

LEE COUNTY BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY **BLUE SHEET NO: 20020699-UTL**

1. REQUESTED MOTION:

ACTION REQUESTED:

Approve final acceptance, by Resolution, and recording of one easement as a donation for one fire hydrant serving **Monty Sanitation Company a/k/a Mainline Industrial Park, Lot 16**. This is a Developer contributed asset project located on the south side of Mainline Parkway east of Gator Road approximately 1,800' North of Alico Road.

WHY ACTION IS NECESSARY:

To provide fire protection to the recently constructed industrial building.

WHAT ACTION ACCOMPLISHES:

Places the fire hydrant into operation and complies with the Lee County Utilities Operations Manual.

2. DEPARTMENTAL CATEGORY: 10 - UTILITIES
COMMISSION DISTRICT #: 5

C10A

3. MEETING DATE: 07-02-2002

4. AGENDA:

- CONSENT
- ADMINISTRATIVE
- APPEALS
- PUBLIC
- WALK ON
- TIME REQUIRED:

5. REQUIREMENT/PURPOSE:

- (Specify)*
- STATUTE
 - ORDINANCE
 - ADMIN. CODE
 - OTHER *Res/Easement*

6. REQUESTOR OF INFORMATION:

- A. COMMISSIONER: _____
- B. DEPARTMENT: Lee County-Public Works
- C. DIVISION/SECTION: Utilities Division
- BY: Rick Diaz, Utilities Director
- DATE: 6/13/02

7. BACKGROUND:

Fire hydrants 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. Potable water service is provided by Lee County Utilities via existing infrastructure located within the right-of-way of Mainline Parkway. Sanitary Sewer service is provided by Gulf Environmental Services via existing infrastructure located within the right-of-way of Mainline Parkway. Funds are available for recording fees in account number OD5360748700.504930.

SECTION 15 TOWNSHIP 46S RANGE 25E DISTRICT # 5 COMMISSIONER ALBION

MANAGEMENT RECOMMENDATIONS:

9. RECOMMENDED APPROVAL

(A) DEPARTMENT DIRECTOR	(B) PURCH. OR CONTRACTS	(C) HUMAN RESOURCES	(D) OTHER	(E) COUNTY ATTORNEY	(F) BUDGET SERVICES				(G) COUNTY MANAGER
					OA	OM	Risk	GC	
<i>B. Diaz</i> Date: <i>6/18/02</i>	N/A	N/A	<i>T.O.</i> T. Osterhour Date: <i>6-13</i>	<i>[Signature]</i> Date: <i>6/18/02</i>	<i>[Signature]</i> Date: <i>6/19/02</i>	<i>[Signature]</i> Date: <i>6/20/02</i>	<i>[Signature]</i> Date: <i>6/20</i>	<i>[Signature]</i> Date: <i>6/19/02</i>	<i>[Signature]</i> J. Lavender Date: <i>6/18/02</i>

10. COMMISSION ACTION:

- APPROVED
- DENIED
- DEFERRED
- OTHER

RECEIVED BY
 COUNTY ADMIN. *DD*
6/19 12:00
 COUNTY ADMIN.
 SENT TO:
6/20/02 1pm

REC'D 6/18/02
 by CO. ATTY.
 1:50pm
 CO. ATTY 6/19/02
 FORWARDED TO:
Budge
 10:55am

RESOLUTION NO. _____

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

WHEREAS, it is the desire of Robert Marvin Montgomery, Sr., owner of record, to make a contribution to Lee County Utilities of water facilities (one fire hydrant), serving "MONTY SANITATION COMPANY A/K/A MAINLINE INDUSTRIAL PARK, LOT 16"; 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 \$5,000.00 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 Janes(C):	_____	(1)
Commissioner St. Cerny:	_____	(2)
Commissioner Judah (V-C)	_____	(3)
Commissioner Coy:	_____	(4)
Commissioner Albion:	_____	(5)

DULY PASSED AND ADOPTED this _____ day of _____, 2002.

