

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

Blue Sheet No. 20051638-UTL

**1. Action Requested/Purpose:**

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 *MOODY RIVER ESTATES, PARCEL D*, a phased residential development. This is a Developer Contributed asset project located on the south side of Hancock Bridge Parkway between Moody Road and Skyline Drive, approximately 1.25 miles west of N Cleveland Avenue.

**2. What Action Accomplishes:**

Provides adequate utility infrastructure to support development of the subject property and complies with the Lee County Utilities Operations Manual.

**3. Management Recommendation:**

Approval.

**4. Departmental Category: 10 -**

**CIOF**

**5. Meeting Date:**

**12-13-2005**

**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: **Rick Diaz, P. E., Utilities Director** **11/27/05**

**9. Background:**

The Board granted permission to construct on 12/14/04, Blue Sheet #20041519.  
 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. 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.

No Funds Required.

SECTION 09    TOWNSHIP 44S    RANGE 24E    DISTRICT #4    COMMISSIONER HALL

**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>J. Lavender</i> Date: <b>11-21-05</b>	N/A	N/A	<i>R.O.</i> T. Osterhout Date: <b>11/21</b>	<i>S. Coovert</i> Date: <b>11-25-05</b>	<i>P.M.</i> <b>11/29/05</b>	<i>W. Leaker</i> <b>11/29/05</b>	<i>K.S.</i> <b>11/29/05</b>	<i>J. Lavender</i> Date: <b>11-21-05</b>	

**11. Commission Action:**

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

RECEIVED BY  
 COUNTY ADMIN  
**11-25-05**  
**1:34**  
**11-20-05**  
**3:14**

Rec. by CoAtty  
 Date: **12/3/05**  
 Time: **8:23 AM**  
 Forwarded To:  
**Kenn 11/28**

RESOLUTION NO. \_\_\_\_\_

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

BS 20051638

WHEREAS, it is the desire of **"Colonial Homes, Inc."**, owner of record, to make a contribution to Lee County Utilities of water facilities (**water distribution system**) and sewer facilities (**gravity collection system**) serving **"MOODY RIVER ESTATES, PARCEL D"**; 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 **\$136,941.00** 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 Tammara 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: \_\_\_\_\_  
CHAIRWOMAN

APPROVED AS TO FORM

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

LETTER OF COMPLETION

DATE: 5/24/2005

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

Gentlemen:

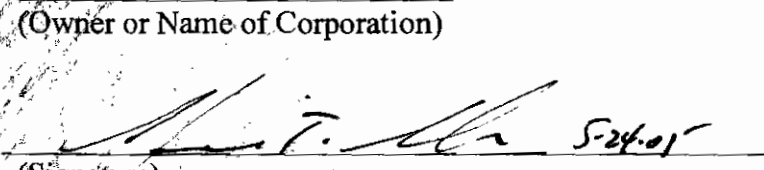
This is to certify that the **water distribution and gravity collection** systems located in  
Moody River Estates - Parcel D  
(Name of Development)

were designed by me and have been constructed in conformance with:  
**the revised plans, attached and the approved specifications**

Upon completion of the work, we observed the following successful tests of the facilities:  
**Pressure Test(s) - Water Main , Bacteriological Test , TV Inspection, Mandrill - Gravity Main  
and Low Pressure Test(s) - Gravity Main**

