

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

**Blue Sheet No. 20020644**

**1. REQUESTED MOTION:**

**ACTION REQUESTED:** Grant a Perpetual Utility Easement to Florida Water Services Corporation, pursuant to the terms and conditions as set forth in the easement document; authorize the Division of County Lands to handle all documentation necessary to complete this transaction.

**WHY ACTION IS NECESSARY:** The Board must formally approve all real estate conveyances from Lee County.

**WHAT ACTION ACCOMPLISHES:** Grants a perpetual utility easement that will allow Florida Water Services to install and maintain water and sewer facilities servicing Veteran's Park - Phase II.

**2. DEPARTMENTAL CATEGORY:** 06 - Independent

**3. MEETING DATE:**

**COMMISSION DISTRICT #:**

*C6C*

*06-18-2002*

**4. AGENDA:**

- CONSENT
- ADMINISTRATIVE
- APPEALS
- PUBLIC
- WALK ON

TIME REQUIRED:

**5. REQUIREMENT/PURPOSE:**

- (Specify)
- STATUTE FS 125
  - ORDINANCE
  - ADMIN.
  - OTHER

**6. REQUESTOR OF INFORMATION**

- A. COMMISSIONER \_\_\_\_\_
  - B. DEPARTMENT Independent
  - C. DIVISION County Lands
  - BY: Karen L. W. Forsyth, Director *Attorney for R. Forsyth*
- 6-3-02*

**7. BACKGROUND:**

The Division of County Lands received a request from the Department of Construction and Design to facilitate the grant of an easement to Florida Water Services Corporation.

This easement will grant Florida Water Services a perpetual utility easement allowing them to install and maintain water and sewer facilities servicing Veteran's Park - Phase II. The property is located at 56 Homestead Road, Lehigh Acres, FL, further identified by STRAP No. 05-45-27-00-00004.0000.

Funds are available in Account Number: 20176018603.506199.

Staff recommends Board approval for the Requested Motion.

**8. MANAGEMENT RECOMMENDATIONS:**

**9. RECOMMENDED APPROVAL:**

A Department Director	B Purchasing or Contracts	C Human Resources	D Other	E County Attorney	F Budget Services				G County Manager
					OA	OM	RISK	GC	
<i>R. Forsyth 6-3-02</i>	N/A	N/A	<i>6/4/02</i>	<i>6/5/02</i>	<i>6-5-02</i>	<i>6/5/02</i>	<i>6/5/02</i>	<i>6-5-02</i>	<i>Stander 6-4-02</i>

**10. COMMISSION ACTION:**

- APPROVED
- DENIED
- DEFERRED
- OTHER

REC'D.  
by CO. ATTY.  
*6/4/02*  
*4:32 PM*  
CO. ATTY.  
FORWARDED TO:  
*R. Colet*  
*9:45 AM*

RECEIVED BY  
COUNTY ADMIN.  
*6/5* *10:20*  
COUNTY ADMIN.  
FORWARDED TO: *DR*  
*6/6/02* *10:25*

This Instrument Prepared By:  
Lee County Division of County Lands  
P.O. Box 398  
Fort Myers, FL 33902-0398

RE: Veterans Park - Phase II, Project No. 1706  
STRAP No.: 05-45-27-00-00004.0000

**UTILITY EASEMENT**

KNOW ALL MEN BY THESE PRESENTS: that, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable considerations in hand paid, the sufficiency and receipt of which is hereby acknowledged, **LEE COUNTY, a political subdivision of the State of Florida** does hereby grant and bestow unto **FLORIDA WATER SERVICES CORPORATION, a Florida Corporation**, its successors and assigns, a non-exclusive, perpetual and unobstructed utility easement and right in and to, over and under all of the property described herein solely for the purposes of ingress and egress, and the installation and/or repair and maintenance of water and/or sewer facilities.

The easement hereby granted covers that certain property which is situate and being in Lee County, Florida, more particularly described on Exhibit A attached hereto and made a part hereof by this reference.

IN WITNESS WHEREOF, the undersigned has signed and sealed this instrument on \_\_\_\_\_, 20\_\_.

