

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

Blue Sheet No. 20070337-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 one 10'' diameter fire line, one 8'' diameter fire line, and four water services, to provide potable water service and fire protection to *Magnolia Landing Club House*, a recently constructed recreational facility. This is a Developer contributed asset and the project is located on the west side of U.S. 41 North approximately 1/4 mile south of the Lee/Charlotte county line.

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 CIDE		6. Meeting Date: APR 03 2007
7. Agenda: <input checked="" type="checkbox"/> Consent <input type="checkbox"/> Administrative <input type="checkbox"/> Appeals <input type="checkbox"/> Public <input type="checkbox"/> Walk-On	8. Requirement/Purpose: (specify) Statute _____ Ordinance _____ Admin. Code _____ <input checked="" type="checkbox"/> Other <u>Approval</u>	9. Request Initiated: Commissioner _____ Department <u>Public Works</u> Division <u>Utilities</u> By: <u>Douglas L. Meurer</u> 3-19-2007 Douglas L. Meurer, P.E., Director

10. Background:

Fire lines and water services do not require permission to construct by the Board, therefore, no previous Blue Sheet number is provided.
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 will be provided by North Fort Myers Utilities.
Funds are available for recording fees in: Account No. OD5360748700.504930
(Util-Util Eng-Dep Clerk Fees for Recording & Filing)

SECTION 03 & 04 TOWNSHIP 43S RANGE 24E DISTRICT # 1 COMMISSIONER JANES

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: 3-19-07	N/A Date:	N/A Date:	<u>P.O.</u> T. Osterhout Date: 3/19	<u>S. Covert</u> S. Covert Date: 3/20/07	<u>RR</u> 3/20	<u>MW</u> 3/20/07	<u>PL</u> 3/21/07	<u>PL</u> 3/21/07	<u>J. Lavender</u> Date: 3-19-07

12. Commission Action:

- Approved
- Deferred
- Denied
- Other

RECEIVED BY
COUNTY ADMIN: RR
3/20/07
3:30 PM
COUNTY ADMIN
FORWARDED TO: PL
3/21/07
9:15 AM

Rec. by CoAtty
Date: 3/20/07
Time: 11:30 AM
Forwarded To:
Admin.
3/20/07 2:30 PM

RESOLUTION NO.

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

WHEREAS, it is the desire of **“TAYLOR WOODROW COMMUNITIES AT HERONS GLEN LLC”**, owner of record, to make a contribution to Lee County Utilities of water facilities **(one ten inch diameter fire line, one eight inch diameter fire line, and four water services)**, serving **“MAGNOLIA LANDING CLUB HOUSE”**; 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 **\$27,674.40** 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 20070337-UTL

COPY

LETTER OF COMPLETION

DATE: January 3, 2007

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 line up to and including 1st OS + Y valve(s)**
located in

Magnolia Landing Club House(HERON'S GLEN- PHASE II) DOS2005-00364

(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,

Johnson Engineering, Inc.

(Owner or Name of Corporation/Firm)



(Signature)

1.3.07

Dana L. Hume, P.E.

