

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

Blue Sheet No. 20051116 -UTL

**1. Action Requested/Purpose:**

Approve final acceptance, by Resolution and recording of one (1) utility easement as a donation of water distribution and gravity collection systems, one (1) lift station and a force main extension/relocation to provide potable water service, fire protection and sanitary sewer service to *Crown Colony, Phase III*, a phased residential development. This is a Developer Contributed asset project located on the east side of Winkler Road, approximately 1 mile south of Summerlin Road.

**2. What Action Accomplishes:**

Places the water distribution and gravity collection systems, lift station and force main into operation and complies with the Lee County Utilities Operations Manual.

**3. Management Recommendation:**

Lee County Utilities requests that the County Manager's office recommend approval of this item.

**4. Departmental Category: 10**

*CIOB*

**5. Meeting Date:**

*08-30-2005*

**6. Agenda:**

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

**7. Requirement/Purpose (specify)**

- Statute
- Ordinance
- Admin. Code
- Other Approval

**8. Request Initiated:**

Commissioner \_\_\_\_\_  
 Department Public Works  
 Division Utilities  
 By: *[Signature]* 8/11/05  
 Rick Diaz, P. E., Utilities Director

**9. Background:**

The Board granted approval to construct on 08/26/03, Blue-Sheet #20030724.  
 The installation has been inspected for conformance to the Lee County Utilities Operations Manual.  
 Satisfactory pressure and bacteriological testing of the water system has been completed.  
 Satisfactory closed circuit television inspection of the gravity collection system has been performed.  
 Satisfactory lift station startup has been performed. (L/S#1109)  
 Record Drawings have been provided.  
 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 Contributory Assets has been provided---copy attached.  
 100% of the connection fees have been paid.  
 Funds are available for recording fees in account number OD5360748700.504930.

SECTION 03 TOWNSHIP 46S RANGE 24E DISTRICT #3 COMMISSIONER JUDAH

**10. Review for Scheduling:**

Department Director	Purchasing or Contracts	Human Resources	Other	County Attorney	Budget Services				County Manager / P.W. Director
					Analyst	Risk	Grants	Mgr.	
<i>[Signature]</i> F. Lavender Date: <i>8-4-05</i>	N/A	N/A	T. Osterhout Date: <i>8-11-05</i>	S. Covert Date: <i>8-11-05</i>	<i>P. W.</i> <i>8/15/05</i>	<i>J.</i> <i>8/11/05</i>	<i>M.</i> <i>8/15/05</i>	<i>J.</i> <i>8/16/05</i>	<i>[Signature]</i> F. Lavender Date: <i>8-4-05</i>

**11. Commission Action:**

- Approved
- Deferred
- Denied
- Other

RECEIVED BY  
COUNTY ADMIN:  
*8-15-05*  
*[Signature]*

REC'D. *[Signature]*  
by CO. ATTY.  
CO. ATTY.  
FORWARDED TO:  
*[Signature]*



**FLORIDA DEPARTMENT OF REVENUE**  
**RETURN FOR TRANSFERS OF INTEREST IN REAL PROPERTY**



FDOR10240300  
 DR-219  
 R. 07/98

(PLEASE READ INSTRUCTIONS BEFORE COMPLETING)

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

0123456789

0346241500LS700CE

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 DONATION BY:

CENTEX HOMES

Last	First	MI	Corporate Name (if applicable)		
5801 PEICAN BAY BLVD. #600	NAPLES	FL	34108	( )	( )
Mailing Address		City	State	Zip Code	Phone No.

4. Grantee (Buyer):

RICK DIAZ, P.E. UTIL. DIR. 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

8 30 2005 \$

Sale/Transfer Price

\$10

. 00

Property Located In

Lee

(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:

YES

NO

(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:  
 Mark (x) all  
 that apply

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

\$

Cents

. 00

12. Amount of Documentary Stamp Tax

\$

. 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

8/4/05

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

Month Day Year

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

0346241500LS700CE

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? →

**EASEMENT DONATION BY:**

**CENTEX HOMES**

3. Grantor (Seller):  
 Last First MI Corporate Name (if applicable)  
**5801 PEICAN BAY BLVD. #600 NAPLES FL 34108**

Mailing Address City State Zip Code Phone No.  
**RICK DIAZ, P.E. UTIL. DIR. 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 2394798181**

Mailing Address City State Zip Code Phone No.

5. Date of Sale/Transfer  
 8 30 2005 \$ 10 . 00 Property 46 County Code  
 Month Day Year (Round to the nearest dollar.) Located In

6. Type of Document Contract/Agreement  Other 7. Are any mortgages on the property? If "Yes", YES  NO  
 for Deed outstanding mortgage balance:  
 Warranty Quit Claim (Round to the nearest dollar.) \$ . 00  
 Deed Deed

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? YES  NO  
 Sale of a partial or undivided interest? Related to seller by blood or marriage.

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  
 \$ 0.70

12. Amount of Documentary Stamp Tax

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

8/11/05

To be completed by the Clerk of the Circuit Court's Office	Clerks Date Stamp
<p><b>This copy to Department of Revenue</b></p> <p>O. R. Book and Page Number and File Number</p> <p>Date Recorded Month Day Year</p>	

**This copy to Department of Revenue**

RESOLUTION NO.

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

WHEREAS, it is the desire of "CENTEX HOMES", owner of record, to make a contribution to Lee County Utilities of water facilities (a water distribution system) and sewer facilities (a gravity collection system, one (1) lift station and a force main extension/relocation) serving "**CROWN COLONY, PHASE III**"; 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 **\$674,894.50** 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 Douglas St. Cerny: \_\_\_\_\_ (2)
- Commissioner Ray Judah: \_\_\_\_\_ (3)
- Commissioner Tammy Hall: \_\_\_\_\_ (4)
- Commissioner John Albion: \_\_\_\_\_ (5)

DULY PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

ATTEST:  
CHARLIE GREEN, CLERK

BOARD OF COUNTY COMMISSIONERS  
OF LEE COUNTY, FLORIDA

By: \_\_\_\_\_  
DEPUTY CLERK

By: \_\_\_\_\_  
CHAIRMAN

APPROVED AS TO FORM

\_\_\_\_\_  
OFFICE OF COUNTY ATTORNEY

# COPY

## LETTER OF COMPLETION

DATE: March 9, 2005

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 gravity collection and force main extension/connection** located in  
Crown Colony Phase 3  
(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,

Kevin M. Winter  
(Owner or Name of Corporation/Firm)

  
\_\_\_\_\_  
(Signature)

Professional Engineer  
(Title)

(Seal of Engineering Firm)



**COPY**

**LETTER OF COMPLETION**

DATE: 10-9-03

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/or sewage collection system(s) located in Crown Colony Phase III subdivision - relocation of force main in Winkler Road ROW only.  
(Name of Development)

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

the approved plans                       the revised plans, attached


and:

the approved specifications       the revised specifications, attached

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

Very truly yours,

Johnson Engineering, Inc.  
(Owner or Name of Corporation)