(OFFICIAL SEAL)

ATTEST:  
CHARLIE GREEN, CLERK

LEE COUNTY, FLORIDA, BY ITS  
BOARD OF COUNTY COMMISSIONERS

BY \_\_\_\_\_  
Deputy Clerk

BY \_\_\_\_\_  
Robert P. Janes, Chairman

APPROVED AS TO FORM:

BY \_\_\_\_\_  
Office of County Attorney

LEGAL DESCRIPTION

20 FOOT WIDE WATER MAIN EASEMENT "A"  
 IN SECTION 5, TOWNSHIP 45 SOUTH, RANGE 27 EAST  
 LEHIGH, LEE COUNTY, FLORIDA  
 A STRIP OF LAND 20 FEET WIDE LYING 10 FEET ON EACH SIDE OF AND  
 CONTIGUOUS TO THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 5 THENCE  
 SOUTH 01°44'40" EAST ALONG THE EAST LINE OF SAID SECTION 5 FOR  
 1707.91 FEET; THENCE SOUTH 83°08'55" WEST FOR 6.10 FEET; THENCE  
 S62°13'11"W 36.33' THENCE N27°46'49"W FOR 10.00 FEET TO THE POINT  
 OF BEGINNING OF THE HEREIN DESCRIBED CENTERLINE:

THENCE CONTINUE N27°46'49"W FOR 4.40'; THENCE N03°39'08"W 127.93'  
 TO THE POINT OF TERMINUS OF ABOVE DESCRIBED CENTERLINE.

BEARINGS HEREINABOVE MENTIONED ARE ASSUMED BASED ON THE EAST  
 LINE OF SAID SECTION 5 BEING SOUTH 01°44'40" EAST.

EXHIBIT A

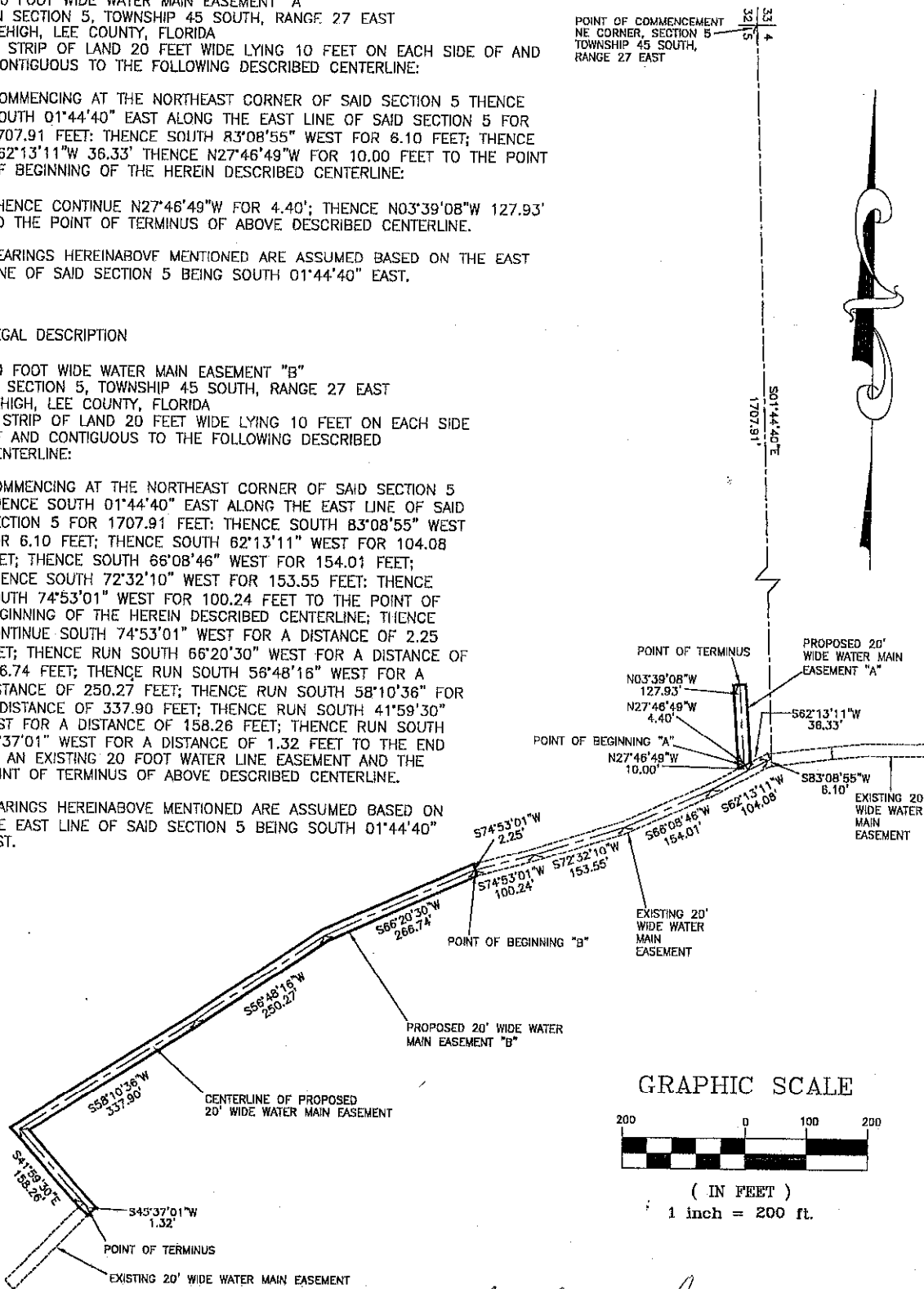
POINT OF COMMENCEMENT  
 NE CORNER, SECTION 5  
 TOWNSHIP 45 SOUTH,  
 RANGE 27 EAST

