

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

Blue Sheet No. 20060564

1. ACTION REQUESTED/PURPOSE: Grant a perpetual electrical utility easement to Florida Power & Light Company, to serve the Pinewoods Water Treatment Plant Expansion, Project No. 7173, pursuant to the terms and conditions as set forth in the Easement; authorize the Division of County Lands to handle all documentation necessary to complete this transaction; authorize payment of recording fees.

2. WHAT ACTION ACCOMPLISHES: Grants an electrical utility easement required by FPL, to provide electrical service to the County's facility located at 11950 Corkscrew Road.

3. MANAGEMENT RECOMMENDATION: Approve

4. Departmental Category: 6 CCB		5. Meeting Date: 6-27-2006
6. Agenda: <input checked="" type="checkbox"/> Consent <input type="checkbox"/> Administrative <input type="checkbox"/> Appeals <input type="checkbox"/> Public <input type="checkbox"/> Walk-On	7. Requirement/Purpose: (specify)	
	<input checked="" type="checkbox"/> Statute	125
	<input type="checkbox"/> Ordinance	
	<input type="checkbox"/> Admin. Code	
	<input type="checkbox"/> Other	
		8. Request Initiated: Commissioner _____ Department _____ Independent Division _____ County Lands By: Karen L.W. Forsyth, Director <i>[Signature]</i>

9. Background:
Conveyed for: Lee County Utilities Division – Pinewoods Water Treatment Plant

Interest Being Granted: +/- 11,000 square feet of utility easement

Property Details:

Address: 11950 Corkscrew Road, Estero
STRAP No.: 06-46-26-00-00001.0060

Purchase Details:

Costs to Close: Recording Fees \$29.20

Staff Recommendation: Staff recommends the Board approve the action requested.

Account: 20715548730.506210

Attachments: Easement

10. Review for Scheduling:

Department Director	Purchasing or Contracts	Human Resources	Other	County Attorney	Budget Services <i>apm 6/15</i>			County Manager/P.W. Director
<i>[Signature]</i>			<i>[Signature]</i>	<i>S. Powell 6/14/06</i>	Analyst <i>[Signature]</i>	Risk <i>[Signature]</i>	Grants <i>[Signature]</i>	<i>[Signature]</i>

11. Commission Action:

- Approved
- Deferred
- Denied
- Other

RECEIVED BY COUNTY ADMIN: <i>[Signature]</i> 6/14/06 10:00 AM
COUNTY ADMIN FORWARDED TO: <i>[Signature]</i> 6/15/06

Rec. by CoAtty
Date: 6/14/06
Time: 8:30 AM
Forwarded To: Admin 6/14/06

Work Order No.
Sec. 25, Twp. 46S, Rge. 25E
Parcel I.D. 25-46-25-00-00001.0010
(Maintained By County Appraiser)
Pinewoods WTP Expansion, Project 7173
This Instrument Prepared By:
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 the easement described as follows:

That property legally described in attached Exhibit "A", LESS AND EXCEPT the property legally described in attached Exhibit "B" (Corkscrew Road Right of Way Parcel No. 205).

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 _____,
2006.

(OFFICIAL SEAL)

ATTEST:
CHARLIE GREEN, CLERK

LEE COUNTY, FLORIDA, BY ITS
BOARD OF COUNTY COMMISSIONERS

BY _____
Deputy Clerk

BY _____
Tammara Hall, Chairwoman

APPROVED AS TO LEGAL FORM:

BY _____
Office of County Attorney



E.F. Gaines Surveying Services, Inc.

