

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

Blue Sheet No. 20070315-UTL

1. ACTION REQUESTED/PURPOSE:

Developer Contributed Asset: Approve final acceptance, by Resolution and recording of one (1) utility easement, as a donation of a two 10" diameter master meter assemblies and three fire hydrants, to provide potable water service and fire protection to *International Center, Tract 'D', McGarvey School and Light Industrial Complex*, a school and industrial complex. This is a Developer contributed asset and the project is located on the northeast corner of Plantation Road and International Center Boulevard.

2. FUNDING SOURCE:

No funds required.

3. WHAT ACTION ACCOMPLISHES:

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

4. MANAGEMENT RECOMMENDATION: Approval.

5. Departmental Category: 10 - Utilities

CIOC

6. Meeting Date:

APR 03 2007

7. Agenda:

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

8. Requirement/Purpose: (specify)

- Statute
- Ordinance
- Admin. Code
- Other Approval

9. Request Initiated:

Commissioner _____
 Department Public Works
 Division Utilities
 By: *Douglas L. Meurer* 3-19-2007
 Douglas L. Meurer, P.E., Director

10. Background:

The Board granted permission to construct on 05-31-05, Blue Sheet #20050550.
 The installation has been inspected for conformance to the Lee County Utilities Operations Manual. Satisfactory pressure and bacteriological testing has been completed.
 Record drawings have been received.
 Engineer's Certification of Completion has been provided—copy attached.
 Project Location Map—copy attached.
 Warranty has been provided—copy attached.
 Waiver of Lien has been provided—copy attached.
 Certification of Contributed Assets has been provided—copy attached.
 100% of the connection fees have been paid.
 Sanitary sewer service is provided by Lee County Utilities via existing infrastructure located within the International Center Boulevard right-of-way.
 Funds are available for recording fees in: Account No. OD5360748700.504930
 (Util-Util Eng-Dep Clerk Fees for Recording & Filing)

SECTION 19 TOWNSHIP 45S RANGE 25E DISTRICT # 2 COMMISSIONER BIGELOW

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.	
<i>J. Lavender</i> Date: 3-19-07	N/A Date:	N/A Date:	<i>T.O.</i> T. Osterhout Date: 3/19	<i>S. Covert</i> S. Covert Date: 3/20/07	<i>RK</i> 3/20	<i>MP</i> 3/20/07	<i>W</i> 3/21/07	<i>J. Lavender</i> Date: 3-19-07	

12. Commission Action:

- Approved
- Deferred
- Denied
- Other

RECEIVED BY COUNTY ADMIN: <i>PL</i>
Date: <i>3/20/07</i>
Time: <i>3:30 PM</i>
COUNTY ADMIN FORWARDED TO: <i>PL</i>
Date: <i>3/21/07</i>
Time: <i>9:45 AM</i>

Rec. by CoAtty
Date: <i>3/20/07</i>
Time: <i>11:30 AM</i>
Forwarded To: <i>Admin.</i>
Date: <i>3/20/07 2:30 pm</i>

RESOLUTION NO.

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

WHEREAS, it is the desire of "International Flex Associates, LLC", owner of record, to make a contribution to Lee County Utilities of water facilities (two 10-inch diameter master meter assemblies and three fire hydrants), serving "International Center, Tract "D", McGarvey School and Light Industrial Complex"; 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 \$26,565.60 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 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 20070315-UTL

COPY

LETTER OF COMPLETION

DATE: 12/14/2006

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 fire hydrant(s) system** located at **International Center, Tract 'D', McGarvey School and Light Industrial Complex**
(Name of Development/Project)

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

the approved plans and the approved specifications

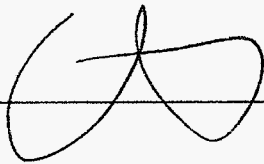
Upon completion of the work, we observed the following successful tests of the facilities:

Bacteriological Test and Pressure Test(s) - Water Main

Very truly yours,

Morris-Depew Associates, Inc.
(Owner or Name of Corporation/Firm)

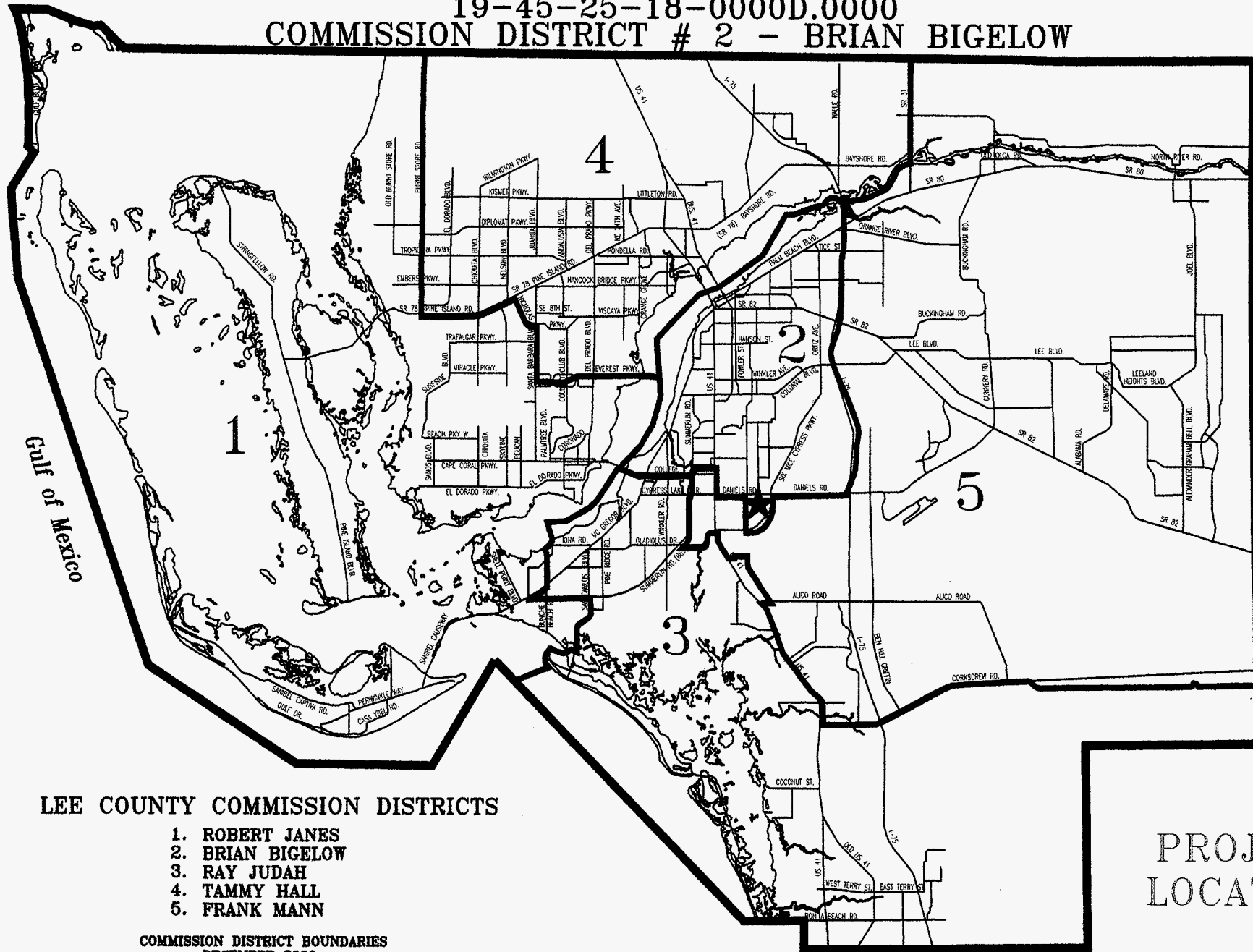
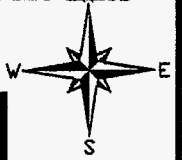
(Signature)