  
(Signature)

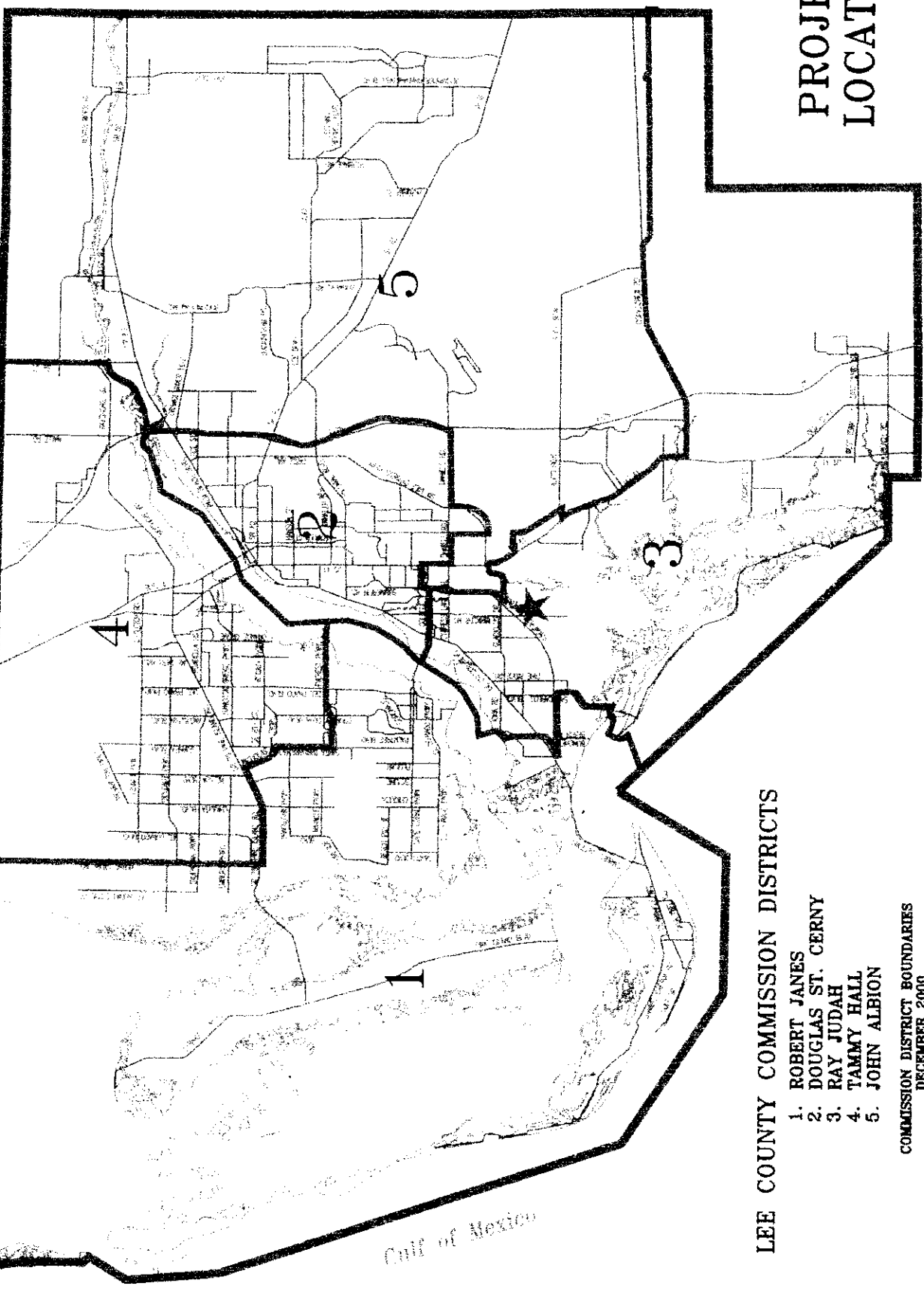
Kevin M. Winter, Project Engineer  
(Title)

(SEAL OF ENGINEERING FIRM)



