

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

**Blue Sheet No. 20021496**

**1. REQUESTED MOTION:**

**ACTION REQUESTED:** Approve the acquisition of Parcel 109-B by accepting a Perpetual Easement and a Construction Agreement for the Cypress Lake Drive Widening, Project No. 4064; pay necessary costs and fees to close; authorize the Division of County Lands to handle and accept all documentation necessary to complete this transaction.

**WHY ACTION IS NECESSARY:** All real estate acquisitions must be approved by the Board of County Commissioners pursuant to Florida Statute.

**WHAT ACTION ACCOMPLISHES:** Acquires the easements during the voluntary phase of the project, thereby the Board avoids the need to exercise its power of Eminent Domain at a future date.

**2. DEPARTMENTAL CATEGORY:** 06

**3. MEETING DATE:**

**COMMISSION DISTRICT #:** 3

*C6LL*

*03-11-2003*

**4. AGENDA:**

- CONSENT
- ADMINISTRATIVE
- APPEALS
- PUBLIC
- WALK ON

TIME REQUIRED:

**5. REQUIREMENT/PURPOSE:**

- (Specify)
- STATUTE 73,125
  - ORDINANCE
  - ADMIN.
  - OTHER

**6. REQUESTOR OF INFORMATION**

- A. COMMISSIONER
- B. DEPARTMENT Independent
- C. DIVISION County Lands
- BY: Karen L. W. Forsyth, Director

**7. BACKGROUND:**

Cypress Lake Drive Widening, Project No. 4064, will improve Cypress Lake Drive, from near Summerlin Road to Cypress Trace near US 41 in South Fort Myers, to an urban arterial with six lanes, raised median, landscaping, sidewalks, utilities, and a traffic signal at Cypress Lake Drive, Reflection Lakes Parkway and Pebble Beach Drive. The four major property owners at this intersection have contributed a total of \$85,000 towards the construction cost of the signal and donated the necessary easements for the signal equipment.

This property is a portion of Tracts "D" and "B-5" Reflections Lakes subdivision, adjacent to a paved private street known as Reflection Lakes Parkway where it intersects with Cypress Lake Drive. The parcel consists of approximately 770 square feet of the Reflection Lakes Master Association's common area known as STRAP # 26-45-24-06-000B1.00CE. This acquisition consists of a Construction Agreement to remove existing curb, gutter and sidewalk within the easement area and to construct and connect new curb, gutter and sidewalk to that existing prior to construction outside the easement area and a Grant of Perpetual Traffic Signal Easement at the intersection of Reflection Lakes Parkway, Lake Breeze Drive and Cypress Lake Drive, Fort Myers, Florida.

The owner, Reflection Lakes Master Association, Inc., a Florida non-profit corporation, has agreed to donate a Perpetual Easement and to enter into a Construction Agreement for the subject parcel. Lee County will be required to pay customary title examination, search and closing fees, title insurance, documentary stamps, and recording fees totaling approximately \$600.

Staff recommends the Board approve the requested motion.

**ATTACHMENTS:**

- Construction Agreement
- Traffic Signal Easement
- Updated In-House Title Search

Funds are available in Account No. 20406418804.506110  
 204064 - Cypress Lake Drive Widening  
 18804 - Road Impact Fees - S.M./San Carlos  
 506110 - Purchase of Land & Related Costs

**8. MANAGEMENT RECOMMENDATIONS:**

**9. RECOMMENDED APPROVAL:**

| A                   | B                       | C               | D           | E               | F               |                |                 |                    | G                  |
|---------------------|-------------------------|-----------------|-------------|-----------------|-----------------|----------------|-----------------|--------------------|--------------------|
| Department Director | Purchasing or Contracts | Human Resources | Other       | County Attorney | Budget Services |                |                 |                    | County Manager     |
| <i>K. Forsyth</i>   |                         |                 | <i>PAO</i>  | <i>John</i>     | OA              | OM             | RISK            | GC                 | <i>[Signature]</i> |
|                     |                         |                 | <i>2/20</i> | <i>2-25-03</i>  |                 | <i>7/26/03</i> | <i>08/26/03</i> | <i>[Signature]</i> |                    |

**10. COMMISSION ACTION:**

- APPROVED
- DENIED
- DEFERRED
- OTHER

Rec. by CoAtty  
 Date: 2/25/03  
 Time: 1:00 PM  
 Forwarded To:  
 Co. HDL  
 2/25/03 4:04 PM  
 2/30/02 2/19/03

RECEIVED BY  
 COUNTY ADMIN. *EW*  
 2-25-03  
 4:30  
 COUNTY ADMIN.  
 FORWARDED TO: *BH*

REC'D.  
 BY CO. ATTY.  
 CO. ATTY.  
 FORWARDED TO:

This instrument prepared by:  
Lee County  
County Lands  
Post Office Box 398  
Fort Myers, Florida 33902-0398

Parcel: 109 B  
Project: Cypress Lake Drive Widening,  
Project No. 4064  
STRAP No.: 26-45-24-06-000B1.00CE

This Space for Recording

### CONSTRUCTION AGREEMENT

THIS AGREEMENT is made and entered into this 12<sup>th</sup> day of Dec., 2002 between Reflection Lakes Master Association, Inc., a Florida non-profit corporation whose address is 123 NW 13<sup>th</sup> Street, Suite 300, Boca Raton, Florida 33432, hereinafter referred to as OWNER, and LEE COUNTY, a political subdivision of the State of Florida, whose address is Post Office Box 398, Fort Myers, Florida 33902, hereinafter referred to as the COUNTY.