Ryan M. Shute P.E., Authorized Agent
(Name and Title)

(Seal of Engineering Firm)

INTERNATIONAL CENTER, TRACT 'D', MCGARVEY CHARTER SCHOOL & LIGHT INDUSTRIAL COMPLEX
 19-45-25-18-0000D.0000
 COMMISSION DISTRICT # 2 - BRIAN BIGELOW



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

WARRANTY

THE UNDERSIGNED parties do hereby warrant and/or guaranty all work executed by the contractor on the water and sewer systems of INTERNATIONAL CENTER TRACT D, McGARVEY SCHOOL AND LIGHT INDUSTRIAL COMPLEX 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.

HALEAKALA CONSTRUCTION INC.

(Contractor/Company Name)

Brenda K. Merchant/ AUTHORIZED AGENT

(Authorized Representative, Title)

BY: 

(Signature)

STATE OF FL)

) SS:

COUNTY OF COLLIER)

The foregoing instrument was signed and acknowledged before me this 15 th day of February, 2007 by Brenda K. Merchant who is personally known to me - _____, and who did not take an oath.


Notary Public Signature

Linda Mahon
Printed Name of Notary Public



(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 TWENTY SIX Thousand FIVE Hundred SIXTY FIVE Dollars and Sixty Cents(\$26,565.60) hereby waivers and releases its lien and right to claim a lien for labor, services, or materials furnished to International Flex and Associates on the job of International Center Tract D ,Mcgarvey School and Light Industrial Complex. to the following described property:

<u>International Center Tract D, Mcgarvey School and Light Industrial Complex.</u> (Name of Development/Project)	<u>Water Distribution System</u> (Facilities Constructed)
<u>Plantation Road and International Center Blvd</u> (Location)	<u>19-45-25-18-0000D.0000</u> (Strap # or Section, Township & Range)

Dated on: February 21, 2007

By: [Signature]
(Signature of Authorized Representative)

HALEAKALA CONSTRUCTION INC.
(Name of Firm or Corporation)

By: BRENDA K. MERCHANT
(Print Name of Authorized Representative)

5758 TAYLOR ROAD
(Address of Firm or Corporation)

Title: AUTHORIZED AGENT

NAPLES, FL 34109-1829
(City, State & Zip Of Firm Or Corporation)

Phone #: (239)598-1968 Ext.

Fax#: (239)598-9418

STATE OF FL)
) SS:
COUNTY OF COLLIER)

The foregoing instrument was signed and acknowledged before me this 21 st day of February, 2007 by Brenda K.Merchant who is personally known to me - _____, and who did not take an oath.

NOTARY PUBLIC - STATE OF FLORIDA

Linda Mahon
Commission # DD628677
Expires: FEB. 21, 2011
BONDED THRU ATLANTIC BONDING CO., INC.

[Signature]
(Notary Public Signature)

(Notary Seal & Commission Number)

Linda Mahon
(Printed Name of Notary Public)

CERTIFICATION OF CONTRIBUTORY ASSETS

PROJECT NAME: INTERNATIONAL CENTER, TRACT D, McGARVEY SCHOOL AND LIGHT INDUSTRIAL COMPLEX.

STRAP NUMBER: 19-45-25-18-0000D.0000

LOCATION: PLANTATION ROAD AND INTERNATIONAL CENTER BLVD.

OWNER'S NAME: (as shown on Deed) INTERNATIONAL FLEX AND ASSOCIATES

OWNER'S ADDRESS: 9530 MARKETPLACE ROAD, SUITE 301.

OWNER'S ADDRESS: FORT MYERS,, FL 33912-

OWNER'S TELEPHONE #: (239) 738-7800

TYPE UTILITY SYSTEM: Potable Water

(Please provide separate 'Certifications' for potable water, sanitary sewer and effluent reuse facilities.)

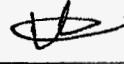
DESCRIPTION AND COST OF MATERIAL, LABOR, AND SERVICES

ITEM	SIZE	QUANTITY	UNIT	UNIT COST	TOTAL
CL-50 DIP	12"	224.0	LF	\$55.65	\$12,465.60
FIRE HYDRANT ASSEMBLY		3.0	EA	\$3,000.00	\$9,000.00
GATE VALVE	12"	1.0	EA	\$2100.0	\$2,100.00
SINGLE WATER SERVICE/COMPLETE	2"	2.0	EA	\$1500.00	\$3,000.00
TOTAL					\$26,565.60

Please list each element of the system from the drop-down list provided. (If more space is required, use additional forms(s).)

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)

BRENDA K. MERCHANT AUTHORIZED AGENT

(Name & Title of Certifying Agent)

HALEAKALA CONSTRUCTION INC

(Name of Firm or Corporation)

5758 TAYLOR ROAD

(Address of Firm or Corporation)

NAPLES , FL 34109 - 1829

STATE OF FL)

) SS:

COUNTY OF COLLIER)

The foregoing instrument was signed and acknowledged before me this 15 th day of February, 2007 by Brenda K. Merchant who is personally known to me - _____, and who did not take an oath.



