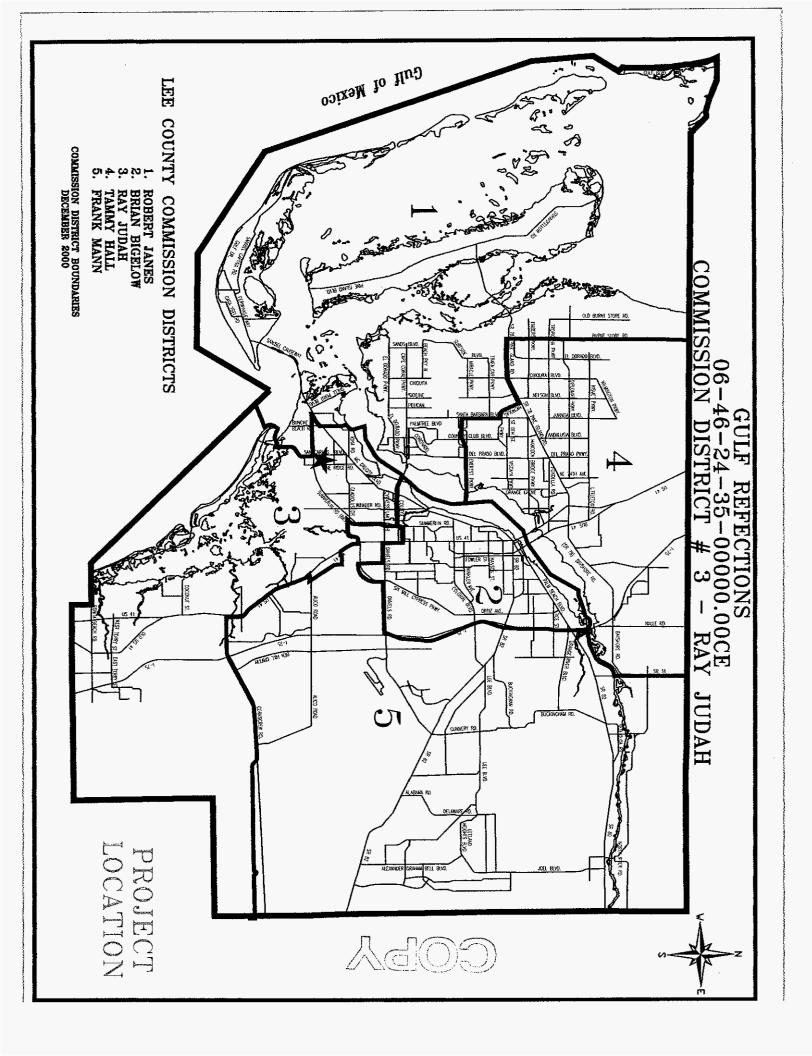
Al Quattrone, PE

President

(Name and Title)

(Seal of Engineering Firm)

(Forms - Letter of Completion - Revised 2004)





#### WARRANTY

THE UNDERSIGNED parties do hereby warrant and/or guaranty all work executed by the contractor on the <u>water and sewer system</u> of <u>Gulf Reflections</u> 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.

Haskins Inc.

	A LOWER LINE WAS A STATE OF THE
	(Contractor/Company Name)
	Joel Chambers Operations Manager
	(Authorized Representative, Title)
	BY: Call
	(Signature)
STATE OF <u>FL</u> ) SS:	
COUNTY OF Lee )	
The foregoing instrument was signed a 06 by Joel Chambers who is personal with has personal with has personal p	and acknowledged before me this 18 day of October, 20 ally known to me - na, and who did not take an oath.
Notary Public Signature	Iniavette Ramírez Commission #DD370027
Invalette Ramiler	Expires: Nov 08, 2008 Bonded Thru Atlantic Bonding Co., Inc.
Printed Name of Notary Public	

(Notary Seal & Commission Number)

LEE COUNTY
SOUTHWEST FLORIDA
(Forms – Warranty – Revised 04/2003)