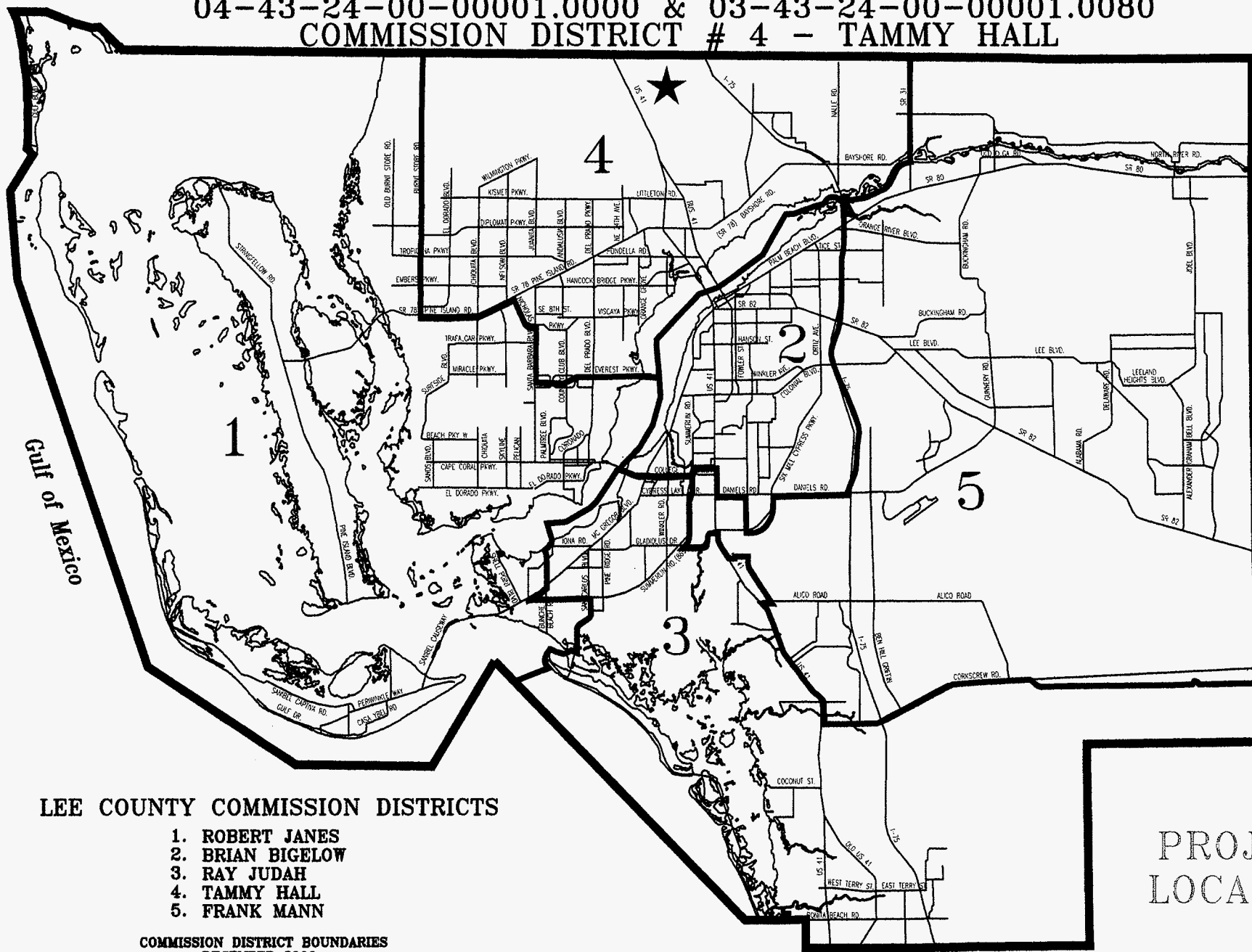
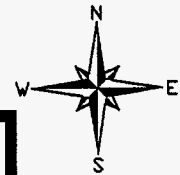
(Title)

(Seal of Engineering Firm)



(Forms - Letter of Completion - Revised 2004)

MAGNOLIA LANDING CLUB HOUSE
04-43-24-00-00001.0000 & 03-43-24-00-00001.0080
COMMISSION DISTRICT # 4 - TAMMY HALL



Gulf of Mexico

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

COPY

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)

Danial R. Swanson

(Name & Title of Certifying Agent)

D.R. Swanson Company

(Name of Firm or Corporation)

1720 El Jobean Road,

(Address of Firm or Corporation)

Port Charlotte, FL 33948 -

STATE OF FL.)

) SS:

COUNTY OF Charlotte)

The foregoing instrument was signed and acknowledged before me this 13 th day of February, 2007 by Daniel R. Swanson who is personally known to me - X, and who did not take an oath.