LEGAL DESCRIPTION

20 FOOT WIDE WATER MAIN EASEMENT "B"  
 IN SECTION 5, TOWNSHIP 45 SOUTH, RANGE 27 EAST  
 LEHIGH, LEE COUNTY, FLORIDA  
 A STRIP OF LAND 20 FEET WIDE LYING 10 FEET ON EACH SIDE  
 OF AND CONTIGUOUS TO THE FOLLOWING DESCRIBED  
 CENTERLINE:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 5  
 THENCE SOUTH 01°44'40" EAST ALONG THE EAST LINE OF SAID  
 SECTION 5 FOR 1707.91 FEET; THENCE SOUTH 83°08'55" WEST  
 FOR 6.10 FEET; THENCE SOUTH 62°13'11" WEST FOR 104.08  
 FEET; THENCE SOUTH 68°08'46" WEST FOR 154.01 FEET;  
 THENCE SOUTH 72°32'10" WEST FOR 153.55 FEET; THENCE  
 SOUTH 74°53'01" WEST FOR 100.24 FEET TO THE POINT OF  
 BEGINNING OF THE HEREIN DESCRIBED CENTERLINE; THENCE  
 CONTINUE SOUTH 74°53'01" WEST FOR A DISTANCE OF 2.25  
 FEET; THENCE RUN SOUTH 66°20'30" WEST FOR A DISTANCE OF  
 266.74 FEET; THENCE RUN SOUTH 56°48'16" WEST FOR A  
 DISTANCE OF 250.27 FEET; THENCE RUN SOUTH 58°10'36" FOR  
 A DISTANCE OF 337.90 FEET; THENCE RUN SOUTH 41°59'30"  
 EAST FOR A DISTANCE OF 158.26 FEET; THENCE RUN SOUTH  
 45°37'01" WEST FOR A DISTANCE OF 1.32 FEET TO THE END  
 OF AN EXISTING 20 FOOT WATER LINE EASEMENT AND THE  
 POINT OF TERMINUS OF ABOVE DESCRIBED CENTERLINE.

BEARINGS HEREINABOVE MENTIONED ARE ASSUMED BASED ON  
 THE EAST LINE OF SAID SECTION 5 BEING SOUTH 01°44'40"  
 EAST.



*Stephen A. Seidler* 05/10/02  
 BY: STEPHEN A. SEIDLER, PLS #178 DATE SIGNED  
 NOT VALID UNLESS SIGNED AND SEALED WITH  
 THE EMBOSSED SEAL OF THE SURVEYOR.

SK200024.DWG 04/18/02

SKETCH ONLY, NOT A SURVEY

SKETCH TO ACCOMPANY LEGAL DESCRIPTION  
 PROPOSED 20' WIDE WATERMAIN EASEMENT  
 LEHIGH PARK, LEHIGH, FLORIDA

LEGEND

REVISIONS:		DRAWN BY:	DATE:	PROJ. NO.
		TEG	4/18/02	20002
SUBDIVISION		DUANE HALL ENGINEERING, INC.		
SUBDIV. NAME 1		CIVIL ENGINEERS-LAND SURVEYORS		
SUBDIV. NAME 2		6315 PRESIDENTIAL COURT SUITE "F"		
LOT NO. BLOCK		FORT MYERS, FLORIDA 33919		
		(941) 433-4111		
SEC.	TWP.	RGE.		
32	44	27		
COUNTY	STATE		SKETCH TO ACCOMPANY LEGAL DESCRIPTION	
LEE	FLORIDA		PROPOSED 20' WIDE WATERMAIN EASEMENT	
FIELD BR.	PAGE		LEHIGH PARK, LEHIGH, FLORIDA	
-	-		SHEET 1	
-	-		OF 1	