ATTEST:
CHARLIE GREEN, CLERK

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

By: _____
DEPUTY CLERK

By: _____
CHAIRMAN

APPROVED AS TO FORM

OFFICE OF COUNTY ATTORNEY

COPY

11.4

LETTER OF COMPLETION

DATE: May 20, 2002

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/or sewage collection~~ system(s) located in _____
_____ Lot 16 (and West 1/2 of Lot 15) Mainline Industrial Park _____
_____ (Name of Development)
were designed by me and have been constructed in conformance with:

the approved plans

the revised plans, attached

and:

the approved specifications

the revised specifications, attached

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

Very truly yours,

Ahmad R. Kareh, P.E. / Bean, Whitaker, Lutz & Kareh, Inc.
(Owner or Name of Corporation)

Ahmad R. Kareh
(Signature)

Vice-President
(Title)

SEAL OF ENGINEERING FIRM

MAY 23 REC'D

COPY

11.5

CERTIFICATION OF CONTRIBUTORY ASSETS

PROJECT NAME: MAINLINE IP LOT 16 FIRE HYDRANT

LOCATION: MAINLINE DR. 1
05-46-25-04-00000.0150
05-46-25-04-00000.0160

(Including STRAP)

NAME AND ADDRESS OF OWNER: MR ROBERT MARVIN MONTGOMERY Sr.

5545 SHIRLEY ST. NAPLES FL. 34109

(as shown on Deed)

TYPE UTILITY SYSTEM: WATER
(list water, sewer and effluent reuse separately)

DESCRIPTION AND COST OF MATERIAL, LABOR, AND SERVICES

Please list each element of the system, e.g., pipe, manholes, lift stations, meters, valves, fittings, etc.

ITEM	SIZE	QUANTITY	UNIT	COST	TOTAL
TAPPING Sleeve + Valve	6"	1	EA	1500. ⁰⁰	1500. ⁰⁰
FIRE Hydr Assm.	6"	1	EA	1800. ⁰⁰	1800. ⁰⁰
GATE VALVE	6"	1	EA	220. ⁰⁰	220. ⁰⁰
D.I Pipe	6"	40'	LF	12. ⁰⁰	480. ⁰⁰
C-900 DR. 14 PVC	6"	100'	LF	10. ⁰⁰	1000. ⁰⁰

5000.⁰⁰

TOTAL AMOUNT

(If more space is required, use additional page(s). Number each page and include the name of the project).

This Instrument Prepared By:
 Lee County Utilities
 1500 Monroe Street - 3rd Floor
 Fort Myers, Florida 33901

PERPETUAL PUBLIC UTILITY EASEMENT GRANT

THIS INDENTURE is made and entered into this: ___ day of _____, ²⁰⁰²~~2000~~, by and between Robert Marvin Montgomery, Sr. _____, Owner, hereinafter referred to as GRANTOR(S), and LEE COUNTY, hereinafter referred to as GRANTEE.

WITNESSETH:

1. For and in consideration of the sum of TEN DOLLARS (\$10.00) and other good and valuable consideration, the receipt of which is hereby acknowledged and accepted, GRANTOR hereby grants, bargains, sells and transfers to the GRANTEE, its successors and assigns, a perpetual public utility easement situated in Lee County, Florida, located and described as set forth in Exhibit "A", attached hereto and made a part hereof.
2. GRANTEE, its successors, appointees and assigns, are granted the right, privilege, and authority to construct, replace, renew, extend and maintain a wastewater collection and/or water distribution system, together with, but not limited to, all necessary service connections, manholes, valves, fire hydrants, lift stations and appurtenances, to be located on, under, across and through the easement which is located on the property described (Exhibit "A"), with the additional right, privilege and authority to remove, replace, repair and enlarge said system, and to trim and remove roots, trees, shrubs, bushes and plants, and remove fences or other improvements which may affect the operation of lines, mains and/or utility facilities.
3. The public utility easement shall not be limited to any particular diameter size or type and/or number of connections to other water/sewer mains for providing water/sewer service to this and any adjacent properties. The total area of his public utility easement is reserved for utility lines, mains, or appurtenant facilities and for any landscaping (excluding trees), walkways, roadways, drainage ways, or similar uses. Houses, fences, buildings, carports, garages, storage sheds, overhangs, or any other structures or portions of structures shall not be constructed on or placed within this easement at anytime, present or future, by GRANTOR, or its heirs, successors or assigns.