COPY

CROWN COLONY, PHASE III  
03-46-24-15-00RD3.00CE  
COMMISSION DISTRICT #3 - JUDAH



PROJECT  
LOCATION

LEE COUNTY COMMISSION DISTRICTS

- 1. ROBERT JANES
- 2. DOUGLAS ST. CERNY
- 3. RAY JUDAH
- 4. TAMMY HALL
- 5. JOHN ALBION

COMMISSION DISTRICT BOUNDARIES  
DECEMBER 2000

Gulf of Mexico

COPY

\* CROWN COLONY - PHASE III \*

COMMISSION DISTRICT #3 - JUDAH

COLONY TRACE DR

SUBJECT PARCELS

CROWNSBURG WAY

SUBJECT PARCELS

NO OVERLAPPING SHOWN  
ON RECORD DRAWING  
FOR LOT 111

COLONY LAKES BLVD

CRANES NEST CT

LOOPY LOOP

COLONY LAKES BLVD

CROWN ARBOR WAY

CROWN ARBOR WAY

CROWN ARBOR WAY

CROWN ARBOR WAY

CROWN ARBOR WAY

CROWN ARBOR WAY

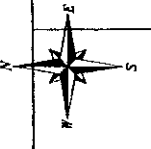
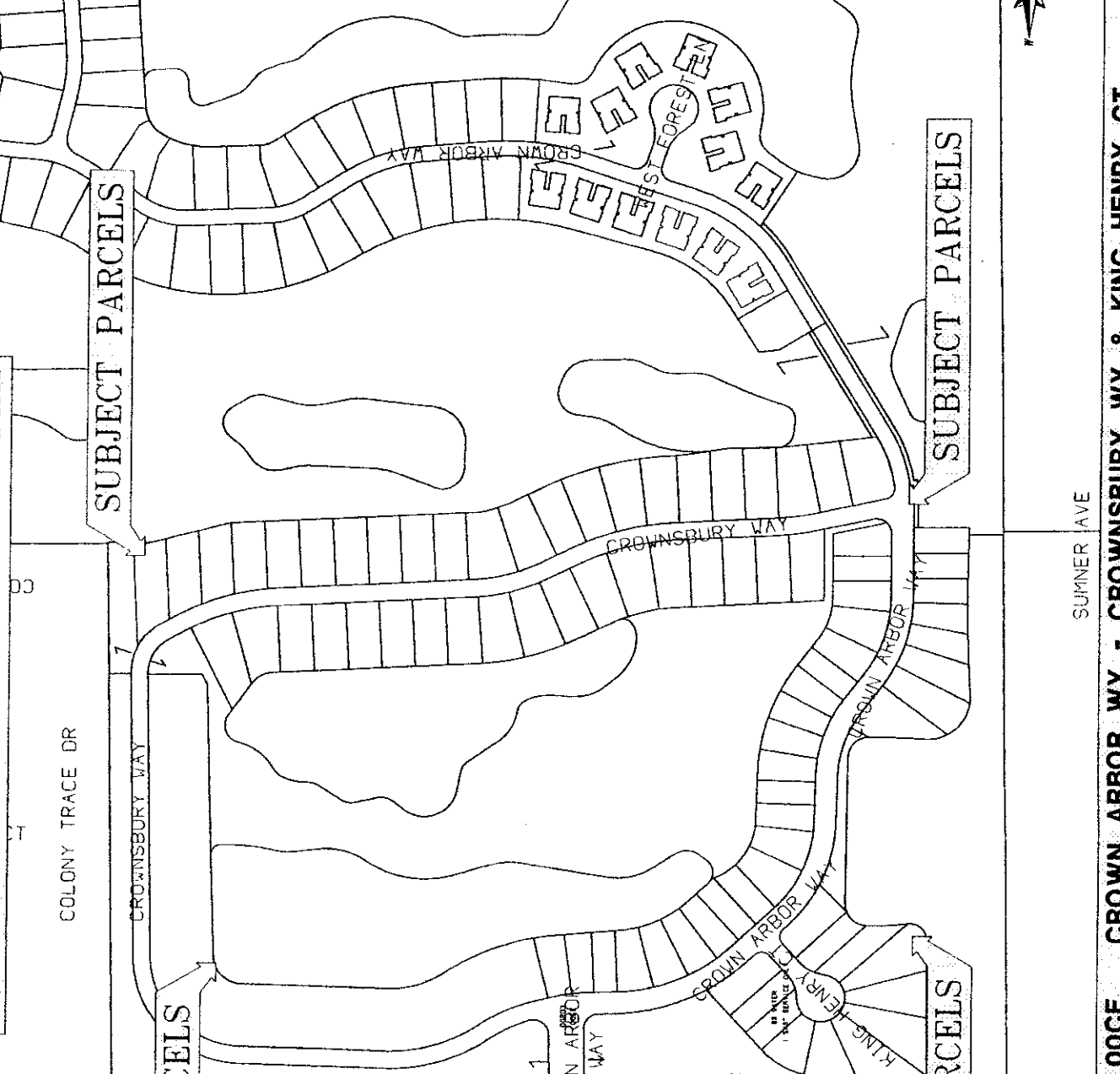
CROWN ARBOR WAY

CROWN ARBOR WAY

CROWN ARBOR WAY

CROWN ARBOR WAY

CROWN ARBOR WAY



SUMNER AVE

SUBJECT PARCELS

SUBJECT PARCELS

03-46-24-15-00RD3.00CE CROWN ARBOR WY - CROWNSBURG WY & KING HENRY CT



COPY

WARRANTY

THE UNDERSIGNED parties do hereby warrant and/or guaranty all work executed by the contractor on the water and sewer system of CROWN COLONY PH III 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.  
(Name of Owner/Contractor)

BY: [Signature]  
(Signature of Owner/Contractor)

STATE OF FL )  
  ) SS:  
COUNTY OF COLLIER )

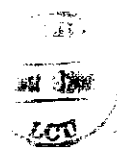
The foregoing instrument was signed and acknowledged before me this 8 th day of MAR, 2005 by Brenda K. Merchant who has produced the following as identification - personally known , and who did not take an oath.

Linda Mahon  
Notary Public Signature

Linda Mahon  
Printed Name of Notary Public



(Notary Seal & Commission Number)



COPY

9419976645 PAINTS&COATINGS

144 P04

FEB 07 '02 13:16

# PAINTS & COATINGS, INC.

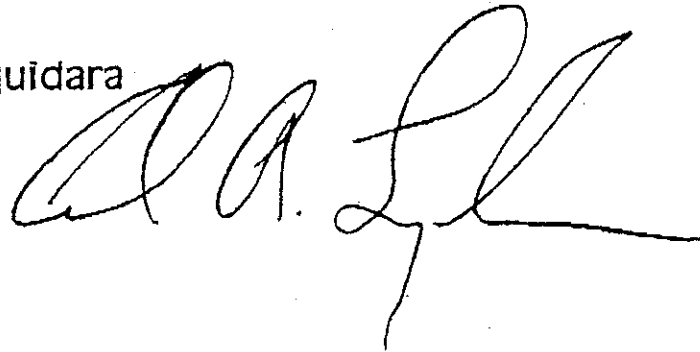
"The Finest in Wastewater Structure Rehabilitation!"

To Whom It May Concern:

Please accept this letter as certification that the structures supplied to, CROWN COLONY PHASE III, were coated on the inside with IET Systems by Paints and Coatings, Inc.

Yours truly,

Carl A. Laquidara  
President



COPY

**WAIVER AND RELEASE OF LIEN  
UPON FINAL PAYMENT**

The undersigned lienor, in consideration of the final payment in the amount of  
Six Hundred Seventy Four Thousand Eight Hundred Ninty Four Dollars and Fifty Cents (\$674,894.50  
\_\_\_\_\_) hereby waivers and releases its lien and right to claim a lien for labor, services, or materials  
furnished to Centex Homes on the job of Crown Colony Phase III to the following described property:

CROWN COLONY PHASE III  
(Name of Development/Project)

water distribution and sanitary sewer systems  
(Facilities Constructed)

WINKLER AND CROWN ARBOR WAY  
(Location)

03-46-24-15-00RD3.00CE  
(Strap # or Section, Township & Range)

Dated on: March 17, 2005

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 RD  
(Address of Firm or Corporation)

Title: Authorized Agent

NAPLES, FL 34109-  
(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 17 th day of March, 2005 by  
Brenda K. Merchant who has produced the following as identification - personally known , and who  
did not take an oath.



Linda Mahon  
Commission #DD177119  
Expires: Feb 21, 2007  
Bonded Thru  
Atlantic Bonding Co., Inc.

(Notary Seal & Commission Number)

Linda Mahon  
(Notary Public Signature)

Linda Mahon  
(Printed Name of Notary Public)

RECEIVED MAR 18 2005

COPY

CERTIFICATION OF CONTRIBUTORY ASSETS

PROJECT NAME: CROWN COLONY PHASE III

STRAP NUMBER: 03-46-24-15-00RD3.00CE

LOCATION: WINKLER AND CROWN ARBOR WAY

OWNER'S NAME: (as shown on Deed) CENTEX HOMES

OWNER'S ADDRESS: 5801 PELICAN BAY BLVD, SUITE 600

OWNER'S ADDRESS: NAPLES, FL 34108-

TYPE UTILITY SYSTEM: POTABLE WATER

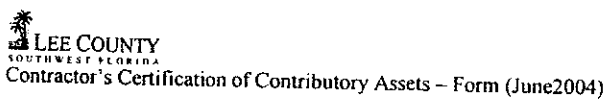
(Please provide separate 'Certifications' for potable water, sanitary sewer and effluent reuse facilities.)