### WAIVER AND RELEASE OF LIEN **UPON FINAL PAYMENT**

The undersigned lienor, in consideration of the final payment in the amount of Thirty thousand Five Hundred Sixty Four and No Cents(\$30,564.00 ) hereby waivers and releases its lien and right to claim a lien for labor, services, or materials furnished to Pine Ridge Real Estate Enterprises, LLC on the job of Gulf Reflections to the following described property:

Gulf Reflections	water distribution system
(Name of Development/Project)	(Facilities Constructed)
16520 Pine Ridge Rd. Ft. Myers , FL.	06-46-24-35-00000.00CE
(Location)	(Strap # or Section, Township & Range)
Dated on: November 27, 2006	
/////	
By: Allan	Haskins Inc.
(Signature of Authorized Representative)	(Name of Firm or Corporation)
By: Joel Chambers	10956 Enterprise Ave.
(Print Name of Authorized Representative)	(Address of Firm or Corporation)
Title: Operations Manager	Bonita Springs, Fl 34135-
	(City, State & Zip Of Firm Or Corporation)
Diama II (020)045 2055 D	T. // (000)0 45 0055
Phone #: (239)947-3857 Ext.	Fax#: (239)947-3857
STATE OFFL)	
COUNTY OF LEE )	
country <u>bee</u>	
The foregoing instrument was signed and acknowledged b	pefore me this 27th day of No. 2006 by Joel
<u>Chambers</u> who is personally known to me - <u>na</u> , and who	did not take an oath.
THE ROLL	
Notary Public, State of Florida Notary Public, State of Storida Notary Public, State of Florida	
My comm. exp. Jan. 3, 2010 My comm. No. DD 503784  (Notary Public, State of The Sta	e N. Belt
My comm. No. DD 503784 (Notary Put	olic Signature)
Tilera Roy	ET
(Notary Seal & Commission Number) (Printed Nar	T ne of Notary Public)



#### 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 Seventy Five and No Cents(\$8,575.00</u>) hereby waivers and releases its
lien and right to claim a lien for labor, services, or materials furnished to <u>Pine Ridge Real Estate</u>

<u>Enterprises, LLC</u> on the job of <u>Gulf Reflections</u> to the following described property:

Gulf Reflections	force main extension/connection
(Name of Development/Project)	(Facilities Constructed)
16520 Pine Ridge Rd. Ft. Myers, FL.	06-46-24-35-00000.00CE
(Location)	(Strap # or Section, Township & Range)
Dated on: November 27, 2006	
7/h///	
By: Collabora	Haskins Inc.
(Signature of Authorized Representative)	(Name of Firm or Corporation)
By: Joel Chambers	10956 Enterprise Ave.
(Print Name of Authorized Representative)	(Address of Firm or Corporation)
	•
Title: Operations Manager	Bonita Springs, Fl 34135-
	(City, State & Zip Of Firm Or Corporation)
Phone #: (239)947-3857 Ext.	Fax#: (239)947-3857
STATE OF <u>FL</u> )	
) SS:	
COUNTY OF LEE )	
The foregoing instrument was signed and acknowledged be	efore me this 271 day of Nov. 2006 by Joel
<u>Chambers</u> who is personally known to me - <u>na</u> , and who	did not take an oath.
	Λ Ω
DOMESTIC TO THE STATE OF THE ST	e W Kolt
JOYCE D. BOLT (Notary Public State of Florida	lic Signature)
Notary Public, State of Florida  My comm. exp. Jan. 3, 2010	
Comm. No. DD 503784  (Notary Seal & Commission Number)  Option No. DD 503784  (Printed Nam	•
(Notary Seal & Commission Number) (Printed Nam	e of Notary Public)



#### **CERTIFICATION OF CONTRIBUTORY ASSETS**

PROJECT NAME:	Gulf Reflections
STRAP NUMBER:	04 44 24 25 00000 00CE
STRAP NUMBER:	06-46-24-35-00000.00CE
LOCATION:	16520 Pine Ridge Rd
OWNER'S NAME: (as shown	
OWNER'S ADDRESS:	1311 Newport Center Dr. West, Suite C
OWNER'S ADDRESS:	Deerfield Beach, FL 33442-
OWNER'S TELEPHONE #	(954) 480-2885

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

Please list each element of the system from the drop-down list provided.