4. Title to all utilities constructed and/or placed hereunder by GRANTEE or its agents shall remain in the GRANTEE, GRANTEE's successors, appointees, and/or assigns.

5. Subject to any pre-existing easements for public highways or roads, railroads, laterals, ditches, pipelines and electrical transmission or distribution lines and telephone and cable television lines covering the land herein described, GRANTOR(S) covenant that they are lawfully seized and possessed of the described real property (Exhibit "A"), have good and lawful right and power to sell and convey it, and that the said property is free of any and all liens and encumbrances, except as herein stated, and accordingly, GRANTOR(S) will forever defend the title and terms of this said easement and the quiet possession thereof by GRANTEE against all claims and demands of all other entities.

6. GRANTOR(S), its heirs, successors or assigns, shall indemnify and hold the GRANTEE harmless for any consequential damages to any houses, fences, buildings, carports, garages, storage sheds, overhangs, or any other structures or portions of structures subsequently constructed by GRANTOR(S) in violation of paragraph 3 within the above easement, which result from the required activities of the GRANTEE for any construction, maintenance or repairs to the utilities location within the above-described easement.

7. GRANTEE will be liable for money damages in tort for any injury to or loss of property, personal injury, or death caused by the negligent or wrongful act(s) or omission(s) of any official or employee of the GRANTEE while acting within the scope of the official's or employee's office or employment under circumstances in which a private person would be found to be liable in accordance with the general laws of the State of Florida, and subject to the limitations as set out in Section 768.28, Florida Statutes, as it may be revised or amended from time to time.

8. GRANTEE shall have reasonable right of access across GRANTOR's property for the purposes of reaching the described easement (Exhibit "A") on either paved or unpaved surfaces. Any damage to GRANTOR's property or permitted improvements thereon as the result of such access to the described easement or the construction, maintenance, or repairs located within the described easement shall be restored by GRANTEE, to the condition in which it existed prior to the damage as is reasonably practicable.

9. By acceptance of this easement, the GRANTEE assumes no responsibility for ownership or maintenance of roads. The easement is strictly for utility purposes.

10. This easement shall be binding upon the parties hereto, their successors and assigns.

IN WITNESS WHEREOF, the GRANTOR has caused this document to be signed on the date and year first above written.

John H. Deum
1st Witness

Robert Marvin Montgomery, Sr. GRANTOR
Robert Marvin Montgomery, Sr.

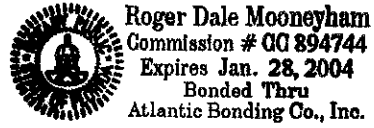
Robert Marvin Montgomery Jr.
2nd Witness

Title: Owner

STATE OF FLORIDA)
) SS:
COUNTY OF COLLIER)

The foregoing instrument was signed and acknowledged before me this 29th day of May, ~~2000~~²⁰⁰² by Robert Marvin Montgomery, Sr. who has produced Personally Known as identification, and who (did) (did not) take an oath. (Type Of Identification and Number)

Roger Dale Mooneyham
Notary Public Signature
Roger DALE Mooneyham
Printed Name of Notary Public
#CC 894744
Notary Commission Number



(NOTARY SEAL)

Bean, Whitaker, Lutz & Barnes, Inc.