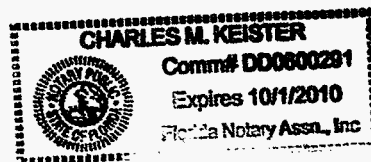
Charles M. Keister
Notary Public Signature

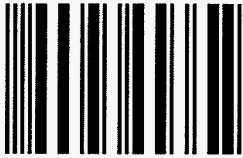
Charles M. Keister

Printed Name of Notary Public

Charles M. Keister DD0600291
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.

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

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 20070337** **TAYLOR WOODROW COMM AT HERONS GLEN LLC**

Last First MI Corporate Name (if applicable)
8430 ENTERPRISE CIR STE 100 BRADENTON FL 34202

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

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 \$ **0.00**

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

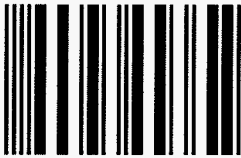
Under penalties of perjury, I declare that I have read the foregoing return and that the facts stated in it are true. If prepared by someone other than the taxpayer, his/her declaration is based on all information of which he/her has any knowledge.

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
This copy to Property Appraiser	
O. R. Book and Page Number and File Number	
Date Recorded	

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
 04432400000010000
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 20070337 TAYLOR WOODROW COMM AT HERONS GLEN LLC
- Last First MI State Corporate Name (if applicable)
 8430 ENTERPRISE CIR STE 100 BRADENTON FL 34202
- 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 State 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 Property Located In County Code
 04 03 2007 \$ \$10 . 00 46
- 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: YES NO
 Warranty Deed Quit Claim Deed (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
12. Amount of Documentary Stamp Tax \$ 0.70
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 _____ 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. 20070337-UTL

**PROJECT NAME: MAGNOLIA LANDING CLUB
HOUSE**

**EASEMENT NAME: TAYLOR WOODROW
COMMUNITIES AT HERONS
GLEN A FLORIDA LIMITED
LIABILITY COMPANY**

TYPING BY: *Jeanette Cruz*

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

Strap Number(s):

04-43-24-00-00001.0000
03-43-24-00-00001.0080

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 "TAYLOR WOODROW COMMUNITIES AT HERONS GLEN LLC A FLORIDA LIMITED LIABILITY COMPANY," 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 20070337UTL



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.

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

James K. Conner
[1st Witness' Signature]

JAMES K. CONNER
[Type or Print Name]

Sandra J. Smith
[2nd Witness' Signature]

DANA L. HOME
[Type or Print Name]

BY: Mike Lane
[Signature Grantor's/Owner's]

Mike Lane
[Type or Print Name]


VP of Land Development
[Title]

STATE OF FLORIDA

COUNTY OF LEE

The foregoing instrument was signed and acknowledged before me this 13th day of February, 2007, by Mike Lane who ~~produced the following as identification~~ or is personally know to me, and who did/did not take an oath.

[stamp or seal]

NOTARY PUBLIC-STATE OF FLORIDA
 Sandra J. Smith
Commission # DD403968
Expires: MAR. 07, 2009
Bonded Thru Atlantic Bonding Co., Inc.

Sandra J. Smith
[Signature of Notary]

Sandra J. Smith
[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

CERTIFICATE OF INCUMBENCY AND AUTHORITY

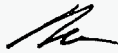
TAYLOR WOODROW COMMUNITIES AT HERONS GLEN, L.L.C.

I, the undersigned, hereby certify as follows:

1. I am the Assistant Secretary of Taylor Woodrow Communities At Herons Glen, L.L.C., a Florida limited liability company, d/b/a Taylor Woodrow Communities At Magnolia Landing (the "LLC").
2. In conformity with the provisions of the LLC's Articles of Organization and Operating Agreement, the following individuals have been appointed officers of the LLC:

Craig A. Perna	President
Michael J. Lane	Vice President
David B. Langhout	Vice President
Brian F. Watson	Vice President
Ann S. Cohen	Vice President
Ann S. Cohen	Treasurer
Ann S. Cohen	Secretary
Kathleen Maloney	Assistant Treasurer
Marc I. Spencer	Assistant Secretary

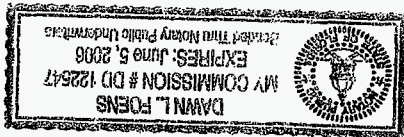
IN WITNESS WHEREOF, I hereunto subscribe my name on March 10, 2006.