<u>ITEM</u>	SIZE	QUANTITY	UNIT	UNIT COST	TOTAL
TAPPING SLEEVE W/VALVE	12" x 10"	1.0	EA	\$5,500.00	\$5,500.00
CL-50 DIP WATER MAIN	10"	2.0	LF	\$32.00	\$64.00
FIRE LINE UP TO AND INCL 1ST OS + Y VALVE	10"	1	LS	\$25,000.00	\$25,000.00
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<u>TOTAL</u>	a required was oddi				\$30,564.00

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



LEE COUNTY Contractor's Certification of Contributory Assets – Form (July2006)

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 Allen	
•	(Signature of Certifying Agent)	
•	Joel Chambers	
	(Name & Title of Certifying Agent)	_
	Haskins Inc.	
	(Name of Firm or Corporation)	
	10956 Enterprise Avenue	<del></del>
	(Address of Firm or Corporation)	
	Bonita Springs, FL 34135 -	<del></del>
STATE OF FL)		
) SS:		
COUNTY OF LEE)		
The foregoing instrument was signed and <a href="Chambers">Chambers</a> who is personally known to me	acknowledged before me this $27^{+1}$ day of $2006$ by ne - $100$ , and who did not take an oath.	Joel
Notary Public Signature	<u>.                                    </u>	
itomy I dono organia	JOYCE D. BOLT	
Printed Name of Notary Public	Notary Public, State of Florida My comm. exp. Jan. 3, 2010 Comm. No. DD 503784	
Notary Commission Number	(NOTARY SEAL)	ı

LEE COUNTY
SOUTHWEST FRORTHA
Contractor's Certification of Contributory Assets – Form (June 2004)



#### **CERTIFICATION OF CONTRIBUTORY ASSETS**

ROJECT NAME:	Gulf Reflections	
TRAP NUMBER:	06-46-24-35-00000.00CE	
OCATION:	16520 Pine Ridge Rd.	
WNER'S NAME: (as show	wn on Deed) Pine Ridge Real Estate Enterprises, LLC	
WNER'S ADDRESS:	1311 Newport Center Dr. West, Suite C	
WNER'S ADDRESS:	Deerfield Beach,FL 33442-	, <u></u>

#### 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.

ITEM	SIZE	QUANTIT Y	UNIT	UNIT COST	TOTAL
TAPPING SLEEVE W/VALVE FORCE MAIN	4" x 8"	1.0	EA	\$4,500.00	\$4,500.00
ARV FORCE MAIN		1.0	EA	\$2,500.00	\$2,500.00
PLUG VALVE FORCE MAIN	4"	1.0	EA	\$450.00	\$450.00
PVC C-905 DR-14 FORCE MAIN	4"	75.0	LF	\$15.00	\$1,125.00
TOTAL					\$8,575.00

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

LEE COUNTY

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

C:\Documents and Settings\OEM\My Documents\Gulf Ref Sewer Assets.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.

	CERTIFIE CO.	
	x College	
	(Signature of Certifying Agent)	
	Joel Chambers	
	(Name & Title of Certifying Agent)	
	Haskins Inc.	
	(Name of Firm or Corporation)	
	10956 Enterprise Avenue	
	(Address of Firm or Corporation)	
	Bonita Springs, FL 34135 -	
STATE OFFL)		
The foregoing instrument was signed and a Chambers who is personally known to me	cknowledged before me this 27th day of No V , 2006 by Joe - na , and who did not take an oath.	1
Jame D Bolt		
Notary Public Signature	JOYCE D. BOLT	
oque Port Printed Name of Notary Public	Notary Public, State of Florida My comm. exp. Jan. 3, 2010 Comm. No. DD 503784	
Notary Commission Number	(NOTARY SEAL)	
·		

