

LEE COUNTY BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY

BLUE SHEET NO: 20031043 -UTL

1. REQUESTED MOTION:

ACTION REQUESTED:

Approve final acceptance, by Resolution, as a donation of water distribution and gravity collection systems serving LEGENDS, TRACT "I", PHASE 3 (WOODRIDGE POINTE). This is a developer contributed asset project located on the west side of Fiddlesticks Boulevard across from The Old Hickory Club and just north of Fiddlesticks Country Club.

WHY ACTION IS NECESSARY: To provide potable water service, fire protection and sanitary sewer service to this phase of the residential development.

WHAT ACTION ACCOMPLISHES: Places the water and sewer systems into operation and complies with the Lee County Utilities Operations Manual.

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

C10B

3. MEETING DATE:

09-23-2003

4. AGENDA:

- CONSENT
- ADMINISTRATIVE
- APPEALS
- PUBLIC
- TIME REQUIRED: _____

5. REQUIREMENT/PURPOSE:

(Specify)

- STATUTE _____
- ORDINANCE _____
- ADMIN. CODE _____
- OTHER Res. _____

6. REQUESTOR OF INFORMATION:

- A. COMMISSIONER: _____
- B. DEPARTMENT: Lee County Public Works
- C. DIVISION/SECTION: Utilities Division
- BY: Rick Diaz, P.E., Utilities Director
- DATE: 9/4/03

7. BACKGROUND:

The Board granted permission to construct on 01/15/02, Blue Sheet #20011384. The installation has been inspected for conformance to the Lee County Utilities Operations Manual. Satisfactory pressure and bacteriological testing of the water system has been completed. Satisfactory closed circuit television inspection of the gravity collection system has been performed. As-builts have been provided. 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 Contributory Assets has been provided---copy attached. 100% of the connection fees have been paid. No funds required.

SECTION 28 TOWNSHIP 45S RANGE 25E DISTRICT #5 COMMISSIONER ALBION

8. 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
					GA	GM	Risk	GC	
<i>J. Lavender</i> Date: 9.4.03	N/A Date:	N/A Date:	T.O. T. Osterhout Date: 9-4	<i>S. [unclear]</i> Date: 9/4/03	<i>P.M.</i> 9/5/03	<i>[unclear]</i> 9/5/03	<i>[unclear]</i> 9/5/03	<i>[unclear]</i> 9/5/03	<i>J. Lavender</i> Date: 9.4.03

10. COMMISSION ACTION:

- APPROVED
- DENIED
- DEFERRED
- OTHER

Rec. by CoAtty
Date: 9/11/03
Time: 4:30 PM
Forwarded To: City Admin
9/15/03

RECEIVED BY COUNTY ADMIN: [Signature]
9/5
9:15 am
COUNTY ADMIN FORWARDED TO:
9/8 11:00

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

WHEREAS, it is the desire of Kings Wood Development Company, LC, owner of record, to make a contribution to Lee County Utilities of water facilities (water distribution system), and sewer facilities (gravity collection system) serving "**LEGENDS, TRACT "I", PHASE 3 (WOODRIDGE POINTE)**"; 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 **\$47,172.04** 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 Douglas St. Cerny: _____ (2)
- Commissioner Ray Judah (C): _____ (3)
- Commissioner Andrew Coy: _____ (4)
- Commissioner John Albion (V-C): _____ (5)

DULY PASSED AND ADOPTED this _____ day of _____, 2003.

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

LETTER OF COMPLETION

DATE: **APRIL 9, 2003**

COPY

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 sewer collection system (s) located in _____

LEGENDS GOLF AND COUNTRY CLUB – TRACT "I" – PHASE 3

(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: _____

Water pressure tests and sewer pressure tests, sewer viewer

Very truly yours,

SAMUEL W. MARSHALL, P.E. # 48881

Banks Engineering, Inc.