The OWNER covenant that it is lawfully seized and possessed of Tract B-5 and Tract D Reflection Lakes, a subdivision in Section 23, Township 45 South, Range 24 East, as recorded in Plat Book 64, Page 53, Public Records of Lee County, Florida and more particularly described in Exhibit "A" and has the power to enter into this agreement and grant the County an interest in such lands.

The OWNER and the COUNTY in the interest of the public health, welfare, and safety desires to install traffic signals and improve the intersection of Reflection Lakes Boulevard, a privately maintained roadway and Cypress Lake Drive a public roadway.

The OWNER, in consideration of the benefits derived from the project, waives the right of any compensation from the COUNTY and does hereby grant unto the COUNTY, its employees, consulting engineers, invitees, contractors and other representatives' vehicles and equipment, permission to enter upon the following described lands, as described in Exhibit "A" and that portion of Tract B-5 and Tract D as shown on Exhibit "B", for the purpose of ingress and egress to construct the Cypress Lake Drive Widening, Project No. 4064. The COUNTY, in accordance with the Plan and Profile attached as Exhibit "B", has the right, privilege, and authority to remove the existing curb, gutter,

Construction Agreement

Project: Cypress Lake Drive Widening, Project No. 4064

Page 2

sidewalk, and a portion of the private roadway median known as Reflection Lakes Boulevard, along with the authority to construct a new sidewalk/ bikepath and type "F" curb and Gutter on Exhibit "A"; and to connect all new construction to the curbs, gutters and sidewalk existing prior to construction outside of the Exhibit "A" parcel and as shown on Exhibit "B".

THE construction period is expected to last for approximately 15 months commencing on or before April 1, 2003. All rights granted to the shall survive the completion of the work contemplated by this Agreement.

Title to the improvements constructed hereunder will remain in the OWNER, OWNER's successors, appointees, and/or assigns. By acceptance of this Agreement, COUNTY assumes no responsibility for ownership or maintenance of any of the private roadway, including sidewalks/bikepath, curbs and gutters, of the Reflection Lakes Boulevard or Common Area of Reflection Lakes subdivision.

COUNTY, during construction of the project, 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 County 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 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, amended or renumbered from time to time.

COUNTY is hereby granted a reasonable right of access across OWNER's property for the purposes of connecting new curb, gutter, and sidewalk/bikepath to existing facilities and reaching property described in Exhibit "A" on either paved or unpaved surfaces. Any damage to OWNER's property or permitted improvements thereon as the result of such access to Exhibit "A" or the construction referred to in this agreement will be restored, to the extent reasonably practicable, by the COUNTY to the condition in which it existed prior to the damage. The completed

Construction Agreement

Project: Cypress Lake Drive Widening, Project No. 4064

work includes, but not limited to, restoring or replacing sod, mailboxes, driveways, sprinkler systems, and landscaping. COUNTY agrees to coordinate each activity contemplated within this agreement in advance with the manager of the U.S. Postal Service, so as not to interfere with Postal Service operations.

This Agreement shall be binding upon the parties hereto, their successors in interest and any assigns.

IN WITNESS WHEREOF, Reflection Lakes Master Association, Inc., a Florida non-profit corporation, has caused this document to be signed on the date and year first above written.

TWO SEPARATE WITNESSES:

Janet R. Anolick  
1st Witness Signature

JANET R. ANOLICK  
Printed Name of 1st Witness

Agnes Carrasco  
2nd Witness Signature

Agnes CHARISC  
Printed Name of 2nd Witness

STATE OF Florida )  
COUNTY OF Lee )

SWORN TO AND SUBSCRIBED before me this 12 day of Dec., 2002 by David A. Cobb of Reflection Lakes Master Association, Inc., a Florida non-profit corporation, on behalf of the corporation.  
(name of officer or agent, title of officer or agent) (name of corporation acknowledged)  
(state or place of incorporation)

She is personally known to me or has produced \_\_\_\_\_ as identification.  
(type of identification)

Wendy Key Buxton  
(Signature of Notary Public)

\_\_\_\_\_  
(Name typed, printed or stamped)  
(Title or Rank)  
(Serial Number, if any)



Construction Agreement

Project: Cypress Lake Drive Widening, Project No. 4064

Page 4

ACCEPTED ON BEHALF OF THE  
BOARD OF COUNTY COMMISSIONERS  
LEE COUNTY, FLORIDA

**ATTEST:**

Charlie Green, Clerk

By: \_\_\_\_\_  
Deputy Clerk

By: \_\_\_\_\_  
Chairman

Date: \_\_\_\_\_

Approved As to Form:

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

COUNTY PROJ. NO. CN-97-01 (S.T.A. NO. 18) CYPRESS LAKE DRIVE LEE COUNTY DESCRIPTION

PARCEL 109B

PERPETUAL EASEMENT

Those portions of Tracts "D" and "B-5", Reflection Lakes, a subdivision in Section 23, Township 45 South, Range 24 East, as per plat thereof recorded in Plat Book 64, Page 53, Public Records of Lee County, Florida.

