

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

Blue Sheet No. 20070203-UTL

1. ACTION REQUESTED/PURPOSE:

Developer Contributed Asset: Approve final acceptance, as a donation of one 4" diameter fire line, one fire hydrant and two water services, to provide potable water service and fire protection to *Lion's Choice at Merchants Crossing*, a recently constructed commercial building. This is a Developer Contributed asset project located on the north side of Pine Island Road approximately 1/4 mile west of N. Cleveland Avenue.

2. FUNDING SOURCE:

No funds required.

3. WHAT ACTION ACCOMPLISHES:

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

4. MANAGEMENT RECOMMENDATION: Approval

5. Departmental Category: 10 - Utilities

C10D

6. Meeting Date:

FEB 27 2007

7. Agenda:

Consent

Administrative

Appeals

Public

Walk-On

8. Requirement/Purpose: (specify)

Statute

Ordinance

Admin. Code

Other

Approval

9. Request Initiated:

Commissioner

Department

Public Works

Division

Utilities

By: *Douglas L. Meurer* 2-8-2007

Douglas L. Meurer, P.E., Director

10. Background:

Fire lines, fire hydrants, and single water services do not require permission to construct by the Board, therefore, no previous Blue Sheet number is provided.

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 North Fort Myers Utilities.

SECTION 34 TOWNSHIP 43S RANGE 24E DISTRICT # 4 COMMISSIONER HALL

11. Review for Scheduling:

Department Director	Purchasing or Contracts	Human Res.	Other	County Attorney	Budget Services				County Manager/P.W. Director
					Analyst	Risk	Grants	Mgr.	
<i>J. Lavender</i> Date: 2/9/07	N/A Date:	N/A Date:	<i>T.O.</i> T. Osterhout Date: 2/8	<i>S. Covert</i> S. Covert Date: 2/12/07	<i>epw</i> 2-13-07	<i>MR</i> 2/13/07	<i>PR</i> 2/13/07	<i>MR</i> 2/13/07	<i>J. Lavender</i> Date: 2-9-07

12. Commission Action:

- Approved
- Deferred
- Denied
- Other

RECEIVED BY COUNTY ADMIN: <i>EW</i>
2/12/07
4:30 PM
COUNTY ADMIN FORWARDED TO: <i>PR</i>
2/13/07
10 AM

Rec. by CoAtty
Date: 2/12/07
Time: 1:15 PM
Forwarded To:
2/12/07
4:15 PM

RESOLUTION NO.

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

WHEREAS, it is the desire of "LC MERCHANTS CROSSING LLC", owner of record, to make a contribution to Lee County Utilities of water facilities (one four inch diameter fire line, one hydrant and two water services, potable water and fire protection), serving "LION'S CHOICE AT MERCHANTS CROSSING"; 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 \$21,150.00 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 _____, 2007.

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 20070203-UTL

COPY

LETTER OF COMPLETION

DATE: 1/30/2007

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

Gentlemen:

This is to certify that the **fire line up to and including 1st OS and Y valve and fire hydrant** located in

Lions Choice, Merchants Crossing Plaza
(Name of Development)

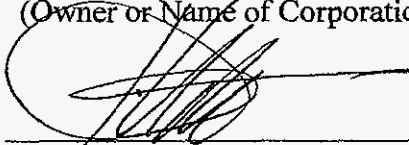
were designed by me and have been constructed in conformance with:
the revised plans, attached and the approved specifications

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

Pressure Test(s) - Water Main and Bacteriological Test

Very truly yours,

Jocelyn Nageon de Lestang, PE
(Owner or Name of Corporation)

