Lee County Board Of County Commissioners Agenda Item Summary Blue Sheet No. 20070488-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 water main extension, one 10" diameter fire line, and a force main connection to provide potable water service, fire protection and sanitary sewer service to *ASAP Storage*, a recently constructed commercial building. This is a Developer contributed asset and the project is located on the east side of Indian Paint Lane approximately 1/8 mile south of Daniels Parkway.

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.

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7. Agenda		gury.	10 - Utilitie	s CIC)H	6. N	leeting Da	ate: AP	R 2 4 2007
7. Agenda:		8.	8. Requirement/Purpose: (speci		e: (specif		9. Request Initiated:		
X Consent			Statute				Commissioner		
Administrative			Ordinance			Dep	Department P		blic Works
Appeals			Adm	in. Code		Divi	ston /		Utilities
Publi	с		X Othe	er _	Approva	•	/ - / / / / ·	Me	4-5-200
Walk-On					Dou	glas L. M	eurer, P.	E., Director	
10. Backg	ground:								
The Board	granted permi	ssion to c	onstruct on 0	<u>9-12-06,</u> Blu	ue Sheet #2	<u>20061119</u>	•		
The installa	tion has been	inspected	l for conform	ance to the I	Lee County	/ Utilities	Operations	Manual.	
Satisfactory	<pre>pressure and pressure test</pre>	bacteriol	ogical testing	g has been co	mpleted.				
Record dray	wings have be	en receiv	ed	las been con	ipieleu.				
Engineer's	Certification of	of Comple	etion has been	n provided	-copy attac	ched.			
Project Loc	ation Map-c	opy attac	hed.	-					
Warranty ha	as been provid Lien has been	ied—cop	y attached.	and					
Certificatio	n of Contribut	ted Asset	s has been pro	ovided—cor	v attached				
100% of the	e connection f	èes have	been paid.		,				
Funds are a	vailable for re					0.504930			
(Util-Util Eng-Dep Clerk Fees for Recording & Filing) SECTION 22 TOWNSHIP 45S RANGE 25E DISTRICT # 5 COMMISSIONER MANN									
		WNSHIP		U	0,	RICT #	5 COM	MISSION	IER MANN
11. Revie	N 22 TO w for Sched Purchasing	WNSHIP	45S RA	NGE 25E	0,			MISSION	County
	w for Sched Purchasing or	WNSHIP		U	0,		5 COM		County Manager/P.W.
11. Revie Department	w for Sched Purchasing or Contracts	WNSHIP uling: Human Res.	45S RA Other	NGE 25E County Attorney	0,			MISSION	County
11. Revie Department	w for Sched Purchasing or	WNSHIP uling: Human	45S RA Other	County Attorney S. Coovert	DIST	Budge	t Services Grants	· · · · · · · · · · · · · · · · · · ·	County Manager/P.W.
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S:\ENGR\W P\BLUE SHEETS-ENG\ASAP STORAGE - FM WM FL - FA - MMM - 20070488.DOC - 4/2/2007 11:01 AM

RESOLUTION NO.

RESOLUTION ESTABLISHING UTILITY ACCEPTANCE OF <u>DEVELOPER CONTRIBUTED ASSETS</u> IN LEE COUNTY, FLORIDA

WHEREAS, it is the desire of "ASAP STORAGE ON INDIAN PAINT LANE, LLC" owner of record, to make a contribution to Lee County Utilities of water facilities (a water main extension, one 10" diameter fire line), and sewer facilities (a force main connection), serving "ASAP STORAGE"; 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 **\$44,101.25** 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 20070488 - UTL



LETTER OF COMPLETION

DATE: <u>1/30/2007</u>

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

Gentlemen:

This is to certify that the water distribution and sanitary sewer, fire line up to and including 1st OS + Y valve(s), fire hydrant(s) located at <u>ASAP Storage</u> (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:

Pressure Test(s) - Water Main , Pressure Test(s) - Force Main and Bacteriological Test ,

Very truly yours,

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

(Signature)