Notary Public Signature

Linda Mahon

Printed Name of Notary Public

DD177119

Notary Commission Number



(NOTARY SEAL)



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) → 194525180000D.0000

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: BS 20070315 INTERNATIONAL FLEX ASSOC LLC**
Last First MI Corporate Name (if applicable)
9530 MARKETPLACE RD STE 301 FORT MYERS FL 33912
Mailing Address City State Zip Code Phone No.

4. Grantee (Buyer): **THOM OSTERHOUT AS AGENT: FOR LEE CO. BD. OF CO. COMMISSIONERS**
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: **04/03/2007** Sale/Transfer Price: **\$10,000.00** Property Located In: **Lee**
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: **\$0.00**
(Round to the nearest dollar.)

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

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
12. Amount of Documentary Stamp Tax → **\$0.70**
Cents

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

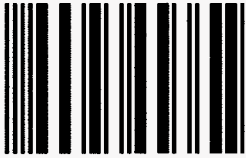
Under penalties of perjury, I declare that I have read the foregoing return and that the facts stated in it are true. If prepared by someone other than the taxpayer, his/her declaration is based on all information of which he/her has any knowledge.

Signature of Grantor or Grantee or Agent [Signature] Date **3/19/07**

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>This copy to Property Appraiser</p> <p>O. R. Book <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/></p> <p>and Page Number <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/></p> <p>and File Number <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/></p> <p>Date Recorded <input type="checkbox"/> <input type="checkbox"/> / <input type="checkbox"/> <input type="checkbox"/> / <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/></p> <p>Month Day Year</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 **0 1 2 3 4 5 6 7 8 9 0123456789**
 (If Parcel ID not available please call County Property Appraiser's Office) → **194525180000D.0000**

2. Mark (x) all that apply Multi-parcel transaction? → **EASEMENT:** Transaction is a split or cutout from another parcel? → **BS 20070315** Property was improved with building(s) at time of sale/transfer? → **INTERNATIONAL FLEX ASSOC LLC**

3. Grantor (Seller):
 Last First MI Corporate Name (if applicable)
9530 MARKETPLACE RD STE 301 FORT MYERS FL 33912

Mailing Address City State Zip Code Phone No.
THOM OSTERHOUT AS AGENT: FOR 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

Mailing Address City State Zip Code Phone No.

5. Date of Sale/Transfer **04 03 2007** \$ **\$10** . **00** Property Located In **46** County Code
 Month Day Year (Round to the nearest dollar.)

6. Type of Document Contract/Agreement for Deed Other 7. Are any mortgages on the property? If "Yes", outstanding mortgage balance: **\$.00**
 Warranty Deed Quit Claim Deed (Round to the nearest dollar.)

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

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**
 12. Amount of Documentary Stamp Tax **0.70** Cents

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 *Thom Osterhout* Date **3/19/07**

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
This copy to Department of Revenue	
O. R. Book and Page Number and File Number	
Date Recorded	
Month Day Year	

This copy to Department of Revenue

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. 20070315-UTL

**PROJECT NAME: INTERNATIONAL CENTER,
TRACT "D" MCGARVEY
SCHOOL AND LIGHT
INDUSTRIAL COMPLEX**

**EASEMENT NAME: INTERNATIONAL FLEX
ASSOCIATES, LLC**

TYPING BY: *Jeanette Cruz*

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

Strap Number(s):

19-45-25-18-0000D.0000

LCU 500283

(THIS SPACE RESERVED FOR RECORDING)

GRANT OF PERPETUAL PUBLIC UTILITY EASEMENT

THIS INDENTURE is made and entered into this _____ day of _____ 2007, by and between "INTERNATIONAL FLEX ASSOCIATES, 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 20070315UTL



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.

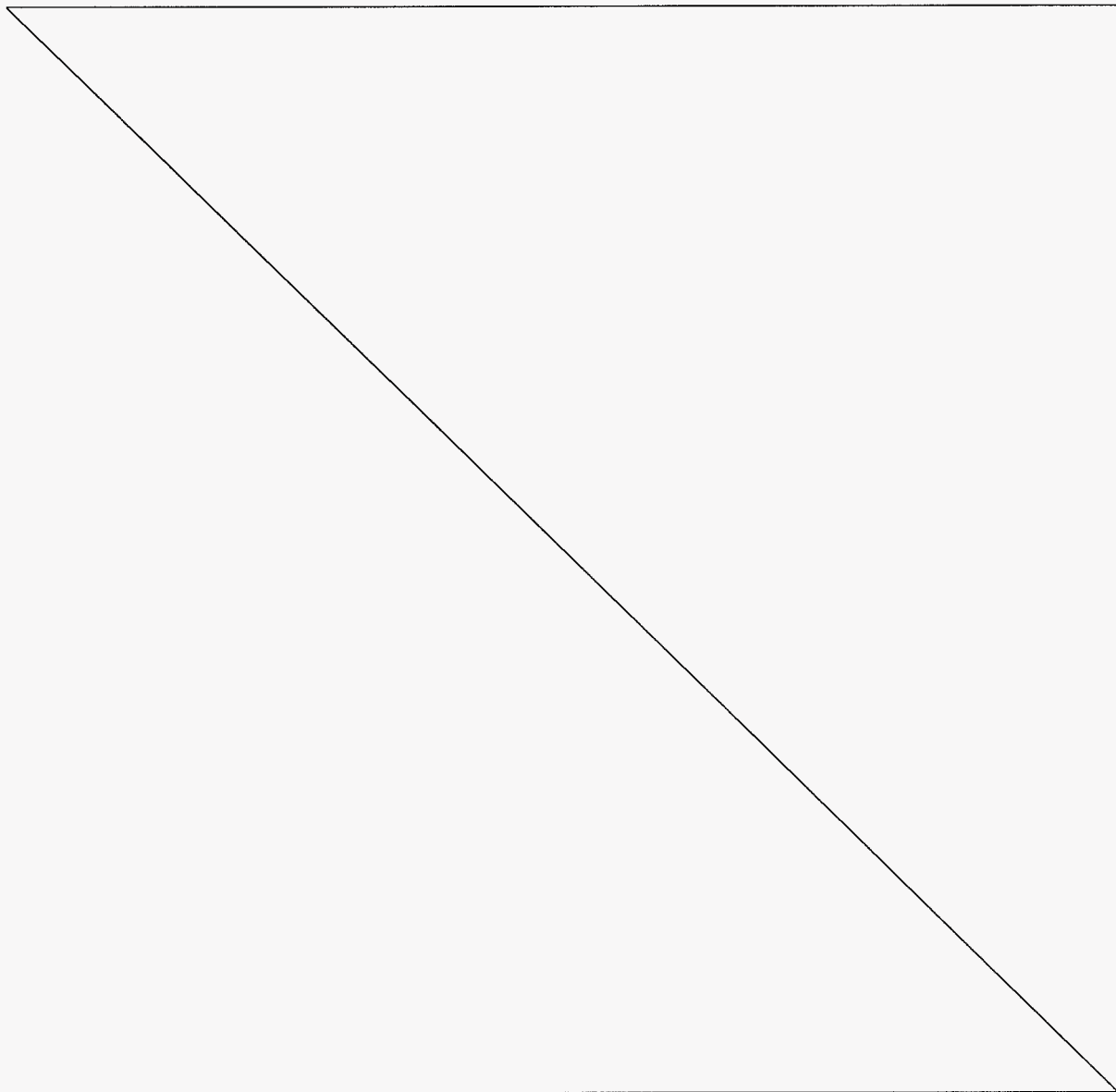
7. GRANTEE will be liable for money damages in tort for any injury to or loss of property, personal injury, or death caused by the negligent or wrongful act(s) or omission(s) of any official or employee of the GRANTEE while acting within the scope of the official's or employee's office or employment 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)



