

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

**Blue Sheet No.
20051237**

1. ACTION REQUESTED/PURPOSE:

Approve and execute a utility easement to FPL for the Caloosahatchee Regional Park Lodge Project. Authorize Division of County Lands to handle all documentation necessary to complete the transaction.

2. WHAT ACTION ACCOMPLISHES:

Provides an easement for electric service to the Caloosahatchee Regional Park Lodge.

3. MANAGEMENT RECOMMENDATION: Management recommends Board approve the Action Requested

4. Departmental Category: 6 **C6E** **5. Meeting Date:** 09-20-2005

6. Agenda:	<input checked="" type="checkbox"/> Consent	7. Requirement/Purpose: (specify)	<input checked="" type="checkbox"/> Statute	FS. 125	8. Request Initiated:	
	<input type="checkbox"/> Administrative		<input type="checkbox"/> Ordinance			Commissioner
	<input type="checkbox"/> Appeals		<input type="checkbox"/> Admin. Code			Department
	<input type="checkbox"/> Public		<input type="checkbox"/> Other			Division
	<input type="checkbox"/> Walk-On					By: Karen L.W. Forsyth, Director
					Independent <i>RE</i>	
					County Lands <i>KLW</i>	

9. 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 Caloosahatchee Regional Park property, identified as STRAP Number 20-43-27-00-00001.0060.

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 park facility.

Cost to record the easement plus documentary stamps will be approximately \$50.

The CIP number is 20185018700.

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

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>K. Forsyth</i>			<i>DAD 9/10/05</i>	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>

11. Commission Action:

- Approved**
- Other**
- Deferred**
- Denied**

RECEIVED BY
COUNTY ADMIN:
<i>[Signature]</i>
<i>9-25</i>
COUNTY ADMIN
FORWARDED TO: <i>[Signature]</i>
<i>[Signature]</i>

<i>9/20/05</i>
<i>[Signature]</i>
CC. ATTY.
FORWARDED TO:

Sec. 20 , Twp. 43S, Rge. 27E
Parcel I.D. 20-43-27-00-00001.0060
(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 Bean, Whitaker, Lutz & Kareh, Inc., dated Aug. 1, 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



Bean, Whitaker, Lutz & Kareh, Inc.

13041 McGregor Boulevard
Fort Myers, Florida 33919-5910
email – fmooffice@bwlk.net
(Ph) 239-481-1331 (Fax) 239-481-1073

Exhibit "A"

Page 1 of 2

A Parcel of Land
Lying in
Section 20, Township 43 South, Range 27 East
Lee County, Florida
(Proposed 10' FP&L Easement)

A tract or parcel of land situated in the State of Florida, County of Lee, lying in the northwest one quarter (NW 1/4) of Section 20, Township 43 South, Range 27 East, Lee County Florida.

A 10' FP&L Easement lying 5 feet each side of the following described centerline:

Commencing at the northwest corner of the northwest one quarter (NW 1/4) of said Section 20; thence S89°37'27"E along the north line of said fraction for 733.77 feet; thence S00°19'26"W departing said north line of said fraction for 50.29 feet to the south right-of-way line of North River Road C.R. 78 and the Point of Beginning of the herein described centerline; thence continue S00°19'26"W for 536.45 feet to the Point of Terminus of the herein described centerline.

Parcel subject to easements, restrictions, reservations of right-of-way (recorded and unrecorded, written and unwritten).