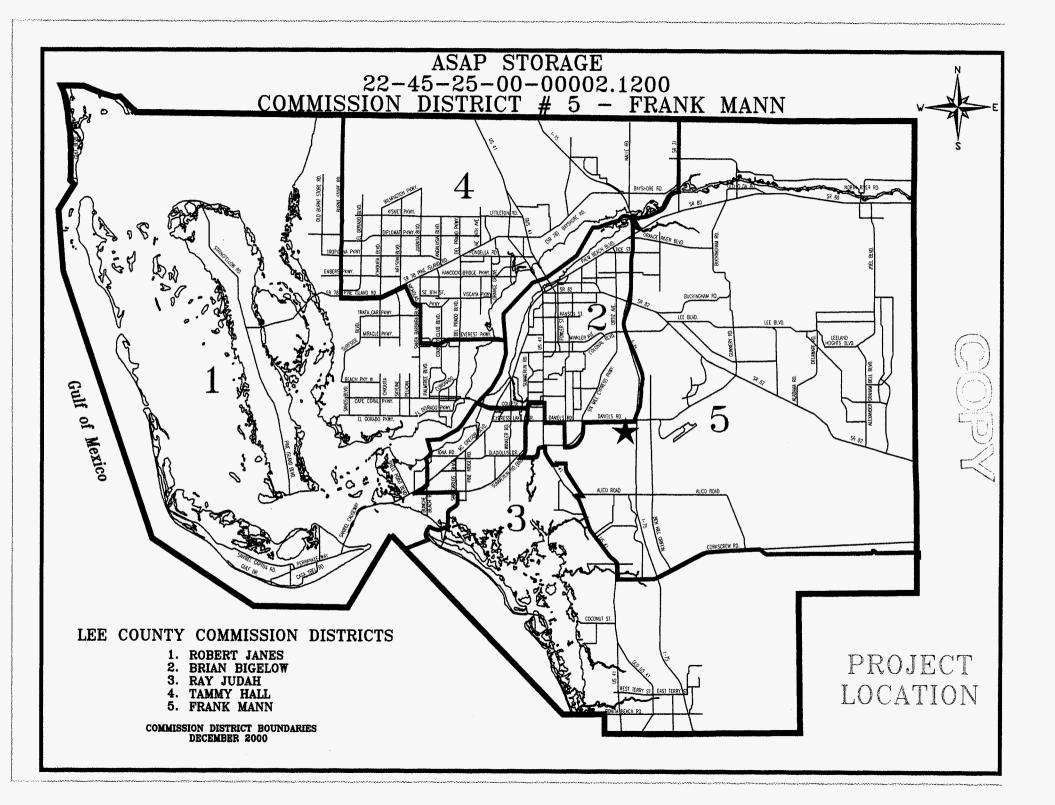
/1/29/07

James D. Ottensmann, PE Senior Engineer (Name and Title)

(Seal of Engineering Firm)

EEE COUNTY (Forms – Letter of Completion – Revised 2004)

P:\2005 Projects\050614 ASAP ARMORY STORAGE\UTILITIES\Letter of Completion - 05-06-14.doc





WARRANTY

THE UNDERSIGNED parties do hereby warrant and/or guaranty all work executed by the contractor on the water and sewer system of ASAP Storage 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.

> B.J. Enterprises, Inc. (Contractor/Company Name)

Michael Sappah, President (Authorized Representative, Title)

BY: (Signature)

STATE OF	FL)
) SS:
COUNTY OF	Lee)

The foregoing instrument was signed and acknowledged before me this 29 th day of January, 20 07 by Michael Sappah who is personally known to me - _____, and who did not take an oath.