Being more particularly described as follows:

COMMENCE at the northwest corner of said Tract "D"; said point lying S 00°51'22" E, a distance of 50.00 feet from survey base line station 136+69.93 of Cypress Lake Drive (per Lee County Project Number CN-97-01, Contract Number III, Supplemental Task Authorization Number 18); thence along the west line of said Tract "D", S 00°51'22" E, a distance of 15.00 feet; thence N 89°08'38" E, a distance of 100.00 feet to the POINT OF BEGINNING; thence S 00°51'22" E, a distance of 39.63 feet to a point lying on the west line of said Tract "B-5"; thence departing said west line, N 43°33'36" E, a distance of 55.49 feet to the south line of said Tract "G"; thence along said south line and the prolongation thereof, S 89°08'38" W, a distance of 38.83 feet to the POINT OF BEGINNING.

Said lands containing 770 square feet, more or less.

NOT A SURVEY

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

PREPARED BY: AIM ENGINEERING & SURVEYING, INC.

10-22-02

BOB L. POTTER REGISTERED SURVEYOR AND MAPPER FLORIDA CERTIFICATE NO. 3488 LICENSED BUSINESS #3114

AIM ENGINEERING & SURVEYING, INC.

5300 LEE BLVD. P.O. BOX 1235 LEHIGH ACRES FLORIDA 33970 1-800-226-4560 FAX 239/332-8734

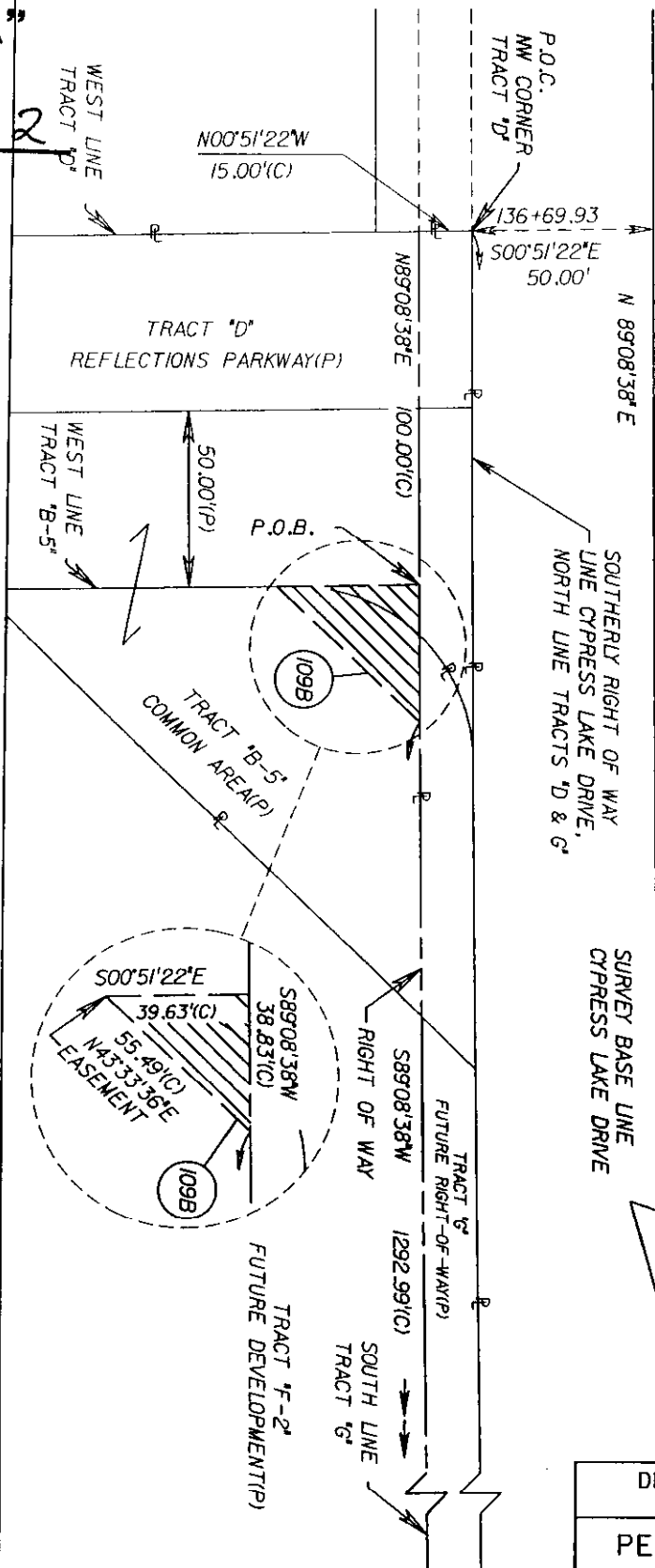
|                                   |     |          |
|-----------------------------------|-----|----------|
| CHANGE R/W TO EASEMENT            | BLD | 10/16/02 |
| RENUMBERED PER NEW OWNERSHIP INFO | DKT | 8-12-01  |
| SPLIT PARCEL 102                  | DKT | 8-18-01  |
| REVISION                          | BY  | DATE     |