CONSULTING ENGINEERS AND SURVEYORS

13041 MCGREGOR BOULEVARD, SUITE 1
FORT MYERS, FLORIDA 33919-5910
E-Mail - FMOFFICE@BWL.B.COM
(941) 481-1331
FAX (941) 481-1073

Description of a Parcel of Land
Lying in
Section 5, Township 46 South, Range 25 East
Lee County, Florida
(Water Line Easement)

A tract or parcel of land situated in the State of Florida, County of Lee, lying in Section 5, Township 46 South, Range 25 East, being part of Lot 16, Mainline Industrial Park, a subdivision recorded in Plat Book 47 at Pages 66-67, Public Records of Lee County, Florida and further described as follows:

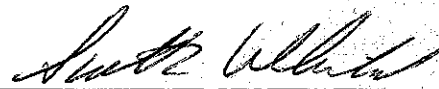
Commencing at the northeast corner of said Lot 16 of said Mainline Industrial Park; thence S00°12'59"E along a common line between said Lot 16 and Lot 15 of said Mainline Industrial Park for 10.00 feet to the Point of Beginning; thence continue S00°12'59"E along said common line for 83.65 feet; thence S89°47'01"W for 20.00 feet; thence N00°12'59"W for 83.65 feet; thence N89°47'01"E for 20.00 feet to the Point of Beginning.

Containing 1,673 square feet (0.04 acres), more or less.

Bearings are based on the east line of said Lot 16 as bearing S00°12'59"E.

Subject to easements, restrictions, reservations and rights-of-way (recorded and unrecorded, written and unwritten).

Bean, Whitaker, Lutz & Barnes, Inc. (LB 4919)



Scott C. Whitaker, F.S.M. 4324

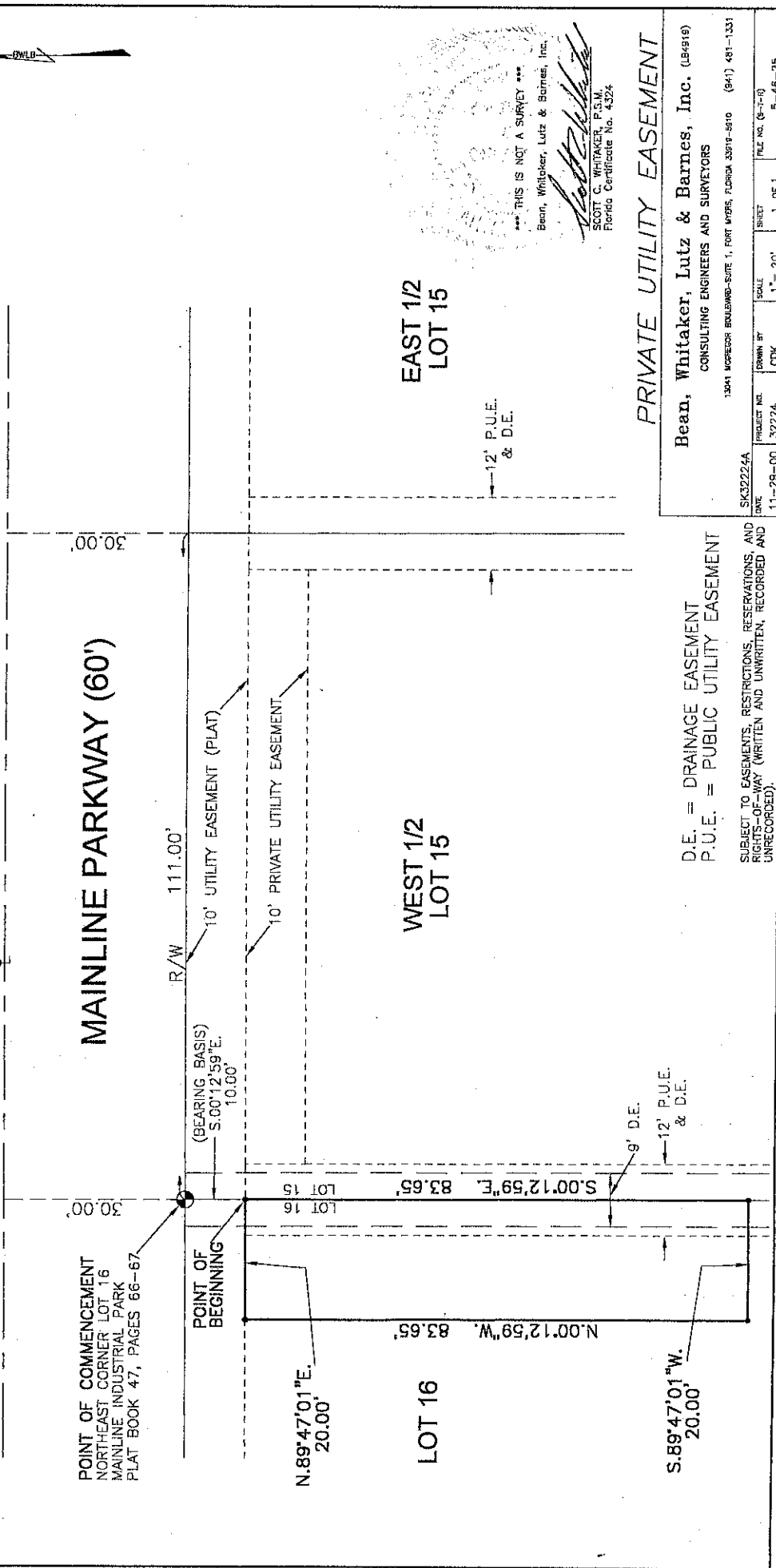
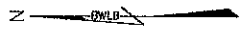
32224DESC2