Part of Section 25, Township 46 South, Range 25 East, Lee County, Florida

A Proposed Florida Power & Light Company Easement for Pinewoods Water Treatment Plant

All that part of Section 25, Township 46 South, Range 25 East, Lee County, Florida being more particularly described as follows;

COMMENCING at the intersection of the east line of the northeast one-quarter of said Section 25 with the southeasterly right-of-way line of Corkscrew Road (a 100 foot wide right-of-way); thence along said southeasterly right-of-way line S.61°46'32"W. for 67.60 feet to a line which lies 60 feet westerly of as measured at right angles to and parallel with said east line of the northeast one-quarter of said Section 25; thence along said parallel line S.00°47'51"E. for 76.90 feet to the POINT OF BEGINNING of the parcel herein described; thence continue along said parallel line S.00°47'51"E. for 24.57 feet to a line which lies 60 feet westerly of as measured at right angles to and parallel with the east line of the southeast one-quarter of said Section 25; thence along said parallel line S.01°05'07"E. for 369.68 feet; thence S.90°00'00"W. for 51.23 feet; thence N.00°00'00"W. for 12.00 feet; thence N.90°00'00"E. for 10.14 feet; thence N.00°00'00"W. for 86.47 feet; thence N.90°00'00"E. for 7.74 feet; thence N.00°00'00"W. for 95.35 feet; thence N.55°06'03"W. for 13.65 feet; thence N.00°28'43"E for 22.86 feet; thence N.19°09'34"E. for 21.20 feet; thence N.29°38'50"E. for 41.38 feet; thence N.02°14'03"E. for 87.54 feet; thence N.10°16'29"W. for 27.04 feet; thence N.22°40'13"W. for 28.83 feet; thence N.44°21'33"W. for 12.19 feet; thence S.87°29'56"W. for 51.44 feet to the aforementioned southeasterly right-of-way line of Corkscrew Road; thence along said right-of-way line N. 61°46'32"E. for 23.04 feet; thence N.87°29'56"E. for 35.15 feet; thence S.44°21'33"E. for 18.57 feet; thence S. 22°40'13"E. for 35.32 feet to the Point of Beginning of the Parcel herein described;

Bearings are based on the southeasterly right-of-way line of Corkscrew Road being N.61°46'32"E.;
Parcel contains 11650 square feet, more or less;
Subject to easements, restrictions and reservations of record;

Prepared by:

E. F. Gaines Surveying Services, Inc.

4/10/06

Elizabeth F. Gaines, P.S.M.
Florida License No. 4576

Exhibit "A"

Not valid unless signed and embossed the surveyor's seal.

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Ref. EFGaines drawing No. 0285-003

NOTES:

1. LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR ZONING, EASEMENTS, RIGHTS-OF-WAY, OWNERSHIP, RESTRICTIONS OR SETBACKS.
2. BASIS OF BEARINGS IS AS SHOWN. DISTANCES ARE IN FEET AND DECIMALS THEREOF.
3. EASEMENT WAS CREATED USING EXISTING AND PROPOSED ELECTRIC LOCATIONS ON SURVEY BY WILSON MILLER (DATED 1/21/05) AND SITE PLAN BY CAROLLO ENGINEERS (DATED JULY, 2005) RESPECTIVELY.
4. THIS SKETCH IS NOT A BOUNDARY SURVEY.
5. SEE ATTACHED FOR LEGAL DESCRIPTION.