|  |     |                  |              |
|--|-----|------------------|--------------|
| DEPARTMENT OF TRANSPORTATION<br>LEE COUNTY |     |                  |              |
| PERPETUAL EASEMENT SKETCH                  |     |                  |              |
| CYPRESS LAKE DRIVE                         |     | LEE              | COUNTY       |
|  | BY  | DATE             | APPROVED BY  |
| PRELIM                                     | DKT | 4-17-01          |              |
| FINAL                                      | DKT | 4-19-01          |              |
| CHECKED                                    | BAJ | 4-19-01          |              |
| MAPS PREPARED BY                           |     | FIELD BOOK NO.'S |              |
| AIM ENG. & SURVEYING, INC.                 |     | N/A              |              |
| S.T.A. NO. 18                              |     | SCALE: N/A       |              |
| CONTRACT No. III                           |     |                  | SHEET 1 OF 2 |

...1098-01.dgn 10/22/02 09:24:30 AM

Exhibit "A"

Page 2 of 2



NOT A SURVEY

|  |         |                          |      |
|--|---------|--------------------------|------|
| DEPARTMENT OF TRANSPORTATION<br>LEE COUNTY     |         |                          |      |
| PERPETUAL EASEMENT SKETCH                      |         |                          |      |
| CYPRESS LAKE DRIVE                             |         | LEE COUNTY               |      |
| BY   | DATE    | APPROVED BY              | DATE |
| PRELIM DKT                                     | 4-17-01 |                          |      |
| FINAL DKT                                      | 4-19-01 |                          |      |
| CHECKED MAJZ                                   | 4-19-01 |                          |      |
| MAPS PREPARED BY<br>AIM ENG. & SURVEYING, INC. |         | FIELD BOOK NO. 'S<br>N/A |      |
| S.T.A. NO. 18                                  |         | SCALE: 1" = 40'          |      |
| CONTRACT No. 111                               |         | SHEET 2 OF 2             |      |

AIM ENGINEERING & SURVEYING, INC.  
5300 LEE BLVD.  
P.O. BOX 1235  
LEHIGH ACRES  
FLORIDA 33970  
1-800-226-4869  
FX1219/392-8734

|                                   |     |          |
|-----------------------------------|-----|----------|
| CHANGE R/W TO EASEMENT            | BLB | 10/16/02 |
| RENUMBERED PER NEW OWNERSHIP INFO | DKT | 9-12-01  |
| SPLIT PARCEL 107                  | DKT | 8-15-01  |
| REVISION                          | BY  | DATE     |





This instrument prepared by:  
Lee County  
County Lands  
Post Office Box 398  
Fort Myers, Florida 33902-0398

ORIGINAL DOCUMENTS RETAINED IN  
COUNTY LANDS FILES FOR HANDLING  
UPON BOARD ACCEPTANCE

Parcel: 109B  
Project: Cypress Lake Drive - 4064  
Legal 106E, Signal Easement  
STRAP No.: 26-45-24-06-000B1.00CE

**GRANT OF PERPETUAL  
TRAFFIC SIGNAL EASEMENT**

This INDENTURE, made and entered into this 12<sup>th</sup> day of Dec., 2002, between REFLECTION LAKES MASTER ASSOCIATION, INC., a Florida non-profit corporation, Owner, whose address is 123 NW 13<sup>th</sup> Street, Suite 300, Boca Raton, Florida 33432 hereinafter "Grantor", and LEE COUNTY, a political subdivision of the State of Florida, whose address is Post Office Box 398, Fort Myers, Florida 33902-0398 hereinafter "Grantee":

WITNESSETH:

1. In consideration of the benefits to be derived from the project, Grantor waives the right to any compensation from the Grantee and hereby grants, donates, and transfers to the Grantee, its successors and assigns, the use of a perpetual public easement situated in Lee County, Florida, and located and described as set forth in Exhibit "A" attached.

2. Grantee, its successors, appointees and assigns, are granted ingress and egress and the right, privilege, and authority to construct, replace, renew, extend and maintain a public roadway traffic signal, signalization equipment including overhead signal pole, and appurtenances, to be located on, under, across, and through the easement which is located on the property described in Exhibit "A", with the additional right, privilege and authority to remove, replace, repair and enlarge said signal system within the easement.