12/1/00

COPY

SKETCH TO ACCOMPANY DESCRIPTION
OF A PARCEL OF LAND
LYING IN

SECTION 5, TOWNSHIP 46 SOUTH, RANGE 25 EAST,
LEE COUNTY, FLORIDA.



THIS IS NOT A SURVEY ***
Bean, Whitaker, Lutz & Barnes, Inc.
SCOTT C. WHITAKER, P.E.
Florida Certificate No. 4324

PRIVATE UTILITY EASEMENT

Bean, Whitaker, Lutz & Barnes, Inc. (684916)
CONSULTING ENGINEERS AND SURVEYORS

13041 WOODBRIDGE BOULEVARD-SITE 1, FORT WORTH, TEXAS 76116-5810 (817) 481-1331

D.E. = DRAINAGE EASEMENT
P.U.E. = PUBLIC UTILITY EASEMENT

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY (WRITTEN AND UNWRITTEN, RECORDED AND UNRECORDED).

PROJECT NO.	CDK	SCALE	SHEET	FILE NO.
SK32224A	32224	1" = 20'	1 OF 1	5-46-25
DATE				
11-29-00				

TO: LEE COUNTY FINANCE DEPARTMENT

FROM: UTILITIES ENGINEERING
(Department)

SUE GULLEDGE

A. AUTHORIZATION:

This transmittal authorizes the UTIL. ENGINEERING
office to incur expenses for filing/records against:

Purchase Order # N/A for MONTY SANITATION COMPANY A/K/A MAINLINE INDUSTRIAL PARK, LOT 16
project. (ROBERT MARVIN MONTGOMERY, SR.)
ACCOUNT NO. OD5360748700.504930

BS 20020699-UTL

ORIGINAL EASEMENT TO MINUTES AFTER RECORDING,
WITH COPY TO SUE GULLEDGE, UTILITIES


SUE GULLEDGE Signature Authorization

B. SERVICE RECEIVED:

RECORDING _____

O. R. COPIES _____

PLAT COPIES _____

CASE #/INDEX FEE _____

DESCRIPTION OF SERVICE _____

AMOUNT OF FEE INCURRED \$ _____

(date)

(DEPUTY CLERK)

(CUSTOMER) (DEPT.)

THIS FORM GOES TO CASHIER WITH REGULAR RECEIPT ATTACHED

C. INVOICE INFORMATION: (FOR CLERK'S DEPARTMENT ONLY)

REC'D _____

ENTERED _____

CUST. # _____

INV. # _____

PLEASE REMIT TO:

Clerk's Accounting
P.O. BOX 2396
FORT MYERS, FLORIDA 33902-2396

White - FINANCE Yellow - DEPT FISCAL OFFICER Pink - CLERK'S OFFICE