Notary Public Signature

Bruce Monnier Printed Name of Notary Public



MY COMMISSION # DD 277360 EXPIRES: December 25, 2007 Bonded Thru Budget Notary Services

(Notary Seal & Commission Number)

LEE COUNTY (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 Fourty Four Thousand One Hundred One & 25/100's (\$44,101.25) hereby waivers and releases its lien and right to claim a lien for labor, services, or materials furnished to ASAP Storage on Indian Paint Lane LLC on the job of ASAP Storage to the following described property:

ASAP Storage (Name of Development/Project)

13701 Indian Paint Lane (Location)

Force Main Extension/Connection and Water Main Extension (Facilities Constructed)

22-45-25-00-00002.1200 (Strap # or Section, Township & Range)

Dated on: January 3, 2007 By: (Signature of Authorized Representative)

By: Michael Sappah

(Print Name of Authorized Representative)

Title: President

Phone #:	(239)	731	-2333	Ext
1 mono n	4.57		2333	Dirt.

B.J. Enterprises, Inc. (Name of Firm or Corporation)

8102 Grady Dr (Address of Firm or Corporation)

N Fort Myers, FL 33917-(City, State & Zip Of Firm Or Corporation)

Fax#: (239)731-5205

STATE OF _____FL) SS: COUNTY OF Lee

The foregoing instrument was signed and acknowledged before me this 29 th day of January, 2007 by <u>Michael Sappah</u> who is personally known to me - _____, and who did not take an oath.



BRUCE MONNIER MY COMMISSION # DD 277360 EXPIRES: December 25, 2007 Bonded Thru Budget Notary Services

(Notary Seal & Commission Number)

(Notary Public Signature)

Bruce Monnier (Printed Name of Notary Public)



CERTIFICATION OF CONTRIBUTORY ASSETS

PROJECT NAME:	ASAP Storage
STRAP NUMBER:	22-45-25-00-00002.1200
LOCATION:	13701 Indian Paint Lane
OWNER'S NAME: (as show	n on Deed) ASAP Storage on Indian Paint Lane LLC
OWNER'S ADDRESS:	2033 Main Street STE 600 Sarasota Fl. 34327
OWNER'S ADDRESS:	
OWNER'S TELEPHONE #	: (239) 466-9200

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.

ITEM	SIZE	QUANTITY	UNIT	UNIT COST	TOTAL
WATER MAIN				·	
TAPPING SLEEVE W/VALVE	10" x 10"	1.0	EA	\$3,950.00	\$3,950.00
CL-50 DIP	10"	395.0	LF	\$39.75	\$15,701.25
ASSORTED FITTINGS	10"	6.0	EA	\$420.00	\$2,520.00
BLOW-OFF ASSEMBLY	10" x 2"	1.0	EA	\$450.00	\$450.00
GATE VALVE	10"	3.0	EA	\$2,115.00	\$6,345.00
FIRE HYDRANT ASSEMBLY		1.0	EA	\$3,695.00	\$3,695.00
FIRE LINE UP TO AND INCL 1ST OS + Y VALVE	10"	1.0	EA	\$3,750.00	\$3,750.00
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· · · · · · · · · · · · · · · · · · ·					
TOTAL					\$36,411.25
(If more space is requ	uirad use addit	ional formata)	l		030,411.23

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

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

S: Jobs\ASAP STorage\as of 03-07 - CERTIFICATION OF CONTRIBUTORY ASSETSwater 3-26-07 - TAB THRU FORM.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.

CERTIFYING:

(Signature of Certifying Agent)

Michael Sappah, President (Name & Title of Certifying Agent)

B.J.Enterprises, Inc. (Name of Firm or Corporation)

8102 Grady Drive (Address of Firm or Corporation)

N. Fort Myers, FL 33917 -

STATE OF <u>FL.</u>)) **SS**: COUNTY OF <u>Lee</u>)

The foregoing instrument was signed and acknowledged before me this <u>29 th</u> day of <u>January</u>, 2007 by <u>Michael Sappah</u> who is personally known to me², and who did not take an oath.