Bearings are based on the north line of the northwest one quarter (NW ¼) of Section 20, Township 43 South, Range 27 East as being S89°37'27"E

Bean, Whitaker, Lutz & Kareh, Inc. (LB 4919)


Scott C. Whitaker, P.S.M. 4324

37096_FP&L_EASE

8/1/05

PRINCIPALS:
WILLIAM E. BEAN, PSM, CHAIRMAN
SCOTT C. WHITAKER, PSM, PRESIDENT
JOSEPH L. LUTZ, PSM
AHMAD R. KAREH, PE, MSCE, VICE PRESIDENT

CONSULTING ENGINEERS - SURVEYORS AND MAPPERS - PLANNERS



ASSOCIATES:
TRACY N. BEAN, AICP
CHARLES D. KNIGHT, PSM
W. BRITT POMEROY, JR., PSM
STEPHEN H. SKORUPSKI, PSM
ELWOOD FINEFIELD, PSM
JAMES A. HESSLER, PSM
JAMES R. COLEMAN, PSM
RUDOLF A. NORMAN, PE

SKETCH TO ACCOMPANY DESCRIPTION

OF A PARCEL OF LAND LYING IN SECTION 20, TOWNSHIP 43 SOUTH, RANGE 27 EAST, LEE COUNTY, FLORIDA

NORTH LINE NORTHWEST ONE QUARTER NW 1/4 SECTION 20

NORTH RIVER ROAD (CR 78)

S89°37'27"E 733.77' (BEARING BASIS)

S89°37'27"E 1939.50'

R/W

POINT OF COMMENCEMENT NW CORNER SECTION 20, TOWNSHIP 43 SOUTH, RANGE 27 EAST

S00°19'26"W 50.29'

POINT OF BEGINNING

NE CORNER NORTHWEST ONE QUARTER NW 1/4 SECTION 20, TOWNSHIP 43 SOUTH, RANGE 27 EAST

CENTERLINE PROPOSED 10' FP&L EASEMENT

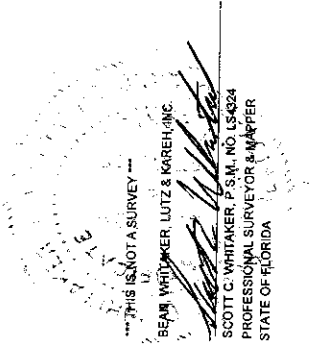
S00°19'26"W 536.45'

WEST LINE NW 1/4 SECTION 20

POINT OF TERMINUS

ABBREVIATIONS:

- R/W = RIGHT-OF-WAY
- C.R. = COUNTY ROAD
- NW = NORTHWEST
- NE = NORTHEAST



THIS IS NOT A SURVEY

BEAN, WHITAKER, LUTZ & KAREH, INC.

SCOTT C. WHITAKER, P.S.M. NO. LS-624
PROFESSIONAL SURVEYOR & MAPPER
STATE OF FLORIDA

PROPOSED 10' FP&L EASEMENT

Bean, Whitaker, Lutz & Kareh, Inc. (LB 4919)

CONSULTING ENGINEERS - SURVEYORS AND MAPPERS - PLANNERS

13041 MCGREGOR BOULEVARD, FORT MYERS, FLORIDA 33919-6910 (239) 481-1331

INSTRUMENT: FP&L EASEMENT

DATE: 08-21-2025

PROJECT NO.: 37096

DRAWN BY: J.N.

SCALE: 1"=100'