(Owner or Name of Corporation)

(Signature)

4/7/03

PROJECT MANAGER

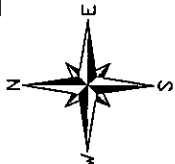
(Title)

(SEAL OF ENGINEERING FIRM)

7/1/96

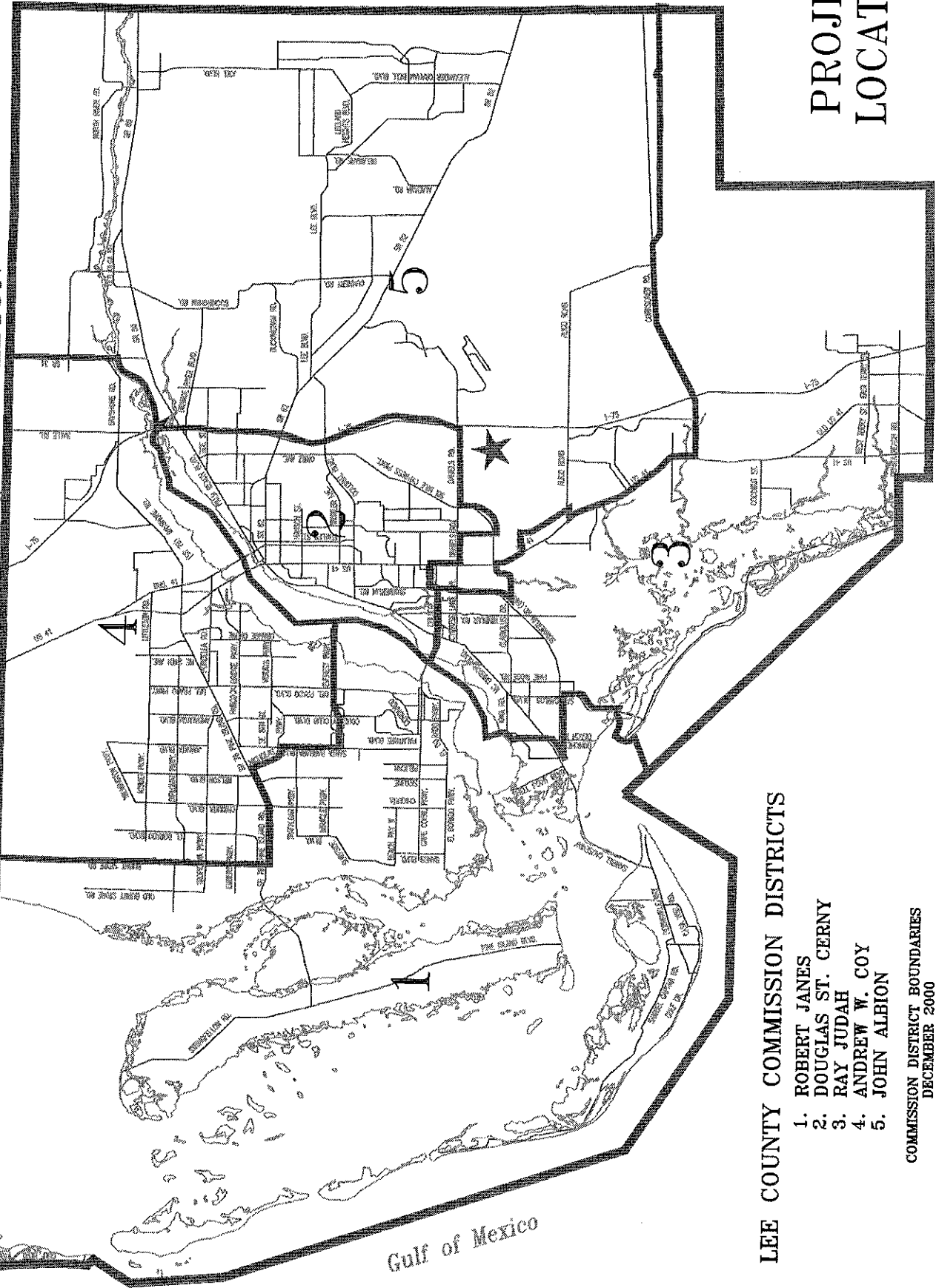


LEGENDS, TRACT 'I' - PHASE 3 WOODBRIDGE POINTE
 28-45-25-13-000A2.0000 FORMERLY 28-45-25-07-00001.0000
 COMMISSION DISTRICT #5 - ALBION