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

Diane m Robbins

[1st Witness' Signature]

Diane m. Robbins

[Type or Print Name]

Linda Pratt

[2nd Witness' Signature]

LINDA PRATT

[Type or Print Name]

BY:

John McGarvey

[Signature Grantor's/Owner's]

John McGarvey

[Type or Print Name]

Managing Member

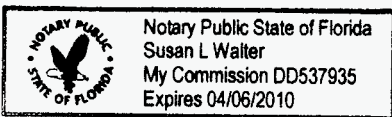
[Title]

STATE OF FLORIDA

COUNTY OF LEE

The foregoing instrument was signed and acknowledged before me this 7 day of July 2006, by JOHN MCGARVEY who produced the following as identification _____ or is personally know to me, and who did/did not take an oath.

[stamp or seal]



Susan L. Walter

[Signature of Notary]

SUSAN L. WALTER

[Typed or Printed Name]

Approved and accepted for and on behalf of Lee County, Florida, this _____ day of _____, 2007.

ATTEST:
CHARLIE GREEN, CLERK

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

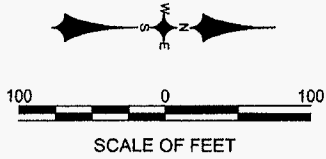
BY: _____
Deputy Clerk

BY: _____
Chair

APPROVED AS TO FORM

BY: _____
Office of the County Attorney
Scott S. Coover, Esquire

COPY



SURVEYORS NOTES:

ORIENTATION IS BASED ON THE NORTH LINE OF TRACT "D" OF "INTERNATIONAL CENTER" AS RECORDED IN PLAT BOOK 70 PAGES 72-74, BEING ASSUMED AT N89°00'12"E.
 DESCRIPTIONS WERE PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT.
 NO SEARCH OF THE PUBLIC RECORDS WAS CONDUCTED BY THIS OFFICE. UNLESS IT BEARS THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER, AND BOTH SHEETS ARE INCLUDED, THIS MAP IS NOT VALID. THIS IS NOT A SURVEY.

DESCRIPTION DRAWING
 Proposed Lee County Utility Easements in a portion of Tract "D" of "International Center" subdivision as recorded in Plat Book 70, pages 72-74 Public Records of Lee County, Florida, Located in Section 19, Township 45 S., Range 25 E.