3. The Grantor may not construct any structures within said easement, nor will any foliage be placed in said easement.

4. Title to the constructed improvements will remain in the Grantee, Grantee's successors, appointees and/or assigns.

5. Subject to any 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 covenant that they are lawfully seized and possessed of the described real property in Exhibit "A", have good and lawful right and power to sell and convey it, and that the property is free and clear of all liens and encumbrances, except as herein stated, and accordingly, Grantor will forever warrant and defend the title and terms to this said easement and the quiet possession thereof against all claims and demands of all other entities.

6. Grantor, its heirs, successors or assigns, will indemnify and hold the Grantee harmless for any consequential damages to any houses, fences, buildings, carports, garages, storage sheds or any other structures subsequently constructed by Grantor in violation of paragraph 3. within the above easement, resulting from the required activities of the Grantee for any construction, maintenance or repairs to the signal system located within the above-described easement.

7. Grantee will have a reasonable right of access across Grantor's property for the purposes of reaching the described easement in Exhibit "A" on either paved or unpaved surfaces. Any damage to Grantor's property or permitted improvements resulting from use of the access to property described in Exhibit "A" or the Grant of Perpetual Traffic Signal Easement construction, maintenance, or repairs located within the easement will be restored to the extent reasonably practicable, by the Grantee, to the condition in which it existed prior to the damage. The completed work includes, but not be limited to, restoring or replacing sod, mailboxes, driveways, sprinkler systems, and landscaping. COUNTY agrees to coordinate each activity contemplated with the easement area in advance with the manager of the U.S. Postal Service, so as not to interfere with Postal Service operations.

8. 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 County 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, amended or

ORIGINAL DOCUMENTS RETAINED IN  
COUNTY LANDS FILES FOR HANDLING  
UPON BOARD ACCEPTANCE.

renumbered from time to time.

9. THIS AGREEMENT is binding upon the parties, their successors and assigns.

IN WITNESS WHEREOF, REFLECTION LAKES MASTER ASSOCIATION, INC. A Florida non-profit corporation, OWNER, has caused this document to be signed on the date first above written.

TWO SEPARATE WITNESSES:

REFLECTION LAKES MASTER ASSOCIATION, INC. A Florida non-profit corporation

Janet R Anolick  
1st Witness Signature

By: David A. Cobb /12-12-02  
Name Date

JANET R. ANOLICK  
Printed name of 1st Witness

David A. Cobb  
Printed Name  
Title: President, Director

Agnes Caruso  
2nd Witness Signature

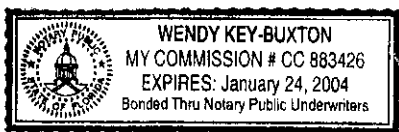
Corporate Seal:

Agnes CARUSO  
Printed name of 2nd Witness

STATE OF Florida )  
COUNTY OF Lee )

The foregoing instrument was acknowledged before me this 12 day of Dec., 2002, by David A. Cobb  
(name of officer or agent and title )

of Reflection Lakes Master Assoc. Inc., a Florida non-profit corporation, on behalf of the corporation. He is personally known to me or who has produced \_\_\_\_\_ as identification.



Wendy Key-Buxton  
(Signature of Notary Public)  
Wendy Key-Buxton  
(Name typed, printed or stamped)  
(Title or Rank)  
(Serial Number, if any)

ORIGINAL DOCUMENTS RETAINED IN  
COUNTY PROJ. NO. CN-97-01 (S.T.A. NO. 18) CYPRESS LAKE DRIVE LEE COUNTY PRESCRIPTION  
UPON BOARD ACCEPTANCE

PARCEL 109B

PERPETUAL EASEMENT

Those portions of Tracts "D" and "B-5", Reflection Lakes, a subdivision in Section 23, Township 45 South, Range 24 East, as per plat thereof recorded in Plat Book 64, Page 53, Public Records of Lee County, Florida.

Being more particularly described as follows:

COMMENCE at the northwest corner of said Tract "D"; said point lying S 00°51'22" E, a distance of 50.00 feet from survey base line station 136+69.93 of Cypress Lake Drive (per Lee County Project Number CN-97-01, Contract Number III, Supplemental Task Authorization Number 18); thence along the west line of said Tract "D", S 00°51'22" E, a distance of 15.00 feet; thence N 89°08'38" E, a distance of 100.00 feet to the POINT OF BEGINNING; thence S 00°51'22" E, a distance of 39.63 feet to a point lying on the west line of said Tract "B-5"; thence departing said west line, N 43°33'36" E, a distance of 55.49 feet to the south line of said Tract "G"; thence along said south line and the prolongation thereof, S 89°08'38" W, a distance of 38.83 feet to the POINT OF BEGINNING.

Said lands containing 770 square feet, more or less.

NOT A SURVEY

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

PREPARED BY  
AIM ENGINEERING & SURVEYING, INC.