COPY

PROJECT
 LOCATION



LEE COUNTY COMMISSION DISTRICTS

- 1. ROBERT JANES
- 2. DOUGLAS ST. CERNY
- 3. RAY JUDAH
- 4. ANDREW W. COY
- 5. JOHN ALBION

COMMISSION DISTRICT BOUNDARIES
 DECEMBER 2000

Gulf of Mexico

COPY

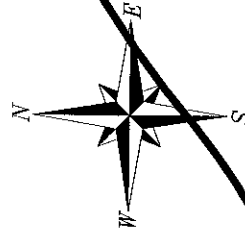
LEGENDS - TRACT 1 PHASE 3 - WOOD RIDGE POINTE

COMMISSION DISTRICT #5 - ALBION

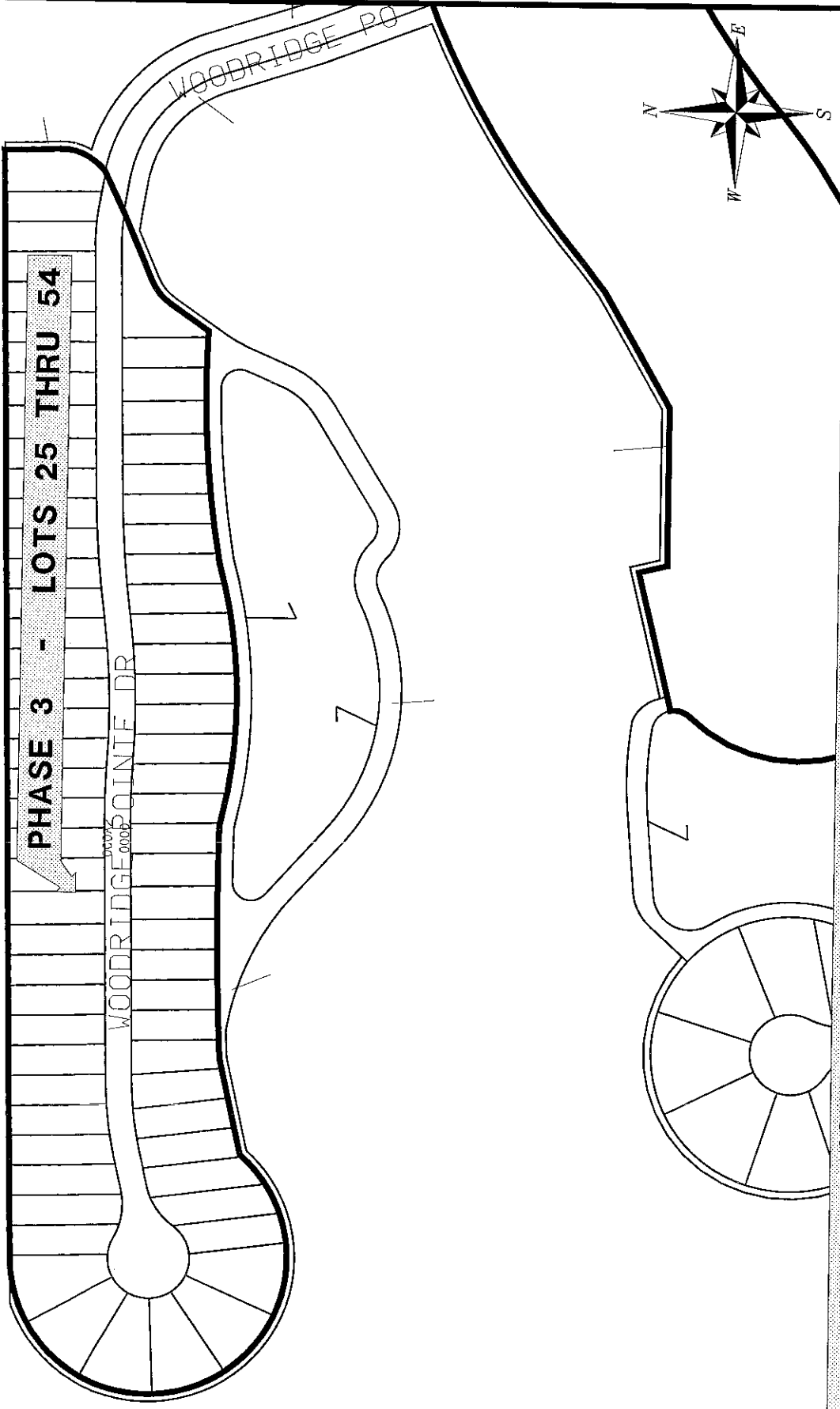
PHASE 3 - LOTS 25 THRU 54

WOODRIDGE POINTE DR

WOODRIDGE PO



28-45-25-13-000A2.0000 FORMERLY 28-45-25-07-00001.0000




**WAIVER AND RELEASE OF LIEN
UPON FINAL PAYMENT**

The undersigned lienor, in consideration of the final payment in the amount of Forty Seven Thousand One Hundred seventy Two Dollars & 04/100 (\$47,172.04) hereby waives and releases its lien and right to claim a lien for labor, services, or materials furnished to US HOME - LENNAR CORPORATION on the job of LEGENDS TRACT I PHASE 3 to the following described property:

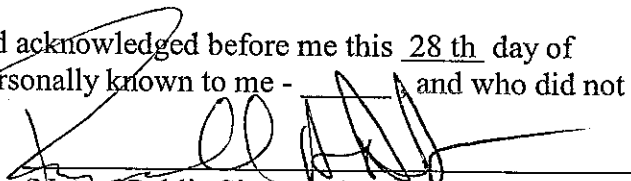
<u>LEGENDS TRACT I PHASE 3</u>	<u>water distribution and sanitary sewer systems</u>
(Name of Development/Project)	(Facilities Constructed)
<u>LEGENDS GOLF & COUNTRY CLUB</u>	<u>(formerly 28-45-25-13-000A2.0000</u>
