

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

**Blue Sheet No. 20070066-UTL**

**1. ACTION REQUESTED/PURPOSE:**

Developer Contributed Asset: Approve final acceptance, by Resolution as a donation of water and gravity main extensions to provide potable water service, fire protection and sanitary sewer service to *Belle Lago, Phase 2-A*, a phased single-family subdivision. This is a developer contributed asset project located on the north side of Estero Parkway approximately 2/3 mile east of US 41 South.

**2. FUNDING SOURCE:** No funding required.

**3. WHAT ACTION ACCOMPLISHES:**

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

**4. MANAGEMENT RECOMMENDATION:** Approve.

**5. Departmental Category:** 10 - Utilities

**CIOA**

**6. Meeting Date:**

FEB 13 2007

**7. Agenda:**

- Consent
- Administrative
- Appeals
- Public
- Walk-On

**8. Requirement/Purpose: (specify)**

- Statute
- Ordinance
- Admin. Code
- Other Approval

**9. Request Initiated:**

Commissioner \_\_\_\_\_  
 Department Pub. Works  
 Division Utilities  
 By: Douglas L. Meurer 1-28-2007  
 Douglas L. Meurer, P.E., Director

**10. Background:**

The Board granted permission to construct on 02/22/05, Blue Sheet #20050121.  
 The installation has been inspected for conformance to the Lee County Utilities Operations Manual. Satisfactory pressure and bacteriological testing has been completed.  
 Satisfactory closed circuit television inspection of the gravity collection system 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 Contributed Assets has been provided—copy attached.  
 100% of the connection fees have been paid.  
 No funds are required.

SECTION 21    TOWNSHIP 46S    RANGE 25E    DISTRICT # 5    COMMISSIONER MANN

**11. Review for Scheduling:**

Department Director	Purchasing or Contracts	Human Res.	Other	County Attorney	Budget Services				County Manager/P.W. Director
					Analyst	Risk	Grants	Mgr.	
<u>J. Lavender</u> Date: <u>1-26-07</u>	N/A Date:	N/A Date:	<u>T.O.</u> T. Osterhout Date: <u>1/24</u>	<u>S. Covert</u> S. Covert Date: <u>1/29/07</u>	<u>ebw</u> 1-30-07	<u>MP</u> 1-30-07	<u>MP</u> 1/30/07	<u>J. Lavender</u> Date: <u>1-26-07</u>	

**12. Commission Action:**

- Approved
- Deferred
- Denied
- Other

RECEIVED BY  
 COUNTY ADMIN:  
1/29 4:30 MP  
to EW  
 COUNTY ADMIN  
 FORWARDED TO:

Rec. by CoAtty  
 Date: 1/29/07  
 Time: 11:50 AM

1/30 11:00 MP  
to PP

Forwarded To:  
1/29/07  
2:00 pm

RESOLUTION NO.

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

WHEREAS, it is the desire of "Toll Estero Limited Partnership" owner of record, to make a contribution to Lee County Utilities of water facilities (potable water and fire protection), and sewer facilities (gravity collection system and sanitary sewer), serving "BELLE LAGO, PHASE 2-A"; 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 **\$223,913.41** hereby ACCEPTED and acknowledged as an addition to Lee County Utilities.

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

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

DULY PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

ATTEST:  
CHARLIE GREEN, CLERK

BOARD OF COUNTY COMMISSIONERS  
OF LEE COUNTY, FLORIDA

By: \_\_\_\_\_  
DEPUTY CLERK

By: \_\_\_\_\_  
CHAIR

APPROVED AS TO FORM

\_\_\_\_\_  
OFFICE OF COUNTY ATTORNEY

**BS 20070066-UTL**

**COPY**

LETTER OF COMPLETION

DATE: 7/31/2006

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

Gentlemen:

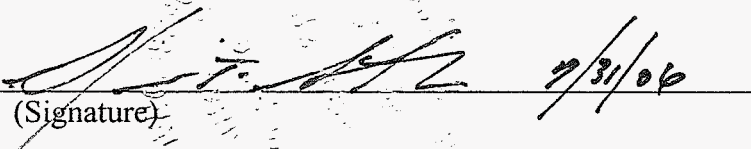
This is to certify that the **water distribution and gravity collection systems** located in  
**Belle Lago 2-A**  
(Name of Development/Project)

were designed by me and have been constructed in conformance with:  
**the approved plans and the approved specifications**