Notary Public Signature

Bruce Monnier Printed Name of Notary Public

Notary Commission Number

BRUCE MONNIER MY COMMISSION # DD 277364. EXPIRES: December 25, 2007 Bonded Thru Budget Notary Specie

(NOTARY SEAL)

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

S: Vobs\ASAP STorage\as of 03-07 - CERTIFICATION OF CONTRIBUTORY ASSETSwater 3-26-07 - TAB THRU FORM.doc



CERTIFICATION OF CONTRIBUTORY ASSETS

 PROJECT NAME:
 ASAP Storage

 STRAP NUMBER:
 22-45-25-00-00002.1200

 LOCATION:
 13701 Indian Paint Lane

 OWNER'S NAME: (as shown on Deed)
 ASAP Storage on Indian Paint Lane LLC

 OWNER'S ADDRESS:
 2033 Main Street STE 600 Sarasota Fl. 34327

 OWNER'S ADDRESS:
 ,

 OWNER'S TELEPHONE #:
 (239) 466-9200

TYPE UTILITY SYSTEM: <u>Sanitary Sewer</u> (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	QUANTITY	UNIT	UNIT COST	TOTAL
FORCE MAIN					
TAPPING SLEEVE W/VALVE	6" x 4"	1.0	EA	\$2,750.00	\$2,750.00
PVC C-900 DR-14	4"	50.0	LF	\$22.50	\$1,125.00
STEEL CASING	12"	40.0	LF	\$65.00	\$2,600.00
PLUG VALVE	4"	1.0	EA	\$1,215.00	\$1,215.00
			-		
TOTAL					\$7,690.00
(If more space is rec	quired, use addit	ional forms(s).			

(If more space is required, use additional forms)

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

S: Vobs\ASAP STorage\as of 03-07 - CERTIFICATION OF CONTRIBUTORY ASSETSsewer 3-26-07 - TAB THRU FORM.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.

CERTIFYING:

(Signature of Certifying Agent)

Michael Sappah, President (Name & Title of Certifying Agent)

B.J.Enterprises, Inc. (Name of Firm or Corporation)

8102 Grady Drive (Address of Firm or Corporation)

N. Fort Myers, FL 33917 -

STATE OF <u>FL.</u>)) SS: COUNTY OF <u>Lee</u>)

The foregoing instrument was signed and acknowledged before me this <u>29 th</u> day of <u>January</u>, 2007 by <u>Michael Sappah</u> who is personally known to me, _____, and who did not take an oath.

Notary Public Signature

Bruce Monnier Printed Name of Notary Public

Notary Commission Number

BRUCE MONNIER BRUCE MONNIER MY COMMISSION # DD 277360 EXPIRES: December 25, 2007 Bonded Thru Budget Notary Services

(NOTARY SEAL)

S: Jobs\ASAP STorage\as of 03-07 - CERTIFICATION OF CONTRIBUTORY ASSETSsewer 3-26-07 - TAB THRU FORM.doc