Marc I. Spencer

STATE OF FLORIDA
COUNTY OF PINELLAS

This instrument was acknowledged before me on March 10, 2006, by Marc I. Spencer, Assistant Secretary of President of Taylor Woodrow Communities At Herons Glen, L.L.C., a Florida limited liability company, on behalf of said LLC. He is personally known to me.



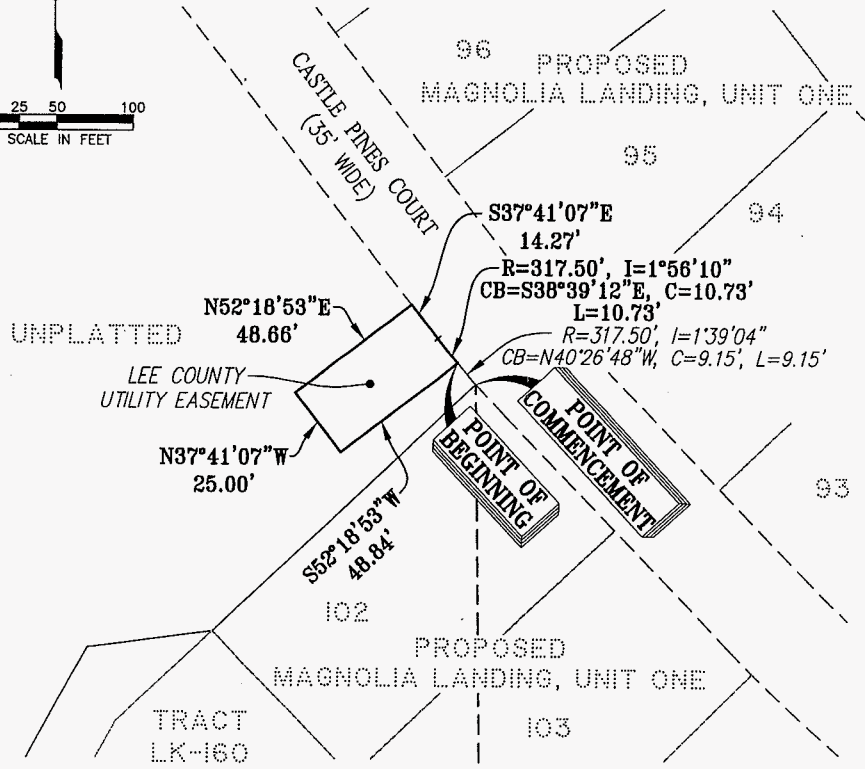
Notary Public -- State of Florida

BS 20070337-UTL

COPY

SKETCH & DESCRIPTION

SECTION 3, TOWNSHIP 43 SOUTH, RANGE 24 EAST
LEE COUNTY, FLORIDA



LEGEND

L	=	ARC LENGTH
R	=	RADIUS
I	=	DELTA/INCLUDED ANGLE
CB	=	CHORD BEARING
C	=	CHORD

NOTES:

1. BEARINGS SHOWN HEREON ARE BASED ON THE SOUTH LINE OF SECTION 3 TOWNSHIP 43 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA. AS BEARING N89°09'42"W.
2. THIS SKETCH DOES NOT MAKE ANY REPRESENTATION AS TO ZONING OR DEVELOPMENT RESTRICTIONS ON THE SUBJECT PARCEL.
3. PARCEL CONTAINS 1,217 SQUARE FEET MORE OR LESS.
4. DESCRIPTION ATTACHED.