Upon completion of the work, we observed the following successful tests of the facilities:  
**Pressure Test(s) - Water Main , Bacteriological Test , Low Pressure Test(s) - Gravity Main  
and TV Inspection, Mandrill - Gravity Main**

Very truly yours,

Heidt & Associates, Inc.  
(Owner or Name of Corporation/Firm)

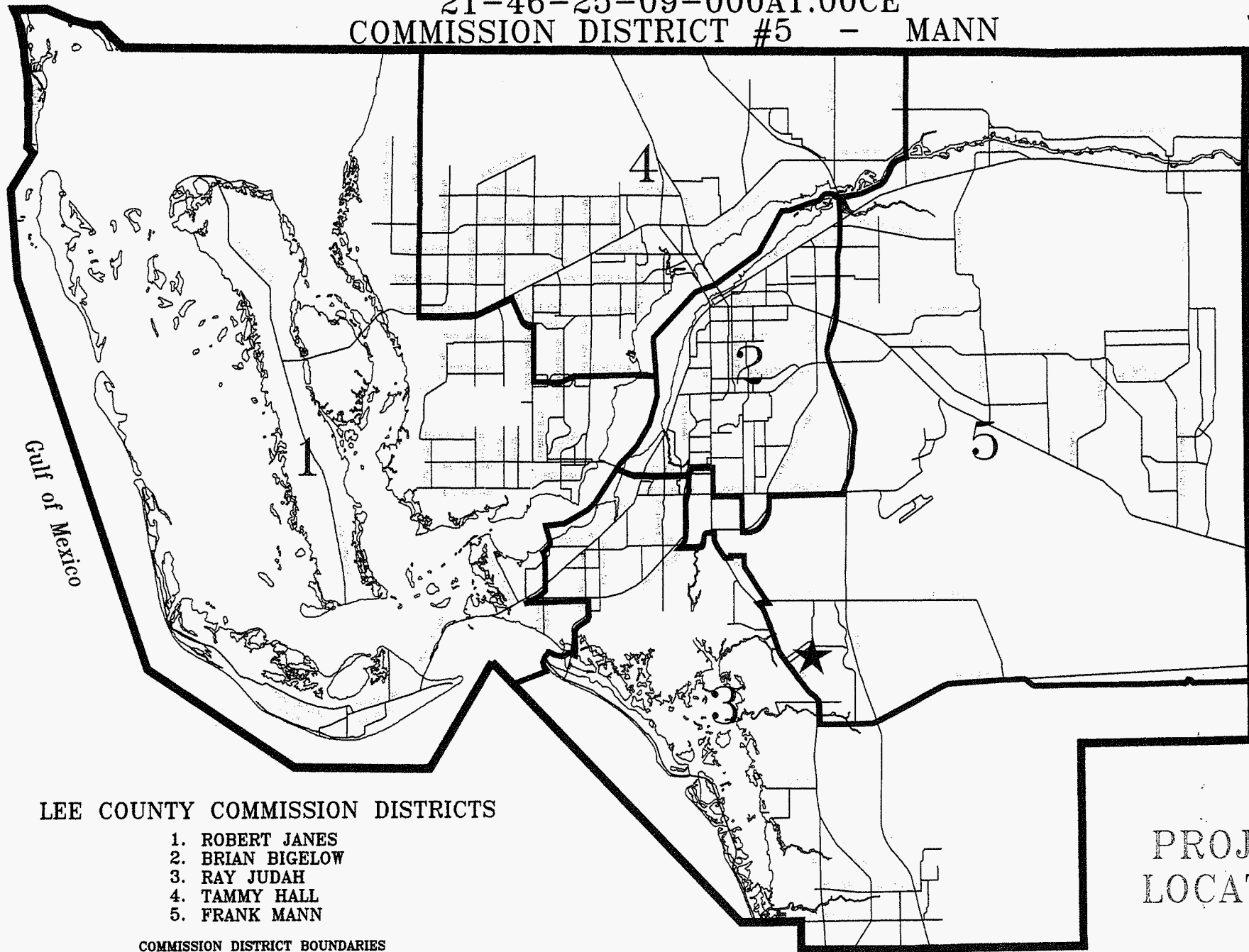
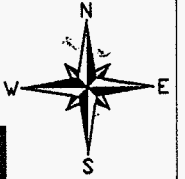
  
(Signature)

Strickland T. Smith, P.E. #50652/Vice President  
(Name and Title)

(Seal of Engineering Firm)



