

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

Blue Sheet No. 20070582-UTL

1. ACTION REQUESTED/PURPOSE:

Developer Contributed Asset: Approve final acceptance by Resolution, as a donation of water distribution and gravity collection systems, to provide potable water service, fire protection and sanitary sewer service to the *Terra Vista f/k/a Marbella Estates*, a recently constructed residential development. This is a Developer Contributed asset project located at the north side of Broadway W approximately 1/2 mile west of S. Tamiami Trail in Estero.

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 C105		6. Meeting Date: MAY 01 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)	
	<input type="checkbox"/> Statute	<input type="checkbox"/>
	<input type="checkbox"/> Ordinance	<input type="checkbox"/>
	<input type="checkbox"/> Admin. Code	<input type="checkbox"/>
	<input checked="" type="checkbox"/> Other	<input checked="" type="checkbox"/> Approval
9. Request Initiated:		
Commissioner		
Department		Public Works
Division		Utilities
By: <i>Douglas L. Meurer</i>		4-12-2007
		Douglas L. Meurer, P.E., Director

10. Background:

The Board granted permission to construct on 06/14/05, Blue Sheet #20050552.
 The installation has been inspected for conformance to the Lee County Utilities' Operations Manual.
 Satisfactory pressure and bacteriological testing has been completed.
 Satisfactory closed circuit television inspection of the gravity collection system has been performed.
 Satisfactory lift station start up has been performed. (L/S#7838)
 Record drawings have been received.
 Engineer's Certification of Completion has been provided—copy attached.
 Project Location Map—copy attached.
 Warranty has been provided—copy attached.
 Waiver of Lien has been provided—copy attached.
 Certification of Contributed Assets has been provided—copy attached.
 100% of the connection fees have been paid.
 No Funds are required.

SECTION 28 TOWNSHIP 46S RANGE 25E DISTRICT # 3 COMMISSIONER JUDAH

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: 4-16-07	N/A Date:	N/A Date:	<i>T.O.</i> T. Osterhout Date: 4/12	<i>S. Coovert</i> S. Coovert Date: 4/16/07	<i>RK</i> 4/17	<i>WBE</i> 4/18/07	<i>W</i> 4/17/07	<i>J. Lavender</i> Date: 4-16-07	

12. Commission Action:

- Approved
- Deferred
- Denied
- Other

RECEIVED BY COUNTY ADMIN: <i>PK</i> 4-17-07 10 AM	Rec. by CoAtty Date: 4/16/07 Time: 4:00 PM
COUNTY ADMIN FORWARDED TO: <i>PK</i> 4-18-07 11:15 AM	Forwarded to: 4/17/07 8:45 AM

RESOLUTION NO.

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

WHEREAS, it is the desire of "KIMBALL HILL MARBELLA ESTATES LTD PNTSHP" owner of record, to make a contribution to Lee County Utilities of water facilities (water distribution system), and sewer facilities (gravity collection system), serving "TERRA VISTA F/K/A MARBELLA ESTATES"; 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 **\$844,116.70** 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 20070582 - UTL

COPY

LETTER OF COMPLETION

DATE: 11/8/2006

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 sanitary sewer systems** located at
Terra Vista
(Name of Development/Project)

were designed by me and have been constructed in conformance with:


the approved plans and the approved specifications

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

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

Very truly yours,

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



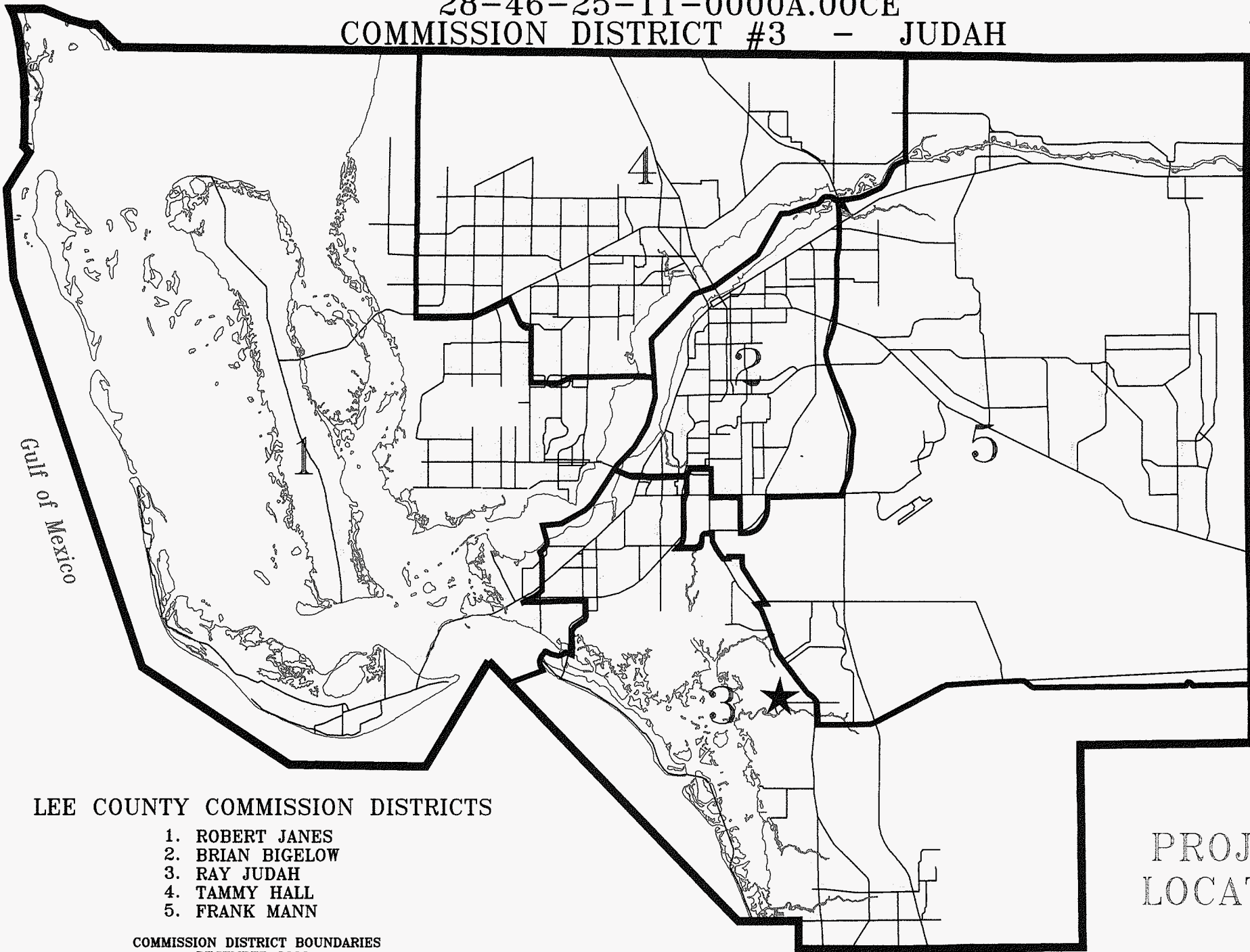
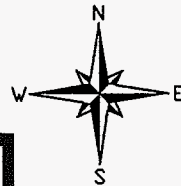
(Signature)

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

(Seal of Engineering Firm)