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
SINGLE WATER SERVICE/COMPLETE	1"	10.0	EA	\$350.00	\$3,500.00
SINGLE WATER SERVICE/COMPLETE	2"	8.0	EA	\$900.00	\$7,200.00
DOUBLE WATER SERVICE/COMPLETE	1"	37.0	EA	\$550.00	\$20,350.00
CL-50 DIP	8"	56.0	LF	\$22.00	\$1,232.00
FIRE HYDRANT ASSEMBLY		10.0	EA	\$2,700.00	\$27,000.00
GATE VALVE	8"	1.0	EA	\$950.00	\$950.00
PVC C-900 DR-18	10"	3,553.0	LF	\$20.50	\$72,836.50
GATE VALVE	10"	6.0	EA	\$1,300.00	\$7,800.00
PVC C-900 DR-18	12"	2,153.0	LF	\$25.00	\$53,825.00
GATE VALVE	12"	6.0	EA	\$1,500.00	\$9,000.00
CL-50 DIP	12"	125.0	LF	\$31.00	\$3,875.00
PVC C-900 DR-18	8"	396.0	LF	\$17.00	\$6,732.00
<b>TOTAL</b>					<b>\$214,300.50</b>

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



RECEIVED MAR 1 8 2005

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]

(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 -

STATE OF FL )

) SS:

COUNTY OF COLLIER )

The foregoing instrument was signed and acknowledged before me this 21 st day of March, 2005 by Brenda K. Merchant who is personally known to me - \_\_\_\_\_, and who did not take an oath.

[Signature]

Notary Public Signature

LINDA MAHON

Printed Name of Notary Public

DD177119

Notary Commission Number



**Linda Mahon**  
Commission #DD177119  
Expires: Feb 21, 2007  
Bonded Thru  
Atlantic Bonding Co., Inc.

(NOTARY SEAL)



**CERTIFICATION OF CONTRIBUTORY ASSETS**

**PROJECT NAME:** CROWN COLONY PHASE III

---

**STRAP NUMBER:** 03-46-24-15-00RD3.00CE

---

**LOCATION:** WINKLER AND CROWN ARBOR WAY

---

**OWNER'S NAME:** CENTEX HOMES

---

**OWNER'S ADDRESS:** 5801 PELICAN BAY BLVD, SUITE 600

---

**OWNER'S ADDRESS:** NAPLES, FL 34108-

---

**TYPE UTILITY SYSTEM:** SANITARY SEWER  
 (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.

<b>ITEM</b>	<b>SIZE</b>	<b>QUANTITY</b>	<b>UNIT</b>	<b>UNIT COST</b>	<b>TOTAL</b>
PVC SDR-26 GRAVITY MAIN	8"	5,232.0	LF	\$33.00	\$172,656.00
PVC C-900 DR-18	4"	268.0	LF	\$16.50	\$4,422.00
LIFT STATION		1.0	EA	\$91,500.00	\$91,500.00
MANHOLE	4'	29.0	EA	\$4,000.00	\$116,000.00
MANHOLE	6'	2.0	EA	\$12,000.00	\$24,000.00
SINGLE SEWER SERVICE W/CLEANOUT	6"	26.0	EA	\$575.00	\$14,950.00
DOUBLE SEWER SERVICE W/CLEANOUT	6"	36.0	EA	\$675.00	\$24,300.00
PVC SDR-26 GRAVITY MAIN	10"	42.0	LF	\$39.00	\$1,638.00
PLUG VALVE	4"	1.0	EA	\$400.00	\$400.00
PVC C-900 DR-14	10"	181.0	LF	\$52.00	\$9,412.00
<b>TOTAL</b>					<b>\$459,278.00</b>

(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 -

STATE OF FL )

) SS:

COUNTY OF COLLIER )

The foregoing instrument was signed and acknowledged before me this 17 th day of March, 2005 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

DD 177119

Notary Commission Number



**Linda Mahon**  
Commission #DD177119  
Expires: Feb 21, 2007  
Bonded Thru  
Atlantic Bonding Co., Inc.

(NOTARY SEAL)



**CERTIFICATION OF CONTRIBUTORY ASSETS**

PROJECT NAME: CROWN COLONY PHASE III

STRAP NUMBER: 03-46-24-15-00RD3.00CE

LOCATION: WINKLER AND CROWN ARBOR WAY

OWNER'S NAME: (as shown on Deed) CENTEX HOMES

OWNER'S ADDRESS: 5801 PELICAN BAY BLVD., SUITE 600

OWNER'S ADDRESS: NAPLES, FL 34108-

TYPE UTILITY SYSTEM: SANITARY SEWER

(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.

<b>ITEM</b>	<b>SIZE</b>	<b>QUANTITY</b>	<b>UNIT</b>	<b>UNIT COST</b>	<b>TOTAL</b>
FORCE MAIN (RELOCATED)	10"	188.0	LF	\$7.00	\$1,316.00
<b>TOTAL</b>					<b>\$1,316.00</b>

(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]  
(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 -

STATE OF FL )  
                  ) SS:  
COUNTY OF COLLIER )

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[Signature]  
Notary Public Signature

LINDA MAHON  
Printed Name of Notary Public

DD 177119  
Notary Commission Number

 **Linda Mahon**  
Commission #DD177119  
Expires: Feb 21, 2007  
Bonded Thru  
Atlantic Bonding Co., Inc.

(NOTARY SEAL)

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

Strap Number:

03-46-24-15-00LS7.00CE

THIS SPACE RESERVED FOR RECORDING

### **GRANT OF PERPETUAL PUBLIC UTILITY EASEMENT**

THIS INDENTURE is made and entered into this \_\_\_\_ day of \_\_\_\_\_ 20\_\_, by and between Centex Homes, Owner, hereinafter referred to as GRANTOR(S), and LEE COUNTY, a political sub-division 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.

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.

