

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

Blue Sheet No. 20061544-UTL

1. Action Requested/Purpose:

Developer Contributed Asset: Approve final acceptance, by Resolution, as a donation of a water distribution system, to provide potable water service and fire protection to *Buckingham Estates*, a recently constructed single-family residential development. This is a Developer Contributed asset project located on east side of Buckingham Road approximately 2000' north of Orange River Boulevard.

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 – Utilities **C10E** **5. Meeting Date:** JAN 09 2007

6. Agenda:	7. Requirement/Purpose (specify)	8. Request Initiated:	
		<input checked="" type="checkbox"/> Statute	Commissioner _____
		<input type="checkbox"/> Ordinance	Department <u>Public Works</u>
		<input type="checkbox"/> Admin. Code	Division <u>Utilities</u>
		<input checked="" type="checkbox"/> Other <u>Approval</u>	By: <u>Douglas L. Meurer</u> — 12-7-2006 Douglas L. Meurer, P.E., Director
<input checked="" type="checkbox"/> Consent			
<input type="checkbox"/> Administrative			
<input type="checkbox"/> Appeals			
<input type="checkbox"/> Public			
<input type="checkbox"/> Walk-On			

9. Background:

The Board granted permission to construct on 02-01-05, Blue Sheet #20051440.
 The installation has been inspected for conformance to the Lee County Utilities Operations Manual.
 Satisfactory pressure and bacteriological testing has been completed.
 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.
 Sanitary sewer service will be provided by individual on-site septic systems.
 No funds required.

SECTION 04 TOWNSHIP 44S RANGE 26E DISTRICT #5 COMMISSIONER MANN

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.	
<u>J. Lavender</u> Date: 12-8-06	N/A	N/A	<u>T.O.</u> T. Osterhout Date: 12/7	<u>S. Covert</u> S. Covert Date: 12/12/06	<u>elw</u> 12-12-06	<u>WB</u> 12/12/06	<u>M</u> 12/12-06	<u>JK</u> 12/12/06	<u>J. Lavender</u> Date: 12-8-06

11. Commission Action:

- Approved
- Deferred
- Denied
- Other

RECEIVED BY
COUNTY ADMIN: EW
12/12 1:45
COUNTY ADMIN
FORWARDED TO:
12/14 7:00
PR

Rec. by CoAtty
Date: 12/11/06
Time: 1:45pm
Forwarded To:
12/12/06
1:30pm

RESOLUTION NO.

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

WHEREAS, it is the desire of "Ryland Group, Inc.", owner of record, to make a contribution to Lee County Utilities of water facilities (water distribution system), serving "BUCKINGHAM 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 **\$257,160.00** 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 Brian Bigelow: _____ (2)
- Commissioner Ray Judah: _____ (3)
- Commissioner Tammara Hall: _____ (4)
- Commissioner Frank Mann: _____ (5)

DULY PASSED AND ADOPTED this _____ day of _____, 2006.

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 20061544-UTL

COPY

LETTER OF COMPLETION

DATE: 11/15/2006

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** located in
Buckingham Estates
(Name of Development/Project)

was designed by me and has 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 and Pressure Test(s) - Water Main

Very truly yours,

Q. Grady Minor and Assoc., P.A.
(Owner or Name of Corporation/Firm)



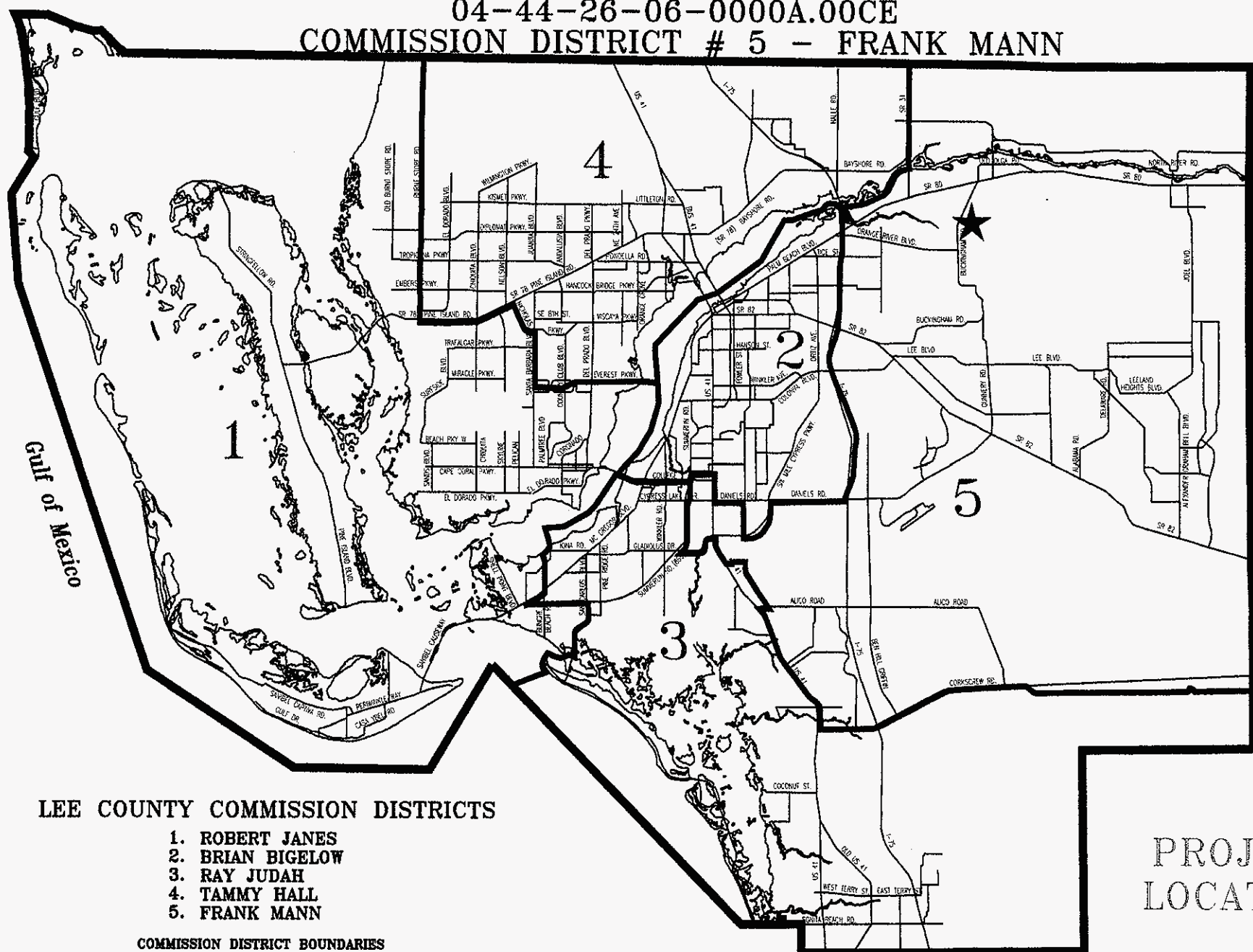
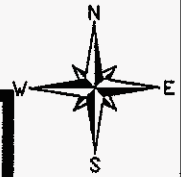
(Signature)