*[Signature]* 10-22-02

JOE LY POTTER  
REGISTERED SURVEYOR AND MAPPER  
FLORIDA CERTIFICATE NO. 3688  
LICENSED BUSINESS #1114

AIM ENGINEERING & SURVEYING, INC.  
5900 LEE BLVD.  
P.O. BOX 1239  
LEHIGH ACRES  
FLORIDA 33970  
1-800-226-4569  
FX238/232-8734

| REVISION                          | BY  | DATE     |
|-----------------------------------|-----|----------|
| CHANGE R/W TO EASEMENT            | SLB | 10/16/02 |
| RENUMBERED PER NEW OWNERSHIP TRAC | DKT | 8-13-01  |
| SPLIT PARCEL 107                  | DKT | 8-13-01  |

| DEPARTMENT OF TRANSPORTATION<br>LEE COUNTY     |         |                         |      |
|--|---------|-------------------------|------|
| PERPETUAL EASEMENT SKETCH                      |         |                         |      |
| CYPRESS LAKE DRIVE                             |         | LEE COUNTY              |      |
| BY   | DATE    | APPROVED BY             | DATE |
| PRELIM DKT                                     | 4-17-01 |                         |      |
| FINAL DKT                                      | 4-19-01 |                         |      |
| CHECKED MJZ                                    | 4-19-01 |                         |      |
| MAPS PREPARED BY<br>AIM ENG. & SURVEYING, INC. |         | FIELD BOOK NO.'S<br>N/A |      |
| S.T.A. NO. 18                                  |         | SCALE: N/A              |      |
| CONTRACT No. III                               |         | SHEET 1 OF 2            |      |

10/22/02 08:24:30 AM

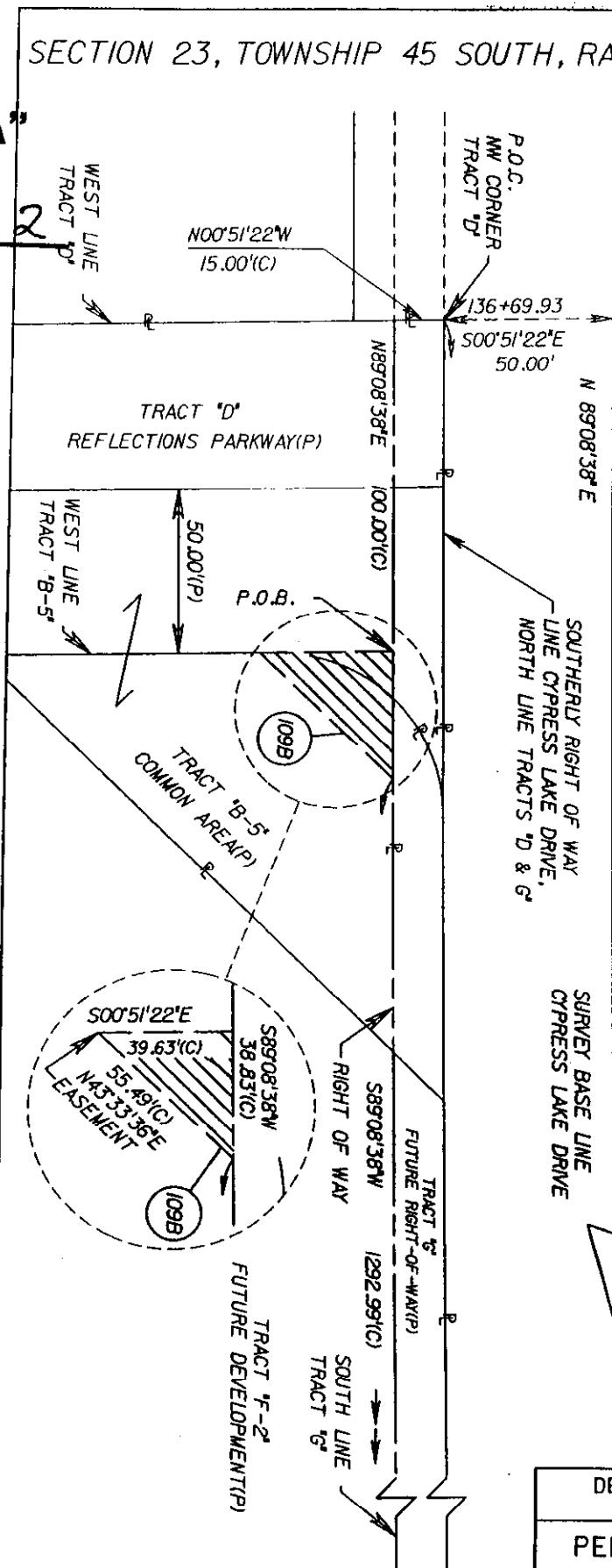
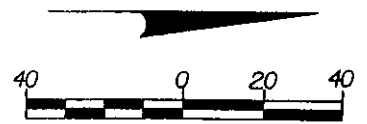
SECTION 23, TOWNSHIP 45 SOUTH, RANGE 24 EAST

COUNTY PROJ. NO.