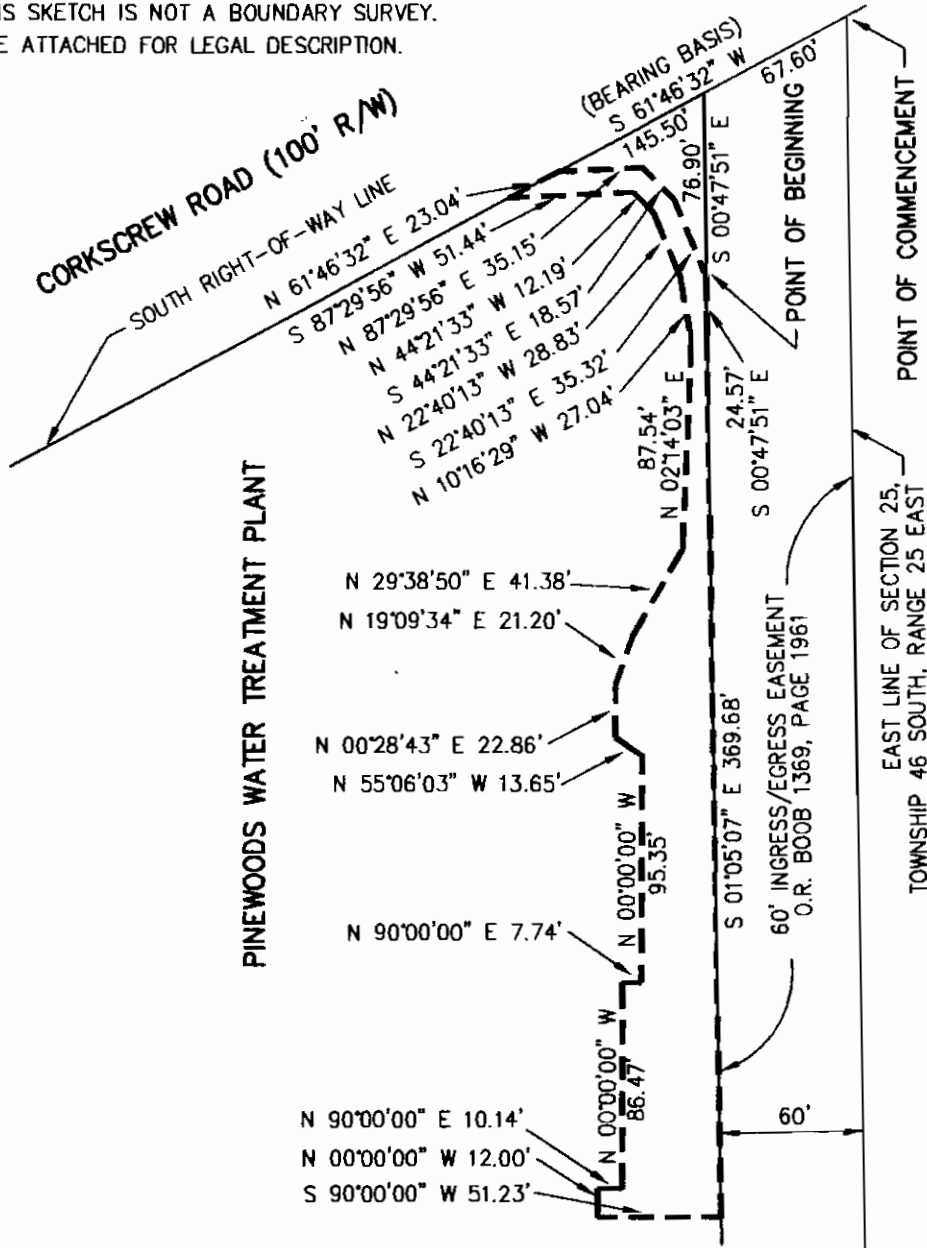


Exhibit "A"
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THIS IS A SKETCH OF A PROPOSED FLORIDA POWER & LIGHT COMPANY EASEMENT (SEE ATTACHED FOR LEGAL DESCRIPTION) LOCATED IN SECTION 25, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA. THIS SKETCH WAS PREPARED FOR THE BENEFIT OF THE LEE COUNTY PUBLIC WORKS DEPARTMENT.

PREPARED BY: Elizabeth F. Gaines 4/10/06
ELIZABETH F. GAINES, PSM FL LICENSE NO. LS 4576

NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF THE ABOVE NAMED FLORIDA PROFESSIONAL SURVEYOR AND MAPPER.