THIS IS NOT A SURVEY

Kevin M. Riscassi
 KEVIN M. RISCASSI (FOR THE FIRM LB-642)
 PROFESSIONAL SURVEYOR AND MAPPER
 FLORIDA CERTIFICATE NO. 6433
 DATE SIGNED: FEB 21 2007
 NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

POINT OF COMMENCEMENT

SE. CORNER OF SECTION 3,
TOWNSHIP 43 SOUTH,
RANGE 24 EAST,
LEE COUNTY, FLORIDA

N89°09'42"E 1381.68'
BASIS OF BEARING

3 2
10 11

NOT VALID WITHOUT SHEET 2

S:\20066277\Easements Dwg's\20066277 LCU&NFU Easement.dwg (LCU Easement(1) 1of2) mnt Feb 21, 2007 - 4:29pm

JOHNSON ENGINEERING

2158 JOHNSON STREET
P.O. BOX 1550
FORT MYERS, FLORIDA 33902-1550
PHONE (239) 334-0046
FAX (239) 334-3661
E.B. #642 & L.B. #642

LEE COUNTY
UTILITY EASEMENT

DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
2-21-2007	20066277	3-43-24	1"=50'	1 OF 2



February 13, 2007

DESCRIPTION

**PARCEL OF LAND FOR LEE COUNTY UTILITY PURPOSES
LYING IN
SECTION 3, TOWNSHIP 43 SOUTH, RANGE 24 EAST
LEE COUNTY, FLORIDA**

A tract or parcel of land for Lee County utility purposes lying in Section 3, Township 43 South, Range 24 East, Lee County, Florida, being more particularly described as follows:

Commencing at the southeast corner of said Section 3, thence along the south line of said Section 3 N 89° 09' 42" E a distance of 1381.68 feet; thence N 00° 50' 18" W a distance of 1939.31 feet to a point on the southerly right-of-way of Castle Pines Court (35.00 feet wide) also being the northerly corner of lot 102 of proposed "Magnolia Landing, Unit One", Lee County, Florida, thence along said southerly right-of-way northwesterly along an arc of a curve to the right having a radius of 317.50 feet (delta 1° 39' 04") (chord bearing N 40° 26' 48" W) (chord 9.15 feet) for 9.15 feet to an intersection with a non-tangent line also being the Point of Beginning; thence S 52° 18' 53" W a distance of 48.84 feet; thence N 37° 41' 07" W a distance of 25.00 feet; thence N 52° 18' 53" E a distance of 48.66 feet to the southerly right-of-way of said Castle Pines Court; thence along said right-of-way the following two (2) courses: S 37° 41' 07" E a distance of 14.27 feet to an intersection with a tangent curve; southeasterly along an arc of said curve to the left having a radius of 317.50 feet (delta 1° 56' 10") (chord bearing S 38° 39' 12" E) (chord 10.73 feet) for 10.73 feet to the Point of Beginning.

Said parcel contains 1,217 square feet more or less.

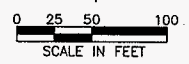
Bearings shown hereon are based on the south line of Section 3, Township 43 South, Range 24 East, Lee County, Florida as bearing N 89° 09' 42" W.