Very truly yours,

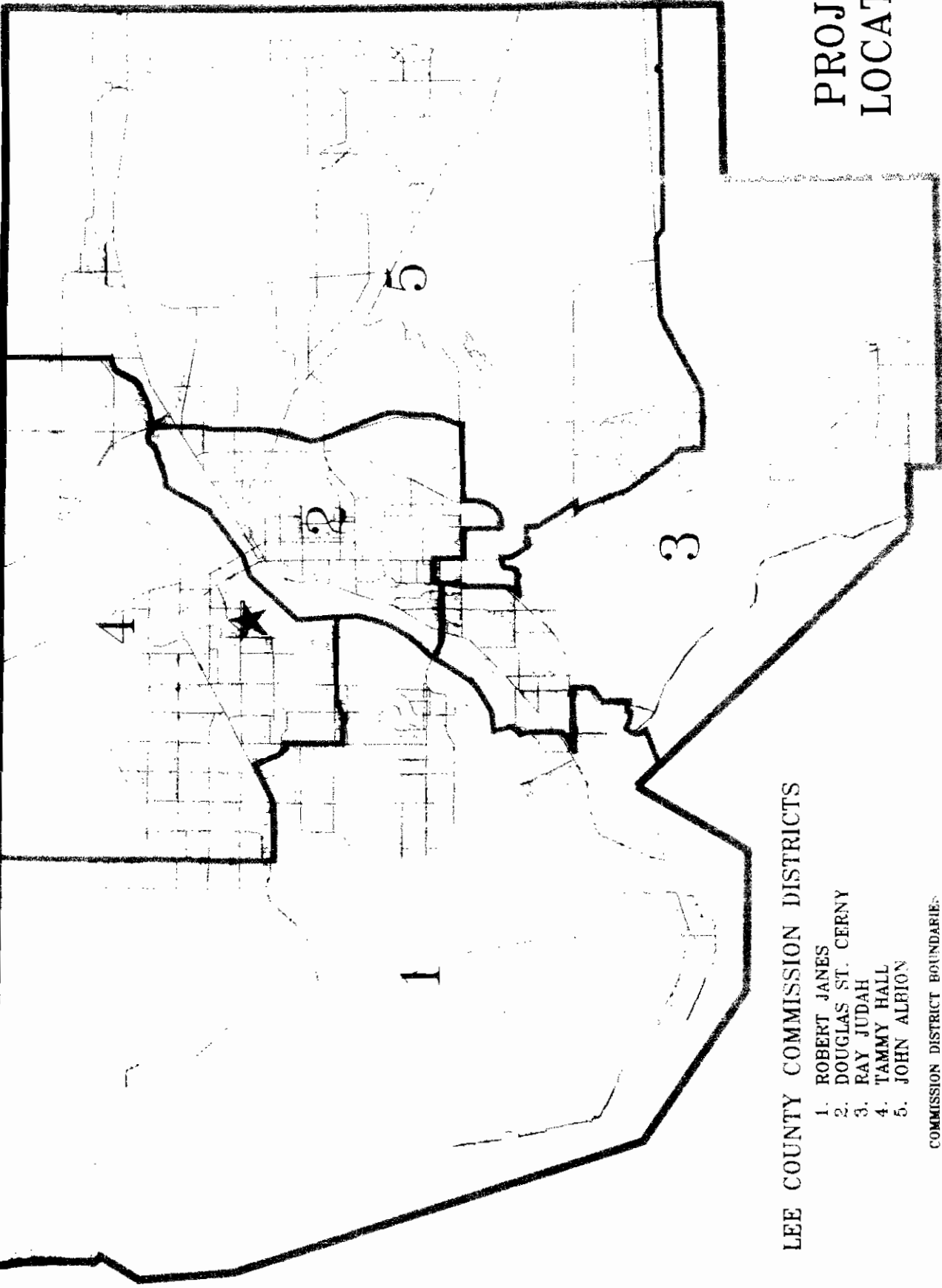
Strickland T. Smith, P.E. # 50652  
(Owner or Name of Corporation)

  
(Signature)

Vice President of Heidt & Associates, Inc.  
(Title)

(Seal of Engineering Firm)