E.F. Gaines Surveying Services, Inc. 1342 Colonial Boulevard Suite E-34B Fort Myers, Florida 33907 Phone: 239-418-0126 Fax: 239-418-0127	CLIENT: LEE COUNTY	REVISIONS/DATE:
	DATE: APRIL 10, 2006	
	SCALE: 1" = 80'	
	PROJECT NUMBER: D285	
	DRAWING FILE: 0285-003	SHEET 1 OF 1



950 Encore Way • Naples, Florida 34110 • Phone: 239.254.2000 • Fax: 239.254.2075

HM PROJECT #1999132
1/14/2004
PARCEL 205
REF. DWG. #B-3899-1

LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED IN SECTION 25, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE INTERSECTION OF THE EAST LINE OF THE NORTHEAST QUARTER OF SECTION 25, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, WITH THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF CORKSCREW ROAD, A 100.00 FOOT RIGHT-OF-WAY; THENCE RUN S.61°46'32"W., ALONG THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF SAID CORKSCREW ROAD, FOR A DISTANCE OF 67.59 FEET TO A POINT 60.00 FEET WESTERLY OF, AS MEASURED AT RIGHT ANGLES TO, THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 25 AND THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREBIN DESCRIBED; THENCE CONTINUE S.61°46'32"W., ALONG THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF SAID CORKSCREW ROAD, FOR A DISTANCE OF 303.98 FEET TO A POINT 330.00 FEET WESTERLY OF, AS MEASURED AT RIGHT ANGLES TO, THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 25; THENCE RUN S.01°05'07"E., PARALLEL WITH THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 25, FOR A DISTANCE OF 56.19 FEET TO A POINT 50.00 FEET SOUTHEASTERLY OF, AS MEASURED AT RIGHT ANGLES TO, THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF SAID CORKSCREW ROAD; THENCE RUN N.61°46'32"E., PARALLEL WITH THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF CORKSCREW ROAD, FOR A DISTANCE OF 20.13 FEET TO THE BEGINNING OF A CIRCULAR CURVE, CONCAVE NORTHWESTERLY, WHOSE RADIUS POINT BEARS N.27°50'53"W. A DISTANCE OF 10,000 FEET THEREFROM; THENCE RUN NORTHEASTERLY, ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 10,000.00 FEET, THROUGH A CENTRAL ANGLE OF 01°37'52", SUBTENDED BY A CHORD OF 284.69 FEET AT A BEARING OF N.61°20'11"E., FOR A DISTANCE OF 284.70 FEET TO A POINT 60.00 FEET WESTERLY OF, AS MEASURED AT RIGHT ANGLES TO, THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 25; THENCE RUN N.00°48'34"W., PARALLEL WITH THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 25, FOR A DISTANCE OF 53.87 FEET TO THE POINT OF BEGINNING; CONTAINING 0.346 ACRE, MORE OR LESS.

BEARINGS REFER TO THE EAST LINE OF THE NORTHEAST QUARTER OF SECTION 25, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, AS BEING N.00°48'34"W.