BELLE LAGO, PHASE 2A  
21-46-25-09-000A1.00CE  
COMMISSION DISTRICT #5 - MANN



**COPY**

LEE COUNTY COMMISSION DISTRICTS

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

COMMISSION DISTRICT BOUNDARIES  
DECEMBER 2000

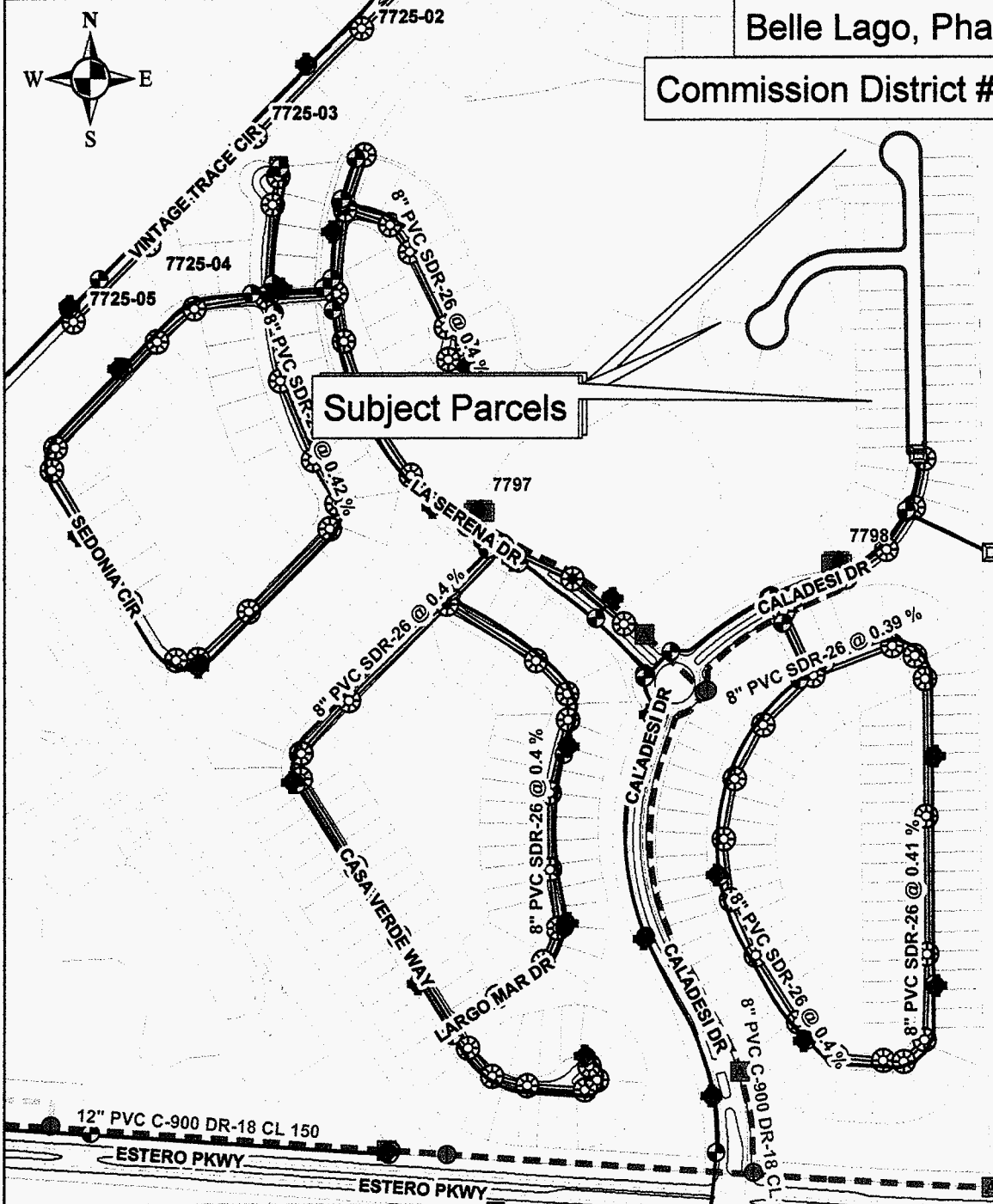
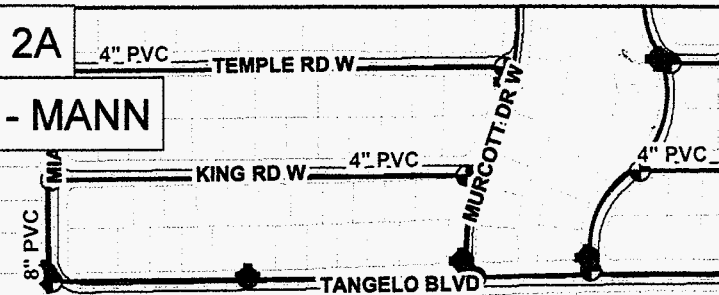
PROJECT  
LOCATION