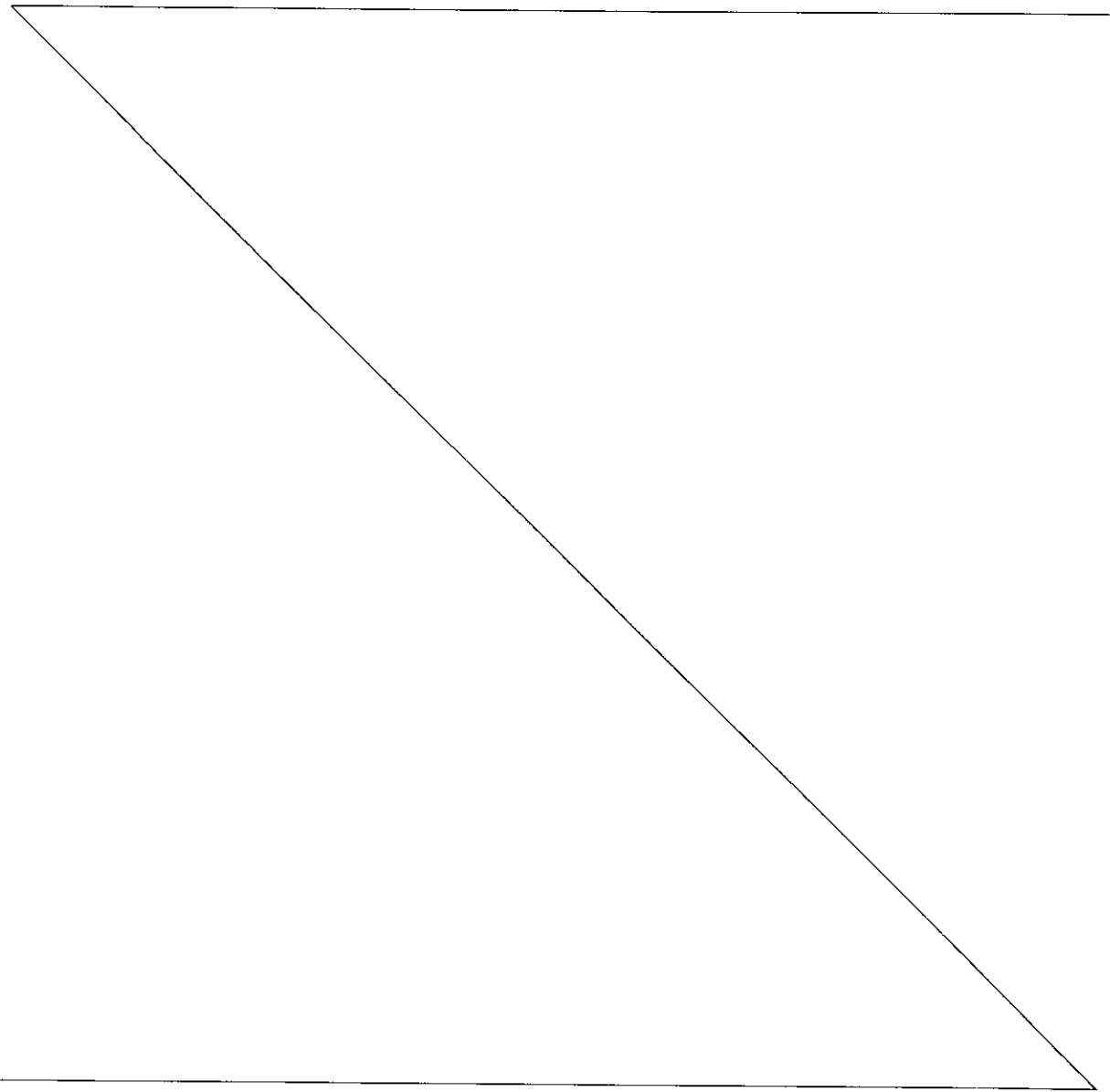
7. GRANTEE will be liable for money damages in tort for any injury to or loss of property, personal injury, or death caused by the negligent or wrongful act(s) or omission(s) of any official or employee of the GRANTEE while acting within the scope of the official's or employee's office or employment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

[Signature]  
[1<sup>st</sup> Witness' Signature]

TESHA MURDOCH  
[Type or Print Name]

[Signature]  
[2<sup>nd</sup> Witness' Signature]

Brotton Muckel  
[Type or Print Name]

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

Timothy J. Ruemler  
[Type or Print Name]

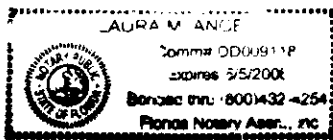
Division President  
[Title]

STATE OF FLORIDA

COUNTY OF Collier

The foregoing instrument was signed and acknowledged before me this 26th day of January 2005 by Tim Ruemler who produced the following as identification \_\_\_\_\_ or is personally know to me, and who did/did not take an oath.

[stamp or seal]



[Signature]  
[Signature of Notary]

Laura M Anice  
[Typed or Printed Name]

Approved and accepted for and on behalf of Lee County, Florida, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

ATTEST:  
CHARLIE GREEN, CLERK

BOARD OF COUNTY COMMISSIONERS  
OF LEE COUNTY, FLORIDA

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

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

APPROVED AS TO FORM

BY: \_\_\_\_\_  
Office of the County Attorney

**CENTEX REAL ESTATE CORPORATION  
and  
CENTEX HOMES**


**CERTIFIED CORPORATE RESOLUTION**

I, the undersigned, Rebecca L. Arredondo, Assistant Secretary of Centex Real Estate Corporation, a corporation duly organized and existing under the laws of the State of Nevada (the "Corporation") and the sole Managing General Partner of Centex Homes, a Nevada general partnership (the "Partnership"), do hereby certify that I have access to the records and minutes of the proceedings of the Board of Directors of the Corporation and of the management of the Partnership; that the resolutions set forth in the Exhibit A attached hereto, and hereby made a part hereof, were duly adopted by the Unanimous Written Consent of the Board of Directors of the Corporation as of July 17, 2003; that the resolutions and the adoption thereof are consistent with the laws of the State of Nevada, and with the Articles of Incorporation and the By-laws of the Corporation; and that such resolutions have not been revoked or amended and are now in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Corporation this 24th day of February, 2004.



CENTEX REAL ESTATE CORPORATION  
Sole Managing General Partner of Centex Homes,  
a Nevada general partnership

  
Rebecca L. Arredondo  
Assistant Secretary

RECEIVED MAR 18 2005

**EXHIBIT A**

**A. DEFINITIONS.**

As used in this resolution, "General Power" means the authority to act relating to the ordinary course of business of Centex Real Estate Corporation (the "Corporation") generally, without restriction to a particular Division or project, both in the Corporation's own capacity and as managing general partner of Centex Homes, a Nevada general partnership (the "Partnership").

As used in this resolution, "Division Specific Power" means the authority to act relating only to the ordinary course of business of a Division over which the officer or manager in question has management responsibility, both in the Corporation's own capacity and as managing general partner of the Partnership; provided, however, that when used with respect to any Regional Division of the Partnership operating in the on-your-lot market segment, "Division Specific Power" means the authority to act relating only to the ordinary course of business of such Regional Division, or any Division within such Regional Division, over which the officer or manager in question has management responsibility, both in the Corporation's own capacity and as managing general partner of the Partnership.

As used in this resolution, "Project Specific Power" means the authority to act relating only to the ordinary course of business for specific projects within a Division over which the officer or manager in question has management responsibility, both in the Corporation's own capacity and as managing general partner of the Partnership.

