

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

**Blue Sheet No. 20050108**

**1. REQUESTED MOTION:**

**ACTION REQUESTED:** Approve and execute a utility easement to FPL for the Lakes Regional Library Project. Authorize Division of County Lands to handle all documentation necessary to complete the transaction.

**WHY ACTION IS NECESSARY:** The Board must approve conveying an easement across County-owned property.

**WHAT ACTION ACCOMPLISHES:** Provides an easement for electric service to the Lakes Regional Library.

**2. DEPARTMENTAL CATEGORY:** 06  
**COMMISSION DISTRICT #** 3

*C6A*

**3. MEETING DATE:** *02-15-2005*

**4. AGENDA:**

CONSENT  
 ADMINISTRATIVE  
 APPEALS  
 PUBLIC  
 WALK ON  
 TIME REQUIRED:

**5. REQUIREMENT/PURPOSE:**  
(Specify)

STATUTE F.S.125  
 ORDINANCE  
 ADMIN. CODE  
 OTHER

**6. REQUESTOR OF INFORMATION:**

A. COMMISSIONER  
 B. DEPARTMENT Independent  
 C. DIVISION County Lands *ARC*  
 BY: Karen L. W. Forsyth, Director *KLF*

**7. BACKGROUND:**

The Division of County Lands received a request from Construction & Design for execution and recording of an easement in favor of FPL across a portion of the Lakes Regional Library property, identified as STRAP Number 33-45-24-00-00001.0010.

The proposed ten-foot wide easement will allow construction, operation and maintenance of overhead and underground electric utility facilities including wires, poles, guys, cables, conduits and appurtenant equipment in providing service to the library facility.

Cost to record the easement plus documentary stamps will be approximately \$75.00.

The CIP number is 20360914800.506110.

**Staff Recommendation:** Staff recommends Board approve requested motion.

**Attachments:** Copy of Easement, sketch of proposed easement area, legal description of proposed easement area, property location map.

**8. MANAGEMENT RECOMMENDATIONS:**

**9. RECOMMENDED APPROVAL:**

A Department Director	B Purchasing or Contracts	C Human Resources	D Other	E County Attorney	F Budget Services			G County Manager
<i>K. Forsyth</i>			<i>SAD 1/31/05</i>	<i>[Signature]</i>	<i>OA 2/1/05</i>	<i>OM 2/2/05</i>	<i>Risk 2/1/05</i>	<i>GC 2/1/05</i>
								<i>[Signature] 1-31-05</i>