TERRA VISTA fka MARBELLA ESTATES
28-46-25-11-0000A.00CE
COMMISSION DISTRICT #3 - JUDAH



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

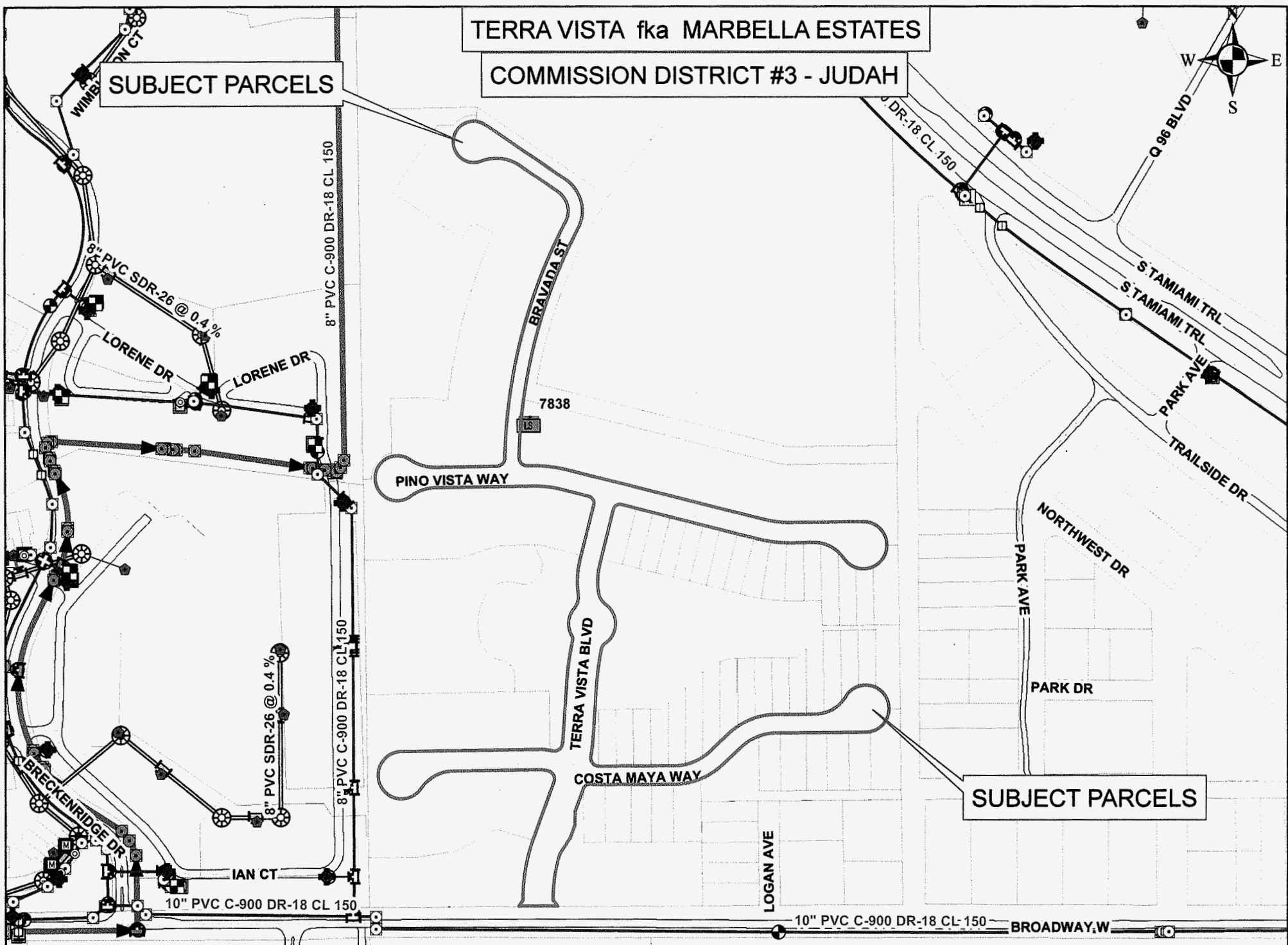
TERRA VISTA fka MARBELLA ESTATES

COMMISSION DISTRICT #3 - JUDAH



SUBJECT PARCELS

SUBJECT PARCELS



28-46-25-11-0000A.00CE TERRA VISTA BLVD, COSTA MAYA WY, PINO VISTA WY & BRAVADA ST

COPY

COPY

WARRANTY

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

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

Haskins Inc.