**B. RESOLUTIONS.**

RESOLVED, that the following officers and managers of the Corporation shall have the General Power, the Division Specific Power or the Project Specific Power, as indicated in the charts below, and authority to execute and deliver on behalf of the Corporation, both in the Corporation's own capacity and as managing general partner of the Partnership, with or without a corporate seal, the following:

- I. Other than the documentation relating to storm water management described in Section IX. below, applications, tentative and final subdivision plats and maps, development agreements and all other documents that are relevant or incident to the development of real property in which the Corporation or the Partnership has any interest:

<i>General Power</i>	<i>Division Specific Power</i>	<i>Project Specific Power</i>
Chairman of the Board	Division President	Development Manager
President	Division Manager	Land Development Manager
Executive Vice President	Division Vice President	Project Manager
Senior Vice President	Division Controller or Division Chief Financial Officer	Area Manager
Vice President	Regional Chief Financial Officer or Regional Controller*	Land Acquisition Manager

\* Regional Financial Officer and Regional Controller have the same power as the Division Controller and Division Chief Financial Officer in each Division within the Region.



**Centex Real Estate Corporation  
Directors / Officers Report  
As of 3/3/2004**

Edward F. Hackett	Chief Financial Officer/Controller (Midwest Region) and Assistant Secretary
Leona L. Hammond	Chief Financial Officer/Controller (Southeast Region) and Assistant Secretary
Todd V. Erickson	Vice President - Finance (Southwest Region)
Carl E. Greene	Chief Financial Officer/Controller (West Coast Region) and Assistant Secretary
John D. Michell	President (AZ-Phoenix Division)
James P. Retzer	Controller (AZ-Phoenix Division) and Assistant Secretary
Travis L. Fuentez	President (CA-Central Coast Division)
Michael H. Murphy	Controller (CA-Central Coast Division) and Assistant Secretary
David C. Hatch	President (CA-Central Valley Division)
Roger R. Foster	Controller (CA-Central Valley Division) and Assistant Secretary
David L. Hahn	President (CA-Inland Empire Division)
Leo L. McKinley	Controller (CA-Inland Empire Division) and Assistant Secretary
John B. Bertero, III	President (CA-LA/Ventura Division)
David L. Pitts	Vice President - Forward Planning (CA-LA/Ventura Division)
Kurt W. Altergott	Controller (CA-LA/Ventura Division) and Assistant Secretary
R. John Ochsner	President (CA-Northern California Division)
Laurel A. Rochester	Chief Financial Officer/Controller (CA-Northern California Division) and Assistant Secretary
Barry E. Crosby	Vice President - Land (CA-Northern California Division)
Will Leighton	Vice President - Land Acquisition (CA-Northern California Division)
Philip G. Rafton	Vice President - Community Development (CA-Northern California Division)
Mary K. Hurt	Controller (CA-Northern California Division) and Assistant Secretary
Jack E. Hood	President (CA-Sacramento Division)
Douglas A. Pautsch Jr.	Chief Financial Officer/Controller (CA-Sacramento Division) and Assistant Secretary
Eric D. Quinlan	Controller (CA-Sacramento Division) and Assistant Secretary
John Dawson Kerr Jr.	President (CA-San Diego Division)
John M. Massey	Controller (CA-San Diego Division) and Assistant Secretary
Richard P. Douglass	President (CA-South Coast Division)
Mark O. Moffitt	Chief Financial Officer (CA-South Coast Division)
Arthur N. Lehnert	Vice President (CA-South Coast Division)
Marilyn A. Putman	Vice President (CA-South Coast Division)
Jim Guccione	Vice President - Operations (CA-South Coast Division)
George S. Lambrakis	Controller (CA-South Coast Division) and Assistant Secretary
Karoline E. Vogt	Chief Financial Officer/Controller (Centex Destination Properties) and Assistant Secretary
Joseph J. Arcisz III	President (Central Mountain Division)
Jason F. Longo	Controller (Central Mountain Division) and Assistant Secretary
Mark L. Krivel	President (CO-Denver Division)
Jeffrey P. Carlson	Controller (CO-Denver Division) and Assistant Secretary
Robert K. Davis	President (D.C. Metro Division)
Joseph H. Ricketts III	Chief Financial Officer/Controller (D.C. Metro Division) and Assistant Secretary
Ronald S. Salameh	Manager (D.C. Metro [MD/DC Suburbs Satellite] Division)
Stephen L. Fritz	Manager (D. C. Metro-Northern Virginia-Division)
Timothy J. Ruemler	President (FL-Naples/Ft Meyers Division)
Michael S. McLeod	Controller (FL-Naples/Ft. Meyers Division) and Assistant Secretary



March 16, 2005

SHEET 2 OF 2  
NOT VALID WITHOUT SHEET 1 OF 2

**DESCRIPTION**

**LEE COUNTY UTILITY EASEMENT  
LYING IN CROWN COLONY, UNIT IV  
PLAT BOOK 77, PAGES 53-58  
SECTION 3, TOWNSHIP 46 SOUTH, RANGE 24 EAST  
LEE COUNTY, FLORIDA**

A parcel of land lying in Section 3, Township 46 South, Range 24 East, County of Lee, State of Florida, being a part of Tract LS-7 as shown on the plat of Crown Colony, Unit IV as recorded in Plat Book 77 at pages 53 through 58, Public Records of Lee County, Florida, which is described as follows:


Commencing at the northwest corner of boundary of said plat run S 00° 53' 31" E along the west line of said plat and the east right-of-way line of Winkler Road Extension (100.00 feet wide) for 930.51 feet; thence run N 89° 06' 29" E for 122.98 feet to the Point of Beginning.

From said beginning point N 24° 17' 11" W for 32.00 feet; thence run N 65° 13' 05" E for 19.99 feet to an intersection with a non-tangent curve and the westerly right-of-way line of Crownsbury Way; thence run southeasterly along the arc of said curve to the right with a radius 340.00 feet (delta 5° 23' 40") (chord bearing S 24° 46' 55" E) (chord 32.00 feet) for 32.01 feet; thence run S 65° 13' 05" W for 20.26 feet to the Point of Beginning.