COPY

SKETCH & DESCRIPTION

SECTION 3, TOWNSHIP 43 SOUTH, RANGE 24 EAST
LEE COUNTY, FLORIDA

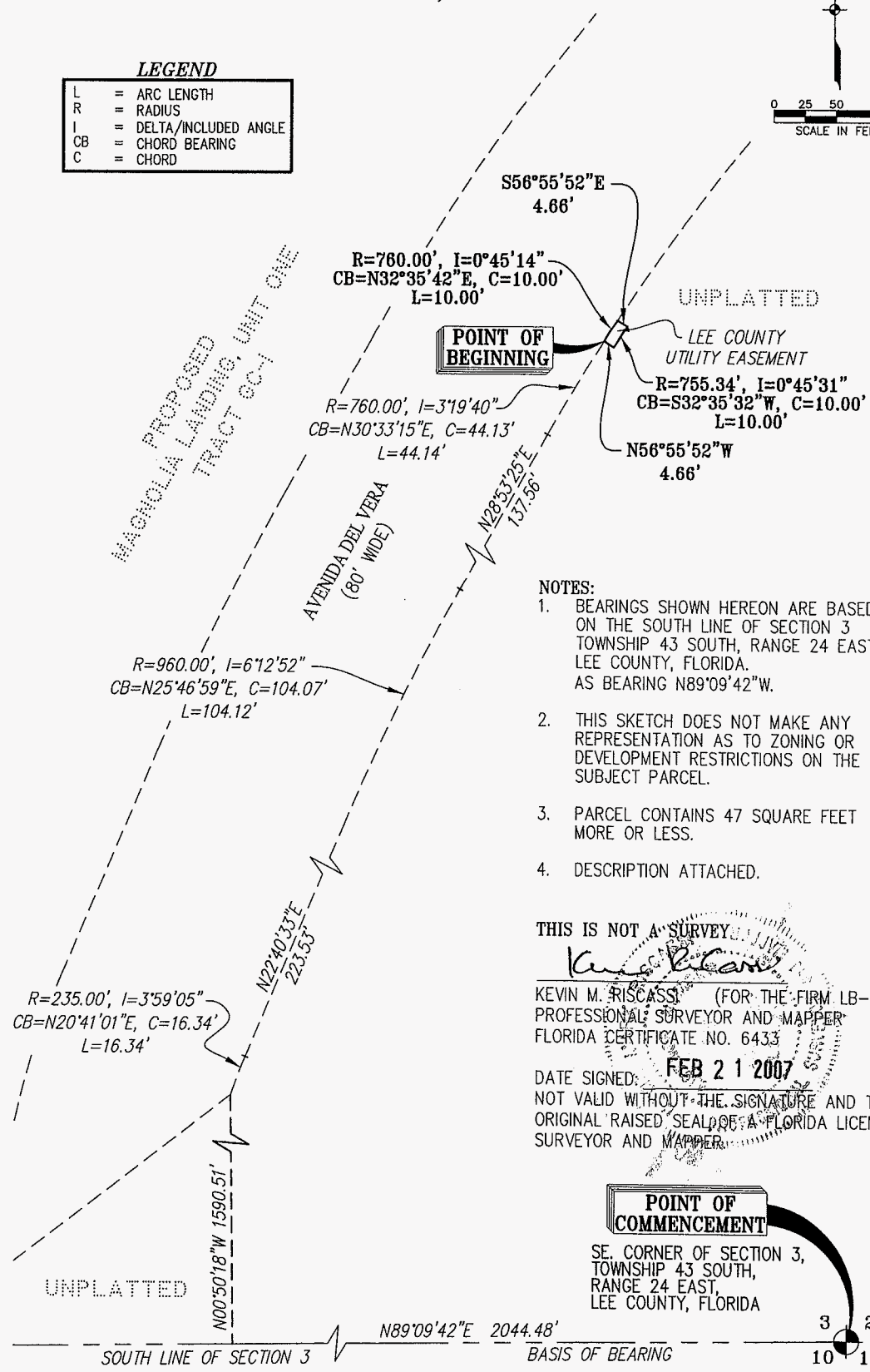
3



LEGEND

L	=	ARC LENGTH
R	=	RADIUS
I	=	DELTA/INCLUDED ANGLE
CB	=	CHORD BEARING
C	=	CHORD

S:\20066277\Easements Dwg's\20066277 LCU Easement(2) 1of2) mnt Feb 21, 2007 - 4:29pm



NOTES:

1. BEARINGS SHOWN HEREON ARE BASED ON THE SOUTH LINE OF SECTION 3 TOWNSHIP 43 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA. AS BEARING N89°09'42"W.
2. THIS SKETCH DOES NOT MAKE ANY REPRESENTATION AS TO ZONING OR DEVELOPMENT RESTRICTIONS ON THE SUBJECT PARCEL.
3. PARCEL CONTAINS 47 SQUARE FEET MORE OR LESS.
4. DESCRIPTION ATTACHED.