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## FLORIDA DEPARTMENT OF REVENUE

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$\  \ $	RETURN FOR TRANSFERS OF INTEREST IN  (PLEASE READ INSTRUCTIONS BEFORE C	<b>2 La 12 La 13 La 15 La 17 La </b>			
		f typing, enter numbers as shown below.			
1.	Parcel Identification Number 0123456789	0123456789			
	(If Parcel ID not available please call County Property Appraiser's Office) → 064624350	00000c			
2.	Transaction is a split	Property was improved			
	that apply transaction?   another parcel?	with building(s) at time of sale/transfer?			
3.	Grantor (Seller): EASEMENT: BS 20061775 PINE Last First MI	RIDGE REAL ESTATE ENTERPRISES LLC  Corporate Name (if applicable)			
13	311 NEWPORT CENTER DR W-#C DEERFIELD BEACH	FL 33442 ( )			
	Mailing Address City  Croston (Bureal) THOM OSTERHOUT AS AGENT: FOR	State Zip Code Phone No.  LEE CO. BD. OF CO. COMMISSIONERS			
4.	Grantee (Buyer): Last First MI	Corporate Name (if applicable)			
	P. O. BOX 398 FT. MYERS	FL 33902 (239)4798181			
5.	Mailing Address City Date of Sale/Transfer Sale/Transfer Price	State Zip Code Phone No.			
	Month Day Year (Round to the nearest dollar.)	. 00 Property Lee			
^	Combroad Ci Othor -	the property? If "Yes",			
6.	Warranty for Deed outstanding mortgage	balance:			
	Deed Quit Claim (Round to the nearest dollar.)	*			
8.	To the best of your knowledge, were there unusual circumstances or conditions to the s such as: Forced sale by court order? Forcelosure pending? Distress Sale? Title defects?	Corrective Deed? Mineral rights?			
	Sale of a partial or undivided interest? Related to seller by blood or marriage.	Corrective Deed? Mineral rights? YES / KNC			
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			
	Institutional/				
10.	Property Type: Residential Commercial Industrial Agricultural Miscellaneous Mark (x) all				
	that apply				
11.	To the best of your knowledge, was personal property YES / NO	\$ Cents			
	included in the sale/transfer? If "Yes", please state the amount attributable to the personal property. (Round to the nearest dollar.)	\$			
12.	Amount of Documentary Stamp Tax	*			
13.	If no tax is due in number 12, is deed exempt from Documentary Stamp Tax under s. 201.				
	Under penalties of perjury, I declare that I have read the foregoing return and that the than the taxpayer, his/her declaration is based in all information of which he/her has	e facts stated in it are true. If prepared by someone other any knowledge.			
1	Signature of Grantor or Grantee or Agent	Date_ <u>1/4/67</u>			
	WARNING: FAILURE TO FILE THIS RETURN OR ALTERNATIVE FORM APPROVED BY THE DEPARTMENT OF OTHER PENALTY IMPOSED BY THE REVENUE LAW OF FLORIDA.	DF REVENUE SHALL RESULT IN A PENALTY OF \$25.00 IN ADDITION TO ANY			
	To be completed by the Clerk of the Circuit Court's Office	Clerks Date Stamp			
	This copy to Property Appraiser				
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D.	and Company				
P8	age Number and and				
F	ile Number				
Da	Date Recorded / / / / / / / / / / / / / / / / / /				
	Month Day Year				