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

	RETURN FOR (PLEASE R Use black ink.	A DEPARTMENT C TRANSFERS OF INTERES EAD INSTRUCTIONS BEFOR Enter numbers as shown below.	T IN REAL PROF RE COMPLETING)	mbers as shown below.	FDOR10240300 DR-219 R. 07/98
1.	Parcel Identification Number (If Parcel ID not available	3456789	0123	456789	•
	please call County Property Appraiser's Office) →	2245250	000002120		
2.	Mark (x) all 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 20070488 AS		ON INDIAN PAINT ate Name (if applicable)	LANE LLC
	2033 MAIN ST - #600	SARASOTA	FL 3	4237 ()	
		City AS AGENT: F		Zip Code Phone No. BD. OF CO. COMMI	SSTONERS
4.	Last F	First MI	Corpora	ate Name (if applicable)	
	P. O. BOX 398 Mailing Address	City		33902 (239)4798 Zip Code Phone No.	181
5.	Date of Sale/Transfer	Sale/Transfer Price		• •	
	04/24/24/2007 \$ Month Day	(Round to the nearest dollar.)		Located In	
6.	Type of Document Contract/Agreement for Deed	Other 7. Are any mortgag outstanding mort	es on the property? If	"Yes", YES	/ 🗶 NO
	Warranty Quit Claim Deed Deed	(Round to the nearest do	* * *		. 00
	To the best of your knowledge, were there unus such as: Forced sale by court order? Foreclosure Sale of a partial or undivided interest? Related to s	pending? Distress Sale? Title defe		? Mineral rights? YES	/ X NO
9.	Was the sale/transfer financed? YES	NO If "Yes", please indicate ty	pe or types of financir	ng: I	
	Conventional Seller Provided	Contract for Deed	Other		
10.	Property Type: Residential Commercial Ind Mark (x) all	dustrial Agricultural Miscella		t Vacant Acreage	Timeshare
	To the best of your knowledge, was personal pro- included in the sale/transfer? If "Yes", please state amount attributable to the personal property. (Rou Amount of Documentary Stamp Tax	the	ıo \$ ↓ \$].00
		Decumentary Stamp Tax under a			
13.	If <u>no tax</u> is due in number 12, is deed exempt from Under penalties of perjury, I declare that I hav than the taxpayer, his/her declaration is base	veread the foregoing feture and th	at the facts stated in it		/ NO eone other
L	Signature of Grantor or Grantee or Agent			Date <u>L/5/(</u> RESULT IN A PENALTY OF \$25.00 IN	
r	OTHER PENALTY IMPOSED BY THE REVENUE LAW OF I		NENT OF REVENUE SHALL	REGULT IN A PENALTT OF \$25.00 IN	
	To be completed by the Clerk of the	Circuit Court's Office		Clerks Date Stamp	
	This copy to Property Appraiser				
0	D. R. Book				
D	and age Number				
	and				
	ile Number				
	Month Day	Year			

This copy to Property Appraiser

	RET	TURN FOR TRANS (PLEASE READ II Enter numbers as sho		REAL PROPERTY COMPLETING) If typing, enter numbers as show	FDOR10240300 DR-219 R. 07/98 wn below.
1.	Parcel Identification Number (If Parcel ID not available please call County Property Appraiser's Office)	0 1 2 3 4	4 5 6 7 8 9 224525000	0123456789 000021200	•
2.	Mark (x) all Multi-parcel that apply transaction? — EASEMENT		Transaction is a split or cutout from another parcel? → 20070488 ASAP	Property was with building of sale/trans	(s) at time fer? ─►
3.	Grantor (Seller): Last 2033 MAIN ST -	First	SARASOTA MI	Corporate Name (if ap FL 34237	
4.	Mailing Addre THOM OST		City AS AGENT: FOR	State Zip Code P LEE CO. BD. OF Co) hone No. O. COMMISSIONERS
	P. O. BOX 3		FT. MYERS	Corporate Name (if ap FL 33902 (2394798181
5.		007 \$	City Sale/Transfer Price \$10	State Zip Code P	Phone No. 46 County Code
6.	Month Day Type of Document Contract for Deec	t/Agreement 🗶 Othe	und to the nearest dollar.) r 7. Are any mortgages or outstanding mortgage		YES X NO
	Warranty Quit Cla Deed Deed		(Round to the nearest dollar.)	¢	.00
8.	To the best of your knowledge, v such as: Forced sale by court order Sale of a partial or undivided interest	ler? Foreclosure pending	g? Distress Sale? Title defects?		^{s?} YES X NO
9.	Was the sale/transfer financed? Y Conventional Se	YES × NO	If "Yes", please indicate type of Agreement or Contract for Deed	r types of financing: Other	
10.	Property Type: Residential C Mark (x) all that apply	Commercial Industrial	Institutional Agricultural Miscellaneou		Acreage Timeshare
	To the best of your knowledge, with included in the sale/transfer? If "Yea amount attributable to the personal Amount of Documentary Stamp Ta	es", please state the al property. (Round to th	YES × NO	\$ \$ 0.70	. 0 0
13.	than the taxpayer, his/her dec Signature of Grantor or Grant	declare that I have read claration is based on all tee or Agent	the foregoing return and that the information of which he/her has	e facts stated in it are true. If pression of the state o	ate 1/5/07
	To be completed by the			Clerks	s Date Stamp
	This copy to D	Department of Rev	enue		
Pa F	D. R. Book and age Number and File Number Ite Recorded]			

This copy to Department of Revenue

TO: RECORDERS OFFICE

PLEASE PUT MY NAME ON THE ATTENTION LINE:

<u>Sue Gulledge</u>

CHARGE TO: LEE COUNTY UTILITIES -LCU 500283

ACCOUNT NO. 0D5360748700.504930

THANK YOU.