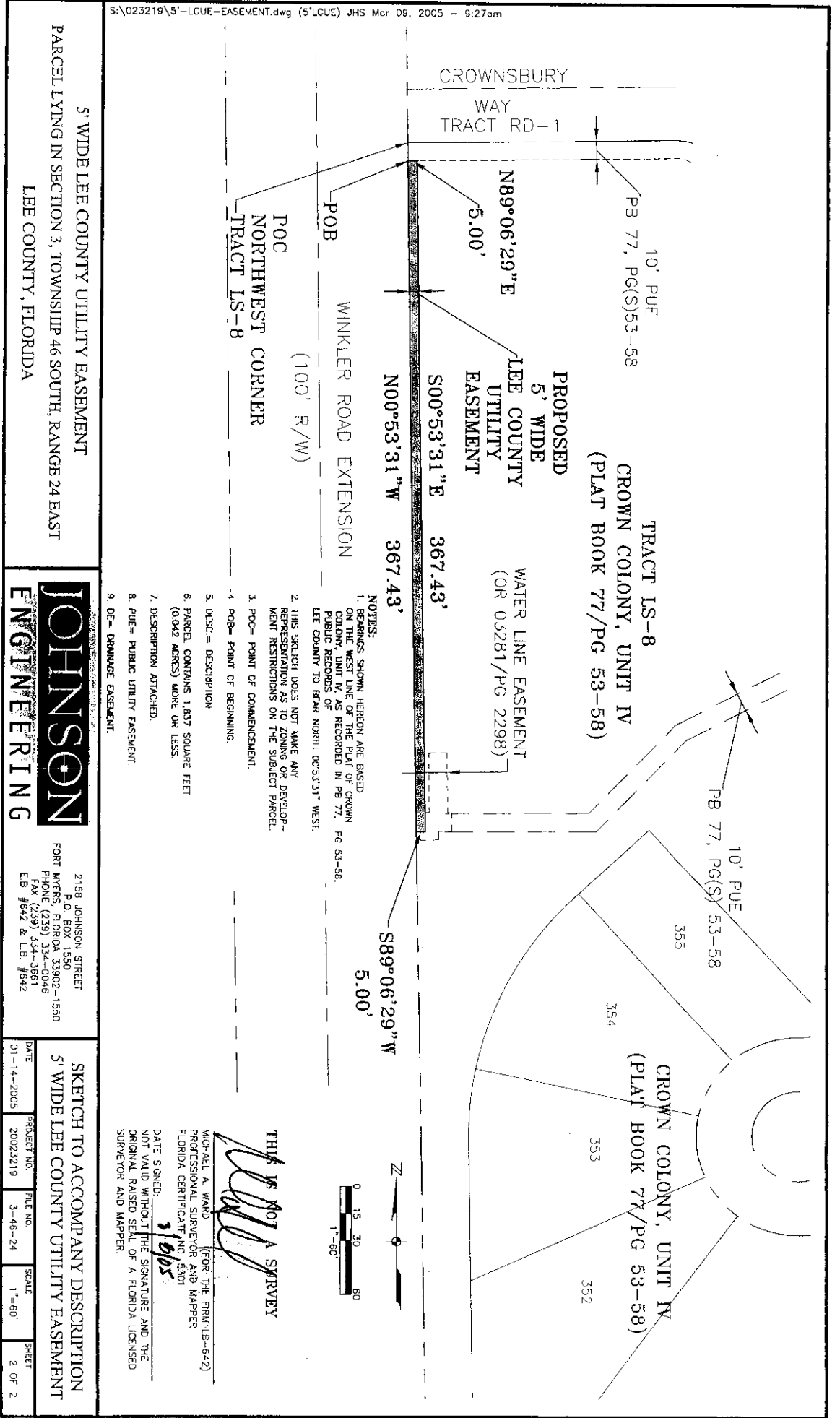
Parcel contains 652 sq. ft., more or less.

SUBJECT TO easements, restrictions and reservations of records.

Bearings hereinabove mentioned are based on the north line of said Crown Colony, Unit IV plat as recorded in Plat Book 77 at pages 53 through 58, Public Records of Lee County, Florida to bear N 89° 03' 23" E.

  
2/16/05  
\_\_\_\_\_  
Michael A. Ward (for the Firm LB-642)  
Professional Land Surveyor and Mapper  
Florida Certificate No. 5301

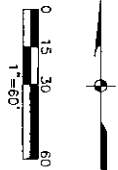
20023219 lcu easement 031605



POB  
WINKLER ROAD EXTENSION  
(100' R/W)  
POC  
NORTHWEST CORNER  
TRACT LS-8

- NOTES:
1. BEARINGS SHOWN HEREON ARE BASED ON THE WEST LINE OF THE PLAT OF CROWN COLONY, UNIT IV, AS RECORDED IN PB 77, PG 53-58, PUBLIC RECORDS OF LEE COUNTY TO BEAR NORTH  $00^{\circ}53'31''$  WEST.
  2. THIS SKETCH DOES NOT MAKE ANY REPRESENTATIONS OR DEVELOPMENT RESTRICTIONS ON THE SUBJECT PARCEL.
  3. POC= POINT OF COMMENCEMENT.
  4. POB= POINT OF BEGINNING.
  5. DESC= DESCRIPTION
  6. PARCEL CONTAINS 1,837 SQUARE FEET (0.042 ACRES) MORE OR LESS.
  7. DESCRIPTION ATTACHED.
  8. PUE= PUBLIC UTILITY EASEMENT.
  9. DE= DRAINAGE EASEMENT.

THIS IS NOT A SURVEY  
*[Signature]*  
MICHAEL A. WARD (FOR THE FIRM L.B.-642)  
PROFESSIONAL SURVEYOR AND MAPPER  
FLORIDA CERTIFICATE NO. 5301  
DATE SIGNED: 3/9/05  
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.



5' WIDE LEE COUNTY UTILITY EASEMENT  
PARCEL LYING IN SECTION 3, TOWNSHIP 46 SOUTH, RANGE 24 EAST  
LEE COUNTY, FLORIDA

**JOHNSON ENGINEERING**  
2158 JOHNSON STREET  
P.O. BOX 1550  
FORT WERS, FLORIDA 33902-1550  
PHONE (239) 334-0046  
FAX (239) 334-5661  
E.B. #642 & L.B. #642

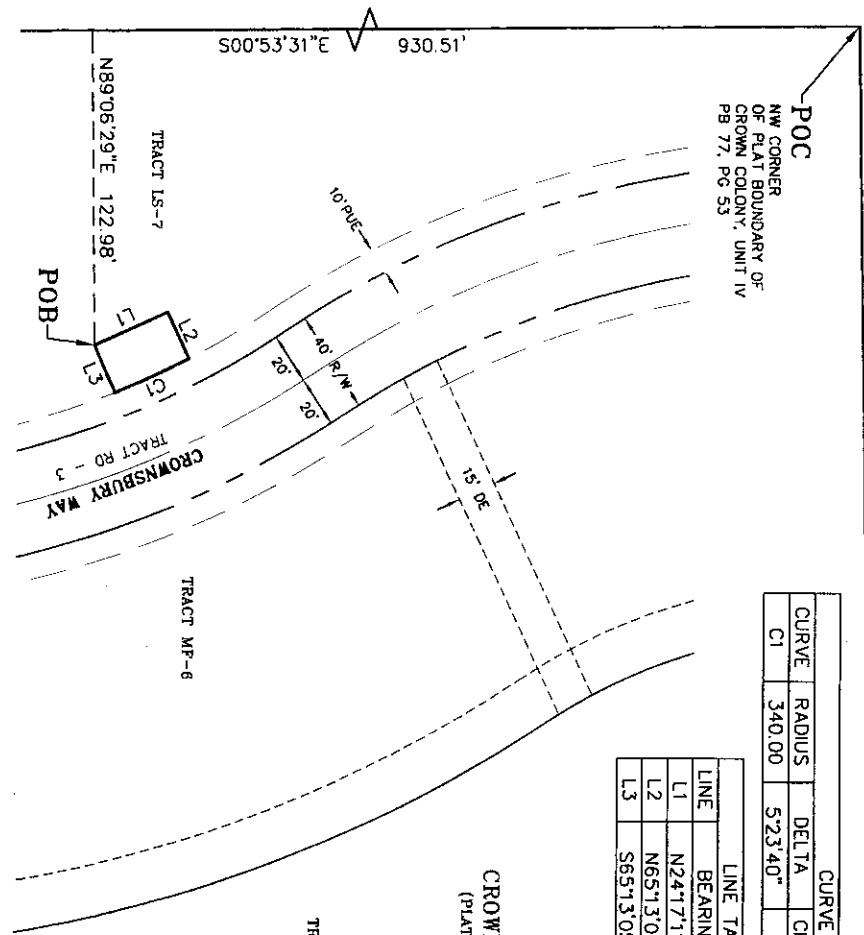
DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
01-14-2005	20021219	3-46-24	1"=60'	2 OF 2