Date Recorded

Day

Year

Month

## 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 N		1 2 3	4 5 6 7	8 9	01234	56789	1
	please call County Pro	operty		06	4624350	000000CE		
2. 3.	that apply trai	ilti-parcel nsaction? → SEMENT:	BS	Transaction i or cutout from another parce 2006177	n el? →	\ (	Property was improvi with building(s) at tir of sale/transfer? I ESTATE EN	
	Grantor (Seller): Last 311 NEWPORT	CENTER DR	First W-#C I	DEERFIELD	MI BEACH		Name (if applicable	∍)
	TH	Mailing Address		City AS AGENT		State Zip	Code Phone N	o. OMMISSIONERS
4.	Grantee (Buyer): Last		First		MI ERS	Corporate	Name (if applicable	
_	N	failing Address		City			Code Phone N	
5.	Date of Sale/Transfer	2007	\$	Sale/Transfer I		0.0	Property 46	County Code
	Month Day	Year	-	ound to the neare		. 0 0	Located In	
6.	7,	Contract/Agreen for Deed	ient 🗶 Oth		y mortgages or nding mortgage	n the property? If "\ balance:	/es", Y	ES X NC
	Warranty Deed	Quit Claim Deed			nearest dollar.)	¢		. 0 0
8.	To the best of your k such as: Forced sale I Sale of a partial or und	by court order? Fore	closure pendi ated to seller b	ng? Distress Sale by blood or marria	? Title defects? ge.	Corrective Deed? I	Y	es × NC
9.	Was the sale/transfer	financed? YES	× NC			r types of financing:		
	Conventional	Seller Prov	vided	Agreement Contract fo		Other		
10.	Property Type: Res Mark (x) all that apply	sidential Commerc	ial Industria	l Agricultural	Institutional Miscellaneou		Vacant Acre	eage Timeshare
	To the best of your k included in the sale/tra amount attributable to Amount of Documenta	ansfer? If "Yes", pleas the personal proper	se state the	YES the nearest dollar.	<b>x</b> NO	\$ \$	0.70	. O O
13.	If no tax is due in num	ber 12, is deed exem	pt from Docui	mentary Stamp Ta	ax under s. 201	.02(6), Florida Statu	ites? Y	ES NO
I	than the taxpaye	of perjury, I declare th r, his/her declaration ntor or Grantee or Ag	is based an al	the foregoing ret Il information of w	urn and frat the	e facts stated in it a any knowledge.	re true. If prepared l	by someone other
	WARNING: FAILURE OTHER PENALTY IMP	TO FILE THIS RETURN OF POSED BY THE REVENUE	ALTERNATIVE FOLLOW OF FLORIDA	ORM APPROVED BY T A.	HE DEPARTMENT	OF REVENUE SHALL RE	SULT IN A PENALTY OF	\$25.00 IN ADDITION TO ANY
	To be comple	ted by the Clerk	of the Circu	it Court's Offic	е		Clerks Date	Stamp
	This	copy to Departr	nent of Re	venue				
Pa	O. R. Book and age Number and File Number							

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. 20061775-UTL

PROJECT NAME: GULF REFLECTIONS

**EASEMENT NAME:** PINE RIDGE REAL ESTATE **ENTERPRISES, LLC** 

TYPING BY: Sue Gulledge

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

Strap Number(s):

06-46-24-35-00000.00CE

**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 "PINE RIDGE REAL ESTATE ENTERPRISES, LLC" Owner, hereinafter referred to as GRANTOR(S), and "LEE COUNTY", a political subdivision of the State of Florida, hereinafter referred to as GRANTEE.

#### WITNESSETH:

- 1. For and in consideration of the sum of TEN DOLLARS (\$10.00) and other good and valuable consideration, the receipt of which is hereby acknowledged and accepted, GRANTOR hereby grants, bargains, sells and transfers to the GRANTEE, its successors and assigns, a perpetual public utility easement situated in Lee County, Florida, located and described as set forth in Exhibit "A", attached hereto and made a part hereof.
- 2. GRANTEE, its successors, appointees and assigns, are granted the right, privilege, and authority to construct, replace, renew, extend and maintain a wastewater collection and/or water distribution system, together with, but not limited to, all necessary service connections, manholes, valves, fire hydrants, lift stations and appurtenances, to be located on, under, across and through the easement which is located on the property described (Exhibit "A"), with the additional right, privilege and authority to remove, replace, repair and enlarge said system, and to trim and remove roots, trees, shrubs, bushes and plants, and remove fences or other improvements which may affect the operation of lines, mains and/or utility facilities.