THIS IS NOT A SURVEY

Kevin M. Friscassi

KEVIN M. FRISCASSI (FOR THE FIRM LB-642)
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERTIFICATE NO. 6433

DATE SIGNED: FEB 21 2007

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

POINT OF COMMENCEMENT

SE. CORNER OF SECTION 3,
TOWNSHIP 43 SOUTH,
RANGE 24 EAST,
LEE COUNTY, FLORIDA

SOUTH LINE OF SECTION 3 N89°09'42"E 2044.48' BASIS OF BEARING 10 11

NOT VALID WITHOUT SHEET 2

JOHNSON ENGINEERING

2158 JOHNSON STREET
P.O. BOX 1550
FORT MYERS, FLORIDA 33902-1550
PHONE (239) 334-0046
FAX (239) 334-3661
E.B. #642 & L.B. #642

LEE COUNTY UTILITY EASEMENT				
DATE 2-21-2007	PROJECT NO. 20066277	FILE NO. 3-43-24	SCALE 1"=50'	SHEET 1 OF 2



February 13, 2007

DESCRIPTION

PARCEL OF LAND FOR LEE COUNTY UTILITY PURPOSES LYING IN SECTION 3, TOWNSHIP 43 SOUTH, RANGE 24 EAST LEE COUNTY, FLORIDA

A tract or parcel of land for Lee County utility purposes lying in Section 3, Township 43 South, Range 24 East, Lee County, Florida, being more particularly described as follows:

Commencing at the southeast corner of said Section 3, thence along the south line of said Section 3 N 89° 09' 42" E a distance of 2044.48 feet; thence N 00° 50' 18" W a distance of 1590.51 to an intersection with a non-tangent curve, also being a point on the southerly line of proposed "Magnolia Landing, Unit One", Lee County, Florida, and on the easterly right-of-way of Avenida Del Vera (80 feet wide) as evidenced in said proposed "Magnolia Landing, Unit One"; thence along said right-of-way the following five (5) courses: northeasterly along an arc of said curve to the right, having a radius of 235.00 feet (delta 03° 59' 05") (chord bearing N 20° 41' 01" E) (chord 16.34 feet) for 16.34 feet to an intersection with a tangent line; thence N 22° 40' 33" E a distance of 223.53 feet to an intersection with a tangent curve; thence northeasterly along an arc of said curve to the right, having a radius of 960.00 feet (delta 6° 12' 52") (chord bearing N 25° 46' 59" E) (chord 104.07 feet) for 104.12 feet to an intersection with a tangent line; thence N 28° 53' 25" E a distance of 137.56 feet to an intersection with a tangent curve; thence northeasterly along an arc of said curve to the right having a radius of 760.00 feet (delta 03° 19' 40") (chord bearing N 30° 33' 15" E) (chord 44.13 feet) for 44.14 to the Point of Beginning; thence continuing along said right-of-way northeasterly along an arc of said curve to the right, having a radius of 760.00 feet (delta 0° 45' 14") (chord bearing N 32° 35' 42" E) (chord 10.00 feet) for 10.00 feet to an intersection with a non-tangent line; thence S 56° 55' 52" E a distance of 4.66 feet to an intersection with a non-tangent curve; thence southwesterly along an arc of said curve to the left, having a radius of 755.34 feet (delta 0° 45' 31") (chord bearing S 32° 35' 32" W) (chord 10.00 feet) for 10.00 feet to an intersection with a non-tangent line; thence N 56° 55' 52" W a distance of 4.66 feet to the Point of Beginning.
Said parcel contains 47 square feet more or less.

Bearings shown hereon are based on the south line of Section 3, Township 43 South, Range 24 East, Lee County, Florida as bearing N 89° 09' 42" W.

02-13-07 – 20066277 – PUE Easement 2

SHEET 2 OF 2
(NOT VALID WITHOUT SHEET 1 OF 2)

2158 Johnson Street ■ Post Office Box 1550 ■ Fort Myers, Florida 33902-1550
(239) 334-0046 ■ Fax (239) 334-3661

COPY

5

SKETCH & DESCRIPTION

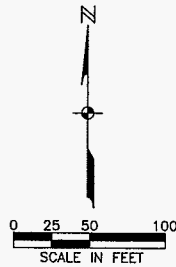
SECTION 3, TOWNSHIP 43 SOUTH, RANGE 24 EAST
LEE COUNTY, FLORIDA

PROPOSED
MAGNOLIA LANDING,
UNIT ONE

AVENIDA DEL VERA
(80' WIDE)

NOTES:

1. BEARINGS SHOWN HEREON ARE BASED ON THE SOUTH LINE OF SECTION 3 TOWNSHIP 43 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA. AS BEARING N89°09'42"W..
2. THIS SKETCH DOES NOT MAKE ANY REPRESENTATION AS TO ZONING OR DEVELOPMENT RESTRICTIONS ON THE SUBJECT PARCEL.
3. PARCEL CONTAINS 752 SQUARE FEET MORE OR LESS.
4. DESCRIPTION ATTACHED.