CN-97-01

Exhibit "A"

Page 2 of 2



ORIGINAL DOCUMENTS RETAINED IN  
LANDS FILES FOR HANDLING  
BOARD ACCEPTANCE

REFLECTION LAKES  
PLAT BOOK 64, PAGE 53  
LEE COUNTY, FLORIDA  
AREA PARCEL 1098 = 770 SQUARE FEET +/-

139

NOT A SURVEY

|  |         |                          |        |
|--|---------|--------------------------|--------|
| DEPARTMENT OF TRANSPORTATION<br>LEE COUNTY     |         |                          |        |
| PERPETUAL EASEMENT SKETCH                      |         |                          |        |
| CYPRESS LAKE DRIVE                             |         | LEE                      | COUNTY |
| BY   | DATE    | APPROVED BY              | DATE   |
| PRELIM DKT                                     | 4-17-01 |                          |        |
| FINAL DKT                                      | 4-19-01 |                          |        |
| CHECKED MJZ                                    | 4-19-01 |                          |        |
| MAPS PREPARED BY<br>AIM ENG. & SURVEYING, INC. |         | FIELD BOOK NO. 'S<br>N/A |        |
| S.T.A. NO. 18                                  |         | SCALE: 1" = 40'          |        |
| CONTRACT No. 111                               |         | SHEET 2 OF 2             |        |

**AIM ENGINEERING & SURVEYING, INC.**  
 5900 LEE BLVD.  
 P.O. BOX 1295  
 LEHI OH ACRES  
 FLORIDA 32970  
 1-800-226-4869

|                                   |     |          |
|-----------------------------------|-----|----------|
| CHANGE R/W TO EASEMENT            | BLD | 10/16/02 |
| RENUMBERED PER NEW OWNERSHIP INFO | DKT | 8-12-01  |
| SPLIT PARCEL 107                  | DKT | 8-15-01  |

## Division of County Lands

### 3<sup>rd</sup> Updated In House Title Search

Search No. 21905/D

Date: January 7, 2003

Parcel: 109-B

Project: Cypress Lake Drive

Widening, Project 4063

To: Michael J. O'Hare, SR/WA  
Property Acquisition Agent

From: Shelia A. Bedwell, CLS  
Real Estate Title Examiner



STRAP: 26-45-24-06-000B1.00CE

An update has been requested of In House Title Search No. 21905/D which covers the period beginning January 1, 1940, at 8:00 a.m. and is now complete through December 16, 2002, at 5:00 p.m.

**Subject Property:** See attached Schedule "X"

Title to the subject property is vested in the following:

#### **Reflection Lakes Master Association, Inc., a Florida non-profit corporation**

by that certain instrument dated May 8, 2001, recorded May 25, 2001, in Official Record Book 3419, Page 4889, Public Records of Lee County, Florida.

#### **Subject to:**

1. Title to oil, gas and mineral rights and leases on subject property is specifically omitted from this report.
2. Non-exclusive perpetual easement granted to Cypress Lake Corporation for purposes of allowing grantee to utilize grantor's property in connection with any and all stormwater drainage systems, construction and maintenance of drainage lines, and road ingress/egress, as recorded in Official Record Book 2925, Page 2135, as amended in Official Record Book 3212, Page 813, Public Records of Lee County, Florida.
3. Perpetual conservation easement granted to South Florida Water Management District, as recorded in Official Record Book 3160, Page 3058, Public Records of Lee County, Florida.
4. Exclusive and Perpetual Wastewater Force Main Easement granted to Florida Cities Water Company, as recorded in Official Record Book 2771, Page 3019, Public Records of Lee County, Florida; lengthy metes and bounds legal description for this easement was not mapped out for purposes of this report, however, the sketch attached to the easement instrument appears to indicate that the Northerly portion of the easement may affect the subject lot. [Cursory review of the metes and bounds description reveals that the easement

## Division of County Lands

### 3<sup>rd</sup> Updated In House Title Search

Search No. 21905/D

Date: January 7, 2003

Parcel: 109-B

Project: Cypress Lake Drive

Widening, Project 4063

abuts Cypress Lake Drive.]

5. Exclusive and perpetual wastewater force main easement granted to Florida Cities Water Company, as recorded in Official Record Book 2771, Page 3030, Public Records of Lee County, Florida; lengthy metes and bounds legal description for this easement was not mapped out for purposes of this report, however, the sketch attached to the easement instrument appears to indicate that the Northerly portion of the easement may affect the subject lot. [Cursory review of the metes and bounds description reveals that the easement abuts Cypress Lake Drive.]
6. Easements for access, maintenance and use of the areas described as stormwater drainage and mitigation areas, as recited in Article IV, Section 4.1 and 4.2 of the Declaration recorded in Official Record Book 3156, Page 2364, Public Records of Lee County, Florida.
7. Easements set forth in Article IV, Sections 4.2 - 4.6 through 4.10 - 8.3 - 13.9 and 13.16 of the Master Declaration for Reflection Lakes, as recorded in Official Record Book 3156, Page 2421, Public Records of Lee County, Florida. [Note: Supplements adding property to the Master Declaration are recorded in Official Record Book 3242, Page 2153; Official Record Book 3314, Page 1048; and Official Record Book 3347, Page 3626.]