INDEX SHEET

SHEET 1 OF 2

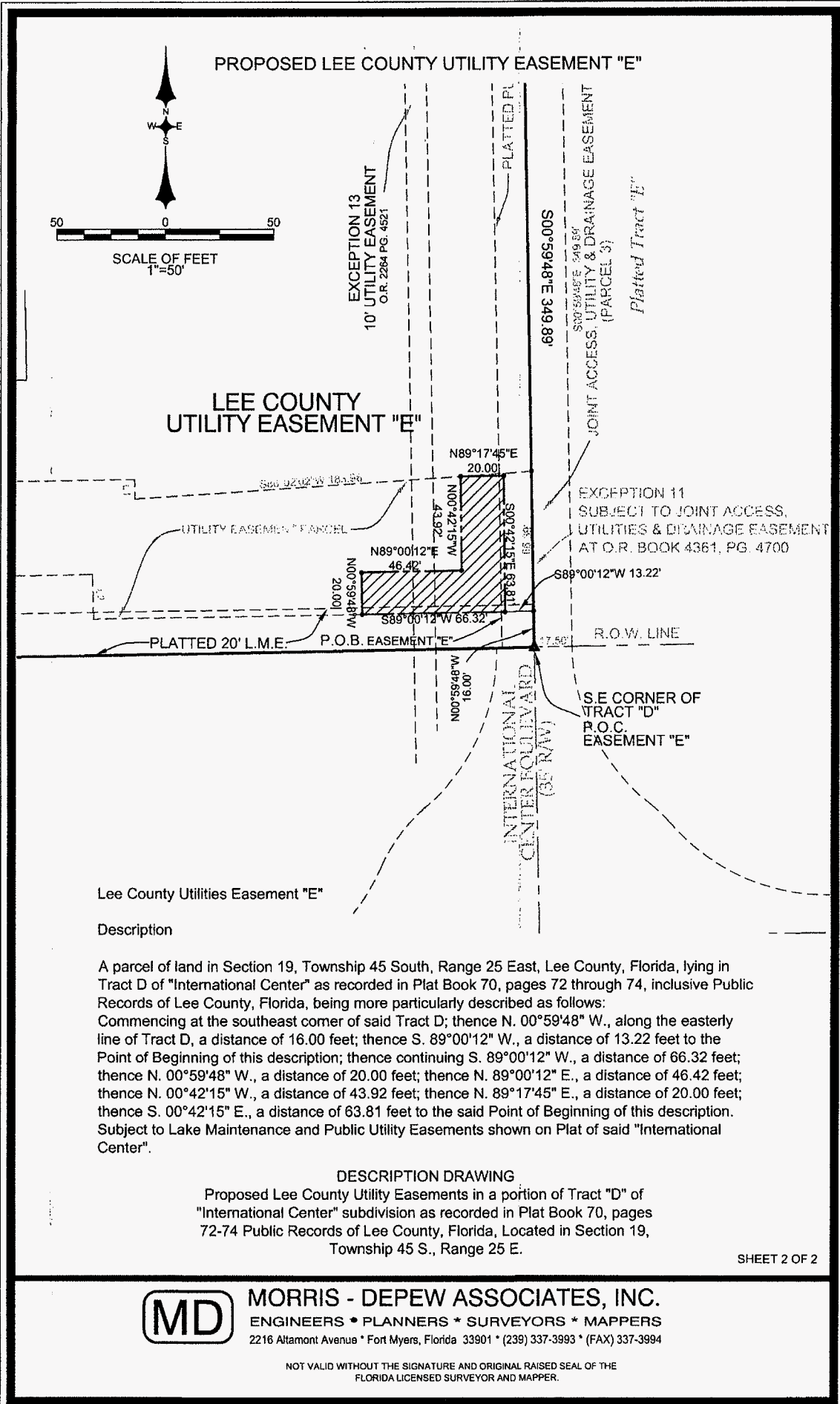


MORRIS - DEPEW ASSOCIATES, INC.
 ENGINEERS * PLANNERS * SURVEYORS * MAPPERS
 2216 Altamont Avenue * Fort Myers, Florida 33901 * (239) 337-3993 * (FAX) 337-3994

NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF THE FLORIDA LICENSED SURVEYOR AND MAPPER.

Mark A. Hatfield
 MARK A. HATFIELD P.S.M.
 FLORIDA REGISTRATION NO. 4155
 DATE SIGNED: 7-15-05

I:\0612\int\Ch-McGeevey\Charder_School\dwg\04072-bnd_survey\lot_split_utility_easement.dwg, Overall School: 7/15/2005 9:09:06 AM, mrcmow



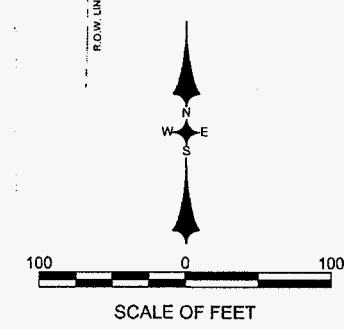
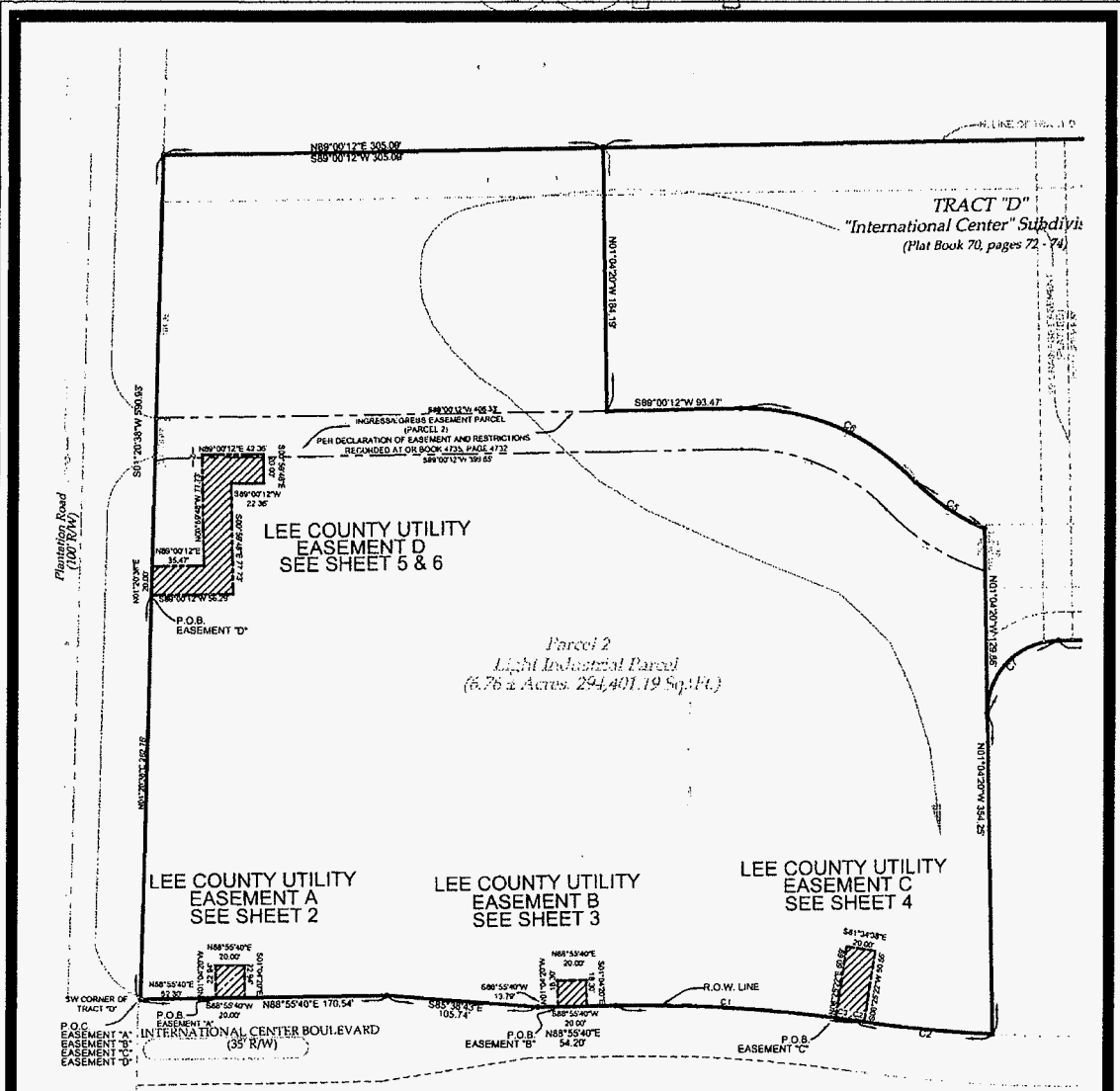
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SURVEYORS NOTES:

ORIENTATION IS BASED ON THE NORTH LINE OF "INTERNATIONAL CENTER" AS RECORDED IN PLAT BOOK 70 PAGES 72-74, AS BEARING N89°00'12"E.