Belle Lago, Phase 2A

Commission District # 5 - MANN

Subject Parcels



7835

Private

COPY

10" PVC C-900 DR-18 CL 1

21-46-25-09-000A1.00CE

Caladesi Drive & Bella Court

16" PVC C-900 DR-18 CL 150

WARRANTY

THE UNDERSIGNED parties do hereby warrant and/or guaranty all work executed by the contractor on the water and sewer systems of Belle Lago 2-A to be free from defects in material and workmanship for a period of one (1) year from the date of acceptance by the Lee County Board of County Commissioners. The undersigned parties further agree that they will, at their own expense, repair and replace all such defective work and all other work damaged by said defective work under this Warranty-Guaranty

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

Mitchell & Stark Construction Company  
(Contractor/Company Name)


Dennis Short, Project Manager  
(Authorized Representative, Title)

BY: *Dennis Short*  
(Signature)

STATE OF FL )  
 ) SS:  
COUNTY OF Collier )

The foregoing instrument was signed and acknowledged before me this 27 day of July, 2006 by Dennis Short who is personally known to me - \_\_\_\_\_, and who did not take an oath.

*Belinda Burgbacher*  
Notary Public Signature  
Belinda Burgbacher  
Printed Name of Notary Public

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

(Notary Seal & Commission Number)



**COPY**

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

The undersigned lienor, in consideration of the final payment in the amount of Two Hundred Twenty-Three Thousand, Nine Hundred Thirteen and 41/100's(\$223,913.41 ) hereby waives and releases its lien and right to claim a lien for labor, services, or materials furnished to Toll Brothers, Inc. on the job of Belle Lago Phase 2-A to the following described property:

Belle Lago Phase 2-A  
(Name of Development/Project)

water distribution and sanitary sewer systems  
(Facilities Constructed)

Caladesi Drive, Bella Court  
(Location)

21-46-25-09-000A1.00CE  
(Strap # or Section, Township & Range)

Dated on: December 21, 2006

By: *Dennis Short*  
(Signature of Authorized Representative)

Mitchell & Stark Construction Company  
(Name of Firm or Corporation)

By: Dennis Short  
(Print Name of Authorized Representative)

6001 Shirley Street  
(Address of Firm or Corporation)

Title: Project Manager

Naples, FL 34109-  
(City, State & Zip Of Firm Or Corporation)

Phone #: (239)597-2165 Ext.12

Fax#: (239)566-7865

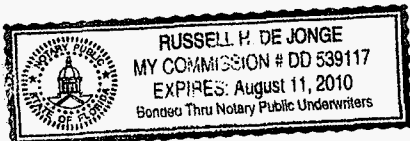
STATE OF FL )  
) SS:  
COUNTY OF Collier )

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*Russell H De Jonge*  
(Notary Public Signature)

RUSSELL H DE JONGE  
(Printed Name of Notary Public)

(Notary Seal & Commission Number)







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 Dennis Short  
(Signature of Certifying Agent)

Dennis Short, Project Manager  
(Name & Title of Certifying Agent)

Mitchell & Stark Construction Company  
(Name of Firm or Corporation)

6001 Shirley Street  
(Address of Firm or Corporation)

Naples, FL 34109 -

STATE OF FL )  
 ) SS:  
COUNTY OF Collier )

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Belinda Burgbacher  
Printed Name of Notary Public

DD179217  
Notary Commission Number

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Commission #DD179217  
Expires: Jan 22, 2007  
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Atlantic Bonding Co., Inc.

(NOTARY SEAL)





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(Signature of Certifying Agent)

Dennis Short, Project Manager  
(Name & Title of Certifying Agent)

Mitchell & Stark Construction Company  
(Name of Firm or Corporation)

6001 Shirley Street  
(Address of Firm or Corporation)

Naples, FL 34109 -

STATE OF FL )  
                  ) SS:  
COUNTY OF Collier )

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*Russell H De Jonge*  
Notary Public Signature

Russell H DE JONGE  
Printed Name of Notary Public

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