(Location)	<u>28-45-25-07-0000, I0000)</u>
(Please provide full name and location of development and a description of the utility system constructed).	

Dated on: August 28, 2003

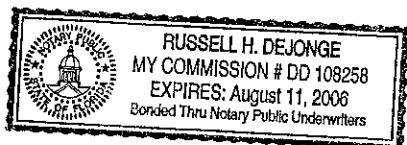
By: <u></u>	<u>Mitchell & Stark Construction Co., Inc.</u>
(Signature of Authorized Representative)	(Name of Firm or Corporation)
By: <u>BRIAN PENNER</u>	<u>6001 Shirley Street</u>
(Print Name of Authorized Representative)	(Address of Firm or Corporation)
Phone #: <u>(239)597-2165 Ext.25</u>	<u>Naples, FL 34109-</u>
	(City, State & Zip Of Firm Or Corporation)
Fax#: <u>(239)566-7865</u>	

STATE OF FL)
) SS:
 COUNTY OF Collier)

The foregoing instrument was signed and acknowledged before me this 28 th day of AUG, 2003 by Brian Penner who is personally known to me - and who did not take an oath.


 (Notary Public Signature)

(Notary Seal & Commission Number) Russell H. De Jonge
 (Printed Name of Notary Public)



WARRANTY

THE UNDERSIGNED parties do hereby warrant and/or guaranty all work executed by the contractor on the water and/or sewer systems of (Name of Development): LEGENDS GOLF & COUNTRY CLUB

TRACT -I- "PHASE 3" 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.