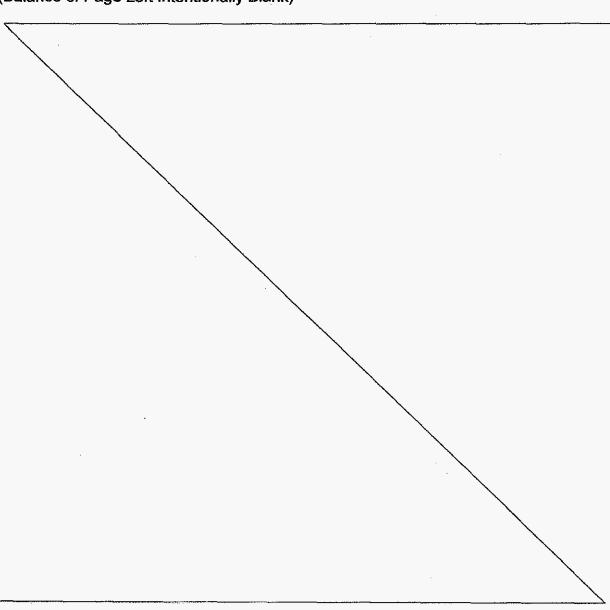
BS 20061775-UTL

- 3. The public utility easement will not be limited to any particular diameter size or type and/or number of connections to other water/sewer mains for providing water/sewer service to this and any adjacent properties. The total area of this public utility easement is reserved for utility lines, mains, or appurtenant facilities and for any landscaping (excluding trees), walkways, roadways, drainage ways, or similar uses. Houses, fences, buildings, carports, garages, storage sheds, overhangs, or any other structures or portions of structures may not be constructed on or placed within this easement at anytime, present or future, by GRANTOR, or its heirs, successors or assigns.
- 4. Title to all utilities constructed and/or placed hereunder by GRANTEE or its agents will remain in the GRANTEE, GRANTEE's successors, appointees, and/or assigns.
- 5. Subject to any pre-existing easements for public highways or roads, railroads, laterals, ditches, pipelines and electrical transmission or distribution lines and telephone and cable television lines covering the land herein described, GRANTOR(S) covenant that they are lawfully seized and possessed of the described real property (Exhibit "A"), have good and lawful right and power to sell and convey it, and that the said property is free from any and all liens and encumbrances, except as herein stated, and accordingly, GRANTOR(S) will forever defend the right, title and terms of this said easement and the quiet possession thereof by GRANTEE against all claims and demands of all other entities.
- 6. GRANTOR(S), its heirs, successors or assigns, agrees to assume all liability for any consequential damages to any houses, fences, buildings, carports, garages, storage sheds, overhangs, or any other structures or portions of structures subsequently constructed by GRANTOR(S) in violation of paragraph 3. within the above easement, which result from the required activities of the GRANTEE for any construction, maintenance or repairs to the utilities located within the above-described easement.
- 7. GRANTEE will be liable for money damages in tort for any injury to or loss of property, personal injury, or death caused by the negligent or wrongful act(s) or omission(s) of any official or employee of the GRANTEE while acting within the scope of the official's or employee's office or employment under circumstances in which a private person would be found to be liable in accordance with the general laws of the State of Florida, and subject to the limitations as set out in Section 768.28, Florida Statutes, as it may be revised, amended or renumbered from time to time.
- 8. GRANTEE will have reasonable right of access across GRANTOR's property for the purposes of reaching the described easement (Exhibit "A") on either paved or unpaved surfaces. Any damage to GRANTOR's property or permitted improvements thereon as the result of such access to the described easement or the construction, maintenance, or repairs located within the described easement shall be restored by GRANTEE, to the condition in which it existed prior to the damage, as is reasonably practicable.