MOODY RIVER ESTATES, PARCEL D  
09-44-24-35-0000A.00CE  
COMMISSION DISTRICT #4 - HALL



LEE COUNTY COMMISSION DISTRICTS

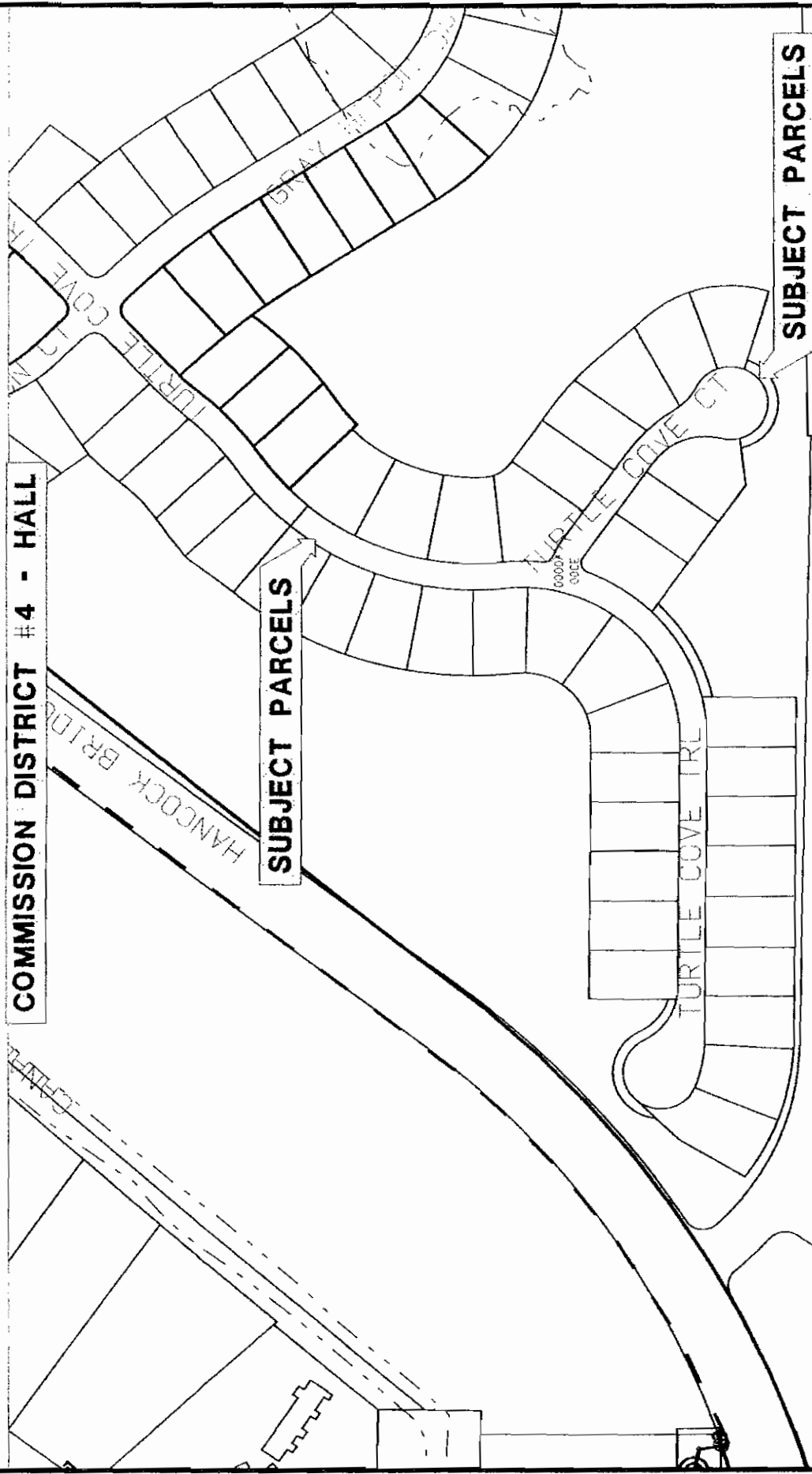
- 1. ROBERT JANES
- 2. DOUGLAS ST. CERNY
- 3. RAY JUDAH
- 4. TAMMY HALL
- 5. JOHN ALBION

COMMISSION DISTRICT BOUNDARIES  
DECEMBER 2006

PROJECT  
LOCATION

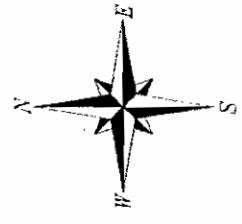
**MOODY RIVER ESTATES - PARCEL 'D'**

**COMMISSION DISTRICT #4 - HALL**



**SUBJECT PARCELS**

**SUBJECT PARCELS**



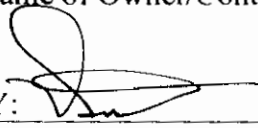
**09-44-24-35-0000A.00CE TURTLE COVE TRAIL & TURTLE COVE CT**

WARRANTY

THE UNDERSIGNED parties do hereby warrant and/or guaranty all work executed by the contractor on the water and sewer systems of Moody River Estates, Parcel D 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.

Brenda Merchant, Authorized Agent  
 (Name of Owner/Contractor)

BY:   
 (Signature of Owner/Contractor)

STATE OF FL )  
 ) SS:  
 COUNTY OF COLLIER )

The foregoing instrument was signed and acknowledged before me this 23 rd day of AUG, 2005 by Brenda Merchant who is personally known to me - \_\_\_\_\_, and who did not take an oath.