Mitchell & Stark Construction Co. Inc.
(NAME OF OWNER OR CONTRACTOR)

BY: Michael DeVito, Project Manager
(SIGNATURE & TITLE)

STATE OF Florida)
) SS:
COUNTY OF Collier)

The foregoing instrument was signed and acknowledged before me this 31st day of MARCH

2003 by Michael DeVito, Project Manager
MICHAEL DEVITO, PROJECT MANAGER

who has produced _____ as identification,
and who (did)

(did not) take an oath.

(NOTARY SEAL)

Morris Sons
Notary Public Signature

My Commission D0059332
Expires January 07 2006
Morris Sons
Printed Name of Notary Public



CERTIFICATION OF CONTRIBUTORY ASSETS

PROJECT NAME: LEGENDS, TRACT I - PHASE 3

STRAP NUMBER: 28-45-25-13-000A2.0000

LOCATION: WOOD RIDGE POINTE DRIVE

OWNER'S NAME: KINGSWOOD DEVELOPMENT CO (BY LENNAR HOMES)

OWNER'S ADDRESS: 700 NW 107TH AV

OWNER'S ADDRESS: MIAMI, FL 33172-

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

DESCRIPTION AND COST OF MATERIAL, LABOR, AND SERVICES

<u>ITEM</u>	<u>SIZE</u>	<u>QUANTITY</u>	<u>UNIT</u>	<u>UNIT COST</u>	<u>TOTAL</u>
PVC C-900 DR-18	8"	809.0	LF	\$9.71	\$7,855.39
CL-50 DIP	8"	12.6	LF	\$42.25	\$532.35
FIRE HYDRANT ASSEMBLY		2.0	EA	\$2,340.00	\$4,680.00
DOUBLE WATER SERVICE/COMPLETE	2"	17.0	EA	\$480.00	\$8,160.00
GATE VALVE	8"	1.0	EA	\$975.00	\$975.00
ASSORTED FITTINGS	8"		LS	\$1,883.00	\$1,883.00
TOTAL					\$24,085.74

Please list each element of the system, e.g., pipe, manholes, lift stations, meters, valves, fittings, etc.
 (If more space is required, use additional forms(s).)

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:

B.P. Penner Vice President

(Name & Title of Certifying Agent)

OF: MITCHELL & STARK CONST. CO. INC.

(Firm or Corporation)

ADDRESS: 6001 Shirley Street
Naples, Florida, 34109

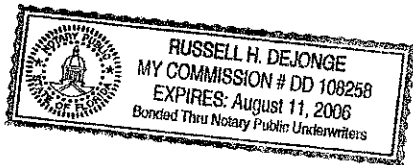
STATE OF Florida)
) SS:
COUNTY OF Collier)

The foregoing instrument was signed and acknowledged before me this 28th day of August, 2003, Brian Penner, Vice President,

who is personally known to me, and who (did not) take an oath.

Russell H. DeJonge
Notary Public Signature

(NOTARY SEAL)



Russell H. DeJonge

Printed Name of Notary Public

Notary Commission Number



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:

Michael De Vito Project Manager
(Name & Title of Certifying Agent)

(Firm or Corporation)

OF: MITCHELL & STARK CONST. CO. INC.


ADDRESS: 6001 Shirley Street
Naples, Florida, 34109

STATE OF Florida)
) SS:
COUNTY OF Collier)

The foregoing instrument was signed and acknowledged before me this 31st day of MARCH,
2003, by Michael De Vito, Project Manager

who has produced _____ as identification, and
who (did) (did not) take an oath.


(NOTARY SEAL)

 Morris Sons
My Commission DD050332
Expires January 07 2006

Morris Sons
Notary Public Signature

MORRIS SONS
Printed Name of Notary Public

Notary Commission Number

 Morris Sons
My Commission DD050332
Expires January 07 2006