- 9. By acceptance of this easement, the GRANTEE assumes no responsibility for ownership or maintenance of any associated roads. The easement is strictly for utility purposes.
- 10. This easement will be binding upon the parties hereto, their successors in interest and any assigns.

(Balance of Page Left Intentionally Blank)



signed on the date and year first above written. BY: [1st Witness Signature] 'Signature Grantor's/Owner's Andree Sweet Albert R. Capellini Type or Print Name [Type or Print Name] Managing Member [2<sup>nd</sup> Witness' Signature] [Title] Chantal Pereira [Type or Print Name] STATE OF FLORIDA COUNTY OF Broward The foregoing instrument was signed and acknowledged before me this 3 day of November 2006, by Albert R. Capellini who produced the following as identification or is personally know to me, and who did/did not take an oath. [stamp or seal] Laura P. Thompson [Signature of Notary] Commission #DD244813 Laura P. Thompson

IN WITNESS WHEREOF, the GRANTOR has caused this document to be

Atlantic Bonding Co., Inc.

[Typed or Printed Name]

Approved and accepted for and on behalf of Lee County, Florida, this				
day of, 2007.				
-				
ATTEST:		OF COUNTY COMMISSIONERS		
CHARLIE GREEN, CLERK	OF LEE	E COUNTY, FLORIDA		
BY:	BY:			
Deputy Clerk	_	Chair		
		APPROVED AS TO FORM		
· •				
	BY: _			
		Office of the County Attorney		
		Scott S. Coovert, Esquire		



LEGAL DESCRIPTION
OF AN EASEMENT LYING IN
SECTION 6, TOWNSHIP 46 SOUTH, RANGE 24 EAST,
LEE COUNTY, FLORIDA

(LEE COUNTY UTILITY EASEMENT)

A LEE COUNTY UTILITY EASEMENT SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTION 6, TOWNSHIP 46 SOUTH, RANGE 24 EAST, BEING FURTHER DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER (SE ½) OF SAID SECTION 6; THENCE S.00°38'42"E. ALONG THE EAST LINE OF THE SOUTHEAST QUARTER (SE ½) OF SAID SECTION 6, ALSO BEING THE CENTERLINE OF PINE RIDGE ROAD (66 FEET WIDE) FOR 11.35 FEET; THENCE LEAVING SAID CENTERLINE N.89°54'32"W. FOR 33.00 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF SAID PINE RIDGE ROAD; THENCE S.00°38'42"E. ALONG SAID WESTERLY RIGHT-OF-WAY LINE FOR 196.67 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED EASEMENT; THENCE CONTINUE S.00°38'42"E. ALONG SAID WESTERLY RIGHT-OF-WAY LINE FOR 20.00 FEET; THENCE LEAVING SAID WESTERLY RIGHT-OF-WAY LINE N.89°54'32"W. FOR 17.62 FEET; THENCE N.00°05"28"E. FOR 20.00 FEET; THENCE S.89°54'32"E. FOR 17.37 FEET TO AN INTERSECTION WITH SAID WESTERLY RIGHT-OF-WAY LINE, BEING THE POINT OF BEGINNING.

EASEMENT CONTAINS 350 SQUARE FEET, MORE OR LESS.

EASEMENT SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY (RECORDED AND UNRECORDED, WRITTEN AND UNWRITTEN)

BEARINGS ARE BASED ON THE EAST LINE OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 6, TOWNSHIP 46 SOUTH, RANGE 24 EAST BEING S.00°38'42"E.

METRON SURVEYING & MAPPING, LLC FLORIDA CERTIFICATE OF AUTHORIZATION LB# 7071

SCOTT M. SHORE

PROFESSIONAL SURVEYOR AND MAPPER

FLORIDA CERTIFICATE NO. 5743

SHEET 1 OF 2

8-16-2005

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