(Contractor/Company Name)

Stanley Haskins Pres
(Authorized Representative, Title)

BY: Stanley Haskins
(Signature)

STATE OF FL)
) SS:
COUNTY OF Lee)

The foregoing instrument was signed and acknowledged before me this 16th day of November, 2006 by HASKINS INC who is personally known to me - plk, and who did not take an oath.

Joyce D Bolt
Notary Public Signature

Joyce BOLT
Printed Name of Notary Public

JOYCE D. BOLT
Notary Public, State of Florida
My comm. exp. Jan. 3, 2010
Comm. No. DD 503784

(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 Eight Hundred Forty-Four Thousand, One Hundred Sixteen and 70/100's (\$844,116.70) hereby waivers and releases its lien and right to claim a lien for labor, services, or materials furnished to Kimball Hill Homes, Inc. on the job of Terra Vista to the following described property:

<u>Terra Vista</u> (Name of Development/Project)	<u>water distribution and sanitary sewer systems</u> (Facilities Constructed)
<u>Terra Vista Blvd., Costa Maya WY, Pino Vista WY, Bravada ST</u> (Location)	<u>28-46-25-11-0000A.00CE</u> (Strap # or Section, Township & Range)

Dated on: February , 2007

By: [Signature]
(Signature of Authorized Representative)

Haskins, Inc.
(Name of Firm or Corporation)

By: JOEL CHAMBERS
(Print Name of Authorized Representative)

10956 Enterprise Avenue
(Address of Firm or Corporation)

Title: OPERATIONS MANAGER

Bonita Springs, FL 34135-
(City, State & Zip Of Firm Or Corporation)

Phone #: (239)947-1846 Ext.

Fax#: (239)947-3857

STATE OF FL)
) SS:
COUNTY OF Lee)

The foregoing instrument was signed and acknowledged before me this 12th day of February, 2007 by JOEL CHAMBERS who is personally known to me - ELC, and who did not take an oath.

JOYCE D. BOLT
Notary Public, State of Florida
My comm. exp. Jan. 3, 2010
Comm. No. DD 503784

[Signature]
(Notary Public Signature)

(Notary Seal & Commission Number)

Joyce Bolt
(Printed Name of Notary Public)



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]
(Signature of Certifying Agent)

OPERATIONS MANAGER
(Name & Title of Certifying Agent)

Haskins, Inc.
(Name of Firm or Corporation)

10956 Enterprise Avenue
(Address of Firm or Corporation)

Bonita Springs, FL 34135 -

STATE OF FL)
) SS:
COUNTY OF Lee)

The foregoing instrument was signed and acknowledged before me this 12th day of February, 2007 by Joel Chambeas who is personally known to me - PK, and who did not take an oath.

[Signature]
Notary Public Signature

Joyce Bolt
Printed Name of Notary Public

DD 503784
Notary Commission Number

JOYCE D. BOLT
Notary Public, State of Florida
My comm. exp. Jan. 3, 2010
Comm. No. DD 503784

(NOTARY SEAL)



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X *[Signature]*
(Signature of Certifying Agent)

JOEL CHAMBERS
(Name & Title of Certifying Agent)

Haskins, Inc.
(Name of Firm or Corporation)

10956 Enterprise Avenue
(Address of Firm or Corporation)

Bonita Springs, FL 34135 -

STATE OF FL)
) SS:
COUNTY OF Lee)

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[Signature]
Notary Public Signature

Joyce Bolt
Printed Name of Notary Public

N 503784
Notary Commission Number

JOYCE D. BOLT
Notary Public, State of Florida
My comm. exp. Jan. 3, 2010
Comm. No. DD 503784

(NOTARY SEAL)