DESCRIPTIONS WERE PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT.

NO SEARCH OF THE PUBLIC RECORDS WAS CONDUCTED BY THIS OFFICE.

UNLESS IT BEARS THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER, AND ALL FIVE SHEETS ARE INCLUDED, THIS MAP IS NOT VALID.

THIS IS NOT A SURVEY.

DESCRIPTION DRAWING

Proposed Lee County Utility Easements in a portion of Tract "D" of "International Center" subdivision as recorded in Plat Book 70, pages 72-74 Public Records of Lee County, Florida, Located in Section 19, Township 45 S., Range 25 E.

INDEX SHEET SHEET 1 of 5

MD MORRIS - DEPEW ASSOCIATES, INC.
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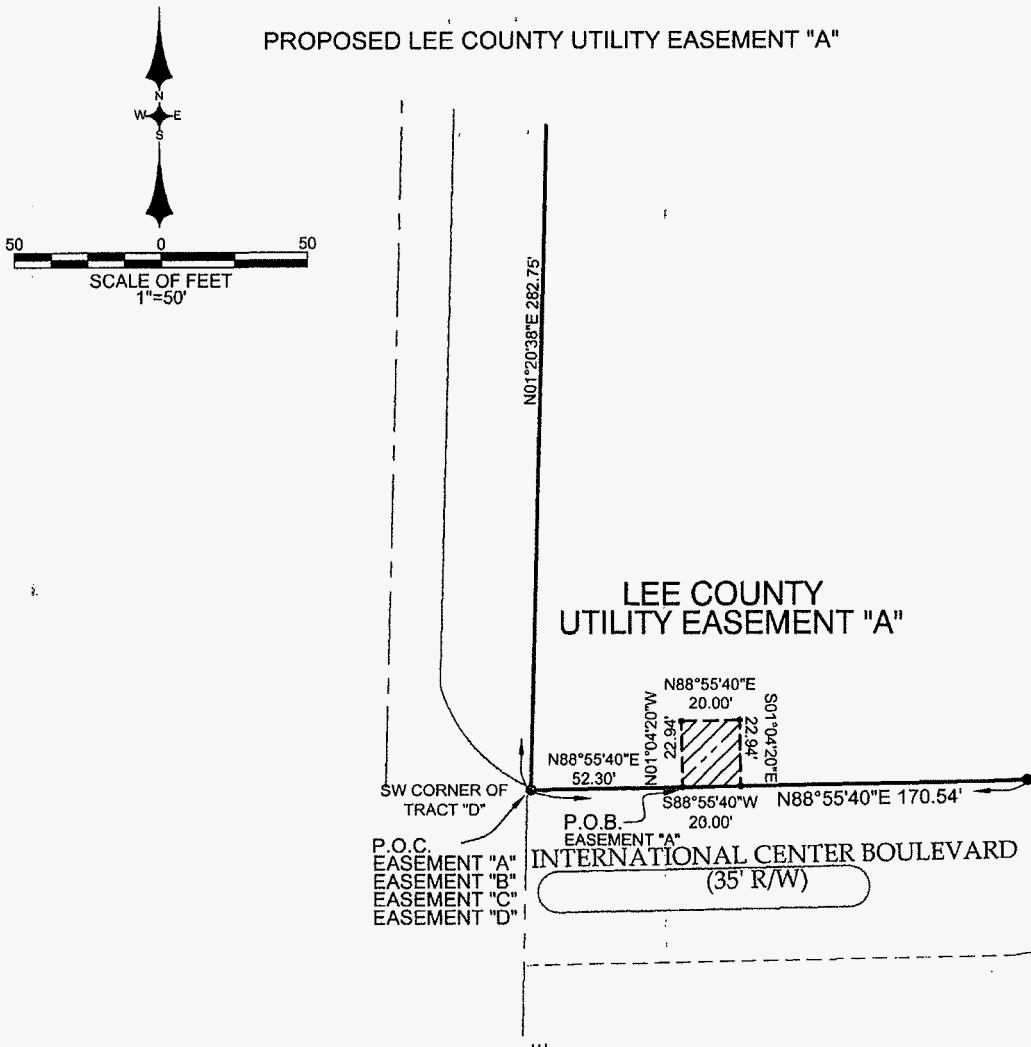
NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF THE FLORIDA LICENSED SURVEYOR AND MAPPER.

Mark A. Hatfield
 MARK A. HATFIELD P.S.M.
 FLORIDA REGISTRATION NO. 4155
 DATE SIGNED: 7-15-07

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COPY

PROPOSED LEE COUNTY UTILITY EASEMENT "A"



Lee County Utility Easement "A"

Description

A parcel of land in Section 19, Township 45 South, Range 25 East, Lee County, Florida, lying in Tract D of "International Center" as recorded in Plat Book 70, pages 72 through 74, inclusive, Public Records of Lee County, Florida, being more particularly described as follows:

Commencing at the southwest corner of said Tract D, thence N. 88°55'40" E. along the northerly right of way of International Center Boulevard, as shown on the "International Center" Subdivision Plat recorded in Lee County Records in Plat Book 70, page 72 through 74, a distance of 52.30 feet to the Point of Beginning of this description; thence N. 01°04'20" W., a distance of 22.94 feet; thence N. 88°55'40" E., a distance of 20.00 feet; thence S. 01°04'20" E., a distance of 22.94 feet to the said northerly right of way of International Center Boulevard; thence S. 88°55'40" W. along northerly right of way, a distance of 20.00 feet to the Point of Beginning of this description.

DESCRIPTION DRAWING

Proposed Lee County Utility Easements in a portion of Tract "D" of "International Center" subdivision as recorded in Plat Book 70, pages 72-74 Public Records of Lee County, Florida, Located in Section 19, Township 45 S., Range 25 E.