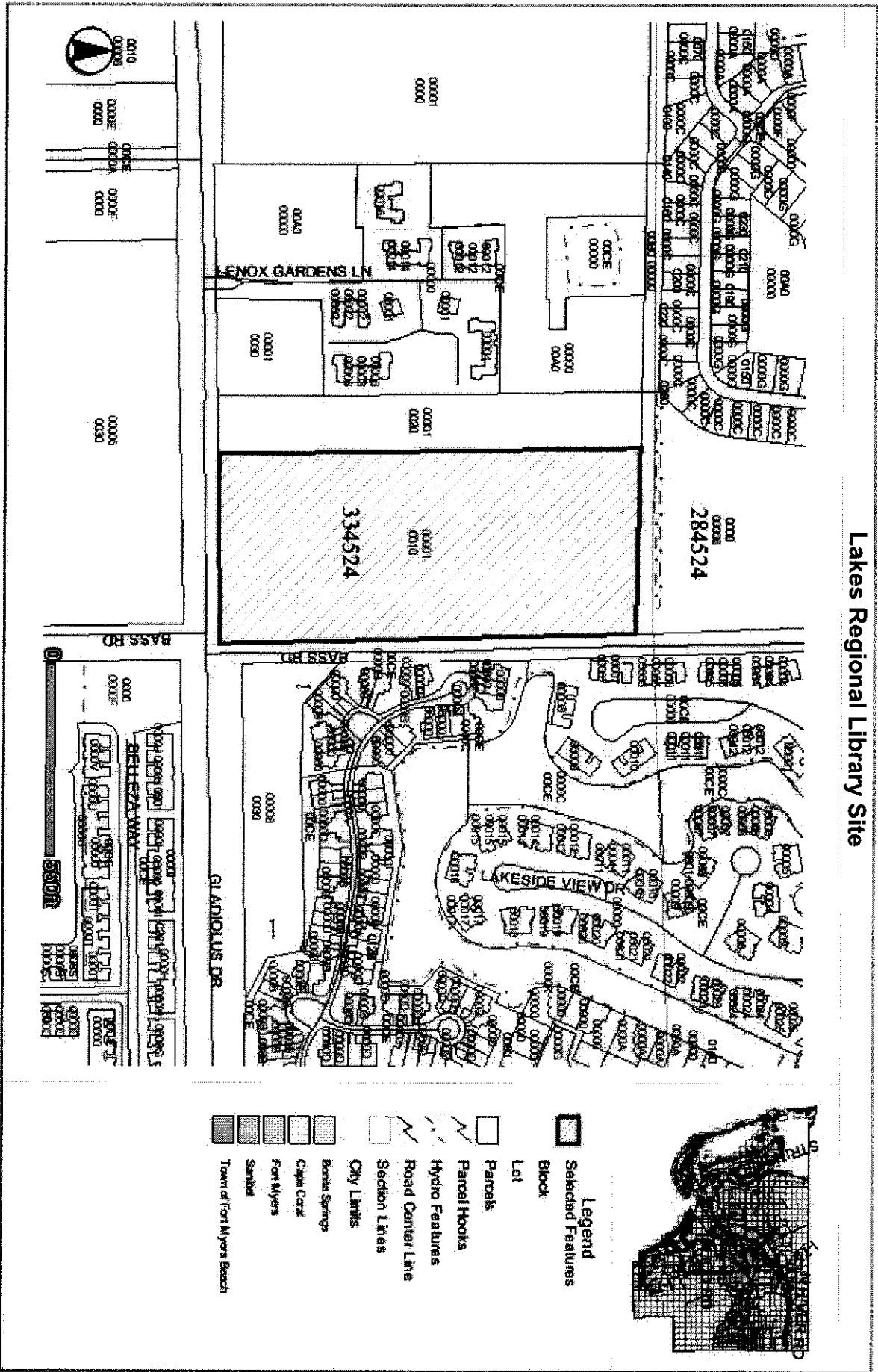
**10. COMMISSION ACTION:**

APPROVED  
 DENIED  
 DEFERRED  
 OTHER

Rec. by CoAtty  
 Date: *1/31/05*  
 Time: *3:30*  
 Forwarded To:  
*Admin.  
2/1/05 4:41pm*

RECEIVED BY  
 COUNTY ADMIN:  
*2/1/05*  
*11:15 am SLR*  
 COUNTY ADMIN  
 FORWARDED TO:  
*2/3/05*  
*4pm*

### Lakes Regional Library Site



Sec. 33 , Twp. 45S, Rge. 24E  
Parcel I.D. 33-45-24-00-00001.0010  
(Maintained By County Appraiser)

This Instrument Prepared By and return to:  
Lee County/County Lands Division  
P.O. Box 398  
Fort Myers, FL 33902-0398

## EASEMENT

The undersigned, in consideration of the payment of \$1.00 and other good and valuable consideration, the adequacy and receipt of which is hereby acknowledged, grant and give to **Florida Power & Light Company**, its licensees, agents, successors, and assigns, an easement forever for the construction, operation and maintenance of overhead and underground electric utility facilities (including wires, poles, guys, cables, conduits and appurtenant equipment) to be installed from time to time; with the right to reconstruct, improve, add to, enlarge, change the voltage, as well as, the size of and remove such facilities or any of them within an easement ten-feet in width described as follows:

An FPL Company easement more particularly described on Exhibit A attached hereto and made a part hereof. Said easement prepared by Metron Surveying & Mapping, LLC, dated Jan. 5, 2005.