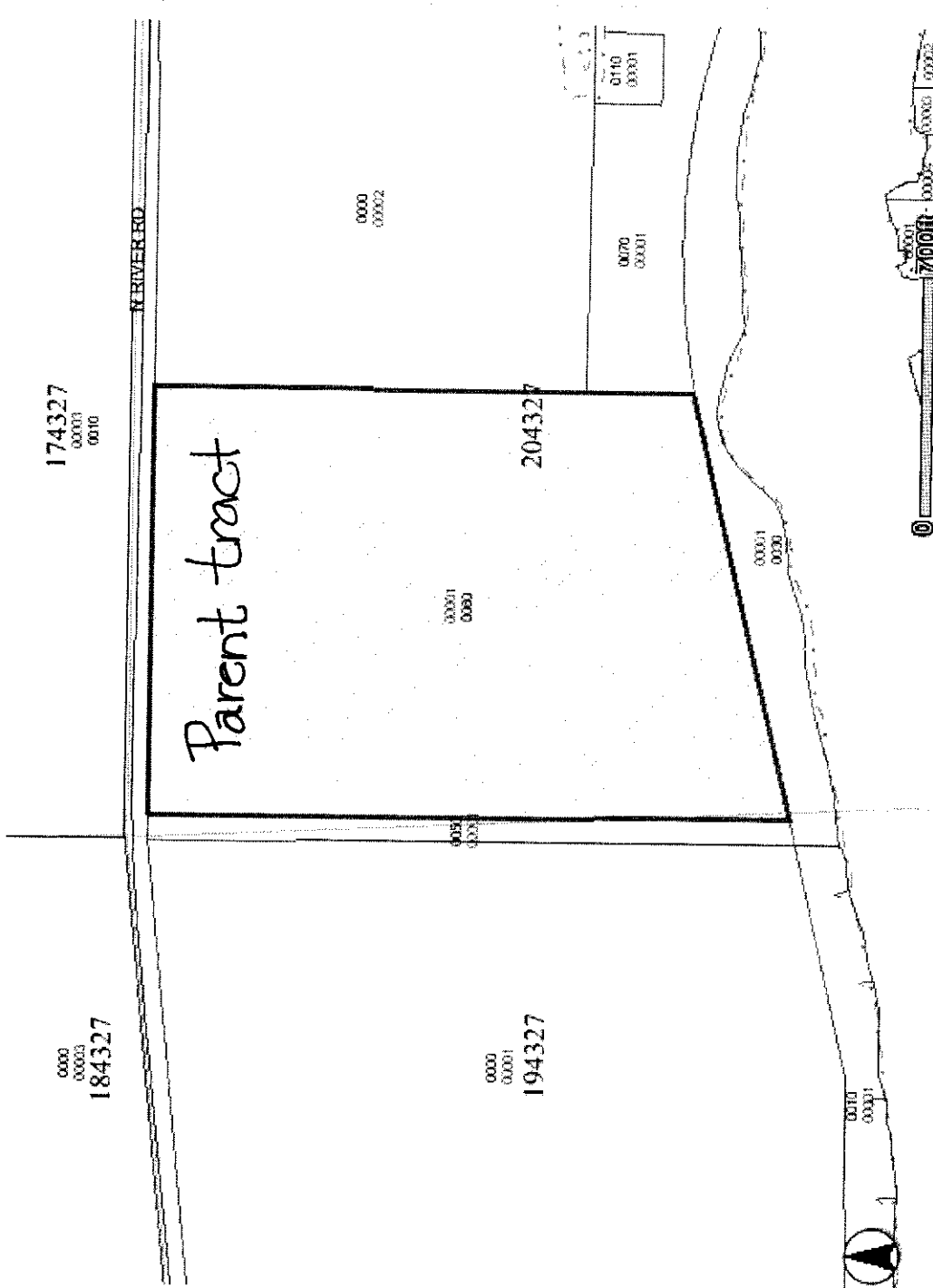
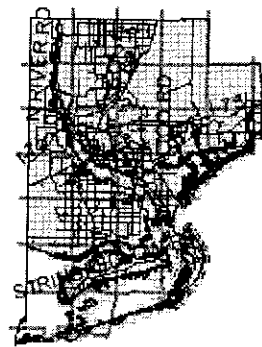
SHEET: 1 OF 1

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20-43-27

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

STRAP No. 20-43-27-00-000001.0060



- Legend
- Selected Features
 - Block
 - Lot
 - Parcels
 - Parcel Hooks
 - Hydro Features
 - Road Center Line
 - Township Range Lines
 - Township Range Labels
 - Section Lines
 - City Limits
 - Bonita Springs
 - Cape Coral
 - Fort Myers
 - Sanibel
 - Town of Fort Myers Beach