N00°50'18"W 1590.51'

UNPLATTED

UNPLATTED

POINT OF BEGINNING

N30°01'43"E
31.97'

N59°57'52"W
19.92'

R=340.00'
I=0°32'05"

CB=N59°41'49"W

C=3.17'
L=3.17'

LEE COUNTY
UTILITY EASEMENT

S59°58'10"E
23.96'

S31°35'20"W
32.00'

LEGEND

L	=	ARC LENGTH
R	=	RADIUS
I	=	DELTA/INCLUDED ANGLE
CB	=	CHORD BEARING
C	=	CHORD

THIS IS NOT A SURVEY

Kevin M. Riscassi

KEVIN M. RISSASSI (FOR THE FIRM #642)
PROFESSIONAL SURVEYOR AND MAPPER
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DATE SIGNED: FEB 21 2007
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

POINT OF COMMENCEMENT

SE. CORNER OF SECTION 3,
TOWNSHIP 43 SOUTH,
RANGE 24 EAST,
LEE COUNTY, FLORIDA

N89°09'42"E 2044.48'
BASIS OF BEARING

SOUTH LINE OF SECTION 3

3 2
10 11

NOT VALID WITHOUT SHEET 2

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LEE COUNTY
UTILITY EASEMENT

DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
2-21-2007	20066277	3-43-24	1"=50'	1 OF 2

S:\20066277\Easements Dwg's\20066277 LCU&NFU Easement.dwg (LCU Easement (3) 1of2) mnt Feb 21, 2007 - 4:29pm



February 13, 2007

DESCRIPTION

**PARCEL OF LAND FOR LEE COUNTY UTILITY PURPOSES
LYING IN
SECTION 3, TOWNSHIP 43 SOUTH, RANGE 24 EAST
LEE COUNTY, FLORIDA**

A tract or parcel of land for Lee County utility purposes lying in Section 3, Township 43 South, Range 24 East, Lee County, Florida, being more particularly described as follows:

Commencing at the southeast corner of said Section 3, thence along the south line of said Section 3 N 89° 09' 42" E a distance of 2044.48 feet; thence N 00° 50' 18" W a distance of 1590.51 to an intersection with a non-tangent curve, also being a point on the southerly line of proposed "Magnolia Landing, Unit One", Lee County, Florida, and on the easterly right-of-way of Avenida Del Vera (80 feet wide) as evidenced in said proposed "Magnolia Landing, Unit One"; thence southeasterly along an arc of said curve to the left, having a radius of 235.00 feet (delta 78° 39' 20") (chord bearing S 20° 38' 12" E) (chord 297.87 feet) for 322.61 feet to an intersection with a tangent line; thence S 59° 57' 52" E a distance of 84.81 feet to the Point of Beginning; thence N 30° 01' 43" E a distance of 31.97 feet; thence S 59° 58' 10" E a distance of 23.96 feet; thence S 31° 35' 20" W a distance of 32.00 feet to an intersection with a non-tangent curve; thence along an arc of said curve to the left, having a radius of 340.00 feet (delta 0° 32' 05") (chord bearing N 59° 41' 49" W) (chord 3.17 feet) for 3.17 feet to an intersection with a tangent line; thence N 59° 57' 52" W a distance of 19.92 feet to the Point of Beginning.

Said parcel contains 752 square feet more or less.

Bearings shown hereon are based on the south line of Section 3, Township 43 South, Range 24 East, Lee County, Florida as bearing N 89° 09' 42" W.