Together with the right to permit any other person, firm or corporation to attach wires to any facilities hereunder and lay cable and conduit within the easement and to operate the same for communications purposes; the right of ingress and egress to said premises at all times; the right to clear the land and keep it cleared of all trees, undergrowth and other obstructions within the easement area; to trim and cut and keep trimmed and cut all dead, weak, leaning or dangerous trees or limbs outside of the easement area which might interfere with or fall upon the lines or systems of communications or power transmission or distribution; and further grants, to the fullest extent the undersigned has the power to grant, if at all, the rights hereinabove granted on the land heretofore described, over, along, under and across the roads, streets or highways adjoining or through said property.

**Florida Power & Light Company** will indemnify **Lee County, a political subdivision of the State of Florida**, against any liability resulting from the permitted uses in this easement. Any damage to the Grantor's property or improvements thereon as the result of **Florida Power & Light Company** (Grantee), its licensees, agents, successors, and assigns will be restored by **Florida Power & Light Company** to the condition in which it existed before the damage.

IN WITNESS WHEREOF, the undersigned has signed and sealed this instrument on \_\_\_\_\_  
, 20 \_\_\_\_.

ATTEST:  
CHARLIE GREEN, CLERK

LEE COUNTY, FLORIDA, BY ITS  
BOARD OF COUNTY COMMISSIONERS

BY \_\_\_\_\_  
Deputy Clerk

BY \_\_\_\_\_  
Chairman

APPROVED AS TO LEGAL FORM:

BY \_\_\_\_\_  
Office of County Attorney



DESCRIPTION OF AN EASEMENT  
LYING IN  
SECTION 33, TOWNSHIP 45 SOUTH, RANGE 24 EAST,  
LEE COUNTY, FLORIDA

(10' FLORIDA POWER AND LIGHT EASEMENT)

A 10 FOOT WIDE F.P.L. EASEMENT SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTION 33, TOWNSHIP 45 SOUTH, RANGE 24 EAST, BEING FURTHER BOUND AND DESCRIBED AS FOLLOWS:

**COMMENCING** AT THE NORTHWEST CORNER OF SAID SECTION 33; THENCE SOUTH 88° 51' 39" EAST ALONG THE NORTH LINE OF SECTION 33 FOR 2655.04 FEET; THENCE SOUTH 00°02'13" EAST FOR 692.87 FEET TO THE **POINT OF BEGINNING** OF THE HEREIN DESCRIBED CENTERLINE; THENCE SOUTH .89°57'47" WEST ALONG SAID CENTERLINE FOR 237.40 FEET TO THE TERMINUS OF SAID EASEMENT.

BEARINGS BASED ON THE NORTH LINE OF SAID SECTION 33 AS BEARING SOUTH 88° 51' 39" EAST.

THE SIDELINES OF SAID EASEMENT FROM SAID POINT OF BEGINNING TO SAID TERMINUS ARE TO PROVIDE A CONTINUOUS WIDTH OF 10.00 FEET, 5.00 FEET ON EACH SIDE OF SAID CENTERLINE (AS MEASURED ON A PERPENDICULAR).

PARCEL SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY (RECORDED AND UNRECORDED, WRITTEN AND UNWRITTEN).