FOR UTILITIES USE ONLY:

BLUE SHEET NO. 20070488-UTL

PROJECT NAME: ASAP STORAGE

EASEMENT NAME: ASAP STORAGE ON INDIAN PAINT LANE, LLC

TYPING BY: <u>Sue Gulledge</u>

S:/ENGR/W P/BLUE SHEETS-ENG/0-ATTENTION RECORDERS OFFICE SHEET FOR ALL RECORDED DOCS-GULL TYPED.DOC

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

Strap Number(s):

22-45-25-00-00002.1200

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 "ASAP STORAGE ON INDIAN PAINT LANE, 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 20070488-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)

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

[1 st W)tness' Signature]	BY:
<u>Al Quattrone</u>	
[Type or Print Name]	
[2 nd Witness' Signature]	

A

[Signature Grantor's/Owner's]

J.E. Santaularia

[Type or Print Name]

Owner

[Title]

Teresa George [Type or Print Name]

STATE OF FLORIDA COUNTY OF

The foregoing instrument was signed and acknowledged before me this 16^{++} day of $\pm b$ 2007 by ______ 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 Kansas AMY M. SANCHEZ My Appt. Exp. 330

anil

[Signature of Notary]

[Typed or Printed Name]

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

ATTEST: CHARLIE GREEN, CLERK

Deputy Clerk

.

BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA

BY:

•

BY:

Chair

APPROVED AS TO FORM

BY:

Office of the County Attorney Scott S. Coovert, Esquire



LEGAL DESCRIPTION OF AN EASEMENT LYING IN SECTION 22, TOWNSHIP 45 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA

(LEE COUNTY UTILITIES EASEMENT)

AN EASEMENT ACROSS, OVER AND THROUGH A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTION 22, TOWNSHIP 45 SOUTH, RANGE 25 EAST, BEING FURTHER DESCRIBED AS FOLLOWS:

<u>COMMENCING</u> AT THE NORTH ¼ CORNER OF SECTION 22, TOWNSHIP 45 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA; THENCE S.01°02'01"E. ALONG THE EAST LINE OF THE SOUTHWEST ¼ OF SAID SECTION 22, A DISTANCE OF 661.11 FEET; THENCE S.89°33'58"W., A DISTANCE OF 614.90 FEET TO A POINT ON THE EAST LINE OF INDIAN PAINT LANE, A 60' ROADWAY EASEMENT; THENCE S.01°00'34"E. ALONG SAID EAST LINE OF INDIAN PAINT LANE, A DISTANCE OF 258.97 FEET TO THE <u>POINT OF</u> <u>BEGINNING</u>; THENCE N.88°59'26"E., A DISTANCE OF 33.03 FEET; THENCE S.01°00'34"E., A DISTANCE OF 20.00 FEET; THENCE S.88°59'26"W., DISTANCE OF 33.03 FEET TO A POINT ON THE EAST LINE OF INDIAN PAINT LANE; THENCE N.01°00'34"W. ALONG SAID EAST LINE OF INDIAN PAINT LANE, A DISTANCE OF 20.00 FEET TO THE <u>POINT OF BEGINNING</u>.

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 SOUTHWEST ¼ OF SECTION 22, TOWNSHIP 45 SOUTH, RANGE 25 EAST BEING S.01°02'01"E.

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

DENIS J. O'CONNELL, JR. PROFESSIONAL SURVEYOR AND MAPPER FLORIDA CERTIFICATE NO. 5430

SHEET 1 OF 2

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