  
 Notary Public Signature

LINDA MAHON  
 Printed Name of Notary Public



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

(Notary Seal & Commission Number)

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

The undersigned lienor, in consideration of the final payment in the amount of One hundred thirty-six thousand nine hundred forty-one & 00/100 (\$136,941.00) hereby waivers and releases its lien and right to claim a lien for labor, services, or materials furnished to Colonial Homes, Inc. on the job of Moody River Estates - Parcel D to the following described property:

Moody River Estates - Parcel D  
(Name of Development/Project)

water distribution and sanitary sewer systems  
(Facilities Constructed)

Turtle Cove Trail & Turtle Cove Court  
(Location)

09-44-24-35-0000A.00CE  
(Strap # or Section, Township & Range)

Dated on: August 23, 2005

By: [Signature]  
(Signature of Authorized Representative)

Haleakala Construction, Inc.  
(Name of Firm or Corporation)

By: Brenda Merchant  
(Print Name of Authorized Representative)

5758 Taylor Road  
(Address of Firm or Corporation)

Title: Authorized Representative

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 23 rd day of August, 2005 by Brenda Merchant who is personally known to me - \_\_\_\_\_, and who did not take an oath.



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

[Signature]  
(Notary Public Signature)

(Notary Seal & Commission Number)

LINDA MAHON  
(Printed Name of Notary Public)

RECEIVED 08-27-2005

**CERTIFICATION OF CONTRIBUTORY ASSETS**

PROJECT NAME: Moody River Estates, Parcel D

STRAP NUMBER: 09-44-24-35-0000A.00CE

LOCATION: Turtle Cove Trail & Turtle Cove Court

OWNER'S NAME: (as shown on Deed) Colonial Homes, Inc.

OWNER'S ADDRESS: 12631 Westlinks Drive; Unit 7

OWNER'S ADDRESS: Fort Myers ,FL 33913-

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.

<u>ITEM</u>	<u>SIZE</u>	<u>QUANTITY</u>	<u>UNIT</u>	<u>UNIT COST</u>	<u>TOTAL</u>
PVC C-900 DR-18 Water Main	4"	809.0	LF	\$13.50	\$10,921.50
PVC C-900 DR-18 Water Main	8"	977.0	LF	\$15.50	\$15,143.50
CL-50 DIP Water Main	8"	40.0	LF	\$20.50	\$820.00
GATE VALVE Water Main	4"	2.0	EA	\$780.00	\$1,560.00
GATE VALVE Water Main	8"	1.0	EA	\$1,000.00	\$1,000.00
FIRE HYDRANT ASSEMBLY		2.0	EA	\$2,800.00	\$5,600.00
BLOW-OFF ASSEMBLY Water Main	2"	2.0	EA	\$1,000.00	\$2,000.00
SINGLE WATER SERVICE/COMPLETE	1"	14.0	EA	\$300.00	\$4,200.00
DOUBLE WATER SERVICE/COMPLETE	1"	10.0	EA	\$550.00	\$5,500.00
<b>TOTAL</b>					<b>\$46,745.00</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 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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Linda Mahon  
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)

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OWNER'S NAME: (as shown on Deed) Colonial Homes, Inc.

OWNER'S ADDRESS: 12631 Westlinks Drive, Unit 7

OWNER'S ADDRESS: Fort Myers, FL 33913-

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.

<u>ITEM</u>	<u>SIZE</u>	<u>QUANTITY</u>	<u>UNIT</u>	<u>UNIT COST</u>	<u>TOTAL</u>
PVC SDR-26 Gravity Main	8"	1,543.0	LF	\$22.00	\$33,946.00
MANHOLE	4'	11.0	EA	\$3,750.00	\$41,250.00
SINGLE SEWER SERVICE W/CLEANOUT	6"	3.0	EA	\$750.00	\$2,250.00
DOUBLE SEWER SERVICE W/CLEANOUT	6"	15.0	EA	\$850.00	\$12,750.00
<b><u>TOTAL</u></b>					<b>\$90,196.00</b>

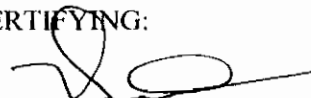
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RECEIVED SEP - 7 2005

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Notary Public Signature

LINDA MAHON  
Printed Name of Notary Public

DD 177 119  
Notary Commission Number



(NOTARY SEAL)

RECEIVED SEP - 7 2005