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

1-5-2005

SCOTT M. SHORE  
PROFESSIONAL SURVEYOR AND MAPPER  
FLORIDA CERTIFICATE NO. 5743

**Exhibit "A"**

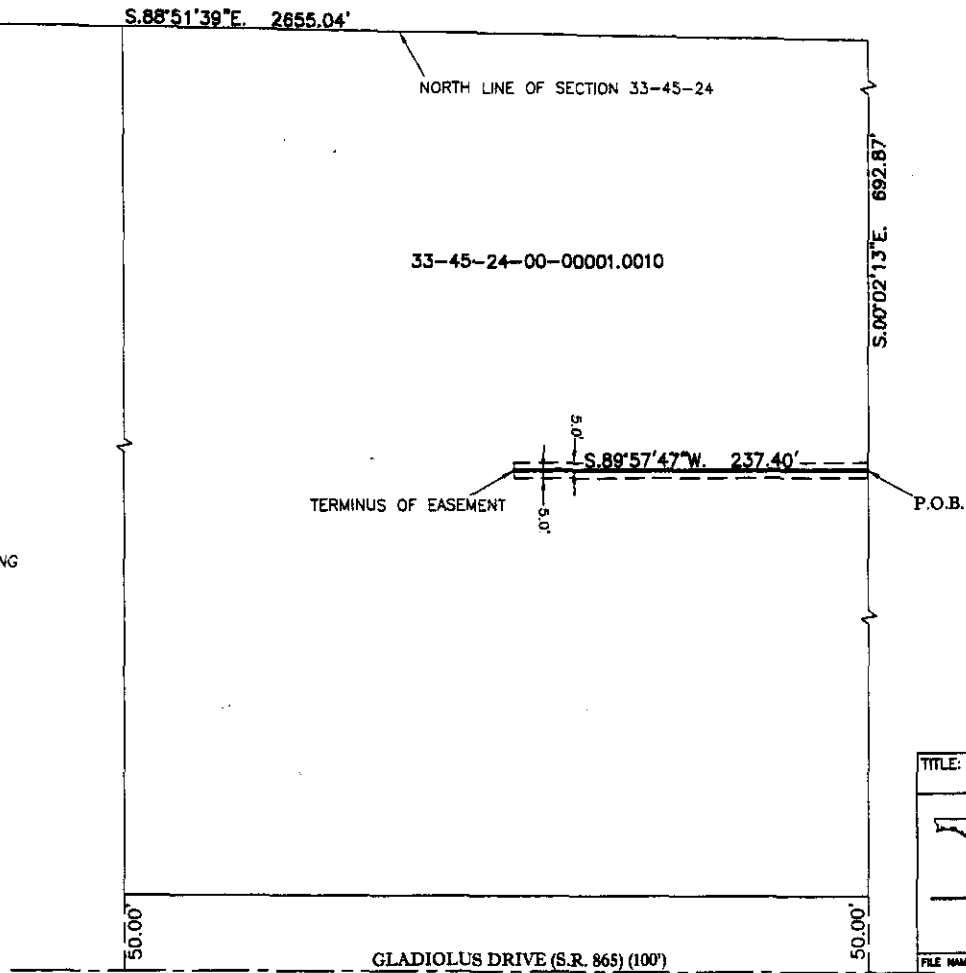
SHEET 1 OF 2

# SKETCH TO ACCOMPANY DESCRIPTION

FOUND RAIL ROAD SPIKE  
POINT OF COMMENCEMENT  
NORTHWEST CORNER SECTION 33-45-24

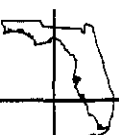
**N**  
**Exhibit "A"**  
**Page 2 of 2**

LEGEND:  
P.O.B. = POINT OF BEGINNING



**\* THIS IS NOT A SURVEY \***

By: *Scott M. Shore*  
SCOTT M. SHORE  
PROFESSIONAL SURVEYOR AND MAPPER  
FLORIDA CERTIFICATE NO. LS# 5743  
DATE SIGNED: 1-5-2005  
NOT VALID WITHOUT THE SIGNATURE AND  
THE ORIGINAL BASED SEAL OF A  
FLORIDA LICENSED SURVEYOR AND MAPPER.

TITLE: SKETCH OF DESCRIPTION			
 <b>METRON</b> SURVEYING & MAPPING LAND SURVEYORS-PLANNERS LBN# 7071		5245 RAMSEY WAY, SUITE #2 FORT MYERS, FLORIDA 33907 PHONE: (239) 275-8575 FAX: (239) 275-8457  www.metronfl.com	
FILE NAME:	FIELD BOOK/PAGE:	PROJECT NO.:	SHEET:
7392SK.DWG	N/A	7392	2 OF 2
SKETCH DATE:	DRAWN BY:	SCALE:	CHECKED BY: (N-T-R)
1-05-04	JDF	1" = 50'	SMS 33-45-24

**\* SEE SHEET 1 OF 2 FOR LEGAL DESCRIPTION \***