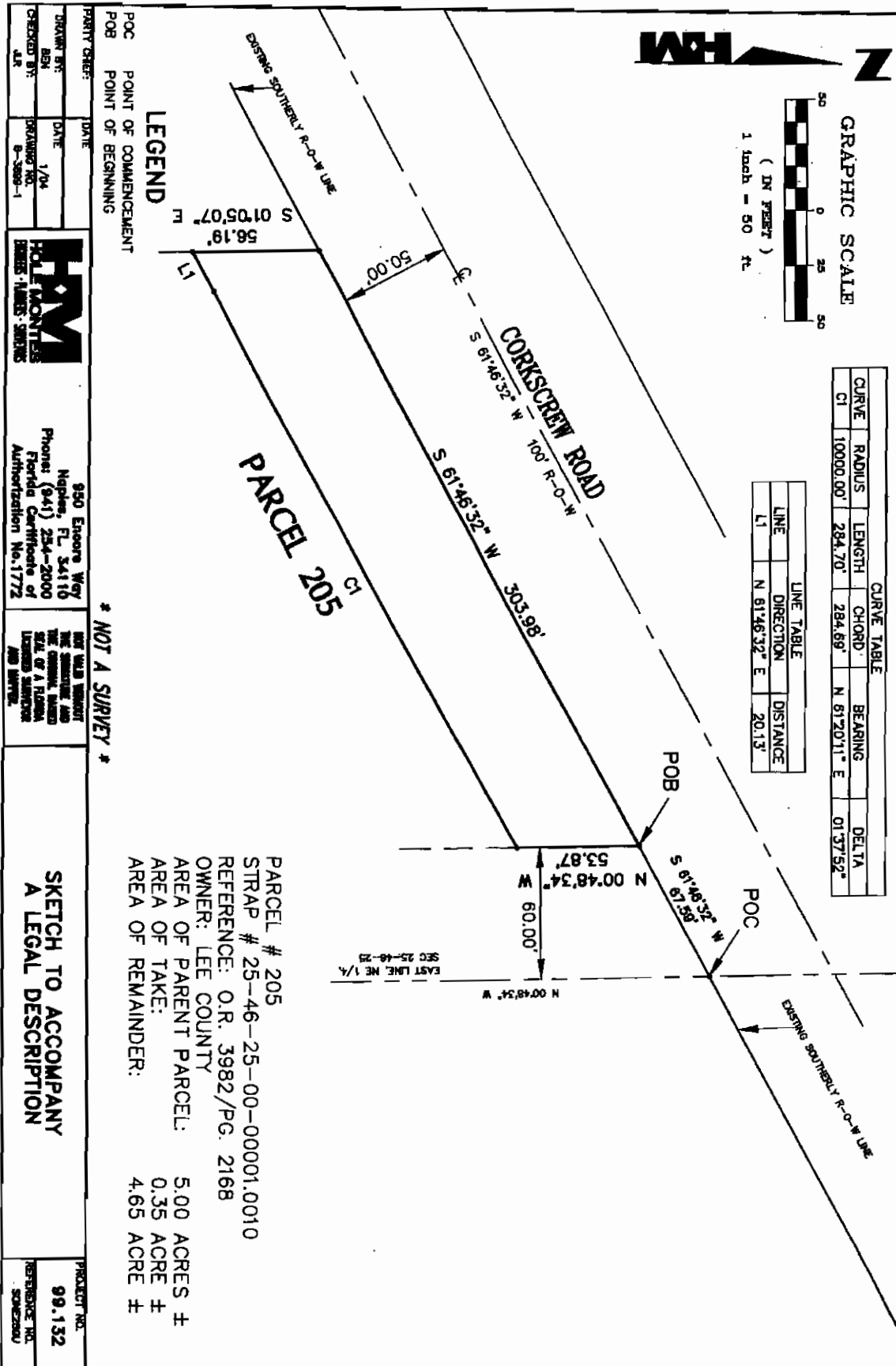
HOLE MONTES, INC.
CERTIFICATION OF AUTHORIZATION LB #1772



Jerry E. Riffelmacher
JERRY E. RIFFELMACHER P.S.M. #6130
STATE OF FLORIDA

Exhibit "B"

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* NOT A SURVEY *

PARCEL # 205
STRAP # 25-46-25-00-00001.0010
REFERENCE: O.R. 3982/P.G. 2168
OWNER: LEE COUNTY
AREA OF PARENT PARCEL: 5.00 ACRES ±
AREA OF TAKE: 0.35 ACRE ±
AREA OF REMAINDER: 4.65 ACRE ±

SKETCH TO ACCOMPANY
A LEGAL DESCRIPTION

PROJECT NO. 99.132	DATE 1/04	950 Encore Way Naples, FL 34116 Phone: (841) 254-2000 Florida Certified of Authorization No. 1772
CHECKED BY: JR	DRAWING NO. B-3982-1	HOLMONTES SERIES - LINES SERIES
DRAWN BY: JR	DATE 1/04	NOT VALID UNLESS THE ORIGINAL SIGNED AND SEALED COPY OF A FLORIDA LICENSED SURVEYOR AND ARCHITECT.

Exhibit "B"

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