SKETCH TO ACCOMPANY DESCRIPTION  
5' WIDE LEE COUNTY UTILITY EASEMENT

**COPY**

COPY

WINKLER ROAD EXTENSION (100' WIDE)



CURVE TABLE				
CURVE	RADIUS	DELTA	CHORD BEARING	CHORD LENGTH
C1	340.00	52°34'0"	S24°46'55"E	32.00
				32.01

LINE TABLE		
LINE	BEARING	LENGTH
L1	N24°17'11"W	32.00
L2	N65°13'05"E	19.99
L3	S65°13'05"W	20.26

CROWN COLONY, UNIT IV  
(PLAT BOOK 77/PG 53-56)

LEE COUNTY UTILITIES EASEMENT  
CROWN COLONY, UNIT IV  
PLAT BOOK 77, PAGES 53-57  
SECTION 3, TOWNSHIP 46 SOUTH, RANGE 24 EAST  
LEE COUNTY, FLORIDA

**JOHNSON**  
ENGINEERING

2156 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

DATE 03/16/05

PROJECT NO. 20023219

FILE NO. 3-46-24

SCALE 1"=60'

SHEET 1 OF 2

NOT VALID WITHOUT SHEET 2 OF 2

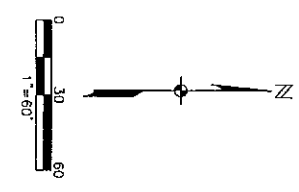
THIS IS NOT A SURVEY

MICHAEL A. WARD (FOR THE FIRM LB-642)  
PROFESSIONAL SURVEYOR AND MAPPER  
FLORIDA CERTIFICATE NO. 5301

DATE SIGNED: 3/16/05

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

- NOTES:
1. BEARINGS SHOWN HEREON ARE BASED ON THE NORTH LINE OF THE PLAT OF CROWN COLONY, UNIT IV, AS RECORDED IN PB 77, PG 53-56, PUBLIC RECORDS OF LEE COUNTY.
  2. THIS SKETCH DOES NOT MAKE ANY REPRESENTATIONS AS TO ZONING OR DEVELOPMENT RESTRICTIONS ON THE SUBJECT PARCEL.
  3. POC = POINT OF COMMENCEMENT.
  4. POB = POINT OF BEGINNING.
  5. PARCEL CONTAINS 3,060 SQUARE FEET, MORE OR LESS.
  6. DESCRIPTION ATTACHED.
  7. PUE = PUBLIC UTILITY EASEMENT.
  8. DE = DRAINAGE EASEMENT.



SKETCH TO ACCOMPANY  
DESCRIPTION



January 14, 2005  
DESCRIPTION  
**PROPOSED**  
**5' WIDE LEE COUNTY UTILITY EASEMENT**  
**PARCEL LYING IN**  
**SECTION 3, TOWNSHIP 46 SOUTH, RANGE 24 EAST**  
**LEE COUNTY, FLORIDA**

**5' WIDE LEE COUNTY UTILITY EASEMENT**

A parcel of land lying in Section 3, Township 46 South, Range 24 East, Lee County, Florida, as Recorded in Plat Book 77, pages 53 through 58, Public Records, being more particularly described as follows:

Beginning at Northwest corner of Tract LS-8, as recorded in the Plat of Crown Colony, Unit IV, Plat Book 77, pages 53 through 58, run South 00°53'31" East along the Easterly Right Of Way line of Winkler Road Extension, a 100 feet wide Public Right Of Way, said line also being the Westerly Boundary of said Crown Colony, Unit IV for a distance of 10.00 feet to the POINT OF BEGINNING.

From said POINT OF BEGINNING depart said Right Of Way line run North 89°06'29" East, for a distance of 5.00 feet; thence South 00°53'31" East, for a distance of 367.43 feet; thence South 89°06'29" West, for a distance of 5.00 feet to a point of intersection with said Westerly Boundary line and said Easterly Right Of Way line; thence North 00°53'31" West, for a distance of 367.43 feet to the POINT OF BEGINNING.

Containing 1,837 square feet or 0.042 acres, more or less.

Bearings shown hereon are based on the plat of Crown Colony, Unit IV, Plat Book 77, pages 53 through 58, wherein the Westerly Line bears thence North 00°53'31" West.

**COPY**

MICHAEL A. WARD (FOR THE FIRM LB-642) PROFESSIONAL  
SURVEYOR AND MAPPER FLORIDA CERTIFICATE NO. 5301  
DATE SIGNED: 3/8/05  
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A  
FLORIDA LICENSED SURVEYOR AND MAPPER

# COPY

**TO: LEE COUNTY FINANCE DEPARTMENT**

**FROM: UTILITIES ENGINEERING**  
**(Department)**

V#111463  
BS 20051116-UTIL

LINDA WHITE

**A. AUTHORIZATION:**

This transmittal authorizes the UTIL. ENGINEERING  
office to incur expenses for filing/record against:

Purchase Order # N/A for CROWN COLONY PHASE III  
project.

ACCOUNT NO. OD5360748700.504930

ORIGINAL EASEMENT TO MINUTES AFTER RECORDING,  
WITH COPY TO LINDA WHITE, UTIL.

LINDA WHITE  
8-11-05

**Signature Authorization**

**B. SERVICE RECEIVED:**

**RECORDING** EASEMENT: CENTEX HOMES

**O. R. COPIES** \_\_\_\_\_

**PLAT COPIES** \_\_\_\_\_

**CASE # INDEX FEE** \_\_\_\_\_

**DESCRIPTION OF SERVICE** RECORDING

**AMOUNT OF FEE INCURRED \$** \_\_\_\_\_

(date)

(DEPUTY CLERK)

(CUSTOMER) (DEPT.)

**THIS FORM GOES TO CASHIER WITH REGULAR RECEIPT ATTACHED**

**C. INVOICE INFORMATION: (FOR CLERK'S DEPARTMENT ONLY)**

**REC'D** \_\_\_\_\_

**ENTERED** \_\_\_\_\_

**CUST. #** 500283

**INV. #** \_\_\_\_\_

**PLEASE REMIT TO:** Clerk's Accounting  
P.O. BOX 2396  
FORT MYERS, FLORIDA 33902-2396