Plat dedications (for information):

Common areas B-1 through B-6 are dedicated to Reflection Lakes Wastewater Association.

Tracts "A" and "D" are dedicated to Reflection Lakes Stormwater Drainage Areas and Mitigation Areas Joint Council, Inc. AND to the Reflection Lakes Master Association for road right-of-way, ingress and egress, subject to a Public Utility Easement, as dedicated on plat.

**Tax Status:** No taxes are assessed to this parcel.

*(The end user of this report is responsible for verifying tax and/or assessment information.)*

**The Division of County Lands has made a diligent search of the Public Record. However, this report contains no guarantees nor warranty as to its accuracy.**

## Schedule X

Parcel 109-B

Project: Cypress Lake Drive Widening, Project #4064

Search No. 21905/D

Those portions of Tracts "D" and "B-5", Reflection Lakes, a subdivision in Section 23, Township 45 South, Range 24 East, as per plat thereof recorded in Plat Book 64, Page 53, Public Records of Lee County, Florida.

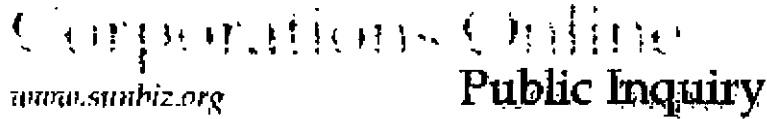
Being more particular described as follows:

COMMENCE at the northwest corner of said Tract "D"; said point lying S 00°51'22" E, a distance of 50.00 feet from survey base line station 136+69.93 of Cypress Lake Drive (per Lee County Project Number CN-97-01, Contract Number III, Supplemental Task Authorization Number 18); thence along the west line of said Tract "D", S 00°51'22" E, a distance of 15.00 feet; thence N 89°08'38" E, a distance of 100.00 feet to the Point of Beginning; thence S 00°51'22" E, a distance of 39.63 feet to a point lying on the west line of said Tract "B-5"; thence departing said west line, N 43°33'36" E, a distance of 55.49 feet to the south line of said Tract "G"; thence along said south line and the prolongation thereof, S 89°08'38" W, a distance of 38.83 feet to the Point of Beginning.

Said lands containing 700 square feet, more or less.



Florida Department of State, Division of Corporations



Florida Non Profit

REFLECTION LAKES MASTER ASSOCIATION, INC.

PRINCIPAL ADDRESS  
 123 N.W. 13TH STREET  
 SUITE 300  
 BOCA RATON FL 33432  
 Changed 04/25/2000

MAILING ADDRESS  
 123 N.W. 13TH STREET  
 SUITE 300  
 BOCA RATON FL 33432  
 Changed 04/25/2000

Document Number  
 N99000003167

FEI Number  
 650961430

Date Filed  
 05/21/1999

State  
 FL

Status  
 ACTIVE

Effective Date  
 NONE

Last Event  
 AMENDMENT

Event Date Filed  
 08/11/1999

Event Effective Date  
 NONE

Registered Agent

| Name & Address   |
|--|
| BROCK, HERBERT O JR.<br>BECKER & POLIAKOFF, P.A.<br>13515 BELL TOWER DR - STE 101<br>FORT MYERS FL 33907 |
| Name Changed: 02/15/2002   |
| Address Changed: 02/15/2002  |

Officer/Director Detail

| Name & Address   | Title |
|--|-------|
| COBB, DAVID<br>123 N.W. 13TH STREET<br>BOCA RATON FL 33432       | PD    |
| KEY-BUXTON, WENDY<br>123 N.W. 13TH STREET<br>BOCA RATON FL 33432 | VD    |
| COUGHLIN, JAY<br>123 N.W. 13TH STREET<br>BOCA RATON FL 33432     | STD   |

Annual Reports

| Report Year | Filed Date | Intangible Tax |
|-------------|------------|----------------|
| 2000        | 04/25/2000 |                |
| 2001        | 04/23/2001 |                |
| 2002        | 04/04/2002 |                |

[Previous Filing](#)

[Return to List](#)

[Next Filing](#)

[View Events](#)

No Name History Information

### Document Images

Listed below are the images available for this filing.

04/04/2002 -- COR - ANN REP/UNIFORM BUS REP  
 02/15/2002 -- Reg. Agent Change  
 04/23/2001 -- ANN REP/UNIFORM BUS REP  
 04/25/2000 -- ANN REP/UNIFORM BUS REP  
 08/11/1999 -- Amendment  
 05/21/1999 -- Domestic Non-Profit

**THIS IS NOT OFFICIAL RECORD; SEE DOCUMENTS IF QUESTION OR CONFLICT**

[Corporations Inquiry](#)

[Corporations File](#)