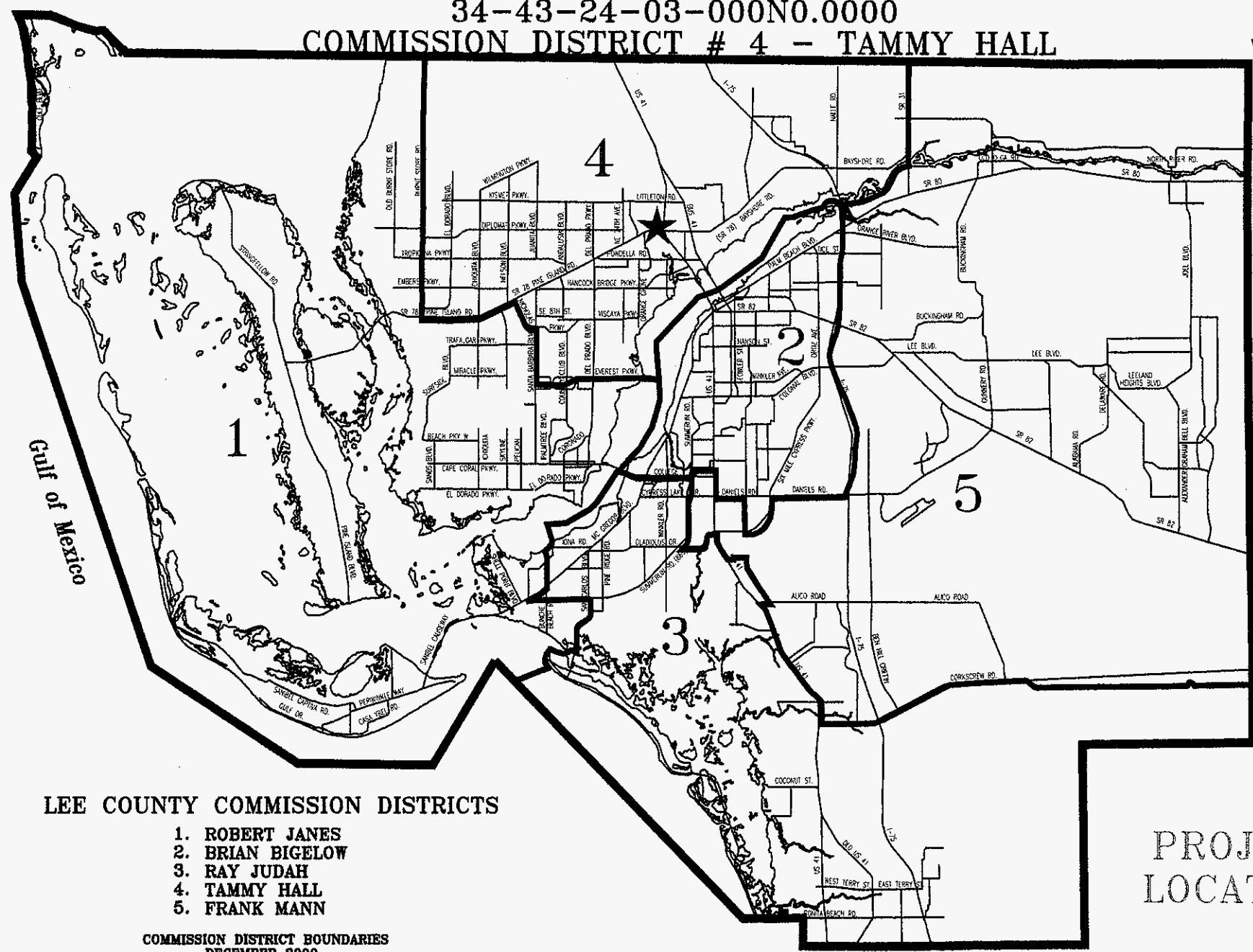
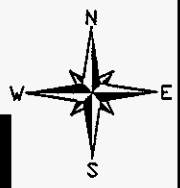


(Signature)

President / Gulfshore Engineering, Inc.
(Title)

(Seal of Engineering Firm)

LION'S CHOICE AT MERCHANTS CROSSING
 34-43-24-03-000N0.0000
 COMMISSION DISTRICT # 4 - TAMMY HALL



Gulf of Mexico

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

WARRANTY

THE UNDERSIGNED parties do hereby warrant and/or guaranty all work executed by the contractor on the water of Lion's Choice 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.

Strickler Bros. Inc.
(Contractor/Company Name)

Steve Strickler/ Pres.
(Authorized Representative, Title)

BY: Steve Strickler
(Signature)

STATE OF Florida)
) SS:
COUNTY OF Lee)

The foregoing instrument was signed and acknowledged before me this 29 day of January, 2007 by Steve Strickler who is personally known to me - ✓, and who did not take an oath.

Kirsten Kay Tracy
Notary Public Signature

Kirsten Kay Tracy
Printed Name of Notary Public



(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 Twenty-One Thousand, One Hundred and Fifty dollars(\$21,150.00) hereby waives and releases its lien and right to claim a lien for labor, services, or materials furnished to Pratt Paving on the job of Lion's Choice to the following described property:

Lion's Choice at Merchant Crossing
(Name of Development/Project)

3051 N.E. Pine Island Road
Cape Coral, Florida 33909
239-656-5898
(Location)

Water Service(s)
(Facilities Constructed)

34432403-000N0.0000

(Strap # or Section, Township & Range)

Dated on: February 7, 2007

By: [Signature]
(Signature of Authorized Representative)

Strickler Brothers, Inc.
(Name of Firm or Corporation)

By: Steve Strickler
(Print Name of Authorized Representative)

4176 Canal Street
(Address of Firm or Corporation)

Title: President

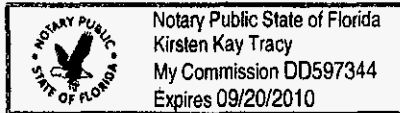
Fort Myers, FL 33916-
(City, State & Zip Of Firm Or Corporation)

Phone #: (239)267-2050 Ext.

Fax#: (239)267-5840

STATE OF FL)
) SS:
COUNTY OF Lee)

The foregoing instrument was signed and acknowledged before me this 7 day of February, 2007 by Steve Strickler who is personally known to me - _____, and who did not take an oath.



(Notary Seal & Commission Number)

[Signature]
(Notary Public Signature)

Kirsten Kay Tracy
(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 Steve Strickler
(Signature of Certifying Agent)

Steve Strickler - President
(Name & Title of Certifying Agent)

Strickler Brothers, Inc.
(Name of Firm or Corporation)

4176 Canal Street
(Address of Firm or Corporation)

Ft. Myers, Florida 33916

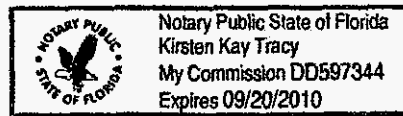
STATE OF Florida)
) SS:
COUNTY OF Lee)

The foregoing instrument was signed and acknowledged before me this 29 day of Jan, 2010 by Steve Strickler who has produced the following as identification - , and who did not take an oath.

Kirsten Kay Tracy
Notary Public Signature

Kirsten Kay Tracy
Printed Name of Notary Public

9/20/2010
Notary Commission Number



(NOTARY SEAL)