Michael J. Delate, P.E.
(Name and Title)



(Seal of Engineering Firm)

BUCKINGHAM ESTATES
04-44-26-06-0000A.00CE
COMMISSION DISTRICT # 5 - FRANK MANN



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

COPY

WARRANTY

THE UNDERSIGNED parties do hereby warrant and/or guaranty all work executed by the contractor on the water system of BUCKINGHAM ESTATES 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.

CHRISTO, INCORPORATED

(Contractor/Company Name)

ROBERT A. KEILING-PRESIDENT

(Authorized Representative, Title)

BY: *Robert Keiling*

(Signature)

STATE OF FL)

) SS:

COUNTY OF LEE)

The foregoing instrument was signed and acknowledged before me this 28 th day of June, 2006 by ROBERT A. KEILING who is personally known to me - _____, and who did not take an oath.

Mark K. Nottingham
Notary Public Signature

MARK K. NOTTINGHAM
Printed Name of Notary Public

MARK K. NOTTINGHAM
Notary Public, State of Florida
My comm. exp. Jan. 6, 2008
Comm. No. DD 201445

(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 TWO HUNDRED FIFTY SEVEN THOUSAND ONE HUNDRED SIXTY(\$257,160.00) hereby waivers and releases its lien and right to claim a lien for labor, services, or materials furnished to RYLAND GROUP, INC on the job of GULF PAVING, INC to the following described property:

BUCKINGHAM ESTATES

(Name of Development/Project)

BUCKINGHAM ROAD

(Location)

Water Main Extension and Water Distribution System

(Facilities Constructed)

04-44-26-06-0000A.00CE

(Strap # or Section, Township & Range)

Dated on: June 28, 2006

By: *Robert A. Keiling*

(Signature of Authorized Representative)

By: ROBERT A. KEILING

(Print Name of Authorized Representative)

Title: PRESIDENT

Phone #: (239)997-2823 Ext.

CHRISTO, INCORPORATED

(Name of Firm or Corporation)

4461-B HANCOCK BRIDGE PKWY

(Address of Firm or Corporation)

N. FORT MYERS, FL 33903-

(City, State & Zip Of Firm Or Corporation)

Fax#: (239)997-4672

STATE OF FL)

) SS:

COUNTY OF LEE)

The foregoing instrument was signed and acknowledged before me this 28 th day of June, 2006 by ROBERT A. KEILING who is personally known to me - _____, and who did not take an oath.

MARK K. NOTTINGHAM
Notary Public, State of Florida
My comm. exp. Jan. 6, 2008
Comm. No. DD 261445

(Notary Seal & Commission Number)

Mark K. Nottingham
(Notary Public Signature)

MARK K. NOTTINGHAM

(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 *Robert A. Keiling*
(Signature of Certifying Agent)

ROBERT A. KEILING
(Name & Title of Certifying Agent)

CHRISTO, INC
(Name of Firm or Corporation)

4461-B HANCOCK BRIDGE PKWY
(Address of Firm or Corporation)

NORTH FORT MYERS, FL 33903 -

STATE OF FL)
) SS:
COUNTY OF LEE)

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Notary Public Signature

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Printed Name of Notary Public

DD 261445
Notary Commission Number

MARK K. NOTTINGHAM
Notary Public, State of Florida
My comm. exp. Jan. 6, 2008
Comm. No. DD 261445

(NOTARY SEAL)