SHEET 2 OF 5



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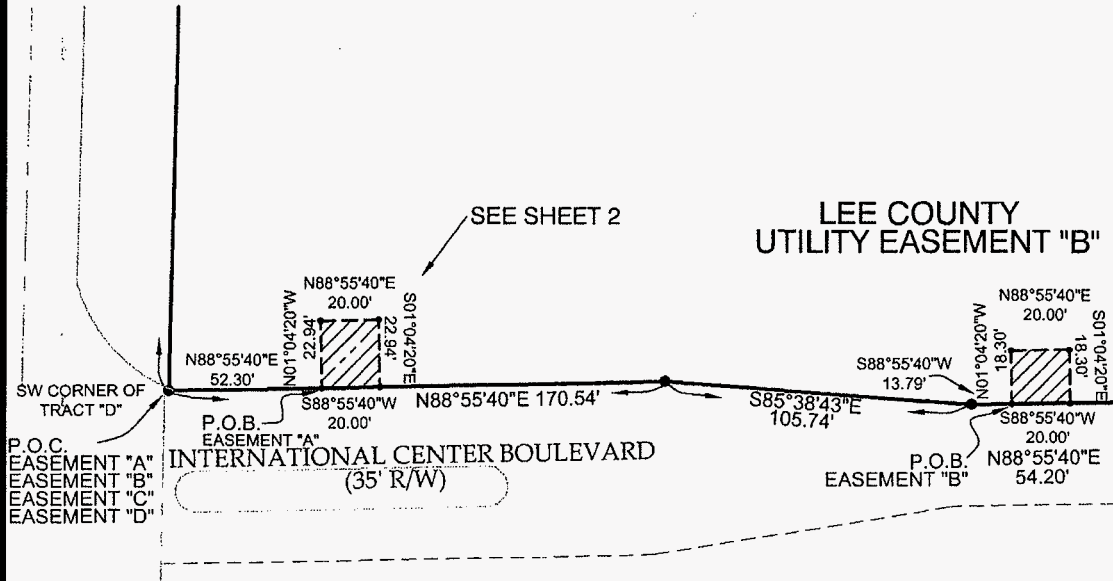
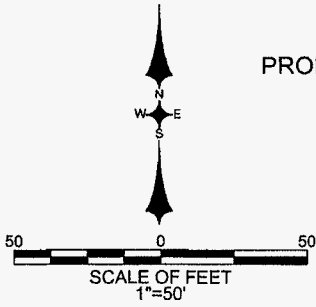
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COPY

PROPOSED LEE COUNTY UTILITY EASEMENT "B"



Lee County Utilities Easement "B"
DESCRIPTION

A parcel of land in Section 19, Township 45 South, Range 25 East, Lee County, Florida, lying in Tract D of "International Center" as recorded in Plat Book 70, pages 72 through 74, inclusive Public Records of Lee County, Florida, being more particularly described as follows:

Commencing at the southwest corner of said Tract D; thence N. 88°55'40" E., along the northerly right of way of International Center Boulevard as shown in the International Center Subdivision Plat recorded in Lee County Records in Plat Book 70, pages 72-74, a distance of 170.54 feet; thence S. 85°38'43" E., continuing along said northerly right of way line, a distance of 105.74 feet; thence S. 88°55'40" W., continuing along said northerly right of way line, a distance of 13.79 feet to the Point of Beginning of this easement description; thence N. 01°04'20" W., a distance of 18.30 feet; thence N. 88°55'40" E., a distance of 20.00 feet; thence S. 01°04'20" E., a distance of 18.30 feet to a point on the said northerly right of way; thence S. 88°55'40" W., along the northerly right of way, a distance of 20.00 feet to the Point of Beginning of this easement.

DESCRIPTION DRAWING

Proposed Lee County Utility Easements in a portion of Tract "D" of "International Center" subdivision as recorded in Plat Book 70, pages 72-74 Public Records of Lee County, Florida, Located in Section 19, Township 45 S., Range 25 E.

SHEET 3 OF 5



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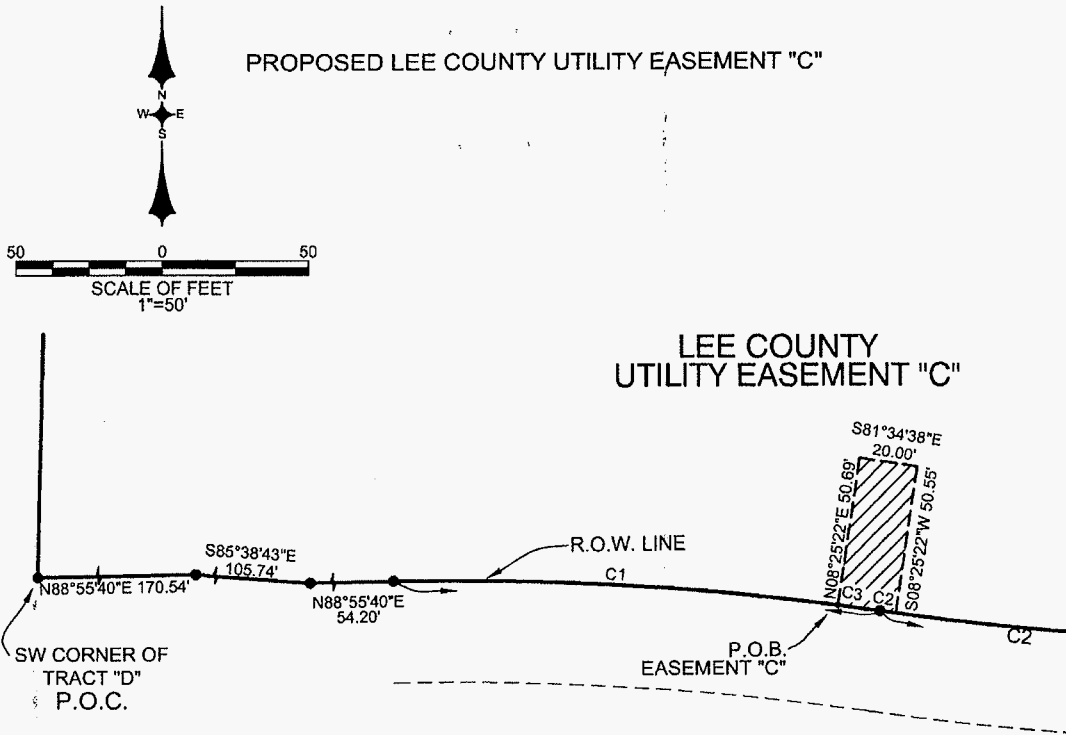
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COPY

PROPOSED LEE COUNTY UTILITY EASEMENT "C"



CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	CHORD BEARING	CHORD DISTANCE
C1	1017.50'	153.31'	08°37'59"	S84°31'40"E	153.17'
C2	1017.50'	14.71'	0°49'43"	N82°01'29"W	14.71'
C3	982.50'	5.29'	0°18'30"	N81°45'53"W	5.29'

Lee County Utilities Easement "C"
DESCRIPTION

A parcel of land in Section 19, Township 45 South, Range 25 East, Lee County, Florida, lying in Tract D of "International Center" as recorded in Plat Book 70, pages 72 through 74, inclusive, Public Records of Lee County, Florida, being more particularly described as follows:
Commencing at the southwest corner of said Tract D; thence N. 88°55'40" E., along the northerly right of way line of International Center Boulevard as shown in the International Center Subdivision Plat recorded in Lee County Records in Plat Book 70, pages 72-74, a distance of 170.54 feet; thence S. 85°38'43" E., along said northerly right of way line, a distance of 105.74 feet; thence N. 88°55'40" E., along said northerly right of way line, a distance of 54.20 feet to the beginning of a curve to the right; thence along an arc of said curve with a radius of 1017.50, a central angle of 08°37'59", a chord bearing of S84°31'40"E, a chord length of 153.17, and an arc length of 153.31 feet to the Point of Beginning of this easement description; thence N. 08°25'22" E. along a non-radial line, a distance of 50.69 feet; thence S. 81°34'38" E, a distance of 20.00 feet; thence S. 08°25'22" W. along a non-radial line to a point on the northerly right of way line of International Center Boulevard being a curve concave in the northerly side a distance of 50.55 feet; thence along an arc to the right, being the said north right-of-way line of International Boulevard, having a radius of 982.50 feet, a central angle of 00°18'30", a chord bearing of N. 81°45'53" W. and a chord length of 5.29 feet an arc length of 5.29 feet to a point of reverse curvature of a curve to the left; thence run along an arc to the left being the said north right-of-way line of International Boulevard, having a radius of 1017.50 feet, a central angle of 0°49'43", a chord bearing of N. 82°01'29" W. and a chord length of 14.71 feet and an arc length of 14.71 feet to the said Point of Beginning of this description.

DESCRIPTION DRAWING
Proposed Lee County Utility Easements in a portion of Tract "D" of "International Center" subdivision as recorded in Plat Book 70, pages 72-74 Public Records of Lee County, Florida, Located in Section 19, Township 45 S., Range 25 E.

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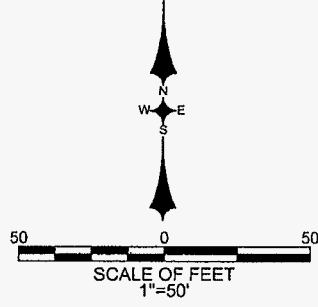
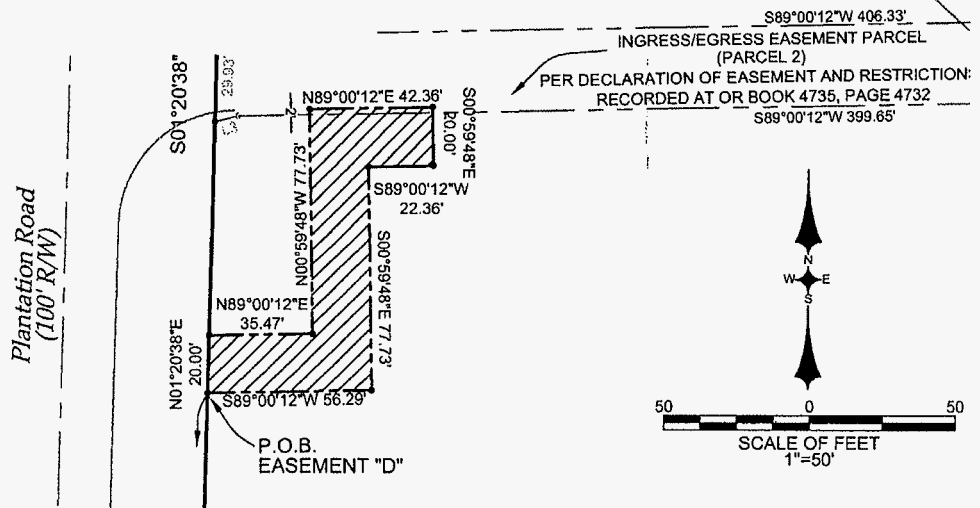


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PROPOSED LEE COUNTY UTILITY EASEMENT "D"



Lee County Utilities Easement "D"

DESCRIPTION

A parcel of land in Section 19, Township 45 South, Range 25 East, Lee County, Florida, lying in Tract D of "International Center" as recorded in Plat Book 70, pages 72 through 74, inclusive Public Records of Lee County, Florida, being more particularly described as follows:
 Commencing at the southwest corner of said Tract D; thence N. 01°20'38" E., along the easterly right of way of Plantation Road as shown on said "International Center", a distance of 282.75 feet to the Point of Beginning of this description; thence continuing N. 01°20'38" E., along said easterly right of way line, a distance of 20.00 feet; thence N. 89°00'12" E., a distance of 35.47 feet; thence N. 00°59'48" W., a distance of 77.73 feet; thence N. 89°00'12" E., a distance of 42.36 feet; thence S. 00°59'48" E., a distance of 20.00 feet; thence S. 89°00'12" W., a distance of 22.36 feet; thence S. 00°59'48" E., a distance of 77.73 feet; thence S. 89°00'12" W., a distance of 56.29 feet to the said Point of Beginning of this description.
 Subject to an easement for Ingress and Egress as described in O.R. Book 4735, page 4732, Public Records of Lee County, Florida.

DESCRIPTION DRAWING

Proposed Lee County Utility Easements in a portion of Tract "D" of "International Center" subdivision as recorded in Plat Book 70, pages 72-74 Public Records of Lee County, Florida, Located in Section 19, Township 45 S., Range 25 E.

SW CORNER OF TRACT "D"
 P.O.C.
 EASEMENT "A"
 EASEMENT "B"
 EASEMENT "C"
 EASEMENT "D"



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I:\04012 Int. Ctr. McCarver Charles_Schoolbus\04012-bnd_survey\lot_split_utility_easement.dwg, Utl Easement.D, 7/15/2005 9:10:03 AM, mconrow